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Representative Antonio

Cosponsors: Representatives Strahorn, Celebreeze, Sykes, Bishoff, Boggs, Boyd, Clyde, Kelly, Craig, Kent, Leland, Lepore-Hagan, Ramos, Sheehy, Smith, K., West, Miller

A BILL

To amend sections 9.03, 124.93, 125.111, 153.59, 1
153.591, 340.12, 511.03, 717.01, 1501.012, 2
1751.18, 2927.03, 3113.36, 3301.53, 3304.15, 3
3304.50, 3314.06, 3332.09, 3721.13, 3905.55, 4
4111.17, 4112.01, 4112.02, 4112.021, 4112.04, 5
4112.05, 4112.08, 4117.19, 4735.16, 4735.55, 6
4757.07, 4758.16, 4765.18, 5104.09, 5107.26, 7
5123.351, 5126.07, 5165.08, 5515.08, and 8
5709.832 of the Revised Code to enact the Ohio 9
Fairness Act to prohibit discrimination on the 10
basis of sexual orientation or gender identity 11
or expression, to add mediation to the list of 12
informal methods by which the Ohio Civil Rights 13
Commission may use to induce compliance with 14
Ohio's Civil Rights Law before instituting a 15
formal hearing, and to uphold existing religious 16
exemptions under Ohio's Civil Rights Law. 17

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

Section 1. That sections 9.03, 124.93, 125.111, 153.59, 153.591, 340.12, 511.03, 717.01, 1501.012, 1751.18, 2927.03, 3113.36, 3301.53, 3304.15, 3304.50, 3314.06, 3332.09, 3721.13, 3905.55, 4111.17, 4112.01, 4112.02, 4112.021, 4112.04, 4112.05, 4112.08, 4117.19, 4735.16, 4735.55, 4757.07, 4758.16, 4765.18, 5104.09, 5107.26, 5123.351, 5126.07, 5165.08, 5515.08, and 5709.832 of the Revised Code be amended to read as follows:	18 19 20 21 22 23 24
Sec. 9.03. (A) As used in this section:	25
(1) "Political subdivision" means any body corporate and politic, except a municipal corporation that has adopted a charter under Section 7 of Article XVIII, Ohio Constitution, and except a county that has adopted a charter under Sections 3 and 4 of Article X, Ohio Constitution, to which both of the following apply:	26 27 28 29 30 31
(a) It is responsible for governmental activities only in a geographic area smaller than the state.	32 33
(b) It is subject to the sovereign immunity of the state.	34
(2) "Cigarettes" and "tobacco product" have the same meanings as in section 5743.01 of the Revised Code.	35 36
(3) "Transaction" has the same meaning as in section 1315.51 of the Revised Code.	37 38
(4) "Campaign committee," "campaign fund," "candidate," "legislative campaign fund," "political action committee," "political committee," "political party," and "separate segregated fund" have the same meanings as in section 3517.01 of the Revised Code.	39 40 41 42 43
(B) Except as otherwise provided in division (C) of this section, the governing body of a political subdivision may use	44 45

public funds to publish and distribute newsletters, or to use any other means, to communicate information about the plans, policies, and operations of the political subdivision to members of the public within the political subdivision and to other persons who may be affected by the political subdivision.	46 47 48 49 50
(C) Except as otherwise provided in division (A) (7) of section 340.03 of the Revised Code, no governing body of a political subdivision shall use public funds to do any of the following:	51 52 53 54
(1) Publish, distribute, or otherwise communicate information that does any of the following:	55 56
(a) Contains defamatory, libelous, or obscene matter;	57
(b) Promotes alcoholic beverages, cigarettes or other tobacco products, or any illegal product, service, or activity;	58 59
(c) Promotes illegal discrimination on the basis of race, color, religion, <u>age, ancestry,</u> national origin, <u>or</u> handicap, <u>age, or ancestry; or sexual orientation or gender identity or</u> <u>expression as those terms are defined in section 4112.01 of the</u> <u>Revised Code;</u>	60 61 62 63 64
(d) Supports or opposes any labor organization or any action by, on behalf of, or against any labor organization;	65 66
(e) Supports or opposes the nomination or election of a candidate for public office, the investigation, prosecution, or recall of a public official, or the passage of a levy or bond issue.	67 68 69 70
(2) Compensate any employee of the political subdivision for time spent on any activity to influence the outcome of an election for any of the purposes described in division (C) (1) (e)	71 72 73

of this section. Division (C) (2) of this section does not 74
prohibit the use of public funds to compensate an employee of a 75
political subdivision for attending a public meeting to present 76
information about the political subdivision's finances, 77
activities, and governmental actions in a manner that is not 78
designed to influence the outcome of an election or the passage 79
of a levy or bond issue, even though the election, levy, or bond 80
issue is discussed or debated at the meeting. 81

(D) Except as otherwise provided in division (A) (7) of 82
section 340.03 of the Revised Code or in division (E) of this 83
section, no person shall knowingly conduct a direct or indirect 84
transaction of public funds to the benefit of any of the 85
following: 86

- (1) A campaign committee; 87
- (2) A political action committee; 88
- (3) A legislative campaign fund; 89
- (4) A political party; 90
- (5) A campaign fund; 91
- (6) A political committee; 92
- (7) A separate segregated fund; 93
- (8) A candidate. 94

(E) Division (D) of this section does not prohibit the 95
utilization of any person's own time to speak in support of or 96
in opposition to any candidate, recall, referendum, levy, or 97
bond issue unless prohibited by any other section of the Revised 98
Code. 99

- (F) Nothing in this section prohibits or restricts any 100

political subdivision from sponsoring, participating in, or doing any of the following:	101 102
(1) Charitable or public service advertising that is not commercial in nature;	103 104
(2) Advertising of exhibitions, performances, programs, products, or services that are provided by employees of a political subdivision or are provided at or through premises owned or operated by a political subdivision;	105 106 107 108
(3) Licensing an interest in a name or mark that is owned or controlled by the political subdivision.	109 110
(G) Whoever violates division (D) of this section shall be punished as provided in section 3599.40 of the Revised Code.	111 112
Sec. 124.93. (A) As used in this section, "physician" means any person who holds a valid certificate to practice medicine and surgery or osteopathic medicine and surgery issued under Chapter 4731. of the Revised Code.	113 114 115 116
(B) No health insuring corporation that, on or after July 1, 1993, enters into or renews a contract with the department of administrative services under section 124.82 of the Revised Code, because of a physician's race, color, religion, sex, <u>age,</u> <u>ancestry, or national origin, or disability, sexual orientation,</u> <u>gender identity or expression,</u> or military status as <u>those terms</u> <u>are defined in section 4112.01 of the Revised Code, age, or</u> <u>ancestry,</u> shall refuse to contract with that physician for the provision of health care services under section 124.82 of the Revised Code.	117 118 119 120 121 122 123 124 125 126
Any health insuring corporation that violates this division is deemed to have engaged in an unlawful discriminatory practice as defined in section 4112.02 of the Revised Code and	127 128 129

is subject to Chapter 4112. of the Revised Code. 130

(C) Each health insuring corporation that, on or after 131
July 1, 1993, enters into or renews a contract with the 132
department of administrative services under section 124.82 of 133
the Revised Code and that refuses to contract with a physician 134
for the provision of health care services under that section 135
shall provide that physician with a written notice that clearly 136
explains the reason or reasons for the refusal. The notice shall 137
be sent to the physician by regular mail within thirty days 138
after the refusal. 139

Any health insuring corporation that fails to provide 140
notice in compliance with this division is deemed to have 141
engaged in an unfair and deceptive act or practice in the 142
business of insurance as defined in section 3901.21 of the 143
Revised Code and is subject to sections 3901.19 to 3901.26 of 144
the Revised Code. 145

Sec. 125.111. (A) Every contract for or on behalf of the 146
state or any of its political subdivisions for any purchase 147
shall contain provisions similar to those required by section 148
153.59 of the Revised Code in the case of construction contracts 149
by which the contractor agrees to both of the following: 150

(1) That, in the hiring of employees for the performance 151
of work under the contract or any subcontract, no contractor or 152
subcontractor, by reason of race, color, religion, sex, age, 153
ancestry, or national origin, or disability, sexual orientation, 154
gender identity or expression, or military status as those terms 155
are defined in section 4112.01 of the Revised Code, national- 156
origin, or ancestry, shall discriminate against any citizen of 157
this state in the employment of a person qualified and available 158
to perform the work to which the contract relates; 159

(2) That no contractor, subcontractor, or person acting on behalf of any contractor or subcontractor, in any manner, shall discriminate against, intimidate, or retaliate against any employee hired for the performance of work under the contract on account of race, color, religion, sex, age, ancestry, or national origin; or disability, sexual orientation, gender identity or expression, or military status as those terms are defined in section 4112.01 of the Revised Code, ~~national origin, or ancestry.~~ 160
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(B) All contractors from whom the state or any of its political subdivisions make purchases shall have a written affirmative action program for the employment and effective utilization of economically disadvantaged persons, as referred to in division (E)(1) of section 122.71 of the Revised Code. Annually, each such contractor shall file a description of the affirmative action program and a progress report on its implementation with the equal employment opportunity office of the department of administrative services. 169
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Sec. 153.59. Every contract for or on behalf of the state, or any township, county, or municipal corporation of the state, for the construction, alteration, or repair of any public building or public work in the state shall contain provisions by which the contractor agrees to both of the following: 178
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(A) That, in the hiring of employees for the performance of work under the contract or any subcontract, no contractor, subcontractor, or any person acting on a contractor's or subcontractor's behalf, by reason of race, color, creed, sex, or disability, sexual orientation, gender identity or expression, or military status as those terms are defined in section 4112.01 of the Revised Code, ~~or color,~~ shall discriminate against any 183
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citizen of the state in the employment of labor or workers who
is qualified and available to perform the work to which the
employment relates; 190
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(B) That no contractor, subcontractor, or any person on a
contractor's or subcontractor's behalf, in any manner, shall
discriminate against or intimidate any employee hired for the
performance of work under the contract on account of race, 193
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color, creed, or sex; or disability, sexual orientation,
gender identity or expression, or military status as those terms
are defined in section 4112.01 of the Revised Code, ~~or color.~~ 197
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The department of administrative services shall ensure
that no capital moneys appropriated by the general assembly for
any purpose shall be expended unless the project for which those
moneys are appropriated provides for an affirmative action
program for the employment and effective utilization of
disadvantaged persons whose disadvantage may arise from
cultural, racial, or ethnic background, or other similar cause,
including, but not limited to, race, religion, sex, ancestry, or
national origin; or disability, sexual orientation, gender
identity or expression, or military status as those terms are
defined in section 4112.01 of the Revised Code, ~~national origin,~~
~~or ancestry.~~ 200
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In awarding contracts for capital improvement projects,
the department shall ensure that equal consideration be given to
contractors, subcontractors, or joint venturers who qualify as a
minority business enterprise. As used in this section, "minority
business enterprise" means a business enterprise that is owned
or controlled by one or more socially or economically
disadvantaged persons who are residents of this state. "Socially
or economically disadvantaged persons" means persons, regardless
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of marital status, who are members of groups whose disadvantage 220
may arise from discrimination on the basis of race, religion, 221
sex, ancestry, or national origin; or disability or military 222
status as those terms are defined in section 4112.01 of the 223
Revised Code, ~~national origin, ancestry, ; or~~ other similar 224
cause. 225

Sec. 153.591. Any provision of a hiring hall contract or 226
agreement which obligates a contractor to hire, if available, 227
only employees referred to the contractor by a labor 228
organization shall be void as against public policy and 229
unenforceable with respect to employment under any public works 230
contract unless at both of the following apply: 231

(A) At the date of execution of the hiring hall contract 232
or agreement, or within thirty days thereafter, the labor 233
organization has in effect procedures for referring qualified 234
employees for hire without regard to race, color, religion, sex, 235
ancestry, or national origin; or sexual orientation, gender 236
identity or expression, or military status as defined in section 237
4112.01 of the Revised Code, ~~or ancestry and unless the.~~ 238

(B) The labor organization includes in its apprentice and 239
journeyperson's membership, or otherwise has available for job 240
referral without discrimination, qualified employees, both 241
whites and non-whites (including ~~African Americans~~ African 242
Americans). 243

Sec. 340.12. As used in this section, "disability," has 244
"sexual orientation," and "gender identity or expression" have 245
the same ~~meaning~~ meanings as in section 4112.01 of the Revised 246
Code. 247

No board of alcohol, drug addiction, and mental health 248

services or any community addiction or mental health services 249
provider under contract with such a board shall discriminate in 250
the provision of services under its authority, in employment, or 251
under a contract on the basis of race, color, religion, creed, 252
sex, age, national origin, ~~or disability, sexual orientation, or~~ 253
gender identity or expression. 254

Each board and each community addiction or mental health 255
services provider shall have a written affirmative action 256
program. The affirmative action program shall include goals for 257
the employment and effective utilization of, including contracts 258
with, members of economically disadvantaged groups as defined in 259
division (E) (1) of section 122.71 of the Revised Code in 260
percentages reflecting as nearly as possible the composition of 261
the alcohol, drug addiction, and mental health service district 262
served by the board. Each board and provider shall file a 263
description of the affirmative action program and a progress 264
report on its implementation with the department of mental 265
health and addiction services. 266

Sec. 511.03. After an affirmative vote in an election held 267
under sections 511.01 and 511.02 of the Revised Code, the board 268
of township trustees may make all contracts necessary for the 269
purchase of a site, and the erection, improvement, or 270
enlargement of such building. The board shall have control of 271
any town hall belonging to the township, and it may rent or 272
lease all or part of any hall, lodge, or recreational facility 273
belonging to the township, to any person or organization under 274
terms the board considers proper, for which all rent shall be 275
paid in advance or fully secured. In establishing the terms of 276
any rental agreement or lease pursuant to this section, the 277
board of township trustees may give preference to persons who 278
are residents of or organizations that are headquartered in the 279

township or that are charitable or fraternal in nature. All 280
persons or organizations shall be treated on a like or similar 281
basis, and no differentiation shall be made on the basis of 282
race, color, religion, ~~national origin, sex, national origin,~~ or 283
political affiliation; or sexual orientation or gender identity 284
or expression as those terms are defined in section 4112.01 of 285
the Revised Code. The rents received for such facilities may be 286
used for their repair or improvement, and any balance shall be 287
used for general township purposes. 288

Sec. 717.01. Each municipal corporation may do any of the 289
following: 290

(A) Acquire by purchase or condemnation real estate with 291
or without buildings on it, and easements or interests in real 292
estate; 293

(B) Extend, enlarge, reconstruct, repair, equip, furnish, 294
or improve a building or improvement that it is authorized to 295
acquire or construct; 296

(C) Erect a crematory or provide other means for disposing 297
of garbage or refuse, and erect public comfort stations; 298

(D) Purchase turnpike roads and make them free; 299

(E) Construct wharves and landings on navigable waters; 300

(F) Construct infirmaries, workhouses, prisons, police 301
stations, houses of refuge and correction, market houses, public 302
halls, public offices, municipal garages, repair shops, storage 303
houses, and warehouses; 304

(G) Construct or acquire waterworks for supplying water to 305
the municipal corporation and its inhabitants and extend the 306
waterworks system outside of the municipal corporation limits; 307

(H) Construct or purchase gas works or works for the generation and transmission of electricity, for the supplying of gas or electricity to the municipal corporation and its inhabitants;	308 309 310 311
(I) Provide grounds for cemeteries or crematories, enclose and embellish them, and construct vaults or crematories;	312 313
(J) Construct sewers, sewage disposal works, flushing tunnels, drains, and ditches;	314 315
(K) Construct free public libraries and reading rooms, and free recreation centers;	316 317
(L) Establish free public baths and municipal lodging houses;	318 319
(M) Construct monuments or memorial buildings to commemorate the services of soldiers, sailors, and marines of the state and nation;	320 321 322
(N) Provide land for and improve parks, boulevards, and public playgrounds;	323 324
(O) Construct hospitals and pesthouses;	325
(P) Open, construct, widen, extend, improve, resurface, or change the line of any street or public highway;	326 327
(Q) Construct and improve levees, dams, waterways, waterfronts, and embankments and improve any watercourse passing through the municipal corporation;	328 329 330
(R) Construct or improve viaducts, bridges, and culverts;	331
(S) (1) Construct any building necessary for the police or fire department;	332 333
(2) Purchase fire engines or fire boats;	334

(3) Construct water towers or fire cisterns;	335
(4) Place underground the wires or signal apparatus of any police or fire department.	336 337
(T) Construct any municipal ice plant for the purpose of manufacturing ice for the citizens of a municipal corporation;	338 339
(U) Construct subways under any street or boulevard or elsewhere;	340 341
(V) Acquire by purchase, gift, devise, bequest, lease, condemnation proceedings, or otherwise, real or personal property, and thereon and thereof to establish, construct, enlarge, improve, equip, maintain, and operate airports, landing fields, or other air navigation facilities, either within or outside the limits of a municipal corporation, and acquire by purchase, gift, devise, lease, or condemnation proceedings rights-of-way for connections with highways, waterways, and electric, steam, and interurban railroads, and improve and equip such facilities with structures necessary or appropriate for such purposes. No municipal corporation may take or disturb property or facilities belonging to any public utility or to a common carrier engaged in interstate commerce, which property or facilities are required for the proper and convenient operation of the utility or carrier, unless provision is made for the restoration, relocation, or duplication of the property or facilities elsewhere at the sole cost of the municipal corporation.	342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359
(W) Provide by agreement with any regional airport authority, created under section 308.03 of the Revised Code, for the making of necessary surveys, appraisals, and examinations preliminary to the acquisition or construction of any airport or	360 361 362 363

airport facility and pay the portion of the expense of the
surveys, appraisals, and examinations as set forth in the
agreement; 364
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(X) Provide by agreement with any regional airport 367
authority, created under section 308.03 of the Revised Code, for 368
the acquisition, construction, maintenance, or operation of any 369
airport or airport facility owned or to be owned and operated by 370
the regional airport authority or owned or to be owned and 371
operated by the municipal corporation and pay the portion of the 372
expense of it as set forth in the agreement; 373

(Y) Acquire by gift, purchase, lease, or condemnation, 374
land, forest, and water rights necessary for conservation of 375
forest reserves, water parks, or reservoirs, either within or 376
without the limits of the municipal corporation, and improve and 377
equip the forest and water parks with structures, equipment, and 378
reforestation necessary or appropriate for any purpose for the 379
utilization of any of the forest and water benefits that may 380
properly accrue therefrom to the municipal corporation; 381

(Z) Acquire real property by purchase, gift, or devise and 382
construct and maintain on it public swimming pools, either 383
within or outside the limits of the municipal corporation; 384

(AA) Construct or rehabilitate, equip, maintain, operate, 385
and lease facilities for housing of elderly persons and for 386
persons of low and moderate income, and appurtenant facilities. 387
No municipal corporation shall deny housing accommodations to or 388
withhold housing accommodations from elderly persons or persons 389
of low and moderate income because of race, color, religion, 390
sex, ancestry, or national origin; or familial status as defined 391
~~in section 4112.01 of the Revised Code, military status as~~ 392
~~defined in that section, disability as defined in that section,~~ 393

ancestry, or national origin, sexual orientation, gender 394
identity or expression, or military status as those terms are 395
defined in section 4112.01 of the Revised Code. Any elderly 396
person or person of low or moderate income who is denied housing 397
accommodations or has them withheld by a municipal corporation 398
because of race, color, religion, sex, ancestry, or national 399
origin, or familial status as defined in section 4112.01 of the 400
Revised Code, military status as defined in that section, 401
disability as defined in that section, ancestry, or national 402
origin, sexual orientation, gender identity or expression, or 403
military status as those terms are defined in section 4112.01 of 404
the Revised Code, may file a charge with the Ohio civil rights 405
commission as provided in Chapter 4112. of the Revised Code. 406

(BB) Acquire, rehabilitate, and develop rail property or 407
rail service, and enter into agreements with the Ohio rail 408
development commission, boards of county commissioners, boards 409
of township trustees, legislative authorities of other municipal 410
corporations, with other governmental agencies or organizations, 411
and with private agencies or organizations in order to achieve 412
those purposes; 413

(CC) Appropriate and contribute money to a soil and water 414
conservation district for use under Chapter 940. of the Revised 415
Code; 416

(DD) Authorize the board of county commissioners, pursuant 417
to a contract authorizing the action, to contract on the 418
municipal corporation's behalf for the administration and 419
enforcement within its jurisdiction of the state building code 420
by another county or another municipal corporation located 421
within or outside the county. The contract for administration 422
and enforcement shall provide for obtaining certification 423

pursuant to division (E) of section 3781.10 of the Revised Code	424
for the exercise of administration and enforcement authority	425
within the municipal corporation seeking those services and	426
shall specify which political subdivision is responsible for	427
securing that certification.	428
(EE) Expend money for providing and maintaining services	429
and facilities for senior citizens.	430
"Airport," "landing field," and "air navigation facility,"	431
as defined in section 4561.01 of the Revised Code, apply to	432
division (V) of this section.	433
As used in divisions (W) and (X) of this section,	434
"airport" and "airport facility" have the same meanings as in	435
section 308.01 of the Revised Code.	436
As used in division (BB) of this section, "rail property"	437
and "rail service" have the same meanings as in section 4981.01	438
of the Revised Code.	439
Sec. 1501.012. (A) The director of natural resources may	440
lease lands in state parks, as defined in section 1501.07 of the	441
Revised Code, and contract for the construction and operation of	442
public service facilities, as mentioned in that section, and for	443
major renovation or remodeling of existing public service	444
facilities by the lessees on those lands. If the director	445
determines that doing so would be consistent with long-range	446
planning of the department of natural resources and in the best	447
interests of the department and the division of parks and	448
watercraft in the department, the director shall negotiate and	449
execute a lease and contract for those purposes in accordance	450
with this chapter except as otherwise provided in this section.	451
(B) The director shall draft a statement of intent	452

describing any public service facility that the department 453
wishes to have constructed in accordance with this section and 454
establishing a procedure for the submission of proposals for 455
providing the facility, including, but not limited to, a 456
requirement that each prospective bidder or lessee of land shall 457
submit with the proposal a completed questionnaire and financial 458
statement, on forms prescribed and furnished by the department, 459
to enable the department to ascertain the person's financial 460
worth and experience in maintaining and operating facilities 461
similar or related to the public service facility in question. 462
The completed questionnaire and financial statement shall be 463
verified under oath by the prospective bidder or lessee. 464

Questionnaires and financial statements submitted under this 465
division are confidential and are not open to public inspection. 466
Nothing in this division shall be construed to prevent use of or 467
reference to questionnaires and financial statements in a civil 468
action or criminal prosecution commenced by the state. 469

The director shall publish the statement of intent in at 470
least three daily newspapers of general circulation in the state 471
at least once each week for four consecutive weeks. The director 472
then shall accept proposals in response to the statement of 473
intent for at least thirty days following the final publication 474
of the statement. At the end of the period during which 475
proposals may be submitted under this division, the director 476
shall select the proposal that the director determines best 477
complies with the statement of intent and may negotiate a lease 478
and contract with the person that submitted that proposal. 479

(C) Any lease and contract negotiated under this section 480
shall include in its terms and conditions all of the following: 481

(1) The legal description of the leasehold; 482

(2) The duration of the lease and contract, which shall not exceed forty years, and a requirement that the lease and contract be nonrenewable;	483 484 485
(3) A requirement that the lessee maintain in full force and effect during the term of the lease and contract comprehensive liability insurance for injury, death, or loss to persons or property and fire casualty insurance for the public service facility and all its structures in an amount established by the director and naming the department as an additional insured;	486 487 488 489 490 491 492
(4) A requirement that the lessee maintain in full force and effect suitable performance bonds or other adequate security pertaining to the construction and operation of the public service facility;	493 494 495 496
(5) Detailed plans and specifications controlling the construction of the public service facility that shall include all of the following:	497 498 499
(a) The size and capacity of the facility;	500
(b) The type and quality of construction;	501
(c) Other criteria that the department considers necessary and advisable.	502 503
(6) The manner of rental payment;	504
(7) A stipulation that the director shall have control and supervision over all of the following:	505 506
(a) The operating season of the public service facility;	507
(b) The facility's hours of operation;	508
(c) The maximum rates to be charged guests using the	509

facility;	510
(d) The facility's sanitary conditions;	511
(e) The quality of food and service furnished the guests of the facility;	512 513
(f) The lessee's general and structural maintenance responsibilities at the facility.	514 515
(8) The disposition of the leasehold and improvements at the expiration of the lease and contract;	516 517
(9) A requirement that the public service facility be available to all members of the public without regard to sex, race, color, creed, ancestry, <u>or national origin</u> ; or <u>disability, sexual orientation, or gender identity or expression</u> as <u>those terms are</u> defined in section 4112.01 of the Revised Code;	518 519 520 521 522 523
(10) Other terms and conditions that the director considers necessary and advisable to carry out the purposes of this section.	524 525 526
(D) The attorney general shall approve the form of the lease and contract prior to its execution by the director.	527 528
(E) The authority granted in this section to the director is in addition and supplemental to any other authority granted the director under state law.	529 530 531
Sec. 1751.18. (A) (1) No health insuring corporation shall cancel or fail to renew the coverage of a subscriber or enrollee because of any health status-related factor in relation to the subscriber or enrollee, the subscriber's or enrollee's requirements for health care services, or for any other reason designated under rules adopted by the superintendent of	532 533 534 535 536 537

insurance. 538

(2) Unless otherwise required by state or federal law, no 539
health insuring corporation, or health care facility or provider 540
through which the health insuring corporation has made 541
arrangements to provide health care services, shall discriminate 542
against any individual with regard to enrollment, disenrollment, 543
or the quality of health care services rendered, on the basis of 544
the individual's race, color, sex, religion, age, religion, ; or 545
sexual orientation, gender identity or expression, or military 546
status as those terms are defined in section 4112.01 of the 547
Revised Code, or the individual's status as a recipient of 548
medicare or medicaid, or any health status-related factor in 549
relation to the individual. However, a health insuring 550
corporation shall not be required to accept a recipient of 551
medicare or medical assistance, if an agreement has not been 552
reached on appropriate payment mechanisms between the health 553
insuring corporation and the governmental agency administering 554
these programs. Further, except for open enrollment coverage 555
under sections 3923.58 and 3923.581 of the Revised Code and 556
except as provided in section 1751.65 of the Revised Code, a 557
health insuring corporation may reject an applicant for nongroup 558
enrollment on the basis of any health status-related factor in 559
relation to the applicant. 560

(B) A health insuring corporation may cancel or decide not 561
to renew the coverage of an enrollee if the enrollee has 562
performed an act or practice that constitutes fraud or 563
intentional misrepresentation of material fact under the terms 564
of the coverage and if the cancellation or nonrenewal is not 565
based, either directly or indirectly, on any health status- 566
related factor in relation to the enrollee. 567

(C) An enrollee may appeal any action or decision of a
health insuring corporation taken pursuant to section 2742(b) to
(e) of the "Health Insurance Portability and Accountability Act
of 1996," Pub. L. No. 104-191, 110 Stat. 1955, 42 U.S.C.A.
300gg-42, as amended. To appeal, the enrollee may submit a
written complaint to the health insuring corporation pursuant to
section 1751.19 of the Revised Code. The enrollee may, within
thirty days after receiving a written response from the health
insuring corporation, appeal the health insuring corporation's
action or decision to the superintendent. 568
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(D) As used in this section, "health status-related
factor" means any of the following: 578
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- (1) Health status; 580
- (2) Medical condition, including both physical and mental
illnesses; 581
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- (3) Claims experience; 583
- (4) Receipt of health care; 584
- (5) Medical history; 585
- (6) Genetic information; 586
- (7) Evidence of insurability, including conditions arising
out of acts of domestic violence; 587
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- (8) Disability. 589

Sec. 2927.03. (A) No person, whether or not acting under
color of law, shall by force or threat of force willfully
injure, intimidate, or interfere with, or attempt to injure,
intimidate, or interfere with, any of the following: 590
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- (1) Any person because of race, color, religion, sex, 594

ancestry, or national origin; or familial status as defined in 595
~~section 4112.01 of the Revised Code, national origin, military~~ 596
~~status as defined in that section, disability as defined in that~~ 597
~~section, sexual orientation, gender identity or expression, or~~ 598
~~ancestry military status as those terms are defined in section~~ 599
4112.01 of the Revised Code, and because that person is or has 600
been selling, purchasing, renting, financing, occupying, 601
contracting, or negotiating for the sale, purchase, rental, 602
financing, or occupation of any housing accommodations, or 603
applying for or participating in any service, organization, or 604
facility relating to the business of selling or renting housing 605
accommodations; 606

(2) Any person because that person is or has been doing, 607
or in order to intimidate that person or any other person or any 608
class of persons from doing, either of the following: 609

(a) Participating, without discrimination on account of 610
race, color, religion, sex, ancestry, or national origin, or 611
~~familial status as defined in section 4112.01 of the Revised~~ 612
~~Code, national origin, military status as defined in that~~ 613
~~section, disability as defined in that section, sexual~~ 614
~~orientation, gender identity or expression, or ancestry,~~ 615
~~military status as those terms are defined in section 4112.01 of~~ 616
~~the Revised Code,~~ in any of the activities, services, 617
organizations, or facilities described in division (A) (1) of 618
this section; 619

(b) Affording another person or class of persons 620
opportunity or protection so to participate. 621

(3) Any person because that person is or has been, or in 622
order to discourage that person or any other person from, 623
lawfully aiding or encouraging other persons to participate, 624

without discrimination on account of race, color, religion, sex, 625
ancestry, or national origin, or familial status as defined in 626
~~section 4112.01 of the Revised Code, national origin, military~~ 627
status as defined in that section, disability as defined in that 628
~~section, sexual orientation, gender identity or expression, or~~ 629
~~ancestry, military status as those terms are defined in section~~ 630
4112.01 of the Revised Code, in any of the activities, services, 631
organizations, or facilities described in division (A) (1) of 632
this section, or participating lawfully in speech or peaceful 633
assembly opposing any denial of the opportunity to so 634
participate. 635

(B) Whoever violates division (A) of this section is 636
guilty of a misdemeanor of the first degree. 637

Sec. 3113.36. (A) To qualify for funds under section 638
3113.35 of the Revised Code, a shelter for victims of domestic 639
violence shall meet all of the following requirements: 640

(1) Be incorporated in this state as a nonprofit 641
corporation; 642

(2) Have trustees who represent the racial, ethnic, and 643
socioeconomic diversity of the community to be served, including 644
at least one person who is or has been a victim of domestic 645
violence; 646

(3) Receive at least twenty-five per cent of its funds 647
from sources other than funds distributed pursuant to section 648
3113.35 of the Revised Code. These other sources may be public 649
or private, and may include funds distributed pursuant to 650
section 3113.37 of the Revised Code, and contributions of goods 651
or services, including materials, commodities, transportation, 652
office space, or other types of facilities or personal services. 653

(4) Provide residential service or facilities for children
when accompanied by a parent, guardian, or custodian who is a
victim of domestic violence and who is receiving temporary
residential service at the shelter; 654
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(5) Require persons employed by or volunteering services
to the shelter to maintain the confidentiality of any
information that would identify individuals served by the
shelter. 658
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(B) A shelter for victims of domestic violence does not
qualify for funds if it discriminates in its admissions or
provision of services on the basis of race, ~~religion~~, color,
~~religion~~, age, ~~ancestry~~, ~~national origin~~, or marital status,
~~national origin~~, or ~~ancestry~~; or sexual orientation or gender
identity or expression as those terms are defined in section
4112.01 of the Revised Code. A shelter does not qualify for
funds in the second half of any year if its application projects
the provision of residential service and such service has not
been provided in the first half of that year; such a shelter
does not qualify for funds in the following year. 662
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Sec. 3301.53. (A) The state board of education, in
consultation with the director of job and family services, shall
formulate and prescribe by rule adopted under Chapter 119. of
the Revised Code minimum standards to be applied to preschool
programs operated by school district boards of education, county
boards of developmental disabilities, community schools, or
eligible nonpublic schools. The rules shall include the
following: 673
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(1) Standards ensuring that the preschool program is
located in a safe and convenient facility that accommodates the
enrollment of the program, is of the quality to support the 681
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growth and development of the children according to the program objectives, and meets the requirements of section 3301.55 of the Revised Code;	684 685 686
(2) Standards ensuring that supervision, discipline, and programs will be administered according to established objectives and procedures;	687 688 689
(3) Standards ensuring that preschool staff members and nonteaching employees are recruited, employed, assigned, evaluated, and provided inservice education without discrimination on the basis of <u>race, color, sex, age, eolor, or national origin, race, or sex; or sexual orientation or gender identity or expression as those terms are defined in section 4112.01 of the Revised Code;</u> and that preschool staff members and nonteaching employees are assigned responsibilities in accordance with written position descriptions commensurate with their training and experience;	690 691 692 693 694 695 696 697 698 699
(4) A requirement that boards of education intending to establish a preschool program demonstrate a need for a preschool program prior to establishing the program;	700 701 702
(5) Requirements that children participating in preschool programs have been immunized to the extent considered appropriate by the state board to prevent the spread of communicable disease;	703 704 705 706
(6) Requirements that the parents of preschool children complete the emergency medical authorization form specified in section 3313.712 of the Revised Code.	707 708 709
(B) The state board of education in consultation with the director of job and family services shall ensure that the rules adopted by the state board under sections 3301.52 to 3301.58 of	710 711 712

the Revised Code are consistent with and meet or exceed the
requirements of Chapter 5104. of the Revised Code with regard to
child day-care centers. The state board and the director of job
and family services shall review all such rules at least once
every five years.

(C) The state board of education, in consultation with the
director of job and family services, shall adopt rules for
school child programs that are consistent with and meet or
exceed the requirements of the rules adopted for school-age
child care centers under Chapter 5104. of the Revised Code.

Sec. 3304.15. (A) There is hereby created the
opportunities for Ohioans with disabilities agency. The agency
is the designated state unit authorized under the
"Rehabilitation Act of 1973," 87 Stat. 355, 29 U.S.C. 701, as
amended, to provide vocational rehabilitation to eligible
persons with disabilities.

(B) The governor shall appoint an executive director of
the opportunities for Ohioans with disabilities agency to serve
at the pleasure of the governor and shall fix the executive
director's compensation. The executive director shall devote the
executive director's entire time to the duties of the executive
director's office, shall hold no other office or position of
trust and profit, and shall engage in no other business during
the executive director's term of office. The governor may grant
the executive director the authority to appoint, remove, and
discipline without regard to sex, race, ~~creed~~, color, creed,
age, or national origin, or sexual orientation or gender
identity or expression as those terms are defined in section
4112.01 of the Revised Code, such other professional,
administrative, and clerical staff members as are necessary to

carry out the functions and duties of the agency.	743
The executive director of the opportunities for Ohioans with disabilities agency is the executive and administrative officer of the agency. Whenever the Revised Code imposes a duty on or requires an action of the agency, the executive director shall perform the duty or action on behalf of the agency. The executive director may establish procedures for all of the following:	744 745 746 747 748 749 750
(1) The governance of the agency;	751
(2) The conduct of agency employees and officers;	752
(3) The performance of agency business;	753
(4) The custody, use, and preservation of agency records, papers, books, documents, and property.	754 755
(C) The executive director shall have exclusive authority to administer the daily operation and provision of vocational rehabilitation services under this chapter. In exercising that authority, the executive director may do all of the following:	756 757 758 759
(1) Adopt rules in accordance with Chapter 119. of the Revised Code;	760 761
(2) Prepare and submit an annual report to the governor;	762
(3) Certify any disbursement of funds available to the agency for vocational rehabilitation activities;	763 764
(4) Take appropriate action to guarantee rights of services to people with disabilities;	765 766
(5) Consult with and advise other state agencies and coordinate programs for persons with disabilities;	767 768
(6) Comply with the requirements for match as part of	769

budget submission;	770
(7) Establish research and demonstration projects;	771
(8) Accept, hold, invest, reinvest, or otherwise use gifts to further vocational rehabilitation;	772 773
(9) For the purposes of the business enterprise program administered under sections 3304.28 to 3304.35 of the Revised Code:	774 775 776
(a) Establish and manage small business entities owned or operated by visually impaired persons;	777 778
(b) Purchase insurance;	779
(c) Accept computers.	780
(10) Enter into contracts and other agreements for the provision of services.	781 782
(D) The executive director shall establish a fee schedule for vocational rehabilitation services in accordance with 34 C.F.R. 361.50.	783 784 785
Sec. 3304.50. The Ohio independent living council established and appointed by the governor under the authority of section 107.18 of the Revised Code and pursuant to the "Rehabilitation Act Amendments of 1992," 106 Stat. 4344, 29 U.S.C.A. 796d, shall appoint an executive director to serve at the pleasure of the council and shall fix <u>his</u> <u>the executive</u> <u>director's</u> compensation. The executive director shall not be considered a public employee for purposes of Chapter 4117. of the Revised Code. The council may delegate to the executive director the authority to appoint, remove, and discipline, without regard to sex, race, creed, color, <u>creed,</u> age, or national origin, <u>or sexual orientation or gender identity or</u>	786 787 788 789 790 791 792 793 794 795 796 797

expression as those terms are defined in section 4112.01 of the Revised Code, such other professional, administrative, and clerical staff members as are necessary to carry out the functions and duties of the council. 798
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Sec. 3314.06. The governing authority of each community school established under this chapter shall adopt admission procedures that specify the following: 802
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(A) That, except as otherwise provided in this section, admission to the school shall be open to any individual age five to twenty-two entitled to attend school pursuant to section 3313.64 or 3313.65 of the Revised Code in a school district in the state. 805
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Additionally, except as otherwise provided in this section, admission to the school may be open on a tuition basis to any individual age five to twenty-two who is not a resident of this state. The school shall not receive state funds under section 3314.08 of the Revised Code for any student who is not a resident of this state. 810
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An individual younger than five years of age may be admitted to the school in accordance with division (A) (2) of section 3321.01 of the Revised Code. The school shall receive funds for an individual admitted under that division in the manner provided under section 3314.08 of the Revised Code. 816
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If the school operates a program that uses the Montessori method endorsed by the American Montessori society, the Montessori accreditation council for teacher education, or the association Montessori internationale as its primary method of instruction, admission to the school may be open to individuals younger than five years of age, but the school shall not receive 821
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funds under this chapter for those individuals. Notwithstanding anything to the contrary in this chapter, individuals younger than five years of age who are enrolled in a Montessori program shall be offered at least four hundred fifty-five hours of learning opportunities per school year.

If the school operates a preschool program that is licensed by the department of education under sections 3301.52 to 3301.59 of the Revised Code, admission to the school may be open to individuals who are younger than five years of age, but the school shall not receive funds under this chapter for those individuals.

(B) (1) That admission to the school may be limited to students who have attained a specific grade level or are within a specific age group; to students that meet a definition of "at-risk," as defined in the contract; to residents of a specific geographic area within the district, as defined in the contract; or to separate groups of autistic students and nondisabled students, as authorized in section 3314.061 of the Revised Code and as defined in the contract.

(2) For purposes of division (B) (1) of this section, "at-risk" students may include those students identified as gifted students under section 3324.03 of the Revised Code.

(C) Whether enrollment is limited to students who reside in the district in which the school is located or is open to residents of other districts, as provided in the policy adopted pursuant to the contract.

(D) (1) That there will be no discrimination in the admission of students to the school on the basis of race, ~~creed,~~ color, creed, sex, or disability, or sex—sexual orientation or

gender identity or expression as those terms are defined in 856
section 4112.01 of the Revised Code, except that: 857

(a) The governing authority may do either of the following 858
for the purpose described in division (G) of this section: 859

(i) Establish a single-gender school for either sex; 860

(ii) Establish single-gender schools for each sex under 861
the same contract, provided substantially equal facilities and 862
learning opportunities are offered for both boys and girls. Such 863
facilities and opportunities may be offered for each sex at 864
separate locations. 865

(b) The governing authority may establish a school that 866
simultaneously serves a group of students identified as autistic 867
and a group of students who are not disabled, as authorized in 868
section 3314.061 of the Revised Code. However, unless the total 869
capacity established for the school has been filled, no student 870
with any disability shall be denied admission on the basis of 871
that disability. 872

(2) That upon admission of any student with a disability, 873
the community school will comply with all federal and state laws 874
regarding the education of students with disabilities. 875

(E) That the school may not limit admission to students on 876
the basis of intellectual ability, measures of achievement or 877
aptitude, or athletic ability, except that a school may limit 878
its enrollment to students as described in division (B) of this 879
section. 880

(F) That the community school will admit the number of 881
students that does not exceed the capacity of the school's 882
programs, classes, grade levels, or facilities. 883

(G) That the purpose of single-gender schools that are
established shall be to take advantage of the academic benefits
some students realize from single-gender instruction and
facilities and to offer students and parents residing in the
district the option of a single-gender education.

(H) That, except as otherwise provided under division (B)
of this section or section 3314.061 of the Revised Code, if the
number of applicants exceeds the capacity restrictions of
division (F) of this section, students shall be admitted by lot
from all those submitting applications, except preference shall
be given to students attending the school the previous year and
to students who reside in the district in which the school is
located. Preference may be given to siblings of students
attending the school the previous year. Preference also may be
given to students who are the children of full-time staff
members employed by the school, provided the total number of
students receiving this preference is less than five per cent of
the school's total enrollment.

Notwithstanding divisions (A) to (H) of this section, in
the event the racial composition of the enrollment of the
community school is violative of a federal desegregation order,
the community school shall take any and all corrective measures
to comply with the desegregation order.

Sec. 3332.09. The state board of career colleges and
schools may limit, suspend, revoke, or refuse to issue or renew
a certificate of registration or program authorization or may
impose a penalty pursuant to section 3332.091 of the Revised
Code for any one or combination of the following causes:

(A) Violation of any provision of sections 3332.01 to
3332.09 of the Revised Code, the board's minimum standards, or

any rule made by the board;	914
(B) Furnishing of false, misleading, deceptive, altered, or incomplete information or documents to the board;	915 916
(C) The signing of an application or the holding of a certificate of registration by a person who has pleaded guilty or has been found guilty of a felony or has pleaded guilty or been found guilty of a crime involving moral turpitude;	917 918 919 920
(D) The signing of an application or the holding of a certificate of registration by a person who is addicted to the use of any controlled substance, or who is found to be mentally incompetent;	921 922 923 924
(E) Violation of any commitment made in an application for a certificate of registration or program authorization;	925 926
(F) Presenting to prospective students, either at the time of solicitation or enrollment, or through advertising, mail circulars, or phone solicitation, misleading, deceptive, false, or fraudulent information relating to any program, employment opportunity, or opportunities for enrollment in accredited institutions of higher education after entering or completing programs offered by the holder of a certificate of registration;	927 928 929 930 931 932 933
(G) Failure to provide or maintain premises or equipment for offering programs in a safe and sanitary condition;	934 935
(H) Refusal by an agent to display the agent's permit upon demand of a prospective student or other interested person;	936 937
(I) Failure to maintain financial resources adequate for the satisfactory conduct of programs as presented in the plan of operation or to retain a sufficient number and qualified staff of instruction, except that nothing in this chapter requires an	938 939 940 941

instructor to be licensed by the state board of education or to hold any type of post-high school degree;	942 943
(J) Offering training or programs other than those presented in the application, except that schools may offer special courses adapted to the needs of individual students when the special courses are in the subject field specified in the application;	944 945 946 947 948
(K) Discrimination in the acceptance of students upon the basis of race, color, religion, sex, or national origin; <u>or sexual orientation or gender identity or expression as those terms are defined in section 4112.01 of the Revised Code;</u>	949 950 951 952
(L) Accepting the services of an agent not holding a valid permit issued under section 3332.10 or 3332.11 of the Revised Code;	953 954 955
(M) The use of monetary or other valuable consideration by the school's agents or representatives to induce prospective students to enroll in the school, or the practice of awarding monetary or other valuable considerations without board approval to students in exchange for procuring the enrollment of others;	956 957 958 959 960
(N) Failure to provide at the request of the board, any information, records, or files pertaining to the operation of the school or recruitment and enrollment of students.	961 962 963
If the board modifies or adopts additional minimum standards or rules pursuant to section 3332.031 of the Revised Code, all schools and agents shall have sixty days from the effective date of the modifications or additional standards or rules to comply with such modifications or additions.	964 965 966 967 968
Sec. 3721.13. (A) The rights of residents of a home shall include, but are not limited to, the following:	969 970

- (1) The right to a safe and clean living environment
pursuant to the medicare and medicaid programs and applicable
state laws and rules adopted by the director of health; 971
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- (2) The right to be free from physical, verbal, mental,
and emotional abuse and to be treated at all times with
courtesy, respect, and full recognition of dignity and
individuality; 974
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- (3) Upon admission and thereafter, the right to adequate
and appropriate medical treatment and nursing care and to other
ancillary services that comprise necessary and appropriate care
consistent with the program for which the resident contracted. 978
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This care shall be provided without regard to considerations
such as race, color, religion, age, or national origin, age, ; 982
sexual orientation or gender identity or expression as those 983
terms are defined in section 4112.01 of the Revised Code; or 984
source of payment for care. 985
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- (4) The right to have all reasonable requests and
inquiries responded to promptly; 987
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- (5) The right to have clothes and bed sheets changed as
the need arises, to ensure the resident's comfort or sanitation; 989
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- (6) The right to obtain from the home, upon request, the
name and any specialty of any physician or other person
responsible for the resident's care or for the coordination of
care; 991
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- (7) The right, upon request, to be assigned, within the
capacity of the home to make the assignment, to the staff
physician of the resident's choice, and the right, in accordance
with the rules and written policies and procedures of the home,
to select as the attending physician a physician who is not on 995
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the staff of the home. If the cost of a physician's services is
to be met under a federally supported program, the physician
shall meet the federal laws and regulations governing such
services.

(8) The right to participate in decisions that affect the
resident's life, including the right to communicate with the
physician and employees of the home in planning the resident's
treatment or care and to obtain from the attending physician
complete and current information concerning medical condition,
prognosis, and treatment plan, in terms the resident can
reasonably be expected to understand; the right of access to all
information in the resident's medical record; and the right to
give or withhold informed consent for treatment after the
consequences of that choice have been carefully explained. When
the attending physician finds that it is not medically advisable
to give the information to the resident, the information shall
be made available to the resident's sponsor on the resident's
behalf, if the sponsor has a legal interest or is authorized by
the resident to receive the information. The home is not liable
for a violation of this division if the violation is found to be
the result of an act or omission on the part of a physician
selected by the resident who is not otherwise affiliated with
the home.

(9) The right to withhold payment for physician visitation
if the physician did not visit the resident;

(10) The right to confidential treatment of personal and
medical records, and the right to approve or refuse the release
of these records to any individual outside the home, except in
case of transfer to another home, hospital, or health care
system, as required by law or rule, or as required by a third-

party payment contract;	1030
(11) The right to privacy during medical examination or treatment and in the care of personal or bodily needs;	1031 1032
(12) The right to refuse, without jeopardizing access to appropriate medical care, to serve as a medical research subject;	1033 1034 1035
(13) The right to be free from physical or chemical restraints or prolonged isolation except to the minimum extent necessary to protect the resident from injury to self, others, or to property and except as authorized in writing by the attending physician for a specified and limited period of time and documented in the resident's medical record. Prior to authorizing the use of a physical or chemical restraint on any resident, the attending physician shall make a personal examination of the resident and an individualized determination of the need to use the restraint on that resident.	1036 1037 1038 1039 1040 1041 1042 1043 1044 1045
Physical or chemical restraints or isolation may be used in an emergency situation without authorization of the attending physician only to protect the resident from injury to self or others. Use of the physical or chemical restraints or isolation shall not be continued for more than twelve hours after the onset of the emergency without personal examination and authorization by the attending physician. The attending physician or a staff physician may authorize continued use of physical or chemical restraints for a period not to exceed thirty days, and at the end of this period and any subsequent period may extend the authorization for an additional period of not more than thirty days. The use of physical or chemical restraints shall not be continued without a personal examination of the resident and the written authorization of the attending	1046 1047 1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1059

physician stating the reasons for continuing the restraint.	1060
If physical or chemical restraints are used under this division, the home shall ensure that the restrained resident receives a proper diet. In no event shall physical or chemical restraints or isolation be used for punishment, incentive, or convenience.	1061 1062 1063 1064 1065
(14) The right to the pharmacist of the resident's choice and the right to receive pharmaceutical supplies and services at reasonable prices not exceeding applicable and normally accepted prices for comparably packaged pharmaceutical supplies and services within the community;	1066 1067 1068 1069 1070
(15) The right to exercise all civil rights, unless the resident has been adjudicated incompetent pursuant to Chapter 2111. of the Revised Code and has not been restored to legal capacity, as well as the right to the cooperation of the home's administrator in making arrangements for the exercise of the right to vote;	1071 1072 1073 1074 1075 1076
(16) The right of access to opportunities that enable the resident, at the resident's own expense or at the expense of a third-party payer, to achieve the resident's fullest potential, including educational, vocational, social, recreational, and habilitation programs;	1077 1078 1079 1080 1081
(17) The right to consume a reasonable amount of alcoholic beverages at the resident's own expense, unless not medically advisable as documented in the resident's medical record by the attending physician or unless contradictory to written admission policies;	1082 1083 1084 1085 1086
(18) The right to use tobacco at the resident's own expense under the home's safety rules and under applicable laws	1087 1088

and rules of the state, unless not medically advisable as
documented in the resident's medical record by the attending
physician or unless contradictory to written admission policies; 1089
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(19) The right to retire and rise in accordance with the
resident's reasonable requests, if the resident does not disturb
others or the posted meal schedules and upon the home's request
remains in a supervised area, unless not medically advisable as
documented by the attending physician; 1092
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(20) The right to observe religious obligations and
participate in religious activities; the right to maintain
individual and cultural identity; and the right to meet with and
participate in activities of social and community groups at the
resident's or the group's initiative; 1097
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(21) The right upon reasonable request to private and
unrestricted communications with the resident's family, social
worker, and any other person, unless not medically advisable as
documented in the resident's medical record by the attending
physician, except that communications with public officials or
with the resident's attorney or physician shall not be
restricted. Private and unrestricted communications shall
include, but are not limited to, the right to: 1102
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(a) Receive, send, and mail sealed, unopened
correspondence; 1110
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(b) Reasonable access to a telephone for private
communications; 1112
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(c) Private visits at any reasonable hour. 1114

(22) The right to assured privacy for visits by the
spouse, or if both are residents of the same home, the right to
share a room within the capacity of the home, unless not 1115
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medically advisable as documented in the resident's medical record by the attending physician; 1118
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(23) The right upon reasonable request to have room doors closed and to have them not opened without knocking, except in the case of an emergency or unless not medically advisable as documented in the resident's medical record by the attending physician; 1120
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(24) The right to retain and use personal clothing and a reasonable amount of possessions, in a reasonably secure manner, unless to do so would infringe on the rights of other residents or would not be medically advisable as documented in the resident's medical record by the attending physician; 1125
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(25) The right to be fully informed, prior to or at the time of admission and during the resident's stay, in writing, of the basic rate charged by the home, of services available in the home, and of any additional charges related to such services, including charges for services not covered under the medicare or medicaid program. The basic rate shall not be changed unless thirty days' notice is given to the resident or, if the resident is unable to understand this information, to the resident's sponsor. 1130
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(26) The right of the resident and person paying for the care to examine and receive a bill at least monthly for the resident's care from the home that itemizes charges not included in the basic rates; 1139
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(27) (a) The right to be free from financial exploitation; 1143

(b) The right to manage the resident's own personal financial affairs, or, if the resident has delegated this responsibility in writing to the home, to receive upon written 1144
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request at least a quarterly accounting statement of financial
transactions made on the resident's behalf. The statement shall
include:

(i) A complete record of all funds, personal property, or
possessions of a resident from any source whatsoever, that have
been deposited for safekeeping with the home for use by the
resident or the resident's sponsor;

(ii) A listing of all deposits and withdrawals transacted,
which shall be substantiated by receipts which shall be
available for inspection and copying by the resident or sponsor.

(28) The right of the resident to be allowed unrestricted
access to the resident's property on deposit at reasonable
hours, unless requests for access to property on deposit are so
persistent, continuous, and unreasonable that they constitute a
nuisance;

(29) The right to receive reasonable notice before the
resident's room or roommate is changed, including an explanation
of the reason for either change.

(30) The right not to be transferred or discharged from
the home unless the transfer is necessary because of one of the
following:

(a) The welfare and needs of the resident cannot be met in
the home.

(b) The resident's health has improved sufficiently so
that the resident no longer needs the services provided by the
home.

(c) The safety of individuals in the home is endangered.

(d) The health of individuals in the home would otherwise

be endangered. 1175

(e) The resident has failed, after reasonable and 1176
appropriate notice, to pay or to have the medicare or medicaid 1177
program pay on the resident's behalf, for the care provided by 1178
the home. A resident shall not be considered to have failed to 1179
have the resident's care paid for if the resident has applied 1180
for medicaid, unless both of the following are the case: 1181

(i) The resident's application, or a substantially similar 1182
previous application, has been denied. 1183

(ii) If the resident appealed the denial, the denial was 1184
upheld. 1185

(f) The home's license has been revoked, the home is being 1186
closed pursuant to section 3721.08, sections 5165.60 to 5165.89, 1187
or section 5155.31 of the Revised Code, or the home otherwise 1188
ceases to operate. 1189

(g) The resident is a recipient of medicaid, and the 1190
home's participation in the medicaid program is involuntarily 1191
terminated or denied. 1192

(h) The resident is a beneficiary under the medicare 1193
program, and the home's participation in the medicare program is 1194
involuntarily terminated or denied. 1195

(31) The right to voice grievances and recommend changes 1196
in policies and services to the home's staff, to employees of 1197
the department of health, or to other persons not associated 1198
with the operation of the home, of the resident's choice, free 1199
from restraint, interference, coercion, discrimination, or 1200
reprisal. This right includes access to a residents' rights 1201
advocate, and the right to be a member of, to be active in, and 1202
to associate with persons who are active in organizations of 1203

relatives and friends of nursing home residents and other organizations engaged in assisting residents.	1204 1205
(32) The right to have any significant change in the resident's health status reported to the resident's sponsor. As soon as such a change is known to the home's staff, the home shall make a reasonable effort to notify the sponsor within twelve hours.	1206 1207 1208 1209 1210
(B) A sponsor may act on a resident's behalf to assure that the home does not deny the residents' rights under sections 3721.10 to 3721.17 of the Revised Code.	1211 1212 1213
(C) Any attempted waiver of the rights listed in division (A) of this section is void.	1214 1215
Sec. 3905.55. (A) Except as provided in division (B) of this section, an agent may charge a consumer a fee if all of the following conditions are met:	1216 1217 1218
(1) The fee is disclosed to the consumer in a manner that separately identifies the fee and the premium.	1219 1220
(2) The fee is not calculated as a percentage of the premium.	1221 1222
(3) The fee is not refunded, forgiven, waived, offset, or reduced by any commission earned or received for any policy or coverage sold.	1223 1224 1225
(4) The amount of the fee, and the consumer's obligation to pay the fee, are not conditioned upon the occurrence of a future event or condition, such as the purchase, cancellation, lapse, declination, or nonrenewal of insurance.	1226 1227 1228 1229
(5) The agent discloses to the consumer that the fee is being charged by the agent and not by the insurance company,	1230 1231

that neither state law nor the insurance company requires the 1232
agent to charge the fee, and that the fee is not refundable. 1233

(6) The consumer consents to the fee. 1234

(7) The agent, in charging the fee, does not discriminate 1235
on the basis of race, sex, religion, age, national origin, 1236
~~religion, disability marital status, health status, age, marital~~ 1237
~~status, or geographic location, or disability, sexual~~ 1238
~~orientation, gender identity or expression, or military status~~ 1239
as those terms are defined in section 4112.01 of the Revised 1240
Code, ~~or geographic location,~~ and does not unfairly discriminate 1241
between persons of essentially the same class and of essentially 1242
the same hazard or expectation of life. 1243

(B) A fee may not be charged for taking or submitting an 1244
initial application for coverage with any one insurer or 1245
different programs with the same insurer, or processing a change 1246
to an existing policy, a cancellation, a claim, or a renewal, in 1247
connection with any of the following personal lines policies: 1248

(1) Private passenger automobile; 1249

(2) Homeowners, including coverage for tenants or 1250
condominium owners, owner-occupied fire or dwelling property 1251
coverage, personal umbrella liability, or any other personal 1252
lines-related coverage whether sold as a separate policy or as 1253
an endorsement to another personal lines policy; 1254

(3) Individual life insurance; 1255

(4) Individual sickness or accident insurance; 1256

(5) Disability income policies; 1257

(6) Credit insurance products. 1258

(C) Notwithstanding any other provision of this section, an agent may charge a fee for agent services in connection with a policy issued on a no-commission basis, if the agent provides the consumer with prior disclosure of the fee and of the services to be provided.	1259 1260 1261 1262 1263
(D) In the event of a dispute between an agent and a consumer regarding any disclosure required by this section, the agent has the burden of proving that the disclosure was made.	1264 1265 1266
(E) (1) No person shall fail to comply with this section.	1267
(2) Whoever violates division (E)(1) of this section is deemed to have engaged in an unfair and deceptive act or practice in the business of insurance under sections 3901.19 to 3901.26 of the Revised Code.	1268 1269 1270 1271
(F) This section does not apply with respect to any expense fee charged by a surety bail bond agent to cover the costs incurred by the surety bail bond agent in executing the bail bond.	1272 1273 1274 1275
Sec. 4111.17. (A) No employer, including the state and political subdivisions thereof, shall discriminate in the payment of wages on the basis of race, color, religion, sex, age, <u>ancestry, or national origin, or ancestry sexual</u> <u>orientation or gender identity or expression as those terms are</u> <u>defined in section 4112.01 of the Revised Code,</u> by paying wages to any employee at a rate less than the rate at which the employer pays wages to another employee for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar conditions.	1276 1277 1278 1279 1280 1281 1282 1283 1284 1285 1286
(B) Nothing in this section prohibits an employer from	1287

paying wages to one employee at a rate different from that at
which the employer pays another employee for the performance of
equal work under similar conditions on jobs requiring equal
skill, effort, and responsibility, when the payment is made
pursuant to any of the following:

(1) A seniority system; 1293

(2) A merit system; 1294

(3) A system which measures earnings by the quantity or
quality of production; 1295
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(4) A wage rate differential determined by any factor
other than race, color, religion, sex, age, ancestry, or
national origin, or ancestry; or sexual orientation or gender
identity or expression as those terms are defined in section
4112.01 of the Revised Code. 1297
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(C) No employer shall reduce the wage rate of any employee
in order to comply with this section. 1302
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(D) The director of commerce shall carry out, administer,
and enforce this section. Any employee discriminated against in
violation of this section may sue in any court of competent
jurisdiction to recover two times the amount of the difference
between the wages actually received and the wages received by a
person performing equal work for the employer, from the date of
the commencement of the violation, and for costs, including
attorney fees. The director may take an assignment of any such
wage claim in trust for such employee and sue in the employee's
behalf. In any civil action under this section, two or more
employees of the same employer may join as co-plaintiffs in one
action. The director may sue in one action for claims assigned
to the director by two or more employees of the same employer.
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No agreement to work for a discriminatory wage constitutes a defense for any civil or criminal action to enforce this section. No employer shall discriminate against any employee because such employee makes a complaint or institutes, or testifies in, any proceeding under this section. 1317
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(E) Any action arising under this section shall be initiated within one year after the date of violation. 1322
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Sec. 4112.01. (A) As used in this chapter: 1324

(1) "Person" includes one or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers, and other organized groups of persons. "Person" also includes, but is not limited to, any owner, lessor, assignor, builder, manager, broker, salesperson, appraiser, agent, employee, lending institution, and the state and all political subdivisions, authorities, agencies, boards, and commissions of the state. 1325
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(2) "Employer" includes the state, any political subdivision of the state, any person employing four or more persons within the state, and any person acting directly or indirectly in the interest of an employer. 1334
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(3) "Employee" means an individual employed by any employer but does not include any individual employed in the domestic service of any person. 1338
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(4) "Labor organization" includes any organization that exists, in whole or in part, for the purpose of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or other mutual aid or protection in relation to employment. 1341
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(5) "Employment agency" includes any person regularly undertaking, with or without compensation, to procure opportunities to work or to procure, recruit, refer, or place employees.	1346 1347 1348 1349
(6) "Commission" means the Ohio civil rights commission created by section 4112.03 of the Revised Code.	1350 1351
(7) "Discriminate" includes segregate or separate.	1352
(8) "Unlawful discriminatory practice" means any act prohibited by section 4112.02, 4112.021, or 4112.022 of the Revised Code.	1353 1354 1355
(9) "Place of public accommodation" means any inn, restaurant, eating house, barbershop, public conveyance by air, land, or water, theater, store, other place for the sale of merchandise, or any other place of public accommodation or amusement of which the accommodations, advantages, facilities, or privileges are available to the public.	1356 1357 1358 1359 1360 1361
(10) "Housing accommodations" includes any building or structure, or portion of a building or structure, that is used or occupied or is intended, arranged, or designed to be used or occupied as the home residence, dwelling, dwelling unit, or sleeping place of one or more individuals, groups, or families whether or not living independently of each other; and any vacant land offered for sale or lease. "Housing accommodations" also includes any housing accommodations held or offered for sale or rent by a real estate broker, salesperson, or agent, by any other person pursuant to authorization of the owner, by the owner, or by the owner's legal representative.	1362 1363 1364 1365 1366 1367 1368 1369 1370 1371 1372
(11) "Restrictive covenant" means any specification limiting the transfer, rental, lease, or other use of any	1373 1374

housing accommodations because of race, color, religion, sex, military status, familial status, national origin, disability, or ancestry, national origin, familial status, disability, sexual orientation, gender identity or expression, or military status, or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race, color, religion, sex, military status, familial status, national origin, disability, or ancestry, national origin, familial status, disability, sexual orientation, gender identity or expression, or military status, as a condition of affiliation or approval.	1375 1376 1377 1378 1379 1380 1381 1382 1383 1384 1385
(12) "Burial lot" means any lot for the burial of deceased persons within any public burial ground or cemetery, including, but not limited to, cemeteries owned and operated by municipal corporations, townships, or companies or associations incorporated for cemetery purposes.	1386 1387 1388 1389 1390
(13) "Disability" means a physical or mental impairment that substantially limits one or more major life activities, including the functions of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working; a record of a physical or mental impairment; or being regarded as having a physical or mental impairment.	1391 1392 1393 1394 1395 1396 1397
(14) Except as otherwise provided in section 4112.021 of the Revised Code, "age" means at least forty years old.	1398 1399
(15) "Familial status" means either of the following:	1400
(a) One or more individuals who are under eighteen years of age and who are domiciled with a parent or guardian having legal custody of the individual or domiciled, with the written	1401 1402 1403

permission of the parent or guardian having legal custody, with a designee of the parent or guardian;	1404 1405
(b) Any person who is pregnant or in the process of securing legal custody of any individual who is under eighteen years of age.	1406 1407 1408
(16) (a) Except as provided in division (A) (16) (b) of this section, "physical or mental impairment" includes any of the following:	1409 1410 1411
(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine;	1412 1413 1414 1415 1416 1417
(ii) Any mental or psychological disorder, including, but not limited to, intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities;	1418 1419 1420
(iii) Diseases and conditions, including, but not limited to, orthopedic, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, human immunodeficiency virus infection, intellectual disability, emotional illness, drug addiction, and alcoholism.	1421 1422 1423 1424 1425 1426
(b) "Physical or mental impairment" does not include any of the following:	1427 1428
(i) <u>Homosexuality and bisexuality;</u>	1429
(ii) <u>Transvestism, transsexualism, pedophilia</u> Pedophilia, exhibitionism, voyeurism, gender identity disorders not	1430 1431

resulting from physical impairments, or other sexual behavior disorders <u>with corresponding criminal behavior;</u>	1432 1433
(iii) <u>(ii)</u> Compulsive gambling, kleptomania, or pyromania;	1434
(iv) <u>(iii)</u> Psychoactive substance use disorders resulting from the current illegal use of a controlled substance or the current use of alcoholic beverages.	1435 1436 1437
(17) "Dwelling unit" means a single unit of residence for a family of one or more persons.	1438 1439
(18) "Common use areas" means rooms, spaces, or elements inside or outside a building that are made available for the use of residents of the building or their guests, and includes, but is not limited to, hallways, lounges, lobbies, laundry rooms, refuse rooms, mail rooms, recreational areas, and passageways among and between buildings.	1440 1441 1442 1443 1444 1445
(19) "Public use areas" means interior or exterior rooms or spaces of a privately or publicly owned building that are made available to the general public.	1446 1447 1448
(20) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.	1449 1450
(21) "Disabled tenant" means a tenant or prospective tenant who is a person with a disability.	1451 1452
(22) "Military status" means a person's status in "service in the uniformed services" as defined in section 5923.05 of the Revised Code.	1453 1454 1455
(23) "Aggrieved person" includes both of the following:	1456
(a) Any person who claims to have been injured by any unlawful discriminatory practice described in division (H) of	1457 1458

section 4112.02 of the Revised Code;	1459
(b) Any person who believes that the person will be injured by, any unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code that is about to occur.	1460 1461 1462 1463
<u>(24) "Sexual orientation" means actual or perceived, heterosexuality, homosexuality, or bisexuality.</u>	1464 1465
<u>(25) "Gender identity or expression" means the gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, without regard to the individual's designated sex at birth.</u>	1466 1467 1468 1469
(B) For the purposes of divisions (A) to (F) of section 4112.02 of the Revised Code, the terms "because of sex" and "on the basis of sex" include, but are not limited to, because of or on the basis of pregnancy, any illness arising out of and occurring during the course of a pregnancy, childbirth, or related medical conditions. Women affected by pregnancy, childbirth, or related medical conditions shall be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work, and nothing in division (B) of section 4111.17 of the Revised Code shall be interpreted to permit otherwise. This division shall not be construed to require an employer to pay for health insurance benefits for abortion, except where the life of the mother would be endangered if the fetus were carried to term or except where medical complications have arisen from the abortion, provided that nothing in this division precludes an employer from providing abortion benefits or otherwise affects bargaining agreements in regard to abortion.	1470 1471 1472 1473 1474 1475 1476 1477 1478 1479 1480 1481 1482 1483 1484 1485 1486 1487 1488

Sec. 4112.02. It shall be an unlawful discriminatory practice:	1489
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(A) For any employer, because of the race, color, religion, sex, <u>age, ancestry, national origin, disability,</u> <u>sexual orientation, gender identity or expression, or military status,</u> national origin, disability, age, or ancestry of any person, to discharge without just cause, to refuse to hire, or otherwise to discriminate against that person with respect to hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment.	1491
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(B) For an employment agency or personnel placement service, because of race, color, religion, sex, <u>age, ancestry,</u> <u>national origin, disability, sexual orientation, gender identity</u> <u>or expression, or military status,</u> national origin, disability, age, or ancestry , to do any of the following:	1499
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(1) Refuse or fail to accept, register, classify properly, or refer for employment, or otherwise discriminate against any person;	1504
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(2) Comply with a request from an employer for referral of applicants for employment if the request directly or indirectly indicates that the employer fails to comply with the provisions of sections 4112.01 to 4112.07 of the Revised Code.	1507
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(C) For any labor organization to do any of the following:	1511
(1) Limit or classify its membership on the basis of race, color, religion, sex, <u>age, ancestry, national origin,</u> <u>disability, sexual orientation, gender identity or expression,</u> <u>or military status,</u> national origin, disability, age, or ancestry ;	1512
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(2) Discriminate against, limit the employment	1517

opportunities of, or otherwise adversely affect the employment status, wages, hours, or employment conditions of any person as an employee because of race, color, religion, sex, <u>age,</u> <u>ancestry, national origin, disability, sexual orientation,</u> <u>gender identity or expression, or military status, national origin, disability, age, or ancestry.</u>	1518 1519 1520 1521 1522 1523
(D) For any employer, labor organization, or joint labor-management committee controlling apprentice training programs to discriminate against any person because of race, color, religion, sex, <u>ancestry, national origin, disability, sexual orientation, gender identity or expression, or military status, national origin, disability, or ancestry</u> in admission to, or employment in, any program established to provide apprentice training.	1524 1525 1526 1527 1528 1529 1530 1531
(E) Except where based on a bona fide occupational qualification certified in advance by the commission, for any employer, employment agency, personnel placement service, or labor organization, prior to employment or admission to membership, to do any of the following:	1532 1533 1534 1535 1536
(1) Elicit or attempt to elicit any information concerning the race, color, religion, sex, <u>age, ancestry, national origin, disability, sexual orientation, gender identity or expression, or military status, national origin, disability, age, or ancestry</u> of an applicant for employment or membership;	1537 1538 1539 1540 1541
(2) Make or keep a record of the race, color, religion, sex, <u>age, ancestry, national origin, disability, sexual orientation, gender identity or expression, or military status, national origin, disability, age, or ancestry</u> of any applicant for employment or membership;	1542 1543 1544 1545 1546

- (3) Use any form of application for employment, or personnel or membership blank, seeking to elicit information regarding race, color, religion, sex, age, ancestry, national origin, disability, sexual orientation, gender identity or expression, or military status, national origin, disability, age, or ancestry; but an employer holding a contract containing a nondiscrimination clause with the government of the United States, or any department or agency of that government, may require an employee or applicant for employment to furnish documentary proof of United States citizenship and may retain that proof in the employer's personnel records and may use photographic or fingerprint identification for security purposes; 1559
- (4) Print or publish or cause to be printed or published any notice or advertisement relating to employment or membership indicating any preference, limitation, specification, or discrimination, based upon race, color, religion, sex, age, ancestry, national origin, disability, sexual orientation, gender identity or expression, or military status, national origin, disability, age, or ancestry; 1566
- (5) Announce or follow a policy of denying or limiting, through a quota system or otherwise, employment or membership opportunities of any group because of the race, color, religion, sex, age, ancestry, national origin, disability, sexual orientation, gender identity or expression, or military status, national origin, disability, age, or ancestry of that group; 1572
- (6) Utilize in the recruitment or hiring of persons any employment agency, personnel placement service, training school or center, labor organization, or any other employee-referring source known to discriminate against persons because of their 1576

race, color, religion, sex, age, ancestry, national origin, 1577
disability, sexual orientation, gender identity or expression, 1578
or military status, national origin, disability, age, or 1579
ancestry. 1580

(F) For any person seeking employment to publish or cause 1581
to be published any advertisement that specifies or in any 1582
manner indicates that person's race, color, religion, sex, age, 1583
ancestry, national origin, disability, sexual orientation, 1584
gender identity or expression, or military status, national 1585
origin, disability, age, or ancestry, or expresses a limitation 1586
or preference as to the race, color, religion, sex, age, 1587
ancestry, national origin, disability, sexual orientation, 1588
gender identity or expression, or military status, national 1589
origin, disability, age, or ancestry of any prospective 1590
employer. 1591

(G) For any proprietor or any employee, keeper, or manager 1592
of a place of public accommodation to deny to any person, except 1593
for reasons applicable alike to all persons regardless of race, 1594
color, religion, sex, age, ancestry, national origin, 1595
disability, sexual orientation, gender identity or expression, 1596
or military status, national origin, disability, age, or 1597
ancestry, the full enjoyment of the accommodations, advantages, 1598
facilities, or privileges of the place of public accommodation. 1599

(H) Subject to section 4112.024 of the Revised Code, for 1600
any person to do any of the following: 1601

(1) Refuse to sell, transfer, assign, rent, lease, 1602
sublease, or finance housing accommodations, refuse to negotiate 1603
for the sale or rental of housing accommodations, or otherwise 1604
deny or make unavailable housing accommodations because of race, 1605
color, religion, sex, ancestry, national origin, familial 1606

<u>status, disability, sexual orientation, gender identity or expression, or military status, familial status, ancestry, disability, or national origin;</u>	1607
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(2) Represent to any person that housing accommodations are not available for inspection, sale, or rental, when in fact they are available, because of race, color, religion, sex, <u>ancestry, national origin, familial status, disability, sexual orientation, gender identity or expression, or military status, familial status, ancestry, disability, or national origin;</u>	1610
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(3) Discriminate against any person in the making or purchasing of loans or the provision of other financial assistance for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations, or any person in the making or purchasing of loans or the provision of other financial assistance that is secured by residential real estate, because of race, color, religion, sex, <u>ancestry, national origin, familial status, disability, sexual orientation, gender identity or expression, or military status, familial status, ancestry, disability, or national origin</u> or because of the racial composition of the neighborhood in which the housing accommodations are located, provided that the person, whether an individual, corporation, or association of any type, lends money as one of the principal aspects or incident to the person's principal business and not only as a part of the purchase price of an owner-occupied residence the person is selling nor merely casually or occasionally to a relative or friend;	1616
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(4) Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing, or subleasing any housing accommodations or in furnishing facilities, services, or privileges in connection	1633
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with the ownership, occupancy, or use of any housing accommodations, including the sale of fire, extended coverage, or homeowners insurance, because of race, color, religion, sex, <u>ancestry, national origin, familial status, disability, sexual</u> <u>orientation, gender identity or expression, or military status,</u> familial status, ancestry, disability, or national origin or because of the racial composition of the neighborhood in which the housing accommodations are located;	1637 1638 1639 1640 1641 1642 1643 1644
(5) Discriminate against any person in the terms or conditions of any loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations because of race, color, religion, sex, <u>ancestry, national</u> <u>origin, familial status, disability, sexual orientation, gender</u> <u>identity or expression, or military status, familial status,</u> ancestry, disability, or national origin or because of the racial composition of the neighborhood in which the housing accommodations are located;	1645 1646 1647 1648 1649 1650 1651 1652 1653 1654
(6) Refuse to consider without prejudice the combined income of both husband and wife for the purpose of extending mortgage credit to a married couple or either member of a married couple;	1655 1656 1657 1658
(7) Print, publish, or circulate any statement or advertisement, or make or cause to be made any statement or advertisement, relating to the sale, transfer, assignment, rental, lease, sublease, or acquisition of any housing accommodations, or relating to the loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations, that indicates any preference, limitation,	1659 1660 1661 1662 1663 1664 1665 1666

specification, or discrimination based upon race, color, religion, sex, <u>ancestry, national origin, familial status,</u> <u>disability, sexual orientation, gender identity or expression,</u> <u>or military status, familial status, ancestry, disability, or</u> <u>national origin,</u> or an intention to make any such preference, limitation, specification, or discrimination;	1667 1668 1669 1670 1671 1672
(8) Except as otherwise provided in division (H) (8) or (17) of this section, make any inquiry, elicit any information, make or keep any record, or use any form of application containing questions or entries concerning race, color, religion, sex, <u>ancestry, national origin, familial status,</u> <u>disability, sexual orientation, gender identity or expression,</u> <u>or military status, familial status, ancestry, disability, or</u> <u>national origin</u> in connection with the sale or lease of any housing accommodations or the loan of any money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations. Any person may make inquiries, and make and keep records, concerning race, color, religion, sex, <u>ancestry,</u> <u>national origin, familial status, disability, sexual</u> <u>orientation, gender identity or expression, or military status,</u> <u>familial status, ancestry, disability, or national origin</u> for the purpose of monitoring compliance with this chapter.	1673 1674 1675 1676 1677 1678 1679 1680 1681 1682 1683 1684 1685 1686 1687 1688 1689
(9) Include in any transfer, rental, or lease of housing accommodations any restrictive covenant, or honor or exercise, or attempt to honor or exercise, any restrictive covenant;	1690 1691 1692
(10) Induce or solicit, or attempt to induce or solicit, a housing accommodations listing, sale, or transaction by representing that a change has occurred or may occur with respect to the racial, religious, sexual, <u>familial status,</u>	1693 1694 1695 1696

sexual orientation, gender identity or expression, military 1697
~~status, familial status,~~ or ethnic composition of the block, 1698
neighborhood, or other area in which the housing accommodations 1699
are located, or induce or solicit, or attempt to induce or 1700
solicit, a housing accommodations listing, sale, or transaction 1701
by representing that the presence or anticipated presence of 1702
persons of any race, color, religion, sex, ancestry, national 1703
origin, familial status, disability, sexual orientation, gender 1704
identity or expression, or military status, familial status, 1705
~~ancestry, disability, or national origin,~~ in the block, 1706
neighborhood, or other area will or may have results including, 1707
but not limited to, the following: 1708

(a) The lowering of property values; 1709

(b) A change in the racial, religious, sexual, familial 1710
status, sexual orientation, gender identity or expression, 1711
~~military status, familial status,~~ or ethnic composition of the 1712
block, neighborhood, or other area; 1713

(c) An increase in criminal or antisocial behavior in the 1714
block, neighborhood, or other area; 1715

(d) A decline in the quality of the schools serving the 1716
block, neighborhood, or other area. 1717

(11) Deny any person access to or membership or 1718
participation in any multiple-listing service, real estate 1719
brokers' organization, or other service, organization, or 1720
facility relating to the business of selling or renting housing 1721
accommodations, or discriminate against any person in the terms 1722
or conditions of that access, membership, or participation, on 1723
account of race, color, religion, sex, ancestry, national 1724
origin, familial status, disability, sexual orientation, gender 1725

<u>identity or expression, or military status, familial status,</u>	1726
<u>national origin, disability, or ancestry;</u>	1727
(12) Coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of that person's having exercised or enjoyed or having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by division (H) of this section;	1728 1729 1730 1731 1732
(13) Discourage or attempt to discourage the purchase by a prospective purchaser of housing accommodations, by representing that any block, neighborhood, or other area has undergone or might undergo a change with respect to its <u>racial, religious,</u> <u>racial, sexual, familial status, sexual orientation, gender</u> <u>identity or expression, military status, familial status, or</u> ethnic composition;	1733 1734 1735 1736 1737 1738 1739
(14) Refuse to sell, transfer, assign, rent, lease, sublease, or finance, or otherwise deny or withhold, a burial lot from any person because of the race, color, sex, <u>age,</u> <u>ancestry, national origin, familial status, disability, sexual</u> <u>orientation, gender identity or expression, or military status,</u> <u>familial status, age, ancestry, disability, or national origin</u> of any prospective owner or user of the lot;	1740 1741 1742 1743 1744 1745 1746
(15) Discriminate in the sale or rental of, or otherwise make unavailable or deny, housing accommodations to any buyer or renter because of a disability of any of the following:	1747 1748 1749
(a) The buyer or renter;	1750
(b) A person residing in or intending to reside in the housing accommodations after they are sold, rented, or made available;	1751 1752 1753
(c) Any individual associated with the person described in	1754

division (H) (15) (b) of this section. 1755

(16) Discriminate in the terms, conditions, or privileges 1756
of the sale or rental of housing accommodations to any person or 1757
in the provision of services or facilities to any person in 1758
connection with the housing accommodations because of a 1759
disability of any of the following: 1760

(a) That person; 1761

(b) A person residing in or intending to reside in the 1762
housing accommodations after they are sold, rented, or made 1763
available; 1764

(c) Any individual associated with the person described in 1765
division (H) (16) (b) of this section. 1766

(17) Except as otherwise provided in division (H) (17) of 1767
this section, make an inquiry to determine whether an applicant 1768
for the sale or rental of housing accommodations, a person 1769
residing in or intending to reside in the housing accommodations 1770
after they are sold, rented, or made available, or any 1771
individual associated with that person has a disability, or make 1772
an inquiry to determine the nature or severity of a disability 1773
of the applicant or such a person or individual. The following 1774
inquiries may be made of all applicants for the sale or rental 1775
of housing accommodations, regardless of whether they have 1776
disabilities: 1777

(a) An inquiry into an applicant's ability to meet the 1778
requirements of ownership or tenancy; 1779

(b) An inquiry to determine whether an applicant is 1780
qualified for housing accommodations available only to persons 1781
with disabilities or persons with a particular type of 1782
disability; 1783

(c) An inquiry to determine whether an applicant is qualified for a priority available to persons with disabilities or persons with a particular type of disability;	1784 1785 1786
(d) An inquiry to determine whether an applicant currently uses a controlled substance in violation of section 2925.11 of the Revised Code or a substantively comparable municipal ordinance;	1787 1788 1789 1790
(e) An inquiry to determine whether an applicant at any time has been convicted of or pleaded guilty to any offense, an element of which is the illegal sale, offer to sell, cultivation, manufacture, other production, shipment, transportation, delivery, or other distribution of a controlled substance.	1791 1792 1793 1794 1795 1796
(18) (a) Refuse to permit, at the expense of a person with a disability, reasonable modifications of existing housing accommodations that are occupied or to be occupied by the person with a disability, if the modifications may be necessary to afford the person with a disability full enjoyment of the housing accommodations. This division does not preclude a landlord of housing accommodations that are rented or to be rented to a disabled tenant from conditioning permission for a proposed modification upon the disabled tenant's doing one or more of the following:	1797 1798 1799 1800 1801 1802 1803 1804 1805 1806
(i) Providing a reasonable description of the proposed modification and reasonable assurances that the proposed modification will be made in a workerlike manner and that any required building permits will be obtained prior to the commencement of the proposed modification;	1807 1808 1809 1810 1811
(ii) Agreeing to restore at the end of the tenancy the	1812

interior of the housing accommodations to the condition they
were in prior to the proposed modification, but subject to
reasonable wear and tear during the period of occupancy, if it
is reasonable for the landlord to condition permission for the
proposed modification upon the agreement; 1813
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(iii) Paying into an interest-bearing escrow account that
is in the landlord's name, over a reasonable period of time, a
reasonable amount of money not to exceed the projected costs at
the end of the tenancy of the restoration of the interior of the
housing accommodations to the condition they were in prior to
the proposed modification, but subject to reasonable wear and
tear during the period of occupancy, if the landlord finds the
account reasonably necessary to ensure the availability of funds
for the restoration work. The interest earned in connection with
an escrow account described in this division shall accrue to the
benefit of the disabled tenant who makes payments into the
account. 1818
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(b) A landlord shall not condition permission for a
proposed modification upon a disabled tenant's payment of a
security deposit that exceeds the customarily required security
deposit of all tenants of the particular housing accommodations. 1830
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(19) Refuse to make reasonable accommodations in rules,
policies, practices, or services when necessary to afford a
person with a disability equal opportunity to use and enjoy a
dwelling unit, including associated public and common use areas; 1834
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(20) Fail to comply with the standards and rules adopted
under division (A) of section 3781.111 of the Revised Code; 1838
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(21) Discriminate against any person in the selling,
brokering, or appraising of real property because of race, 1840
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color, religion, sex, ancestry, national origin, familial status, disability, sexual orientation, gender identity or expression, or military status, familial status, ancestry, disability, or national origin; 1842
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(22) Fail to design and construct covered multifamily dwellings for first occupancy on or after June 30, 1992, in accordance with the following conditions: 1846
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(a) The dwellings shall have at least one building entrance on an accessible route, unless it is impractical to do so because of the terrain or unusual characteristics of the site. 1849
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(b) With respect to dwellings that have a building entrance on an accessible route, all of the following apply: 1853
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(i) The public use areas and common use areas of the dwellings shall be readily accessible to and usable by persons with a disability. 1855
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(ii) All the doors designed to allow passage into and within all premises shall be sufficiently wide to allow passage by persons with a disability who are in wheelchairs. 1858
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(iii) All premises within covered multifamily dwelling units shall contain an accessible route into and through the dwelling; all light switches, electrical outlets, thermostats, and other environmental controls within such units shall be in accessible locations; the bathroom walls within such units shall contain reinforcements to allow later installation of grab bars; and the kitchens and bathrooms within such units shall be designed and constructed in a manner that enables an individual in a wheelchair to maneuver about such rooms. 1861
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For purposes of division (H) (22) of this section, "covered

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"multifamily dwellings" means buildings consisting of four or
more units if such buildings have one or more elevators and
ground floor units in other buildings consisting of four or more
units. 1871
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(I) For any person to discriminate in any manner against
any other person because that person has opposed any unlawful
discriminatory practice defined in this section or because that
person has made a charge, testified, assisted, or participated
in any manner in any investigation, proceeding, or hearing under
sections 4112.01 to 4112.07 of the Revised Code. 1875
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(J) For any person to aid, abet, incite, compel, or coerce
the doing of any act declared by this section to be an unlawful
discriminatory practice, to obstruct or prevent any person from
complying with this chapter or any order issued under it, or to
attempt directly or indirectly to commit any act declared by
this section to be an unlawful discriminatory practice. 1881
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(K) Nothing in divisions (A) to (E) of this section shall
be construed to require a person with a disability to be
employed or trained under circumstances that would significantly
increase the occupational hazards affecting either the person
with a disability, other employees, the general public, or the
facilities in which the work is to be performed, or to require
the employment or training of a person with a disability in a
job that requires the person with a disability routinely to
undertake any task, the performance of which is substantially
and inherently impaired by the person's disability. 1887
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(L) An aggrieved individual may enforce the individual's
rights relative to discrimination on the basis of age as
provided for in this section by instituting a civil action,
within one hundred eighty days after the alleged unlawful 1897
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discriminatory practice occurred, in any court with jurisdiction
for any legal or equitable relief that will effectuate the
individual's rights. 1901
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A person who files a civil action under this division is
barred, with respect to the practices complained of, from
instituting a civil action under section 4112.14 of the Revised
Code and from filing a charge with the commission under section
4112.05 of the Revised Code. 1904
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(M) With regard to age, it shall not be an unlawful
discriminatory practice and it shall not constitute a violation
of division (A) of section 4112.14 of the Revised Code for any
employer, employment agency, joint labor-management committee
controlling apprenticeship training programs, or labor
organization to do any of the following: 1909
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(1) Establish bona fide employment qualifications
reasonably related to the particular business or occupation that
may include standards for skill, aptitude, physical capability,
intelligence, education, maturation, and experience; 1915
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(2) Observe the terms of a bona fide seniority system or
any bona fide employee benefit plan, including, but not limited
to, a retirement, pension, or insurance plan, that is not a
subterfuge to evade the purposes of this section. However, no
such employee benefit plan shall excuse the failure to hire any
individual, and no such seniority system or employee benefit
plan shall require or permit the involuntary retirement of any
individual, because of the individual's age except as provided
for in the "Age Discrimination in Employment Act Amendment of
1978," 92 Stat. 189, 29 U.S.C.A. 623, as amended by the "Age
Discrimination in Employment Act Amendments of 1986," 100 Stat.
3342, 29 U.S.C.A. 623, as amended. 1919
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(3) Retire an employee who has attained sixty-five years of age who, for the two-year period immediately before retirement, is employed in a bona fide executive or a high policymaking position, if the employee is entitled to an immediate nonforfeitable annual retirement benefit from a pension, profit-sharing, savings, or deferred compensation plan, or any combination of those plans, of the employer of the employee, which equals, in the aggregate, at least forty-four thousand dollars, in accordance with the conditions of the "Age Discrimination in Employment Act Amendment of 1978," 92 Stat. 189, 29 U.S.C.A. 631, as amended by the "Age Discrimination in Employment Act Amendments of 1986," 100 Stat. 3342, 29 U.S.C.A. 631, as amended;	1931 1932 1933 1934 1935 1936 1937 1938 1939 1940 1941 1942 1943
(4) Observe the terms of any bona fide apprenticeship program if the program is registered with the Ohio apprenticeship council pursuant to sections 4139.01 to 4139.06 of the Revised Code and is approved by the federal committee on apprenticeship of the United States department of labor.	1944 1945 1946 1947 1948
(N) Nothing in this chapter prohibiting age discrimination and nothing in division (A) of section 4112.14 of the Revised Code shall be construed to prohibit the following:	1949 1950 1951
(1) The designation of uniform age the attainment of which is necessary for public employees to receive pension or other retirement benefits pursuant to Chapter 145., 742., 3307., 3309., or 5505. of the Revised Code;	1952 1953 1954 1955
(2) The mandatory retirement of uniformed patrol officers of the state highway patrol as provided in section 5505.16 of the Revised Code;	1956 1957 1958
(3) The maximum age requirements for appointment as a	1959

patrol officer in the state highway patrol established by section 5503.01 of the Revised Code;	1960 1961
(4) The maximum age requirements established for original appointment to a police department or fire department in sections 124.41 and 124.42 of the Revised Code;	1962 1963 1964
(5) Any maximum age not in conflict with federal law that may be established by a municipal charter, municipal ordinance, or resolution of a board of township trustees for original appointment as a police officer or firefighter;	1965 1966 1967 1968
(6) Any mandatory retirement provision not in conflict with federal law of a municipal charter, municipal ordinance, or resolution of a board of township trustees pertaining to police officers and firefighters;	1969 1970 1971 1972
(7) Until January 1, 1994, the mandatory retirement of any employee who has attained seventy years of age and who is serving under a contract of unlimited tenure, or similar arrangement providing for unlimited tenure, at an institution of higher education as defined in the "Education Amendments of 1980," 94 Stat. 1503, 20 U.S.C.A. 1141(a).	1973 1974 1975 1976 1977 1978
(O)(1)(a) Except as provided in division (O)(1)(b) of this section, for purposes of divisions (A) to (E) of this section, a disability does not include any physiological disorder or condition, mental or psychological disorder, or disease or condition caused by an illegal use of any controlled substance by an employee, applicant, or other person, if an employer, employment agency, personnel placement service, labor organization, or joint labor-management committee acts on the basis of that illegal use.	1979 1980 1981 1982 1983 1984 1985 1986 1987
(b) Division (O)(1)(a) of this section does not apply to	1988

an employee, applicant, or other person who satisfies any of the
following:

(i) The employee, applicant, or other person has
successfully completed a supervised drug rehabilitation program
and no longer is engaging in the illegal use of any controlled
substance, or the employee, applicant, or other person otherwise
successfully has been rehabilitated and no longer is engaging in
that illegal use.

(ii) The employee, applicant, or other person is
participating in a supervised drug rehabilitation program and no
longer is engaging in the illegal use of any controlled
substance.

(iii) The employee, applicant, or other person is
erroneously regarded as engaging in the illegal use of any
controlled substance, but the employee, applicant, or other
person is not engaging in that illegal use.

(2) Divisions (A) to (E) of this section do not prohibit
an employer, employment agency, personnel placement service,
labor organization, or joint labor-management committee from
doing any of the following:

(a) Adopting or administering reasonable policies or
procedures, including, but not limited to, testing for the
illegal use of any controlled substance, that are designed to
ensure that an individual described in division (O)(1)(b)(i) or
(ii) of this section no longer is engaging in the illegal use of
any controlled substance;

(b) Prohibiting the illegal use of controlled substances
and the use of alcohol at the workplace by all employees;

(c) Requiring that employees not be under the influence of

alcohol or not be engaged in the illegal use of any controlled substance at the workplace;	2018 2019
(d) Requiring that employees behave in conformance with the requirements established under "The Drug-Free Workplace Act of 1988," 102 Stat. 4304, 41 U.S.C.A. 701, as amended;	2020 2021 2022
(e) Holding an employee who engages in the illegal use of any controlled substance or who is an alcoholic to the same qualification standards for employment or job performance, and the same behavior, to which the employer, employment agency, personnel placement service, labor organization, or joint labor-management committee holds other employees, even if any unsatisfactory performance or behavior is related to an employee's illegal use of a controlled substance or alcoholism;	2023 2024 2025 2026 2027 2028 2029 2030
(f) Exercising other authority recognized in the "Americans with Disabilities Act of 1990," 104 Stat. 327, 42 U.S.C.A. 12101, as amended, including, but not limited to, requiring employees to comply with any applicable federal standards.	2031 2032 2033 2034 2035
(3) For purposes of this chapter, a test to determine the illegal use of any controlled substance does not include a medical examination.	2036 2037 2038
(4) Division (O) of this section does not encourage, prohibit, or authorize, and shall not be construed as encouraging, prohibiting, or authorizing, the conduct of testing for the illegal use of any controlled substance by employees, applicants, or other persons, or the making of employment decisions based on the results of that type of testing.	2039 2040 2041 2042 2043 2044
(P) This section does not apply to a religious corporation, association, educational institution, or society	2045 2046

with respect to the employment of an individual of a particular religion to perform work connected with the carrying on by that religious corporation, association, educational institution, or society of its activities. 2047
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The unlawful discriminatory practices defined in this section do not make it unlawful for a person or an appointing authority administering an examination under section 124.23 of the Revised Code to obtain information about an applicant's military status for the purpose of determining if the applicant is eligible for the additional credit that is available under that section. 2051
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(Q) It shall be an unlawful discriminatory practice for any employer, employment agency, or labor organization to limit, segregate, or classify its employees or applicants for employment in any way that would deprive or tend to deprive any individual of employment or otherwise adversely affect the status of the individual as an employee because of the individual's sexual orientation or gender identity or expression. 2058
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Sec. 4112.021. (A) As used in this section: 2066

(1) "Credit" means the right granted by a creditor to a person to defer payment of a debt, to incur debt and defer its payment, or to purchase property or services and defer payment for the property or services. 2067
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(2) "Creditor" means any person who regularly extends, renews, or continues credit, any person who regularly arranges for the extension, renewal, or continuation of credit, or any assignee of an original creditor who participates in the decision to extend, renew, or continue credit, whether or not 2071
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any interest or finance charge is required. 2076

(3) "Credit reporting agency" means any person who, for 2077
monetary fees or dues or on a cooperative nonprofit basis, 2078
regularly assembles or evaluates credit information for the 2079
purpose of furnishing credit reports to creditors. 2080

(4) "Age" means any age of eighteen years or older. 2081

(B) It shall be an unlawful discriminatory practice: 2082

(1) For any creditor to do any of the following: 2083

(a) Discriminate against any applicant for credit in the 2084
granting, withholding, extending, or renewing of credit, or in 2085
the fixing of the rates, terms, or conditions of any form of 2086
credit, on the basis of race, color, religion, sex, age, sex- 2087
ancestry, national origin, marital status, disability, sexual 2088
orientation, gender identity or expression, or military status, 2089
~~marital status, national origin, disability, or ancestry, except~~ 2090
that this division shall not apply with respect to age in any 2091
real estate transaction between a financial institution, a 2092
dealer in intangibles, or an insurance company as defined in 2093
section 5725.01 of the Revised Code and its customers; 2094

(b) Use or make any inquiry as to race, color, religion, 2095
~~sex, age, sex ancestry, national origin, marital status,~~ 2096
~~disability, sexual orientation, gender identity or expression,~~ 2097
~~or military status, marital status, national origin, disability,~~ 2098
~~or ancestry~~ for the purpose of limiting or specifying those 2099
persons to whom credit will be granted, except that an inquiry 2100
of marital status does not constitute discrimination for the 2101
purposes of this section if the inquiry is made for the purpose 2102
of ascertaining the creditor's rights and remedies applicable to 2103
the particular extension of credit, and except that creditors 2104

are excepted from this division with respect to any inquiry, 2105
elicitation of information, record, or form of application 2106
required of a particular creditor by any instrumentality or 2107
agency of the United States, or required of a particular 2108
creditor by any agency or instrumentality to enforce the "Civil 2109
Rights Act of 1968," 82 Stat. 84, 85, 42 U.S.C.A. 3608(c); 2110

(c) Refuse to consider the sources of income of an 2111
applicant for credit, or disregard or ignore the income of an 2112
applicant, in whole or in part, on the basis of race, color, 2113
religion, sex, age, sex, ancestry, national origin, marital 2114
status, disability, sexual orientation, gender identity or 2115
expression, or military status, marital status, disability, 2116
national origin, or ancestry; 2117

(d) Refuse to grant credit to an individual in any name 2118
that individual customarily uses, if it has been determined in 2119
the normal course of business that the creditor will grant 2120
credit to the individual; 2121

(e) Impose any special requirements or conditions, 2122
including, but not limited to, a requirement for co-obligors or 2123
reapplication, upon any applicant or class of applicants on the 2124
basis of race, color, religion, sex, age, sex ancestry, national 2125
origin, marital status, disability, sexual orientation, gender 2126
identity or expression, or military status, marital status, 2127
national origin, disability, or ancestry in circumstances where 2128
similar requirements or conditions are not imposed on other 2129
applicants similarly situated, unless the special requirements 2130
or conditions that are imposed with respect to age are the 2131
result of a real estate transaction exempted under division (B) 2132
(1) (a) of this section or are the result of programs that grant 2133
preferences to certain age groups administered by 2134

instrumentalities or agencies of the United States, a state, or
a political subdivision of a state; 2135
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(f) Fail or refuse to provide an applicant for credit a
written statement of the specific reasons for rejection of the
application if requested in writing by the applicant within
sixty days of the rejection. The creditor shall provide the
written statement of the specific reason for rejection within
thirty days after receipt of a request of that nature. For
purposes of this section, a statement that the applicant was
rejected solely on the basis of information received from a
credit reporting agency or because the applicant failed to meet
the standards required by the creditor's credit scoring system,
uniformly applied, shall constitute a specific reason for
rejection. 2148

(g) Fail or refuse to print on or firmly attach to each
application for credit, in a type size no smaller than that used
throughout most of the application form, the following notice:
"The Ohio laws against discrimination require that all creditors
make credit equally available to all credit worthy customers,
and that credit reporting agencies maintain separate credit
histories on each individual upon request. The Ohio civil rights
commission administers compliance with this law." This notice is
not required to be included in applications that have a multi-
state distribution if the notice is mailed to the applicant with
the notice of acceptance or rejection of the application. 2159

(h) Fail or refuse on the basis of race, color, religion,
sex, age, sex ancestry, national origin, marital status, 2161
disability, sexual orientation, gender identity or expression, 2162
or military status, marital status, national origin, disability, 2163
or ancestry to maintain, upon the request of the individual, a 2164

separate account for each individual to whom credit is extended; 2165

(i) Fail or refuse on the basis of race, color, religion, 2166
sex, age, sex ancestry, national origin, marital status, 2167
disability, sexual orientation, gender identity or expression, 2168
or military status, marital status, national origin, disability, 2169
or ancestry to maintain records on any account established after 2170
November 1, 1976, to furnish information on the accounts to 2171
credit reporting agencies in a manner that clearly designates 2172
the contractual liability for repayment as indicated on the 2173
application for the account, and, if more than one individual is 2174
contractually liable for repayment, to maintain records and 2175
furnish information in the name of each individual. This 2176
division does not apply to individuals who are contractually 2177
liable only if the primary party defaults on the account. 2178

(2) For any credit reporting agency to do any of the 2179
following: 2180

(a) Fail or refuse on the basis of race, color, religion, 2181
sex, age, sex ancestry, national origin, marital status, 2182
disability, sexual orientation, gender identity or expression, 2183
or military status, marital status, national origin, disability, 2184
or ancestry to maintain, upon the request of the individual, a 2185
separate file on each individual about whom information is 2186
assembled or evaluated; 2187

(b) Fail or refuse on the basis of race, color, religion, 2188
sex, age, sex ancestry, national origin, marital status, 2189
disability, sexual orientation, gender identity or expression, 2190
or military status, marital status, national origin, disability, 2191
or ancestry to clearly note, maintain, and report any 2192
information furnished it under division (B) (1) (i) of this 2193
section. 2194

(C) This section does not prohibit a creditor from 2195
requesting the signature of both spouses to create a valid lien, 2196
pass clear title, or waive inchoate rights to property. 2197

(D) The rights granted by this section may be enforced by 2198
aggrieved individuals by filing a civil action in a court of 2199
common pleas within one hundred eighty days after the alleged 2200
unlawful discriminatory practice occurred. Upon application by 2201
the plaintiff and in circumstances that the court considers 2202
just, the court in which a civil action under this section is 2203
brought may appoint an attorney for the plaintiff and may 2204
authorize the commencement of a civil action upon proper showing 2205
without the payment of costs. If the court finds that an 2206
unlawful discriminatory practice prohibited by this section 2207
occurred or is about to occur, the court may grant relief that 2208
it considers appropriate, including a permanent or temporary 2209
injunction, temporary restraining order, or other order, and may 2210
award to the plaintiff compensatory and punitive damages of not 2211
less than one hundred dollars, together with attorney's fees and 2212
court costs. 2213

(E) Nothing contained in this section shall bar a creditor 2214
from reviewing an application for credit on the basis of 2215
established criteria used in the normal course of business for 2216
the determination of the credit worthiness of the individual 2217
applicant for credit, including the credit history of the 2218
applicant. 2219

Sec. 4112.04. (A) The commission shall do all of the 2220
following: 2221

(1) Establish and maintain a principal office in the city 2222
of Columbus and any other offices within the state that it 2223
considers necessary; 2224

- (2) Appoint an executive director who shall serve at the pleasure of the commission and be its principal administrative officer. The executive director shall be paid a salary fixed pursuant to Chapter 124. of the Revised Code. 2225
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- (3) Appoint hearing examiners and other employees and agents who it considers necessary and prescribe their duties subject to Chapter 124. of the Revised Code; 2229
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- (4) Adopt, promulgate, amend, and rescind rules to effectuate the provisions of this chapter and the policies and practice of the commission in connection with this chapter; 2232
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- (5) Formulate policies to effectuate the purposes of this chapter and make recommendations to agencies and officers of the state or political subdivisions to effectuate the policies; 2235
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- (6) Receive, investigate, and pass upon written charges made under oath of unlawful discriminatory practices; 2238
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- (7) Make periodic surveys of the existence and effect of discrimination because of race, color, religion, sex, age, ancestry, national origin, familial status, disability, sexual orientation, gender identity or expression, or military status, ~~familial status, national origin, disability, age, or ancestry~~ on the enjoyment of civil rights by persons within the state; 2240
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- (8) Report, from time to time, but not less than once a year, to the general assembly and the governor, describing in detail the investigations, proceedings, and hearings it has conducted and their outcome, the decisions it has rendered, and the other work performed by it, which report shall include a copy of any surveys prepared pursuant to division (A) (7) of this section and shall include the recommendations of the commission as to legislative or other remedial action; 2246
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(9) Prepare a comprehensive educational program, in cooperation with the department of education, for the students of the <u>primary and secondary</u> public schools of this state and for all other residents of this state that is designed to eliminate prejudice on the basis of race, color, religion, sex, military status, familial status, national origin, disability, age, or ancestry, sexual orientation, or gender identity or expression in this state, to further good will among those groups, and to emphasize the origin of prejudice against those groups <u>and discrimination, its their</u> harmful effects, and <u>its their</u> incompatibility with American principles of equality and fair play;	2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265
(10) Receive progress reports from agencies, instrumentalities, institutions, boards, commissions, and other entities of this state or any of its political subdivisions and their agencies, instrumentalities, institutions, boards, commissions, and other entities regarding affirmative action programs for the employment of persons against whom discrimination is prohibited by this chapter, or regarding any affirmative housing accommodations programs developed to eliminate or reduce an imbalance of race, color, religion, sex, <u>ancestry, national origin, familial status, disability, sexual orientation, gender identity or expression, or military status,</u> familial status, national origin, disability, or ancestry. All agencies, instrumentalities, institutions, boards, commissions, and other entities of this state or its political subdivisions, and all political subdivisions, that have undertaken affirmative action programs pursuant to a conciliation agreement with the commission, an executive order of the governor, any federal statute or rule, or an executive order of the president of the United States shall file progress reports with the commission	2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284

annually on or before the first day of November. The commission
shall analyze and evaluate the progress reports and report its
findings annually to the general assembly on or before the
thirtieth day of January of the year immediately following the
receipt of the reports.

(B) The commission may do any of the following:

(1) Meet and function at any place within the state;

(2) Initiate and undertake on its own motion investigations of problems of employment or housing accommodations discrimination;

(3) Hold hearings, subpoena witnesses, compel their attendance, administer oaths, take the testimony of any person under oath, require the production for examination of any books and papers relating to any matter under investigation or in question before the commission, and make rules as to the issuance of subpoenas by individual commissioners.

(a) In conducting a hearing or investigation, the commission shall have access at all reasonable times to premises, records, documents, individuals, and other evidence or possible sources of evidence and may examine, record, and copy the premises, records, documents, and other evidence or possible sources of evidence and take and record the testimony or statements of the individuals as reasonably necessary for the furtherance of the hearing or investigation. In investigations, the commission shall comply with the fourth amendment to the United States Constitution relating to unreasonable searches and seizures. The commission or a member of the commission may issue subpoenas to compel access to or the production of premises, records, documents, and other evidence or possible sources of

evidence or the appearance of individuals, and may issue 2314
interrogatories to a respondent, to the same extent and subject 2315
to the same limitations as would apply if the subpoenas or 2316
interrogatories were issued or served in aid of a civil action 2317
in a court of common pleas. 2318

(b) Upon written application by a party to a hearing under 2319
division (B) of section 4112.05 of the Revised Code, the 2320
commission shall issue subpoenas in its name to the same extent 2321
and subject to the same limitations as subpoenas issued by the 2322
commission. Subpoenas issued at the request of a party shall 2323
show on their face the name and address of the party and shall 2324
state that they were issued at the party's request. 2325

(c) Witnesses summoned by subpoena of the commission are 2326
entitled to the witness and mileage fees provided for under 2327
section 119.094 of the Revised Code. 2328

(d) Within five days after service of a subpoena upon any 2329
person, the person may petition the commission to revoke or 2330
modify the subpoena. The commission shall grant the petition if 2331
it finds that the subpoena requires an appearance or attendance 2332
at an unreasonable time or place, that it requires production of 2333
evidence that does not relate to any matter before the 2334
commission, that it does not describe with sufficient 2335
particularity the evidence to be produced, that compliance would 2336
be unduly onerous, or for other good reason. 2337

(e) In case of contumacy or refusal to obey a subpoena, 2338
the commission or person at whose request it was issued may 2339
petition for its enforcement in the court of common pleas in the 2340
county in which the person to whom the subpoena was addressed 2341
resides, was served, or transacts business. 2342

(4) Create local or statewide advisory agencies and conciliation councils to aid in effectuating the purposes of this chapter. The commission may itself, or it may empower these agencies and councils to, do either or both of the following:	2343 2344 2345 2346
(a) Study the problems of discrimination in all or specific fields of human relationships when based on race, color, religion, sex, <u>age, ancestry, national origin, familial status, disability, sexual orientation, gender identity or expression, or military status, familial status, national origin, disability, age, or ancestry;</u>	2347 2348 2349 2350 2351 2352
(b) Foster through community effort, or otherwise, good will among the groups and elements of the population of the state.	2353 2354 2355
The agencies and councils may make recommendations to the commission for the development of policies and procedures in general. They shall be composed of representative citizens who shall serve without pay, except that reimbursement for actual and necessary traveling expenses shall be made to citizens who serve on a statewide agency or council.	2356 2357 2358 2359 2360 2361
(5) Issue any publications and the results of investigations and research that in its judgment will tend to promote good will and minimize or eliminate discrimination because of race, color, religion, sex, <u>age, ancestry, national origin, familial status, disability, sexual orientation, gender identity or expression, or military status, familial status, national origin, disability, age, or ancestry.</u>	2362 2363 2364 2365 2366 2367 2368
Sec. 4112.05. (A) (1) The commission, as provided in this section, shall prevent any person from engaging in unlawful discriminatory practices.	2369 2370 2371

(2) The commission may at any time attempt to resolve allegations of unlawful discriminatory practices by the use of alternative dispute resolution, provided that, before instituting the formal hearing authorized by division (B) of this section, it shall attempt, by informal methods of conference, conciliation, <u>mediation</u> , and persuasion, to induce compliance with this chapter.	2372 2373 2374 2375 2376 2377 2378
(B) (1) Any person may file a charge with the commission alleging that another person has engaged or is engaging in an unlawful discriminatory practice. In the case of a charge alleging an unlawful discriminatory practice described in division (A), (B), (C), (D), (E), (F), (G), (I), or (J) of section 4112.02 or in section 4112.021 or 4112.022 of the Revised Code, the charge shall be in writing and under oath and shall be filed with the commission within six months after the alleged unlawful discriminatory practice was committed. In the case of a charge alleging an unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code, the charge shall be in writing and under oath and shall be filed with the commission within one year after the alleged unlawful discriminatory practice was committed.	2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392
(a) An oath under this chapter may be made in any form of affirmation the person deems binding on the person's conscience. Acceptable forms include, but are not limited to, declarations made under penalty of perjury.	2393 2394 2395 2396
(b) Any charge timely received, via facsimile, postal mail, electronic mail, or otherwise, may be signed under oath after the limitations period for filing set forth under division (B) (1) of this section and will relate back to the original filing date.	2397 2398 2399 2400 2401

(2) Upon receiving a charge, the commission may initiate a preliminary investigation to determine whether it is probable that an unlawful discriminatory practice has been or is being engaged in. The commission also may conduct, upon its own initiative and independent of the filing of any charges, a preliminary investigation relating to any of the unlawful discriminatory practices described in division (A), (B), (C), (D), (E), (F), (I), or (J) of section 4112.02 or in section 4112.021 or 4112.022 of the Revised Code. Prior to a notification of a complainant under division (B)(4) of this section or prior to the commencement of informal methods of conference, conciliation, mediation, and persuasion, or alternative dispute resolution, under that division, the members of the commission and the officers and employees of the commission shall not make public in any manner and shall retain as confidential all information that was obtained as a result of or that otherwise pertains to a preliminary investigation other than one described in division (B)(3) of this section.

(3) (a) Unless it is impracticable to do so and subject to its authority under division (B)(3)(d) of this section, the commission shall complete a preliminary investigation of a charge filed pursuant to division (B)(1) of this section that alleges an unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code, and shall take one of the following actions, within one hundred days after the filing of the charge:

(i) Notify the complainant and the respondent that it is not probable that an unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code has been or is being engaged in and that the commission will not issue a complaint in the matter;

(ii) Initiate a complaint and schedule it for informal methods of conference, conciliation, <u>mediation</u> , and persuasion, or alternative dispute resolution;	2433 2434 2435
(iii) Initiate a complaint and refer it to the attorney general with a recommendation to seek a temporary or permanent injunction or a temporary restraining order. If this action is taken, the attorney general shall apply, as expeditiously as possible after receipt of the complaint, to the court of common pleas of the county in which the unlawful discriminatory practice allegedly occurred for the appropriate injunction or order, and the court shall hear and determine the application as expeditiously as possible.	2436 2437 2438 2439 2440 2441 2442 2443 2444
(b) If it is not practicable to comply with the requirements of division (B) (3) (a) of this section within the one-hundred-day period described in that division, the commission shall notify the complainant and the respondent in writing of the reasons for the noncompliance.	2445 2446 2447 2448 2449
(c) Prior to the issuance of a complaint under division (B) (3) (a) (ii) or (iii) of this section or prior to a notification of the complainant and the respondent under division (B) (3) (a) (i) of this section, the members of the commission and the officers and employees of the commission shall not make public in any manner and shall retain as confidential all information that was obtained as a result of or that otherwise pertains to a preliminary investigation of a charge filed pursuant to division (B) (1) of this section that alleges an unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code.	2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460
(d) Notwithstanding the types of action described in divisions (B) (3) (a) (ii) and (iii) of this section, prior to the	2461 2462

issuance of a complaint or the referral of a complaint to the attorney general and prior to endeavoring to eliminate an unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code by informal methods of conference, conciliation, mediation, and persuasion, or by alternative dispute resolution, the commission may seek a temporary or permanent injunction or a temporary restraining order in the court of common pleas of the county in which the unlawful discriminatory practice allegedly occurred.

(4) If the commission determines after a preliminary investigation other than one described in division (B) (3) of this section that it is not probable that an unlawful discriminatory practice has been or is being engaged in, it shall notify any complainant under division (B) (1) of this section that it has so determined and that it will not issue a complaint in the matter. If the commission determines after a preliminary investigation other than the one described in division (B) (3) of this section that it is probable that an unlawful discriminatory practice has been or is being engaged in, it shall endeavor to eliminate the practice by informal methods of conference, conciliation, mediation, and persuasion, or by alternative dispute resolution.

(5) Nothing said or done during informal methods of conference, conciliation, mediation, and persuasion, or during alternative dispute resolution, under this section shall be disclosed by any member of the commission or its staff or be used as evidence in any subsequent hearing or other proceeding. If, after a preliminary investigation and the use of informal methods of conference, conciliation, mediation, and persuasion, or alternative dispute resolution, under this section, the commission is satisfied that any unlawful discriminatory

practice will be eliminated, it may treat the charge involved as
being conciliated and enter that disposition on the records of
the commission. If the commission fails to effect the
elimination of an unlawful discriminatory practice by informal
methods of conference, conciliation, mediation, and persuasion,
or by alternative dispute resolution under this section and to
obtain voluntary compliance with this chapter, the commission
shall issue and cause to be served upon any person, including
the respondent against whom a complainant has filed a charge
pursuant to division (B)(1) of this section, a complaint stating
the charges involved and containing a notice of an opportunity
for a hearing before the commission, a member of the commission,
or a hearing examiner at a place that is stated in the notice
and that is located within the county in which the alleged
unlawful discriminatory practice has occurred or is occurring or
in which the respondent resides or transacts business. The
hearing shall be held not less than thirty days after the
service of the complaint upon the complainant, the aggrieved
persons other than the complainant on whose behalf the complaint
is issued, and the respondent, unless the complainant, an
aggrieved person, or the respondent elects to proceed under
division (A)(2) of section 4112.051 of the Revised Code when
that division is applicable. If a complaint pertains to an
alleged unlawful discriminatory practice described in division
(H) of section 4112.02 of the Revised Code, the complaint shall
notify the complainant, an aggrieved person, and the respondent
of the right of the complainant, an aggrieved person, or the
respondent to elect to proceed with the administrative hearing
process under this section or to proceed under division (A)(2)
of section 4112.051 of the Revised Code.

(6) The attorney general shall represent the commission at

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any hearing held pursuant to division (B) (5) of this section and 2525
shall present the evidence in support of the complaint. 2526

(7) Any complaint issued pursuant to division (B) (5) of 2527
this section after the filing of a charge under division (B) (1) 2528
of this section shall be so issued within one year after the 2529
complainant filed the charge with respect to an alleged unlawful 2530
discriminatory practice. 2531

(C) (1) Any complaint issued pursuant to division (B) of 2532
this section may be amended by the commission, a member of the 2533
commission, or the hearing examiner conducting a hearing under 2534
division (B) of this section. 2535

(a) Except as provided in division (C) (1) (b) of this 2536
section, a complaint issued pursuant to division (B) of this 2537
section may be amended at any time prior to or during the 2538
hearing. 2539

(b) If a complaint issued pursuant to division (B) of this 2540
section alleges an unlawful discriminatory practice described in 2541
division (H) of section 4112.02 of the Revised Code, the 2542
complaint may be amended at any time up to seven days prior to 2543
the hearing and not thereafter. 2544

(2) The respondent has the right to file an answer or an 2545
amended answer to the original and amended complaints and to 2546
appear at the hearing in person, by attorney, or otherwise to 2547
examine and cross-examine witnesses. 2548

(D) The complainant shall be a party to a hearing under 2549
division (B) of this section, and any person who is an 2550
indispensable party to a complete determination or settlement of 2551
a question involved in the hearing shall be joined. Any 2552
aggrieved person who has or claims an interest in the subject of 2553

the hearing and in obtaining or preventing relief against the 2554
unlawful discriminatory practices complained of shall be 2555
permitted to appear only for the presentation of oral or written 2556
arguments, to present evidence, perform direct and cross- 2557
examination, and be represented by counsel. The commission shall 2558
adopt rules, in accordance with Chapter 119. of the Revised Code 2559
governing the authority granted under this division. 2560

(E) In any hearing under division (B) of this section, the 2561
commission, a member of the commission, or the hearing examiner 2562
shall not be bound by the Rules of Evidence but, in ascertaining 2563
the practices followed by the respondent, shall take into 2564
account all reliable, probative, and substantial statistical or 2565
other evidence produced at the hearing that may tend to prove 2566
the existence of a predetermined pattern of employment or 2567
membership, provided that nothing contained in this section 2568
shall be construed to authorize or require any person to observe 2569
the proportion that persons of any race, color, religion, sex, 2570
age, ancestry, national origin, familial status, disability, 2571
sexual orientation, gender identity or expression, or military 2572
~~status, familial status, national origin, disability, age, or~~ 2573
~~ancestry~~ bear to the total population or in accordance with any 2574
criterion other than the individual qualifications of the 2575
applicant. 2576

(F) The testimony taken at a hearing under division (B) of 2577
this section shall be under oath and shall be reduced to writing 2578
and filed with the commission. Thereafter, in its discretion, 2579
the commission, upon the service of a notice upon the 2580
complainant and the respondent that indicates an opportunity to 2581
be present, may take further testimony or hear argument. 2582

(G) (1) (a) If, upon all reliable, probative, and 2583

substantial evidence presented at a hearing under division (B) 2584
of this section, the commission determines that the respondent 2585
has engaged in, or is engaging in, any unlawful discriminatory 2586
practice, whether against the complainant or others, the 2587
commission shall state its findings of fact and conclusions of 2588
law and shall issue and, subject to the provisions of Chapter 2589
119. of the Revised Code, cause to be served on the respondent 2590
an order requiring the respondent to do all of the following: 2591

(1) Cease and desist from the unlawful discriminatory 2592
practice; 2593

(ii) Take any further affirmative or other action that 2594
will effectuate the purposes of this chapter, including, but not 2595
limited to, hiring, reinstatement, or upgrading of employees 2596
with or without back pay, or admission or restoration to union 2597
membership; 2598

(iii) Report to the commission the manner of compliance. 2599

If the commission directs payment of back pay, it shall 2600
make allowance for interim earnings. 2601

(b) If the commission finds a violation of division (H) of 2602
section 4112.02 of the Revised Code, in addition to the action 2603
described in division (G)(1)(a) of this section, the commission 2604
additionally may require the respondent to undergo 2605
recommendation in the form of a class, seminar, or any other 2606
type of remediation approved by the commission, may require the 2607
respondent to pay actual damages and reasonable attorney's fees, 2608
and may, vindicate the public interest, assess a civil penalty 2609
against the respondent as follows: 2610

(i) If division (G)(1)(b)(ii) or (iii) of this section 2611
does not apply, a civil penalty in an amount not to exceed ten 2612

thousand dollars; 2613

(ii) If division (G)(1)(b)(iii) of this section does not 2614
apply and if the respondent has been determined by a final order 2615
of the commission or by a final judgment of a court to have 2616
committed one violation of division (H) of section 4112.02 of 2617
the Revised Code during the five-year period immediately 2618
preceding the date on which a complaint was issued pursuant to 2619
division (B) of this section, a civil penalty in an amount not 2620
to exceed twenty-five thousand dollars; 2621

(iii) If the respondent has been determined by a final 2622
order of the commission or by a final judgment of a court to 2623
have committed two or more violations of division (H) of section 2624
4112.02 of the Revised Code during the seven-year period 2625
immediately preceding the date on which a complaint was issued 2626
pursuant to division (B) of this section, a civil penalty 2627
damages in an amount not to exceed fifty thousand dollars. 2628

(2) Upon the submission of reports of compliance, the 2629
commission may issue a declaratory order stating that the 2630
respondent has ceased to engage in particular unlawful 2631
discriminatory practices. 2632

(H) If the commission finds that no probable cause exists 2633
for crediting charges of unlawful discriminatory practices or 2634
if, upon all the evidence presented at a hearing under division 2635
(B) of this section on a charge, the commission finds that a 2636
respondent has not engaged in any unlawful discriminatory 2637
practice against the complainant or others, it shall state its 2638
findings of fact and shall issue and cause to be served on the 2639
complainant an order dismissing the complaint as to the 2640
respondent. A copy of the order shall be delivered in all cases 2641
to the attorney general and any other public officers whom the 2642

commission considers proper.	2643
If, upon all the evidence presented at a hearing under division (B) of this section on a charge, the commission finds that a respondent has not engaged in any unlawful discriminatory practice against the complainant or others, it may award to the respondent reasonable attorney's fees to the extent provided in 5 U.S.C. 504 and accompanying regulations.	2644 2645 2646 2647 2648 2649
(I) Until the time period for appeal set forth in division (H) of section 4112.06 of the Revised Code expires, the commission, subject to the provisions of Chapter 119. of the Revised Code, at any time, upon reasonable notice, and in the manner it considers proper, may modify or set aside, in whole or in part, any finding or order made by it under this section.	2650 2651 2652 2653 2654 2655
Sec. 4112.08. This chapter shall be construed liberally for the accomplishment of its purposes, and any law inconsistent with any provision of this chapter shall not apply. Nothing contained in this chapter shall be considered to repeal any of the provisions of any law of this state relating to discrimination because of race, color, religion, sex, <u>age,</u> <u>ancestry, national origin, familial status, disability, sexual orientation, gender identity or expression, or military status,</u> <u>familial status, disability, national origin, age, or ancestry,</u> except that any person filing a charge under division (B)(1) of section 4112.05 of the Revised Code, with respect to the unlawful discriminatory practices complained of, is barred from instituting a civil action under section 4112.14 or division (L) of section 4112.02 of the Revised Code. <u>This chapter does not limit actions, procedures, and remedies afforded under federal law.</u>	2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671
Sec. 4117.19. (A) Every employee organization that is	2672

certified or recognized as a representative of public employees 2673
under this chapter shall file with the state employment 2674
relations board a registration report that is signed by its 2675
president or other appropriate officer. The report shall be in a 2676
form prescribed by the board and accompanied by two copies of 2677
the employee organization's constitution and bylaws. The board 2678
shall accept a filing by a statewide, national, or international 2679
employee organization of its constitution and bylaws in lieu of 2680
a filing of the documents by each subordinate organization. The 2681
exclusive representative or other employee organization 2682
originally filing its constitution and bylaws shall report, 2683
promptly, to the board all changes or amendments to its 2684
constitution and bylaws. 2685

(B) Every employee organization shall file with the board 2686
an annual report. The report shall be in a form prescribed by 2687
the board and shall contain the following information: 2688

(1) The names and addresses of the organization, any 2689
parent organization or organizations with which it is 2690
affiliated, and all organizationwide officers; 2691

(2) The name and address of its local agent for service of 2692
process; 2693

(3) A general description of the public employees the 2694
organization represents or seeks to represent; 2695

(4) The amounts of the initiation fee and monthly dues 2696
members must pay; 2697

(5) A pledge, in a form prescribed by the board, that the 2698
organization will comply with the laws of the state and that it 2699
will accept members without regard to ~~age, race, color, sex,~~ 2700
~~creed,~~ religion, creed, sex, age, ancestry, or national origin, 2701

i disability, sexual orientation, gender identity or expression, 2702
or military status as those terms are defined in section 4112.01 2703
of the Revised Code, military status as defined in that section, 2704
i or physical disability as provided by law; i 2705

(6) A financial report. 2706

(C) The constitution or bylaws of every employee 2707
organization shall do all of the following: 2708

(1) Require that the organization keep accurate accounts 2709
of all income and expenses, prepare an annual financial report, 2710
keep open for inspection by any member of the organization its 2711
accounts, and make loans to officers and agents only on terms 2712
and conditions available to all members; 2713

(2) Prohibit business or financial interests of its 2714
officers and agents, their spouses, minor children, parents, or 2715
otherwise, in conflict with the fiduciary obligation of such 2716
persons to the organization; 2717

(3) When specifically requested by the board, require 2718
every official who is designated as a fiscal officer of an 2719
employee organization and who is responsible for funds or other 2720
property of the organization or trust in which an organization 2721
is interested, or a subsidiary organization be bonded with the 2722
amount, scope, and form of the bond determined by the board; 2723

(4) Require periodic elections of officers by secret 2724
ballot subject to recognized safeguards concerning the equal 2725
right of all members to nominate, seek office, and vote in the 2726
elections, the right of individual members to participate in the 2727
affairs of the organization, and fair and equitable procedures 2728
in disciplinary actions. 2729

(D) The board shall prescribe rules necessary to govern 2730

the establishment and reporting of trusteeships over employee
organizations. The establishment of trusteeships is permissible
only if the constitution or bylaws of the organization set forth
reasonable procedures. 2731
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(E) The board may withhold certification of an employee
organization that willfully refuses to register or file an
annual report or that willfully refuses to comply with other
provisions of this section. The board may revoke a certification
of an employee organization for willfully failing to comply with
this section. The board may enforce the prohibitions contained
in this section by petitioning the court of common pleas of the
county in which the violation occurs for an injunction. Persons
complaining of a violation of this section shall file the
complaint with the board. 2735
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(F) Upon the written request to the board of any member of
a certified employee organization and where the board determines
the necessity for an audit, the board may require the employee
organization to provide a certified audit of its financial
records. 2745
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(G) Any employee organization subject to the "Labor-
Management Reporting and Disclosure Act of 1959," 73 Stat. 519,
29 U.S.C.A., 401, as amended, may file copies with the board of
all reports it is required to file under that act in lieu of
compliance with all parts of this section other than division
(A) of this section. The board shall accept a filing by a
statewide, national, or international employee organization of
its reports in lieu of a filing of such reports by each
subordinate organization. 2750
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Sec. 4735.16. (A) Every real estate broker licensed under
this chapter shall erect or maintain a sign on the business 2759
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premises plainly stating that the licensee is a real estate
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broker. If the real estate broker maintains one or more branch
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offices, the real estate broker shall erect or maintain a sign
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at each branch office plainly stating that the licensee is a
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real estate broker.
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(B) (1) Any licensed real estate broker or salesperson who
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advertises to buy, sell, exchange, or lease real estate, or to
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engage in any act regulated by this chapter, with respect to
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property the licensee does not own, shall be identified in the
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advertisement by name and indicate the name of the brokerage
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with which the licensee is affiliated.
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(2) Any licensed real estate broker or ~~sales person~~
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salesperson who advertises to sell, exchange, or lease real
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estate, or to engage in any act regulated by this chapter, with
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respect to property that the licensee owns, shall be identified
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in the advertisement by name and indicate that the property is
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agent owned, and if the property is listed with a real estate
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brokerage, the advertisement shall also indicate the name of the
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brokerage with which the property is listed.
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(3) The name of the brokerage shall be displayed in equal
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prominence with the name of the salesperson in the
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advertisement. For purposes of this section, "brokerage" means
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the name the real estate company or sole broker is doing
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business as, or if the real estate company or sole broker does
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not use such a name, the name of the real estate company or sole
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broker as licensed.
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(4) A real estate broker who is representing a seller
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under an exclusive right to sell or lease listing agreement
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shall not advertise such property to the public as "for sale by
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owner" or otherwise mislead the public to believe that the
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seller is not represented by a real estate broker.	2791
(5) If any real estate broker or real estate salesperson advertisers in a manner other than as provided in this section or the rules adopted under this section, that advertisement is prima-facie evidence of a violation under division (A) (21) of section 4735.18 of the Revised Code.	2792 2793 2794 2795 2796
When the superintendent determines that prima-facie evidence of a violation of division (A) (21) of section 4735.18 of the Revised Code or any of the rules adopted thereunder exists, the superintendent may do either of the following:	2797 2798 2799 2800
(a) Initiate disciplinary action under section 4735.051 of the Revised Code for a violation of division (A) (21) of section 4735.18 of the Revised Code, in accordance with Chapter 119. of the Revised Code;	2801 2802 2803 2804
(b) Personally, or by certified mail, serve a citation upon the licensee.	2805 2806
(C) (1) Every citation served under this section shall give notice to the licensee of the alleged violation or violations charged and inform the licensee of the opportunity to request a hearing in accordance with Chapter 119. of the Revised Code. The citation also shall contain a statement of a fine of two hundred dollars per violation, not to exceed two thousand five hundred dollars per citation. All fines collected pursuant to this section shall be credited to the real estate recovery fund, created in the state treasury under section 4735.12 of the Revised Code.	2807 2808 2809 2810 2811 2812 2813 2814 2815 2816
(2) If any licensee is cited three times within twelve consecutive months, the superintendent shall initiate disciplinary action pursuant to section 4735.051 of the Revised	2817 2818 2819

Code for any subsequent violation that occurs within the same
twelve-month period. 2820
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(3) If a licensee fails to request a hearing within thirty
days of the date of service of the citation, or the licensee and
the superintendent fail to reach an alternative agreement, the
citation shall become final. 2822
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(4) Unless otherwise indicated, the licensee named in a
final citation must meet all requirements contained in the final
citation within thirty days of the effective date of that
citation. 2826
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(5) The superintendent shall suspend automatically a
licensee's license if the licensee fails to comply with division
(C) (4) of this section. 2830
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(D) A real estate broker or salesperson obtaining the
signature of a party to a listing or other agreement involved in
a real estate transaction shall furnish a copy of the listing or
other agreement to the party immediately after obtaining the
party's signature. Every broker's office shall prominently
display in the same immediate area as licenses are displayed a
statement that it is illegal to discriminate against any person
because of race, color, religion, sex, ancestry, or national
origin, or familial status as defined in section 4112.01 of the
~~Revised Code, national origin, disability, sexual orientation,~~
~~gender identity or expression, or military status as defined in~~
~~that section, disability as defined in that section, or ancestry~~
~~as those terms are defined in section 4112.01 of the Revised~~
~~Code, in the sale or rental of housing or residential lots, in~~
~~advertising the sale or rental of housing, in the financing of~~
~~housing, or in the provision of real estate brokerage services~~
and that blockbusting also is illegal. The statement shall bear 2833
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the United States department of housing and urban development 2850
equal housing logo, shall contain the information that the 2851
broker and the broker's salespersons are licensed by the 2852
division of real estate and professional licensing and that the 2853
division can assist with any consumer complaints or inquiries, 2854
and shall explain the provisions of section 4735.12 of the 2855
Revised Code. The statement shall provide the division's address 2856
and telephone number. The Ohio real estate commission shall 2857
provide by rule for the wording and size of the statement. The 2858
pamphlet required under section 4735.03 of the Revised Code 2859
shall contain the same statement that is required on the 2860
statement displayed as provided in this section and shall be 2861
made available by real estate brokers and salespersons to their 2862
clients. The commission shall provide the wording and size of 2863
the pamphlet. 2864

Sec. 4735.55. (A) Each written agency agreement shall 2865
contain all of the following: 2866

- (1) An expiration date; 2867
- (2) A statement that it is illegal, pursuant to the Ohio 2868
fair housing law, division (H) of section 4112.02 of the Revised 2869
Code, and the federal fair housing law, 42 U.S.C.A. 3601, as 2870
amended, to refuse to sell, transfer, assign, rent, lease, 2871
sublease, or finance housing accommodations, refuse to negotiate 2872
for the sale or rental of housing accommodations, or otherwise 2873
deny or make unavailable housing accommodations because of race, 2874
color, religion, sex, ancestry, or national origin, or familial 2875
~~status as defined in section 4112.01 of the Revised Code,~~ 2876
~~ancestry, disability, sexual orientation, gender identity or~~ 2877
~~expression, or military status as defined in that section,~~ 2878
~~disability as defined in that section, or national origin, as~~ 2879

those terms are defined in section 4112.01 of the Revised Code, 2880
or to so discriminate in advertising the sale or rental of 2881
housing, in the financing of housing, or in the provision of 2882
real estate brokerage services; 2883

(3) A statement defining the practice known as 2884
"blockbusting" and stating that it is illegal; 2885

(4) A copy of the United States department of housing and 2886
urban development equal housing opportunity logotype, as set 2887
forth in 24 C.F.R. 109.30, as amended. 2888

(B) Each written agency agreement shall contain a place 2889
for the licensee and the client to sign and date the agreement. 2890

(C) A licensee shall furnish a copy of any written agency 2891
agreement to a client in a timely manner after the licensee and 2892
the client have signed and dated it. 2893

Sec. 4757.07. The counselor, social worker, and marriage 2894
and family therapist board and its professional standards 2895
committees shall not discriminate against any licensee, 2896
registrant, or applicant for a license or certificate of 2897
registration under this chapter because of the person's race, 2898
color, religion, sex, age, or national origin; or disability, 2899
sexual orientation, or gender identity or expression as those 2900
terms are defined in section 4112.01 of the Revised Code, or 2901
age. The board or committee, as appropriate, shall afford a 2902
hearing to any person who files with the board or committee a 2903
statement alleging discrimination based on any of those reasons. 2904

Sec. 4758.16. The chemical dependency professionals board 2905
shall not discriminate against any licensee, certificate holder, 2906
endorsement holder, or applicant for a license, certificate, or 2907
endorsement under this chapter because of the individual's race, 2908

color, religion, ~~gender sex~~, age, or national origin; or
disability, sexual orientation, or gender identity or expression
as those terms are defined in section 4112.01 of the Revised
Code, or age. The board shall afford a hearing to any individual
who files with the board a statement alleging discrimination
based on any of those reasons.

Sec. 4765.18. The state board of emergency medical, fire,
and transportation services may suspend or revoke a certificate
of accreditation or a certificate of approval issued under
section 4765.17 of the Revised Code for any of the following
reasons:

(A) Violation of this chapter or any rule adopted under
it;

(B) Furnishing of false, misleading, or incomplete
information to the board;

(C) The signing of an application or the holding of a
certificate of accreditation by a person who has pleaded guilty
to or has been convicted of a felony, or has pleaded guilty to
or been convicted of a crime involving moral turpitude;

(D) The signing of an application or the holding of a
certificate of accreditation by a person who is addicted to the
use of any controlled substance or has been adjudicated
incompetent for that purpose by a court, as provided in section
5122.301 of the Revised Code;

(E) Violation of any commitment made in an application for
a certificate of accreditation or certificate of approval;

(F) Presentation to prospective students of misleading,
false, or fraudulent information relating to the emergency
medical services training program or emergency medical services

continuing education program, employment opportunities, or opportunities for enrollment in accredited institutions of higher education after entering or completing courses offered by the operator of a program;	2938 2939 2940 2941
(G) Failure to maintain in a safe and sanitary condition premises and equipment used in conducting courses of study;	2942 2943
(H) Failure to maintain financial resources adequate for the satisfactory conduct of courses of study or to retain a sufficient number of certified instructors;	2944 2945 2946
(I) Discrimination in the acceptance of students upon the basis of race, color, religion, sex, or national origin; or <u>sexual orientation or gender identity or expression as those terms are defined in section 4112.01 of the Revised Code.</u>	2947 2948 2949 2950
Sec. 5104.09. No administrator, licensee, or child-care staff member shall discriminate in the enrollment of children in a child day-care center upon the basis of race, color, religion, sex, or national origin; or <u>sexual orientation or gender identity or expression as those terms are defined in section 4112.01 of the Revised Code.</u>	2951 2952 2953 2954 2955 2956
Sec. 5107.26. (A) As used in this section, "transitional child care" means publicly funded child care provided under division (A) (3) of section 5104.34 of the Revised Code.	2957 2958 2959
(B) Except as provided in division (C) of this section:	2960
(1) Each member of an assistance group participating in Ohio works first is ineligible to participate in the program for six payment months if a county department of job and family services determines that a member of the assistance group terminated the member's employment.	2961 2962 2963 2964 2965

- (2) Each person who, on the day prior to the day a recipient begins to receive transitional child care, was a member of the recipient's assistance group is ineligible to participate in Ohio works first for six payment months if a county department determines that the recipient terminated the recipient's employment. 2966
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- (C) No assistance group member shall lose or be denied eligibility to participate in Ohio works first pursuant to division (B) of this section if the termination of employment was because an assistance group member or recipient of transitional child care secured comparable or better employment or the county department of job and family services certifies that the member or recipient terminated the employment with just cause. 2972
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- Just cause includes the following: 2980
- (1) Discrimination by an employer based on age, race, sex, 2981
color, handicap, religious beliefs, or sex, age, national 2982
origin, or handicap; or sexual orientation or gender identity or 2983
expression as those terms are defined in section 4112.01 of the 2984
Revised Code; 2985
- (2) Work demands or conditions that render continued 2986
employment unreasonable, such as working without being paid on 2987
schedule; 2988
- (3) Employment that has become unsuitable due to any of 2989
the following: 2990
- (a) The wage is less than the federal minimum wage; 2991
- (b) The work is at a site subject to a strike or lockout, 2992
unless the strike has been enjoined under section 208 of the 2993
"Labor-Management Relations Act," 61 Stat. 155 (1947), 2994

U.S.C.A. 178, as amended, an injunction has been issued under section 10 of the "Railway Labor Act," 44 Stat. 586 (1926), 45 U.S.C.A. 160, as amended, or an injunction has been issued under section 4117.16 of the Revised Code;	2995 2996 2997 2998
(c) The documented degree of risk to the member or recipient's health and safety is unreasonable;	2999 3000
(d) The member or recipient is physically or mentally unfit to perform the employment, as documented by medical evidence or by reliable information from other sources.	3001 3002 3003
(4) Documented illness of the member or recipient or of another assistance group member of the member or recipient requiring the presence of the member or recipient;	3004 3005 3006
(5) A documented household emergency;	3007
(6) Lack of adequate child care for children of the member or recipient who are under six years of age.	3008 3009
Sec. 5123.351. The director of developmental disabilities, with respect to the eligibility for state reimbursement of expenses incurred by facilities and programs established and operated under Chapter 5126. of the Revised Code for persons with developmental disabilities, shall do all of the following:	3010 3011 3012 3013 3014
(A) Make rules that may be necessary to carry out the purposes of Chapter 5126. and sections 5123.35, 5123.351, and 5123.36 of the Revised Code;	3015 3016 3017
(B) Define minimum standards for qualifications of personnel, professional services, and in-service training and educational leave programs;	3018 3019 3020
(C) Review and evaluate community programs and make recommendations for needed improvements to county boards of	3021 3022

developmental disabilities and to program directors; 3023

(D) Withhold state reimbursement, in whole or in part, 3024
from any county or combination of counties for failure to comply 3025
with Chapter 5126. or section 5123.35 or 5123.351 of the Revised 3026
Code or rules of the department of developmental disabilities; 3027

(E) Withhold state funds from an agency, corporation, or 3028
association denying or rendering service on the basis of race, 3029
color, ~~sex, religion, sex,~~ ancestry, or national origin; 3030
~~disability, sexual orientation, or gender identity or expression~~ 3031
as those terms are defined in section 4112.01 of the Revised 3032
Code,; or inability to pay; 3033

(F) Provide consultative staff service to communities to 3034
assist in ascertaining needs and in planning and establishing 3035
programs. 3036

Sec. 5126.07. No county board of developmental 3037
disabilities or any agency, corporation, or association under 3038
contract with a county board of developmental disabilities shall 3039
discriminate in the provision of services under its authority or 3040
contract on the basis of race, color, ~~sex, creed, sex, national~~ 3041
origin, or disability, national origin,; sexual orientation or 3042
gender identity or expression as those terms are defined in 3043
section 4112.01 of the Revised Code; or the inability to pay. 3044

Each county board of developmental disabilities shall 3045
provide a plan of affirmative action describing its goals and 3046
methods for the provision of equal employment opportunities for 3047
all persons under its authority and shall ensure 3048
nondiscrimination in employment under its authority or contract 3049
on the basis of race, color, ~~sex, creed, sex, national origin,~~ 3050
or disability, or national origin; or sexual orientation or 3051

gender identity or expression as those terms are defined in 3052
section 4112.01 of the Revised Code. 3053

Sec. 5165.08. (A) As used in this section: 3054

"Bed need" means the number of long-term care beds a 3055
county needs as determined by the director of health pursuant to 3056
division (B) (3) of section 3702.593 of the Revised Code. 3057

"Bed need excess" means that a county's bed need is such 3058
that one or more long-term care beds may be relocated from the 3059
county according to the director's determination of the county's 3060
bed need. 3061

(B) Every provider agreement with a nursing facility 3062
provider shall do both of the following: 3063

(1) Permit the provider to exclude one or more parts of 3064
the nursing facility from the provider agreement, even though 3065
those parts meet federal and state standards for medicaid 3066
certification, if all of the following apply: 3067

(a) The nursing facility initially obtained both its 3068
nursing home license under Chapter 3721. of the Revised Code and 3069
medicaid certification on or after January 1, 2008. 3070

(b) The nursing facility is located in a county that has a 3071
bed need excess at the time the provider excludes the parts from 3072
the provider agreement. 3073

(c) Federal law permits the provider to exclude the parts 3074
from the provider agreement. 3075

(d) The provider gives the department of medicaid written 3076
notice of the exclusion not less than forty-five days before the 3077
first day of the calendar quarter in which the exclusion is to 3078
occur. 3079

(2) Prohibit the provider from doing either of the following:	3080 3081
(a) Discriminating against a resident on the basis of race, color, sex, creed, or national origin; <u>or sexual orientation or gender identity or expression as those terms are defined in section 4112.01 of the Revised Code;</u>	3082 3083 3084 3085
(b) Subject to division (D) of this section, failing or refusing to do either of the following:	3086 3087
(i) Except as otherwise prohibited under section 5165.82 of the Revised Code, admit as a resident of the nursing facility an individual because the individual is, or may (as a resident of the nursing facility) become, a medicaid recipient unless at least twenty-five per cent of the nursing facility's medicaid-certified beds are occupied by medicaid recipients at the time the person would otherwise be admitted;	3088 3089 3090 3091 3092 3093 3094
(ii) Retain as a resident of the nursing facility an individual because the individual is, or may (as a resident of the nursing facility) become, a medicaid recipient.	3095 3096 3097
(C) For the purpose of division (B) (2) (b) (ii) of this section, a medicaid recipient who is a resident of a nursing facility shall be considered a resident of the nursing facility during any hospital stays totaling less than twenty-five days during any twelve-month period.	3098 3099 3100 3101 3102
(D) Nothing in this section shall bar a provider from doing any of the following:	3103 3104
(1) If the provider is a religious organization operating a religious or denominational nursing facility from giving preference to persons of the same religion or denomination;	3105 3106 3107

- (2) Giving preference to persons with whom the provider
has contracted to provide continuing care; 3108
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- (3) If the nursing facility is a county home organized
under Chapter 5155. of the Revised Code, admitting residents
exclusively from the county in which the county home is located; 3110
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- (4) Retaining residents who have resided in the provider's
nursing facility for not less than one year as private pay
patients and who subsequently become medicaid recipients, but
refusing to accept as a resident any person who is, or may (as a
resident of the nursing facility) become a medicaid recipient,
if all of the following apply: 3113
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- (a) The provider does not refuse to retain any resident
who has resided in the provider's nursing facility for not less
than one year as a private pay resident because the resident
becomes a medicaid recipient, except as necessary to comply with
division (D) (4) (b) of this section; 3119
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- (b) The number of medicaid recipients retained under
division (D) (4) of this section does not at any time exceed ten
per cent of all the residents in the nursing facility; 3124
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- (c) On July 1, 1980, all the residents in the nursing
facility were private pay residents. 3127
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- (E) No provider shall violate the provider agreement
obligations imposed by this section. 3129
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- (F) A nursing facility provider who excludes one or more
parts of the nursing facility from a provider agreement pursuant
to division (B)(1) of this section does not violate division (C)
of section 3702.53 of the Revised Code. 3131
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- Sec. 5515.08.** (A) The department of transportation may 3135

contract to sell commercial advertising space within or on the
outside surfaces of any building located within a roadside rest
area under its jurisdiction in exchange for cash payment. Money
the department receives under this section shall be deposited in
the state treasury to the credit of the highway operating fund.

(B) Advertising placed under this section shall comply
with all of the following:

(1) It shall not be libelous or obscene and shall not
promote any illegal product or service.

(2) It shall not promote illegal discrimination on the
basis of the race, religion, age, ancestry, national origin, or
handicap, age, or ancestry or sexual orientation or gender
identity or expression as those terms are defined in section
4112.01 of the Revised Code, of any person.

(3) It shall not support or oppose any candidate for
political office or any political cause, issue, or organization.

(4) It shall comply with any controlling federal or state
regulations or restrictions.

(5) To the extent physically and technically practical, it
shall state that the advertisement is a paid commercial
advertisement and that the state does not endorse the product or
service promoted by the advertisement or make any representation
about the accuracy of the advertisement or the quality or
performance of the product or service promoted by the
advertisement.

(6) It shall conform to all applicable rules adopted by
the director of transportation under division (E) of this
section.

(C) Contracts entered into under this section shall be awarded only to the qualified bidder who submits the highest responsive bid or according to uniformly applied rate classes.	3164 3165 3166
(D) No person, except an advertiser alleging a breach of contract or the improper awarding of a contract, has a cause of action against the state with respect to any contract or advertising authorized by this section. Under no circumstances is the state liable for consequential or noneconomic damages with respect to any contract or advertising authorized under this section.	3167 3168 3169 3170 3171 3172 3173
(E) The director, in accordance with Chapter 119. of the Revised Code, shall adopt rules to implement this section. The rules shall be consistent with the policy of protecting the safety of the traveling public and consistent with the national policy governing the use and control of such roadside rest areas. The rules shall regulate the awarding of contracts and may regulate the content, display, and other aspects of the commercial advertising authorized by this section.	3174 3175 3176 3177 3178 3179 3180 3181
Sec. 5709.832. The legislative authority of a county, township, or municipal corporation that grants an exemption from taxation under Chapter 725. or 1728. or section 3735.67, 5709.40, 5709.41, 5709.45, 5709.62, 5709.63, 5709.632, 5709.73, or 5709.78 of the Revised Code shall develop policies to ensure that the recipient of the exemption practices nondiscriminatory hiring in its operations. As used in this section, "nondiscriminatory hiring" means that no individual may be denied employment solely on the basis of race, <u>color</u> , religion, sex, <u>ancestry</u> , <u>national origin</u> , or disability, color, national origin, or ancestry; or sexual orientation or gender identity or expression as those terms are defined in section 4112.01 of the	3182 3183 3184 3185 3186 3187 3188 3189 3190 3191 3192 3193

<u>Revised Code.</u>	3194
Section 2. That existing sections 9.03, 124.93, 125.111, 153.59, 153.591, 340.12, 511.03, 717.01, 1501.012, 1751.18, 2927.03, 3113.36, 3301.53, 3304.15, 3304.50, 3314.06, 3332.09, 3721.13, 3905.55, 4111.17, 4112.01, 4112.02, 4112.021, 4112.04, 4112.05, 4112.08, 4117.19, 4735.16, 4735.55, 4757.07, 4758.16, 4765.18, 5104.09, 5107.26, 5123.351, 5126.07, 5165.08, 5515.08, and 5709.832 of the Revised Code are hereby repealed.	3195 3196 3197 3198 3199 3200 3201
Section 3. Section 4112.04 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 525 of the 127th General Assembly and Am. Sub. H.B. 1 of the 128th General Assembly. Section 5104.09 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 487 and Am. Sub. S.B. 316 of the 129th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composites are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act.	3202 3203 3204 3205 3206 3207 3208 3209 3210 3211 3212 3213 3214
Section 4. (A) The legislature finds both the following:	3215
(1) Lesbian, gay, bisexual, and transgender individuals are too often the victims of discrimination. They may be fired from jobs, denied access to housing and educational institutions, refused credit, and excluded from public accommodations because of their sexual orientation or gender identity or expression.	3216 3217 3218 3219 3220 3221
(2) It is essential that the State of Ohio protect the	3222

civil rights of all its residents.	3223
(B) The Ohio Fairness Act is enacted to protect civil rights by prohibiting discrimination against lesbian, gay, bisexual, and transgender individuals.	3224
This act upholds existing religious exemptions currently in Ohio law.	3225
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