

**As Reported by the Senate Workforce and Higher Education Committee**

**134th General Assembly**

**Regular Session**

**Sub. S. B. No. 131**

**2021-2022**

**Senators Roegner, McColley**

**Cosponsors: Senators Cirino, Hackett, Lang, Romanchuk, Johnson**

---

**A BILL**

To amend sections 109.73, 109.77, 109.771, 109.78, 1  
109.804, 147.01, 147.63, 169.16, 173.21, 2  
173.391, 173.422, 503.41, 715.27, 903.07, 3  
905.321, 917.09, 917.091, 921.06, 921.11, 4  
921.12, 921.24, 921.26, 926.30, 928.02, 943.09, 5  
956.05, 956.06, 1315.23, 1321.04, 1321.37, 6  
1321.53, 1321.64, 1321.74, 1322.10, 1322.21, 7  
1513.07, 1513.161, 1514.12, 1514.47, 1531.40, 8  
1533.051, 1533.51, 1561.14, 1561.15, 1561.16, 9  
1561.17, 1561.18, 1561.19, 1561.20, 1561.21, 10  
1561.22, 1565.06, 1565.15, 1707.15, 1707.151, 11  
1707.16, 1707.161, 1707.163, 1707.165, 1717.06, 12  
3101.10, 3301.071, 3301.074, 3319.088, 3319.22, 13  
3319.226, 3319.229, 3319.26, 3319.261, 3319.262, 14  
3319.27, 3319.28, 3319.301, 3319.303, 3319.361, 15  
3327.10, 3703.21, 3704.14, 3713.05, 3717.09, 16  
3723.03, 3723.06, 3737.83, 3737.881, 3742.05, 17  
3743.03, 3743.16, 3743.40, 3743.51, 3748.07, 18  
3748.12, 3769.03, 3772.13, 3772.131, 3773.36, 19  
3773.421, 3781.10, 3781.102, 3781.105, 3916.03, 20  
3951.03, 3951.05, 3951.09, 4104.07, 4104.101, 21  
4104.19, 4105.02, 4169.03, 4301.10, 4508.03, 22  
4508.04, 4508.08, 4511.763, 4701.06, 4701.07, 23

4701.10, 4703.08, 4703.10, 4703.33, 4703.35,	24
4703.37, 4707.07, 4707.072, 4707.09, 4709.07,	25
4709.08, 4709.10, 4712.02, 4713.10, 4713.28,	26
4713.30, 4713.31, 4713.34, 4713.37, 4713.69,	27
4715.03, 4715.09, 4715.10, 4715.16, 4715.27,	28
4715.362, 4715.363, 4715.39, 4715.42, 4715.421,	29
4715.53, 4715.62, 4717.05, 4717.051, 4717.10,	30
4723.08, 4723.09, 4723.26, 4723.32, 4723.41,	31
4723.651, 4723.75, 4723.76, 4723.85, 4725.13,	32
4725.18, 4725.26, 4725.48, 4725.52, 4725.57,	33
4725.591, 4727.03, 4728.03, 4729.09, 4729.11,	34
4729.15, 4729.901, 4729.921, 4730.10, 4731.151,	35
4731.19, 4731.293, 4731.294, 4731.295, 4731.297,	36
4731.299, 4731.52, 4731.572, 4732.10, 4732.12,	37
4732.22, 4733.18, 4733.19, 4734.23, 4734.27,	38
4734.283, 4735.023, 4735.07, 4735.08, 4735.09,	39
4735.10, 4735.27, 4735.28, 4736.10, 4736.14,	40
4740.05, 4740.06, 4741.12, 4741.13, 4741.14,	41
4741.15, 4741.19, 4743.04, 4743.041, 4747.04,	42
4747.05, 4747.10, 4749.12, 4751.01, 4751.15,	43
4751.20, 4751.201, 4751.202, 4751.21, 4751.32,	44
4752.05, 4752.12, 4753.07, 4753.071, 4753.072,	45
4753.073, 4753.08, 4753.09, 4753.12, 4755.08,	46
4755.09, 4755.411, 4755.44, 4755.441, 4755.45,	47
4755.451, 4755.48, 4755.482, 4755.62, 4755.65,	48
4757.18, 4758.25, 4759.05, 4759.06, 4760.03,	49
4760.031, 4761.04, 4761.05, 4762.03, 4763.05,	50
4764.10, 4765.10, 4765.11, 4765.30, 4765.55,	51
4767.031, 4771.08, 4773.03, 4774.03, 4775.07,	52
4778.03, 4778.08, 4778.09, 4779.17, 4779.18,	53
4781.07, 4781.08, 4781.17, 4783.04, 5123.161,	54
5123.45, 5126.25, 5902.02, 5903.04, 6109.04, and	55

6111.46; to enact sections 3746.041, 4796.01, 56  
4796.02, 4796.03, 4796.04, 4796.05, 4796.08, 57  
4796.10, 4796.11, 4796.12, 4796.13, 4796.20, 58  
4796.21, 4796.22, 4796.23, 4796.24, 4796.25, 59  
4796.30, and 4796.35; and to repeal sections 60  
921.08, 1322.24, 4707.12, 4740.08, and 4757.25 61  
of the Revised Code to require an occupational 62  
licensing authority to issue a license or 63  
government certification to an applicant who 64  
holds a license, government certification, or 65  
private certification or has satisfactory work 66  
experience in another state under certain 67  
circumstances and to amend the version of 68  
section 3319.22 of the Revised Code that is 69  
scheduled to take effect on April 12, 2023, to 70  
continue the changes on and after that date. 71

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

**Section 1.** That sections 4796.01, 4796.02, 4796.03, 72  
4796.04, 4796.05, 4796.08, 4796.10, 4796.11, 4796.12, 4796.13, 73  
4796.20, 4796.21, 4796.22, 4796.23, 4796.24, 4796.25, 4796.30, 74  
and 4796.35 of the Revised Code be enacted to read as follows: 75

**Sec. 4796.01.** As used in this chapter: 76

(A) "License" means an authorization evidenced by a 77  
license, certificate, registration, permit, card, or other 78  
authority that is issued or conferred by a licensing authority 79  
to an individual by which the individual has or claims the 80  
privilege to engage in a profession, occupation, or occupational 81

activity over which the licensing authority has jurisdiction. 82

(B) "Licensing authority" means a state agency or 83  
political subdivision that issues licenses or government 84  
certifications. 85

(C) "State agency" has the same meaning as in section 1.60 86  
of the Revised Code. 87

(D) "Political subdivision" means a county, township, 88  
municipal corporation, or any other body corporate and politic 89  
that is responsible for government activities in a geographic 90  
area smaller than that of the state. 91

(E) "Out-of-state occupational license" means a license, 92  
certificate, registration, permit, card, or other authority that 93  
is issued or conferred by one of the uniformed services or the 94  
government of another state to an individual by which the 95  
individual has or claims the privilege to engage in a 96  
profession, occupation, or occupational activity over which that 97  
service or state has jurisdiction. 98

(F)(1) "Government certification" means authorization from 99  
a licensing authority, one of the uniformed services, or the 100  
government of another state to an individual who meets 101  
qualifications related to a profession, occupation, or 102  
occupational activity to which both of the following apply: 103

(a) Only an individual holding the authorization may use a 104  
specific title or titles when advertising or holding the 105  
individual's self out to engage in the profession, occupation, 106  
or occupational activity. 107

(b) An individual is not required to have the 108  
authorization to engage in the profession, occupation, or 109  
occupational activity in the respective jurisdiction. 110

(2) "Government certification" does not include a license 111  
or an out-of-state occupational license. 112

(G) "Private certification" means authorization from a 113  
private organization to an individual who meets qualifications 114  
determined by the organization related to the performance of a 115  
profession, occupation, or occupational activity and by which 116  
the individual may hold the individual's self out as certified 117  
by the organization. 118

(H) "National standard" means a standard declared by a 119  
national organization to be the preferred standard for licensure 120  
of a profession if both of the following apply: 121

(1) The standard is required by at least forty-five 122  
states, including this state, to receive a license or government 123  
certification for the respective profession, occupation, or 124  
occupational activity. 125

(2) The standard includes both of the following: 126

(a) A uniform quantitative minimum education or experience 127  
requirement; 128

(b) A requirement to pass a national examination. 129

(I) "Uniform quantitative minimum education or experience 130  
requirement" means a quantitative minimum education or 131  
experience requirement that is identical in all states that 132  
adopt a national standard. 133

(J) "National examination" means an examination that is 134  
substantially similar in all states that adopt a national 135  
standard. 136

(K) "Good standing" means that the individual's out-of- 137  
state occupational license, government certification, or private 138

certification, as applicable, is not restricted or limited by 139  
the entity that regulates the out-of-state license, government 140  
certification, or private certification. 141

(L) "Armed forces of the United States" means the army, 142  
navy, air force, marine corps, space force, coast guard, or any 143  
other reserve components of those forces. 144

(M) "Uniformed services" means the armed forces of the 145  
United States; the commissioned corps of the national oceanic 146  
and atmospheric administration; the commissioned corps of the 147  
public health service; or any reserve components of those 148  
forces; and such other service as may be designated by congress. 149

**Sec. 4796.02.** For purposes of any law requiring a 150  
licensing authority to issue a license or government 151  
certification under this chapter to an individual who holds a 152  
license or government certification issued by another state, 153  
"another state," "any other state," and "home state" include the 154  
uniformed services. This section does not apply to any provision 155  
of a law governing a profession, occupation, or occupational 156  
activity that does not require an individual who holds a license 157  
or government certification in another state to be issued a 158  
license or government certification under this chapter. 159

**Sec. 4796.03.** Except as otherwise provided in this 160  
chapter, a licensing authority shall issue a license or 161  
government certification to an applicant if the licensing 162  
authority determines that all of the following apply: 163

(A) The applicant holds either of the following: 164

(1) A substantially similar out-of-state occupational 165  
license that authorizes the applicant to engage in the same 166  
profession, occupation, or occupational activity as the license 167

or government certification for which the applicant is applying 168  
in this state; 169

(2) A government certification in the same profession, 170  
occupation, or occupational activity as the license or 171  
government certification for which the applicant is applying in 172  
this state from one of the uniformed services or a state that 173  
does not issue an out-of-state occupational license for the 174  
respective profession, occupation, or occupational activity. 175

(B)(1) Except as provided in division (B)(2) of this 176  
section, the applicant has held the out-of-state occupational 177  
license or government certification for at least one year 178  
immediately preceding the date the application is submitted and 179  
has been actively engaged in the practice of the same 180  
profession, occupation, or occupational activity as the license 181  
or government certification for which the applicant is applying 182  
in this state for at least one of the five years immediately 183  
preceding the date the application is submitted. 184

(2) A licensing authority may waive the requirement that 185  
an applicant has held the out-of-state occupational license or 186  
government certification for at least one year immediately 187  
preceding the date the application is submitted and has been 188  
actively engaged in the practice of the profession, occupation, 189  
or occupational activity for one of the five years immediately 190  
preceding the date the application is submitted. 191

(C) The applicant is in good standing in all jurisdictions 192  
in which the applicant holds an out-of-state occupational 193  
license or government certification to practice the same 194  
profession, occupation, or occupational activity for which the 195  
applicant is applying in this state. 196

(D) (1) Except as provided in division (D) (2) of this 197  
section, the applicant was required to satisfy minimum 198  
education, training, or experience requirements or pass an 199  
examination to receive the out-of-state occupational license or 200  
government certification. 201

(2) Division (D) (1) of this section does not apply if the 202  
applicable law governing the license or government certification 203  
for which the applicant is applying in this state does not 204  
require an applicant to do at least one of the following to 205  
receive the license or government certification: 206

(a) Satisfy minimum education, training, or experience 207  
requirements; 208

(b) Pass an examination. 209

(E) The applicant has not surrendered or had revoked a 210  
license, out-of-state occupational license, or government 211  
certification because of negligence or intentional misconduct 212  
related to the applicant's work in the same profession, 213  
occupation, or occupational activity for which the applicant is 214  
applying in this state. 215

(F) The applicant pays a fee to the licensing authority 216  
that is equal to one of the following, as determined by the 217  
licensing authority: 218

(1) The renewal fee for license or government 219  
certification holders under the applicable law; 220

(2) The initial licensure fee for applicants to be issued 221  
the license or government certification under the applicable 222  
law; 223

(3) The fee in effect before the effective date of this 224



section for applicants who hold an out-of-state occupational 225  
license or government certification to be issued the license or 226  
government certification under the applicable law. 227

(G) The applicant has not been convicted of, found guilty 228  
pursuant to a judicial finding of, or plead guilty to a criminal 229  
offense for which a licensing authority may deny an application 230  
for a license or government certification or that would 231  
otherwise disqualify the applicant for the license or government 232  
certification under the applicable law of this state governing 233  
the profession, occupation, or occupational activity for which 234  
the applicant is applying. 235

**Sec. 4796.04. Except as otherwise provided in this** 236  
**chapter, a licensing authority shall issue a license or** 237  
**government certification to an applicant if the licensing** 238  
**authority determines that all of the following apply:** 239

(A) (1) Except as provided in division (A) (2) of this 240  
section, the applicant has held a private certification for at 241  
least two years immediately preceding the date the application 242  
is submitted and has been actively engaged in the same 243  
profession, occupation, or occupational activity as the license 244  
or government certification for which the applicant is applying 245  
in this state in a state that does not issue an out-of-state 246  
occupational license or government certification for the 247  
respective profession, occupation, or occupational activity for 248  
at least two of the five years immediately preceding the date 249  
the application is submitted. 250

(2) A licensing authority may waive the requirement that 251  
an applicant has held the private certification for at least two 252  
years immediately preceding the date the application is 253  
submitted and has been actively engaged in the practice of the 254

profession, occupation, or occupational activity for two of the 255  
five years immediately preceding the date the application is 256  
submitted. 257

(B) The applicant is in good standing with the private 258  
organization that issued the private certification. 259

(C) The applicant meets the requirements specified under 260  
divisions (E) to (G) of section 4796.03 of the Revised Code. 261

**Sec. 4796.05.** (A) Except as otherwise provided in this 262  
chapter, a licensing authority shall issue a license or 263  
government certification to an applicant if the licensing 264  
authority determines that an applicant satisfies divisions (B) 265  
and (C) of this section. 266

(B)(1) Except as provided in division (B)(2) of this 267  
section, the applicant has been actively engaged in the same 268  
profession, occupation, or occupational activity as the license 269  
or government certification for which the applicant is applying 270  
in this state for at least three of the five years immediately 271  
preceding the date the application is submitted in either of the 272  
following: 273

(a) A state that does not issue an out-of-state 274  
occupational license or government certification for the 275  
respective profession, occupation, or occupational activity; 276

(b) Service of the uniformed services. 277

(2) A licensing authority may waive the requirement that 278  
an applicant has been actively engaged in the practice of the 279  
profession, occupation, or occupational activity for three of 280  
the five years immediately preceding the date the application is 281  
submitted. 282

<u>(C) The applicant meets the requirements under divisions</u>	283
<u>(E) to (G) of section 4796.03 of the Revised Code.</u>	284
<b><u>Sec. 4796.08.</u></b> (A) <u>If a licensing authority requires an</u>	285
<u>applicant to pass an examination on this state's laws and rules</u>	286
<u>governing the applicable profession, occupation, or occupational</u>	287
<u>activity to receive a license or government certification under</u>	288
<u>the applicable law, a licensing authority may require an</u>	289
<u>applicant to pass the examination to receive a license or</u>	290
<u>government certification under this chapter.</u>	291
<u>(B) If a licensing authority requires an applicant under</u>	292
<u>the law governing the applicable profession, occupation, or</u>	293
<u>occupational activity to submit to a criminal records check to</u>	294
<u>receive a license or government certification, the licensing</u>	295
<u>authority shall require an applicant to submit to the criminal</u>	296
<u>records check to receive a license or government certification</u>	297
<u>under this chapter.</u>	298
<u>(C) If a licensing authority requires an applicant under</u>	299
<u>the law governing the applicable profession, occupation, or</u>	300
<u>occupational activity to satisfy a financial responsibility</u>	301
<u>requirement to receive a license or government certification,</u>	302
<u>the licensing authority shall require an applicant to satisfy</u>	303
<u>the requirement to receive a license or government certification</u>	304
<u>under this chapter.</u>	305
<u>(D) If a federal law, rule, or regulation requires the</u>	306
<u>state to impose a requirement on an applicant with which the</u>	307
<u>applicant must comply to receive a license or government</u>	308
<u>certification as a condition for the state to receive federal</u>	309
<u>funding, the licensing authority may require an applicant to</u>	310
<u>satisfy that requirement to receive a license or government</u>	311
<u>certification under this chapter.</u>	312

Sec. 4796.10. If an applicant would be disqualified from 313  
obtaining a license or government certification under this 314  
chapter because of a conviction, judicial finding of guilt, or 315  
plea of guilty to a disqualifying criminal offense as described 316  
in division (G) of section 4796.03 of the Revised Code, the 317  
licensing authority may, in accordance with rules adopted under 318  
section 4796.30 of the Revised Code, issue a restricted or 319  
limited license or government certification to the applicant, 320  
provided the limitation or restriction is relevant to the 321  
offense. 322

Sec. 4796.11. If the law governing the applicable 323  
profession, occupation, or occupational activity allows or 324  
requires a licensing authority to take disciplinary action 325  
against an applicant, including but not limited to refusing to 326  
issue, limiting, or restricting a license or government 327  
certification for a reason that is not related to minimum 328  
education, training, or experience requirements or an 329  
examination requirement, the licensing authority may apply the 330  
applicable provision of law to an applicant under this chapter 331  
in the same manner as to an applicant for an initial license 332  
under the applicable law. 333

Sec. 4796.12. If the law governing the applicable 334  
profession, occupation, or occupational activity allows a 335  
licensing authority to determine the fitness to practice of an 336  
applicant who has not been engaged in the practice of the 337  
profession, occupation, or occupational activity for a period of 338  
time specified in that law and to impose terms and conditions on 339  
the applicant to receive a license or government certification, 340  
the licensing authority may apply the requirements of that law 341  
to an applicant under this chapter. 342

Sec. 4796.13. If the law governing the applicable 343  
profession, occupation, or occupational activity allows or 344  
requires a licensing authority to deny an applicant a license or 345  
government certification if the applicant was subject to 346  
discipline by an entity that regulates a license, out-of-state 347  
occupational license, or government certification, the licensing 348  
authority may apply the applicable provision of law to an 349  
applicant under this chapter. 350

Sec. 4796.20. (A) Except as provided in division (B) of 351  
this section, a licensing authority shall provide an applicant 352  
with a written decision to issue or reject a license or 353  
government certification under this chapter or take any other 354  
action under this chapter within sixty days after receiving a 355  
complete application. For purposes of this division, an 356  
application shall not be considered complete until any required 357  
examination or criminal records check under divisions (A) and 358  
(B) of section 4796.08 of the Revised Code is complete. 359

(B) If an applicant is the subject of a complaint, 360  
allegation, or investigation that relates to information 361  
provided in the application, unprofessional conduct, a violation 362  
of a law regulating a profession, occupation, or occupational 363  
activity, or an alleged crime pending before a court, 364  
administrative agency, licensing authority, or other entity that 365  
regulates a license, out-of-state occupational license, or 366  
government certification, a licensing authority shall not issue 367  
or deny a license or government certification to the applicant 368  
under this chapter until the complaint, allegation, or 369  
investigation is resolved to the satisfaction of the licensing 370  
authority. A licensing authority shall provide the applicant 371  
with a written decision to issue or reject a license or 372  
government certification under this chapter or take any other 373

action under this chapter within sixty days after the complaint, 374  
allegation, or investigation is resolved to the satisfaction of 375  
the licensing authority. 376

**Sec. 4796.21.** An applicant who is issued a license or 377  
government certification under this chapter is subject to the 378  
laws regulating the practice of the applicable occupation or 379  
profession in this state and is subject to the licensing 380  
authority's jurisdiction. 381

An applicant who is issued a license or government 382  
certification under this chapter may practice the applicable 383  
occupation or profession in this state only within the scope and 384  
practice that is permitted under Ohio law and that does not 385  
exceed the applicant's training. 386

**Sec. 4796.22.** (A) Except as provided in division (B) of 387  
this section, a license or government certification issued under 388  
this chapter shall be considered a license or government 389  
certification issued under the laws regulating the practice of 390  
the applicable occupation or profession in this state. 391  
Provisions of law applicable to a license or government 392  
certification issued to an applicant who does not obtain a 393  
license or government certification under this chapter apply in 394  
the same manner to licenses and government certifications issued 395  
under this chapter. 396

(B) A licensing authority may, for purposes of verifying 397  
licensure status in this state with an entity that licenses the 398  
same profession, occupation, or occupational activity in another 399  
state, require an applicant issued a license or government 400  
certification under this chapter to satisfy a national standard 401  
to have that license or government certification verified as a 402  
license or government certification issued by this state. A 403

licensing authority may require satisfaction of a national 404  
standard under this division only if both of the following 405  
apply: 406

(1) An applicant for a license or government certification 407  
under the laws of this state governing the profession, 408  
occupation, or occupational activity is required to satisfy the 409  
national standard to receive the license or government 410  
certification. 411

(2) The licensing authority posts notice of the 412  
requirement to satisfy the national standard on the web site 413  
maintained by the licensing authority. 414

(C) If a licensing authority elects to require 415  
satisfaction of a national standard under division (B) of this 416  
section and the law governing the license or government 417  
certification in effect immediately before the effective date of 418  
this section required an applicant who holds an out-of-state 419  
occupational license or government certification to satisfy a 420  
requirement that is less restrictive than a requirement 421  
described in division (B), (C), (D), (E), or (F) of section 422  
4796.03 of the Revised Code to receive the license or government 423  
certification, the licensing authority shall do the following: 424

(1) Apply the less restrictive requirement to an applicant 425  
who satisfied the national standard; 426

(2) Apply the requirements of section 4796.03, 4796.04, or 427  
4796.05 of the Revised Code to an applicant who did not satisfy 428  
the national standard. 429

**Sec. 4796.23.** A licensing authority may prohibit an 430  
individual who is issued a license or government certification 431  
under this chapter from using the license or government 432

certification to obtain a substantially similar license or 433  
government certification in another state if the licensing 434  
authority determines that allowing the individual to do so would 435  
jeopardize any reciprocal licensing agreement with the other 436  
state that is in effect on the effective date of this section. 437

**Sec. 4796.24.** A person who holds a license issued pursuant 438  
to an interstate licensure compact to which Ohio is a party is 439  
not required to obtain a license under this chapter to practice 440  
in this state. 441

A licensing authority may prohibit an individual who is 442  
issued a license under this chapter from using the license to 443  
obtain a license through an interstate licensure compact if the 444  
licensing authority determines that allowing the individual to 445  
do so would jeopardize the state's membership in the compact. 446

**Sec. 4796.25.** This chapter does not apply to any of the 447  
following: 448

(A) Licenses issued under Chapter 3796. of the Revised 449  
Code; 450

(B) Licenses issued pursuant to rules prescribed under 451  
Section 5 of Article IV, Ohio Constitution; 452

(C) Commercial fishing licenses issued under section 453  
1533.342 of the Revised Code; 454

(D) Licenses issued under Chapter 4506. of the Revised 455  
Code; 456

(E) Physician certificates to recommend treatment with 457  
medical marijuana issued under section 4731.30 of the Revised 458  
Code; 459

(F) Money transmitter licenses issued under section 460



<u>1315.04 of the Revised Code;</u>	461
<u>(G) Lottery sales agent licenses issued under section</u>	462
<u>3770.05 of the Revised Code;</u>	463
<u>(H) Licenses issued under Chapter 3905. of the Revised</u>	464
<u>Code;</u>	465
<u>(I) Fantasy contest operator licenses issued under section</u>	466
<u>3774.02 of the Revised Code;</u>	467
<u>(J) Teledentistry permits issued under section 4715.43 of</u>	468
<u>the Revised Code;</u>	469
<u>(K) Physician training certificates issued under section</u>	470
<u>4731.291 of the Revised Code;</u>	471
<u>(L) Podiatrist training certificates issued under section</u>	472
<u>4731.573 of the Revised Code;</u>	473
<u>(M) Licenses issued under Chapter 4740. of the Revised</u>	474
<u>Code;</u>	475
<u>(N) Licenses issued by a political subdivision to an</u>	476
<u>individual by which the individual has or claims the privilege</u>	477
<u>to act as a tradesperson as defined in section 4740.01 of the</u>	478
<u>Revised Code in the political subdivision's jurisdiction.</u>	479
<b><u>Sec. 4796.30. Each licensing authority shall adopt rules</u></b>	480
<b><u>as necessary to implement this chapter, including rules</u></b>	481
<b><u>regarding issuing restricted or limited licenses or government</u></b>	482
<b><u>certifications under section 4796.10 of the Revised Code.</u></b>	483
<b><u>Sec. 4796.35. A political subdivision shall not prohibit</u></b>	484
<b><u>an individual who holds a license or government certification</u></b>	485
<b><u>issued by a state agency under this chapter from engaging in the</u></b>	486
<b><u>respective profession, occupation, or occupational activity in</u></b>	487

the political subdivision's jurisdiction. 488

**Section 2.** That sections 109.73, 109.77, 109.771, 109.78, 489  
109.804, 147.01, 147.63, 169.16, 173.21, 173.391, 173.422, 490  
503.41, 715.27, 903.07, 905.321, 917.09, 917.091, 921.06, 491  
921.11, 921.12, 921.24, 921.26, 926.30, 928.02, 943.09, 956.05, 492  
956.06, 1315.23, 1321.04, 1321.37, 1321.53, 1321.64, 1321.74, 493  
1322.10, 1322.21, 1513.07, 1513.161, 1514.12, 1514.47, 1531.40, 494  
1533.051, 1533.51, 1561.14, 1561.15, 1561.16, 1561.17, 1561.18, 495  
1561.19, 1561.20, 1561.21, 1561.22, 1565.06, 1565.15, 1707.15, 496  
1707.151, 1707.16, 1707.161, 1707.163, 1707.165, 1717.06, 497  
3101.10, 3301.071, 3301.074, 3319.088, 3319.22, 3319.226, 498  
3319.229, 3319.26, 3319.261, 3319.262, 3319.27, 3319.28, 499  
3319.301, 3319.303, 3319.361, 3327.10, 3703.21, 3704.14, 500  
3713.05, 3717.09, 3723.03, 3723.06, 3737.83, 3737.881, 3742.05, 501  
3743.03, 3743.16, 3743.40, 3743.51, 3748.07, 3748.12, 3769.03, 502  
3772.13, 3772.131, 3773.36, 3773.421, 3781.10, 3781.102, 503  
3781.105, 3916.03, 3951.03, 3951.05, 3951.09, 4104.07, 4104.101, 504  
4104.19, 4105.02, 4169.03, 4301.10, 4508.03, 4508.04, 4508.08, 505  
4511.763, 4701.06, 4701.07, 4701.10, 4703.08, 4703.10, 4703.33, 506  
4703.35, 4703.37, 4707.07, 4707.072, 4707.09, 4709.07, 4709.08, 507  
4709.10, 4712.02, 4713.10, 4713.28, 4713.30, 4713.31, 4713.34, 508  
4713.37, 4713.69, 4715.03, 4715.09, 4715.10, 4715.16, 4715.27, 509  
4715.362, 4715.363, 4715.39, 4715.42, 4715.421, 4715.53, 510  
4715.62, 4717.05, 4717.051, 4717.10, 4723.08, 4723.09, 4723.26, 511  
4723.32, 4723.41, 4723.651, 4723.75, 4723.76, 4723.85, 4725.13, 512  
4725.18, 4725.26, 4725.48, 4725.52, 4725.57, 4725.591, 4727.03, 513  
4728.03, 4729.09, 4729.11, 4729.15, 4729.901, 4729.921, 4730.10, 514  
4731.151, 4731.19, 4731.293, 4731.294, 4731.295, 4731.297, 515  
4731.299, 4731.52, 4731.572, 4732.10, 4732.12, 4732.22, 4733.18, 516  
4733.19, 4734.23, 4734.27, 4734.283, 4735.023, 4735.07, 4735.08, 517  
4735.09, 4735.10, 4735.27, 4735.28, 4736.10, 4736.14, 4740.05, 518

4740.06, 4741.12, 4741.13, 4741.14, 4741.15, 4741.19, 4743.04, 519  
4743.041, 4747.04, 4747.05, 4747.10, 4749.12, 4751.01, 4751.15, 520  
4751.20, 4751.201, 4751.202, 4751.21, 4751.32, 4752.05, 4752.12, 521  
4753.07, 4753.071, 4753.072, 4753.073, 4753.08, 4753.09, 522  
4753.12, 4755.08, 4755.09, 4755.411, 4755.44, 4755.441, 4755.45, 523  
4755.451, 4755.48, 4755.482, 4755.62, 4755.65, 4757.18, 4758.25, 524  
4759.05, 4759.06, 4760.03, 4760.031, 4761.04, 4761.05, 4762.03, 525  
4763.05, 4764.10, 4765.10, 4765.11, 4765.30, 4765.55, 4767.031, 526  
4771.08, 4773.03, 4774.03, 4775.07, 4778.03, 4778.08, 4778.09, 527  
4779.17, 4779.18, 4781.07, 4781.08, 4781.17, 4783.04, 5123.161, 528  
5123.45, 5126.25, 5902.02, 5903.04, 6109.04, and 6111.46 be 529  
amended and section 3746.041 of the Revised Code be enacted to 530  
read as follows: 531

**Sec. 109.73.** (A) The Ohio peace officer training 532  
commission shall recommend rules to the attorney general with 533  
respect to all of the following: 534

(1) The approval, or revocation of approval, of peace 535  
officer training schools administered by the state, counties, 536  
municipal corporations, public school districts, technical 537  
college districts, and the department of natural resources; 538

(2) Minimum courses of study, attendance requirements, and 539  
equipment and facilities to be required at approved state, 540  
county, municipal, and department of natural resources peace 541  
officer training schools; 542

(3) Minimum qualifications for instructors at approved 543  
state, county, municipal, and department of natural resources 544  
peace officer training schools; 545

(4) The requirements of minimum basic training that peace 546  
officers appointed to probationary terms shall complete before 547

being eligible for permanent appointment, which requirements 548  
shall include training in the handling of the offense of 549  
domestic violence, other types of domestic violence-related 550  
offenses and incidents, and protection orders and consent 551  
agreements issued or approved under section 2919.26 or 3113.31 552  
of the Revised Code; crisis intervention training; and training 553  
in the handling of missing children and child abuse and neglect 554  
cases; and training in handling violations of section 2905.32 of 555  
the Revised Code; and the time within which such basic training 556  
shall be completed following appointment to a probationary term; 557

(5) The requirements of minimum basic training that peace 558  
officers not appointed for probationary terms but appointed on 559  
other than a permanent basis shall complete in order to be 560  
eligible for continued employment or permanent appointment, 561  
which requirements shall include training in the handling of the 562  
offense of domestic violence, other types of domestic violence- 563  
related offenses and incidents, and protection orders and 564  
consent agreements issued or approved under section 2919.26 or 565  
3113.31 of the Revised Code, crisis intervention training, and 566  
training in the handling of missing children and child abuse and 567  
neglect cases, and training in handling violations of section 568  
2905.32 of the Revised Code, and the time within which such 569  
basic training shall be completed following appointment on other 570  
than a permanent basis; 571

(6) Categories or classifications of advanced in-service 572  
training programs for peace officers, including programs in the 573  
handling of the offense of domestic violence, other types of 574  
domestic violence-related offenses and incidents, and protection 575  
orders and consent agreements issued or approved under section 576  
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 577  
and in the handling of missing children and child abuse and 578

neglect cases, and in handling violations of section 2905.32 of 579  
the Revised Code, and minimum courses of study and attendance 580  
requirements with respect to such categories or classifications; 581

(7) Permitting persons, who are employed as members of a 582  
campus police department appointed under section 1713.50 of the 583  
Revised Code; who are employed as police officers by a qualified 584  
nonprofit corporation police department pursuant to section 585  
1702.80 of the Revised Code; who are appointed and commissioned 586  
as bank, savings and loan association, savings bank, credit 587  
union, or association of banks, savings and loan associations, 588  
savings banks, or credit unions police officers, as railroad 589  
police officers, or as hospital police officers pursuant to 590  
sections 4973.17 to 4973.22 of the Revised Code; or who are 591  
appointed and commissioned as amusement park police officers 592  
pursuant to section 4973.17 of the Revised Code, to attend 593  
approved peace officer training schools, including the Ohio 594  
peace officer training academy, and to receive certificates of 595  
satisfactory completion of basic training programs, if the 596  
private college or university that established the campus police 597  
department; qualified nonprofit corporation police department; 598  
bank, savings and loan association, savings bank, credit union, 599  
or association of banks, savings and loan associations, savings 600  
banks, or credit unions; railroad company; hospital; or 601  
amusement park sponsoring the police officers pays the entire 602  
cost of the training and certification and if trainee vacancies 603  
are available; 604

(8) Permitting undercover drug agents to attend approved 605  
peace officer training schools, other than the Ohio peace 606  
officer training academy, and to receive certificates of 607  
satisfactory completion of basic training programs, if, for each 608  
undercover drug agent, the county, township, or municipal 609

corporation that employs that undercover drug agent pays the 610  
entire cost of the training and certification; 611

(9) (a) The requirements for basic training programs for 612  
bailiffs and deputy bailiffs of courts of record of this state 613  
and for criminal investigators employed by the state public 614  
defender that those persons shall complete before they may carry 615  
a firearm while on duty; 616

(b) The requirements for any training received by a 617  
bailiff or deputy bailiff of a court of record of this state or 618  
by a criminal investigator employed by the state public defender 619  
prior to June 6, 1986, that is to be considered equivalent to 620  
the training described in division (A) (9) (a) of this section. 621

(10) Establishing minimum qualifications and requirements 622  
for certification for dogs utilized by law enforcement agencies; 623

(11) Establishing minimum requirements for certification 624  
of persons who are employed as correction officers in a full- 625  
service jail, five-day facility, or eight-hour holding facility 626  
or who provide correction services in such a jail or facility; 627

(12) Establishing requirements for the training of humane 628  
society agents under section 1717.061 of the Revised Code, 629  
including, without limitation, a requirement that the agents 630  
receive instruction on traditional animal husbandry methods and 631  
training techniques, including customary owner-performed 632  
practices; 633

(13) Permitting tactical medical professionals to attend 634  
approved peace officer training schools, including the Ohio 635  
peace officer training academy, to receive training of the type 636  
described in division (A) (14) of this section and to receive 637  
certificates of satisfactory completion of training programs 638

described in that division; 639

(14) The requirements for training programs that tactical 640  
medical professionals shall complete to qualify them to carry 641  
firearms while on duty under section 109.771 of the Revised 642  
Code, which requirements shall include at least the firearms 643  
training specified in division (A) of section 109.748 of the 644  
Revised Code; 645

(15) Procedures and requirements for a portion of basic 646  
training that peace officers complete in proper interactions 647  
with civilians during traffic stops and other in-person 648  
encounters as specified in division (B)(4) of section 109.803 of 649  
the Revised Code and including the topics of instruction listed 650  
for active duty peace officers under divisions (B)(4)(a) to (d) 651  
of that section. 652

(B) The commission shall appoint an executive director, 653  
with the approval of the attorney general, who shall hold office 654  
during the pleasure of the commission. The executive director 655  
shall perform such duties assigned by the commission. The 656  
executive director shall receive a salary fixed pursuant to 657  
Chapter 124. of the Revised Code and reimbursement for expenses 658  
within the amounts available by appropriation. The executive 659  
director may appoint officers, employees, agents, and 660  
consultants as the executive director considers necessary, 661  
prescribe their duties, and provide for reimbursement of their 662  
expenses within the amounts available for reimbursement by 663  
appropriation and with the approval of the commission. 664

(C) The commission may do all of the following: 665

(1) Recommend studies, surveys, and reports to be made by 666  
the executive director regarding the carrying out of the 667

objectives and purposes of sections 109.71 to 109.77 of the Revised Code; 668  
669

(2) Visit and inspect any peace officer training school that has been approved by the executive director or for which application for approval has been made; 670  
671  
672

(3) Make recommendations, from time to time, to the executive director, the attorney general, and the general assembly regarding the carrying out of the purposes of sections 109.71 to 109.77 of the Revised Code; 673  
674  
675  
676

(4) Report to the attorney general from time to time, and to the governor and the general assembly at least annually, concerning the activities of the commission; 677  
678  
679

(5) Establish fees for the services the commission offers under sections 109.71 to 109.79 of the Revised Code, including, but not limited to, fees for training, certification, and testing; 680  
681  
682  
683

(6) Perform such other acts as are necessary or appropriate to carry out the powers and duties of the commission as set forth in sections 109.71 to 109.77 of the Revised Code. 684  
685  
686

(D) In establishing the requirements, under division (A) (12) of this section, the commission may consider any portions of the curriculum for instruction on the topic of animal husbandry practices, if any, of the Ohio state university college of veterinary medicine. No person or entity that fails to provide instruction on traditional animal husbandry methods and training techniques, including customary owner-performed practices, shall qualify to train a humane society agent for appointment under section 1717.06 of the Revised Code. 687  
688  
689  
690  
691  
692  
693  
694  
695

(E) (1) As used in this division, "license" has the same 696



meaning as in section 4796.01 of the Revised Code, except that 697  
it includes a certificate of completion of a training program 698  
required under sections 109.71 to 109.804 of the Revised Code. 699  
"License" does not include a certificate of completion of a 700  
firearm basic training program under division (B)(1) of section 701  
109.78 of the Revised Code or a certificate of completion of any 702  
firearm requalification training program. 703

(2) Notwithstanding any requirement for a license issued 704  
by the commission, the commission shall issue a license in 705  
accordance with Chapter 4796. of the Revised Code to an 706  
individual if either of the following applies: 707

(a) The individual holds a license in another state. 708

(b) The individual has satisfactory work experience, a 709  
government certification, or a private certification as 710  
described in that chapter in the same profession, occupation, or 711  
occupational activity as the profession, occupation, or 712  
occupational activity for which the license is required in this 713  
state in a state that does not require such a license. 714

**Sec. 109.77.** (A) As used in this section: 715

(1) "Felony" has the same meaning as in section 109.511 of 716  
the Revised Code. 717

(2) "Companion animal" has the same meaning as in section 718  
959.131 of the Revised Code. 719

(B) (1) Notwithstanding any general, special, or local law 720  
or charter to the contrary, and except as otherwise provided in 721  
this section, no person shall receive an original appointment on 722  
a permanent basis as any of the following unless the person 723  
previously has been awarded a certificate by the executive 724  
director of the Ohio peace officer training commission attesting 725

to the person's satisfactory completion of an approved state,	726
county, municipal, or department of natural resources peace	727
officer basic training program:	728
(a) A peace officer of any county, township, municipal	729
corporation, regional transit authority, or metropolitan housing	730
authority;	731
(b) A natural resources law enforcement staff officer,	732
forest-fire investigator, wildlife officer, or natural resources	733
officer of the department of natural resources;	734
(c) An employee of a park district under section 511.232	735
or 1545.13 of the Revised Code;	736
(d) An employee of a conservancy district who is	737
designated pursuant to section 6101.75 of the Revised Code;	738
(e) A state university law enforcement officer;	739
(f) A special police officer employed by the department of	740
mental health and addiction services pursuant to section 5119.08	741
of the Revised Code or the department of developmental	742
disabilities pursuant to section 5123.13 of the Revised Code;	743
(g) An enforcement agent of the department of public	744
safety whom the director of public safety designates under	745
section 5502.14 of the Revised Code;	746
(h) A special police officer employed by a port authority	747
under section 4582.04 or 4582.28 of the Revised Code;	748
(i) A special police officer employed by a municipal	749
corporation at a municipal airport, or other municipal air	750
navigation facility, that has scheduled operations, as defined	751
in section 119.3 of Title 14 of the Code of Federal Regulations,	752
14 C.F.R. 119.3, as amended, and that is required to be under a	753

security program and is governed by aviation security rules of 754  
the transportation security administration of the United States 755  
department of transportation as provided in Parts 1542. and 756  
1544. of Title 49 of the Code of Federal Regulations, as 757  
amended; 758

(j) A gaming agent employed under section 3772.03 of the 759  
Revised Code. 760

(2) Every person who is appointed on a temporary basis or 761  
for a probationary term or on other than a permanent basis as 762  
any of the following shall forfeit the appointed position unless 763  
the person previously has completed satisfactorily or, within 764  
the time prescribed by rules adopted by the attorney general 765  
pursuant to section 109.74 of the Revised Code, satisfactorily 766  
completes a state, county, municipal, or department of natural 767  
resources peace officer basic training program for temporary or 768  
probationary officers and is awarded a certificate by the 769  
director attesting to the satisfactory completion of the 770  
program: 771

(a) A peace officer of any county, township, municipal 772  
corporation, regional transit authority, or metropolitan housing 773  
authority; 774

(b) A natural resources law enforcement staff officer, 775  
park officer, forest officer, preserve officer, wildlife 776  
officer, or state watercraft officer of the department of 777  
natural resources; 778

(c) An employee of a park district under section 511.232 779  
or 1545.13 of the Revised Code; 780

(d) An employee of a conservancy district who is 781  
designated pursuant to section 6101.75 of the Revised Code; 782

(e) A special police officer employed by the department of 783  
mental health and addiction services pursuant to section 5119.08 784  
of the Revised Code or the department of developmental 785  
disabilities pursuant to section 5123.13 of the Revised Code; 786

(f) An enforcement agent of the department of public 787  
safety whom the director of public safety designates under 788  
section 5502.14 of the Revised Code; 789

(g) A special police officer employed by a port authority 790  
under section 4582.04 or 4582.28 of the Revised Code; 791

(h) A special police officer employed by a municipal 792  
corporation at a municipal airport, or other municipal air 793  
navigation facility, that has scheduled operations, as defined 794  
in section 119.3 of Title 14 of the Code of Federal Regulations, 795  
14 C.F.R. 119.3, as amended, and that is required to be under a 796  
security program and is governed by aviation security rules of 797  
the transportation security administration of the United States 798  
department of transportation as provided in Parts 1542. and 799  
1544. of Title 49 of the Code of Federal Regulations, as 800  
amended. 801

(3) For purposes of division (B) of this section, a state, 802  
county, municipal, or department of natural resources peace 803  
officer basic training program, regardless of whether the 804  
program is to be completed by peace officers appointed on a 805  
permanent or temporary, probationary, or other nonpermanent 806  
basis, shall include training in the handling of the offense of 807  
domestic violence, other types of domestic violence-related 808  
offenses and incidents, protection orders and consent agreements 809  
issued or approved under section 2919.26 or 3113.31 of the 810  
Revised Code, crisis intervention training, and training on 811  
companion animal encounters and companion animal behavior. The 812

requirement to complete training in the handling of the offense 813  
of domestic violence, other types of domestic violence-related 814  
offenses and incidents, and protection orders and consent 815  
agreements issued or approved under section 2919.26 or 3113.31 816  
of the Revised Code does not apply to any person serving as a 817  
peace officer on March 27, 1979, and the requirement to complete 818  
training in crisis intervention does not apply to any person 819  
serving as a peace officer on April 4, 1985. Any person who is 820  
serving as a peace officer on April 4, 1985, who terminates that 821  
employment after that date, and who subsequently is hired as a 822  
peace officer by the same or another law enforcement agency 823  
shall complete training in crisis intervention as prescribed by 824  
rules adopted by the attorney general pursuant to section 825  
109.742 of the Revised Code. No peace officer shall have 826  
employment as a peace officer terminated and then be reinstated 827  
with intent to circumvent this section. 828

(4) Division (B) of this section does not apply to any 829  
person serving on a permanent basis on March 28, 1985, as a park 830  
officer, forest officer, preserve officer, wildlife officer, or 831  
state watercraft officer of the department of natural resources 832  
or as an employee of a park district under section 511.232 or 833  
1545.13 of the Revised Code, to any person serving on a 834  
permanent basis on March 6, 1986, as an employee of a 835  
conservancy district designated pursuant to section 6101.75 of 836  
the Revised Code, to any person serving on a permanent basis on 837  
January 10, 1991, as a preserve officer of the department of 838  
natural resources, to any person employed on a permanent basis 839  
on July 2, 1992, as a special police officer by the department 840  
of mental health and addiction services pursuant to section 841  
5119.08 of the Revised Code or by the department of 842  
developmental disabilities pursuant to section 5123.13 of the 843

Revised Code, to any person serving on a permanent basis on May 844  
17, 2000, as a special police officer employed by a port 845  
authority under section 4582.04 or 4582.28 of the Revised Code, 846  
to any person serving on a permanent basis on March 19, 2003, as 847  
a special police officer employed by a municipal corporation at 848  
a municipal airport or other municipal air navigation facility 849  
described in division (A)(19) of section 109.71 of the Revised 850  
Code, to any person serving on a permanent basis on June 19, 851  
1978, as a state university law enforcement officer pursuant to 852  
section 3345.04 of the Revised Code and who, immediately prior 853  
to June 19, 1978, was serving as a special police officer 854  
designated under authority of that section, or to any person 855  
serving on a permanent basis on September 20, 1984, as a liquor 856  
control investigator, known after June 30, 1999, as an 857  
enforcement agent of the department of public safety, engaged in 858  
the enforcement of Chapters 4301. and 4303. of the Revised Code. 859

(5) Division (B) of this section does not apply to any 860  
person who is appointed as a regional transit authority police 861  
officer pursuant to division (Y) of section 306.35 of the 862  
Revised Code if, on or before July 1, 1996, the person has 863  
completed satisfactorily an approved state, county, municipal, 864  
or department of natural resources peace officer basic training 865  
program and has been awarded a certificate by the executive 866  
director of the Ohio peace officer training commission attesting 867  
to the person's satisfactory completion of such an approved 868  
program and if, on July 1, 1996, the person is performing peace 869  
officer functions for a regional transit authority. 870

(C) No person, after September 20, 1984, shall receive an 871  
original appointment on a permanent basis as a veterans' home 872  
police officer designated under section 5907.02 of the Revised 873  
Code unless the person previously has been awarded a certificate 874

by the executive director of the Ohio peace officer training 875  
commission attesting to the person's satisfactory completion of 876  
an approved police officer basic training program. Every person 877  
who is appointed on a temporary basis or for a probationary term 878  
or on other than a permanent basis as a veterans' home police 879  
officer designated under section 5907.02 of the Revised Code 880  
shall forfeit that position unless the person previously has 881  
completed satisfactorily or, within one year from the time of 882  
appointment, satisfactorily completes an approved police officer 883  
basic training program. 884

(D) No bailiff or deputy bailiff of a court of record of 885  
this state and no criminal investigator who is employed by the 886  
state public defender shall carry a firearm, as defined in 887  
section 2923.11 of the Revised Code, while on duty unless the 888  
bailiff, deputy bailiff, or criminal investigator has done or 889  
received one of the following: 890

(1) Has been awarded a certificate by the executive 891  
director of the Ohio peace officer training commission, which 892  
certificate attests to satisfactory completion of an approved 893  
state, county, or municipal basic training program for bailiffs 894  
and deputy bailiffs of courts of record and for criminal 895  
investigators employed by the state public defender that has 896  
been recommended by the Ohio peace officer training commission; 897

(2) Has successfully completed a firearms training program 898  
approved by the Ohio peace officer training commission prior to 899  
employment as a bailiff, deputy bailiff, or criminal 900  
investigator; 901

(3) Prior to June 6, 1986, was authorized to carry a 902  
firearm by the court that employed the bailiff or deputy bailiff 903  
or, in the case of a criminal investigator, by the state public 904

defender and has received training in the use of firearms that 905  
the Ohio peace officer training commission determines is 906  
equivalent to the training that otherwise is required by 907  
division (D) of this section. 908

(E) (1) Before a person seeking a certificate completes an 909  
approved peace officer basic training program, the executive 910  
director of the Ohio peace officer training commission shall 911  
request the person to disclose, and the person shall disclose, 912  
any previous criminal conviction of or plea of guilty of that 913  
person to a felony. 914

(2) Before a person seeking a certificate completes an 915  
approved peace officer basic training program, the executive 916  
director shall request a criminal history records check on the 917  
person. The executive director shall submit the person's 918  
fingerprints to the bureau of criminal identification and 919  
investigation, which shall submit the fingerprints to the 920  
federal bureau of investigation for a national criminal history 921  
records check. 922

Upon receipt of the executive director's request, the 923  
bureau of criminal identification and investigation and the 924  
federal bureau of investigation shall conduct a criminal history 925  
records check on the person and, upon completion of the check, 926  
shall provide a copy of the criminal history records check to 927  
the executive director. The executive director shall not award 928  
any certificate prescribed in this section unless the executive 929  
director has received a copy of the criminal history records 930  
check on the person to whom the certificate is to be awarded. 931

(3) The executive director of the commission shall not 932  
award a certificate prescribed in this section to a person who 933  
has been convicted of or has pleaded guilty to a felony or who 934



fails to disclose any previous criminal conviction of or plea of 935  
guilty to a felony as required under division (E)(1) of this 936  
section. 937

(4) The executive director of the commission shall revoke 938  
the certificate awarded to a person as prescribed in this 939  
section, and that person shall forfeit all of the benefits 940  
derived from being certified as a peace officer under this 941  
section, if the person, before completion of an approved peace 942  
officer basic training program, failed to disclose any previous 943  
criminal conviction of or plea of guilty to a felony as required 944  
under division (E)(1) of this section. 945

(F)(1) Regardless of whether the person has been awarded 946  
the certificate or has been classified as a peace officer prior 947  
to, on, or after October 16, 1996, the executive director of the 948  
Ohio peace officer training commission shall revoke any 949  
certificate that has been awarded to a person as prescribed in 950  
this section if the person does either of the following: 951

(a) Pleads guilty to a felony committed on or after 952  
January 1, 1997; 953

(b) Pleads guilty to a misdemeanor committed on or after 954  
January 1, 1997, pursuant to a negotiated plea agreement as 955  
provided in division (D) of section 2929.43 of the Revised Code 956  
in which the person agrees to surrender the certificate awarded 957  
to the person under this section. 958

(2) The executive director of the commission shall suspend 959  
any certificate that has been awarded to a person as prescribed 960  
in this section if the person is convicted, after trial, of a 961  
felony committed on or after January 1, 1997. The executive 962  
director shall suspend the certificate pursuant to division (F) 963

(2) of this section pending the outcome of an appeal by the 964  
person from that conviction to the highest court to which the 965  
appeal is taken or until the expiration of the period in which 966  
an appeal is required to be filed. If the person files an appeal 967  
that results in that person's acquittal of the felony or 968  
conviction of a misdemeanor, or in the dismissal of the felony 969  
charge against that person, the executive director shall 970  
reinstate the certificate awarded to the person under this 971  
section. If the person files an appeal from that person's 972  
conviction of the felony and the conviction is upheld by the 973  
highest court to which the appeal is taken or if the person does 974  
not file a timely appeal, the executive director shall revoke 975  
the certificate awarded to the person under this section. 976

(G) (1) If a person is awarded a certificate under this 977  
section and the certificate is revoked pursuant to division (E) 978  
(4) or (F) of this section, the person shall not be eligible to 979  
receive, at any time, a certificate attesting to the person's 980  
satisfactory completion of a peace officer basic training 981  
program. 982

(2) The revocation or suspension of a certificate under 983  
division (E) (4) or (F) of this section shall be in accordance 984  
with Chapter 119. of the Revised Code. 985

(H) (1) A person who was employed as a peace officer of a 986  
county, township, or municipal corporation of the state on 987  
January 1, 1966, and who has completed at least sixteen years of 988  
full-time active service as such a peace officer, or equivalent 989  
service as determined by the executive director of the Ohio 990  
peace officer training commission, may receive an original 991  
appointment on a permanent basis and serve as a peace officer of 992  
a county, township, or municipal corporation, or as a state 993

university law enforcement officer, without complying with the 994  
requirements of division (B) of this section. 995

(2) Any person who held an appointment as a state highway 996  
trooper on January 1, 1966, may receive an original appointment 997  
on a permanent basis and serve as a peace officer of a county, 998  
township, or municipal corporation, or as a state university law 999  
enforcement officer, without complying with the requirements of 1000  
division (B) of this section. 1001

(I) No person who is appointed as a peace officer of a 1002  
county, township, or municipal corporation on or after April 9, 1003  
1985, shall serve as a peace officer of that county, township, 1004  
or municipal corporation unless the person has received training 1005  
in the handling of missing children and child abuse and neglect 1006  
cases from an approved state, county, township, or municipal 1007  
police officer basic training program or receives the training 1008  
within the time prescribed by rules adopted by the attorney 1009  
general pursuant to section 109.741 of the Revised Code. 1010

(J) No part of any approved state, county, or municipal 1011  
basic training program for bailiffs and deputy bailiffs of 1012  
courts of record and no part of any approved state, county, or 1013  
municipal basic training program for criminal investigators 1014  
employed by the state public defender shall be used as credit 1015  
toward the completion by a peace officer of any part of the 1016  
approved state, county, or municipal peace officer basic 1017  
training program that the peace officer is required by this 1018  
section to complete satisfactorily. 1019

(K) This section does not apply to any member of the 1020  
police department of a municipal corporation in an adjoining 1021  
state serving in this state under a contract pursuant to section 1022  
737.04 of the Revised Code. 1023

(L) The executive director of the commission shall issue a certificate of completion of a training program required under this section in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies: 1024  
1025  
1026  
1027

(1) The individual holds a certificate of completion of such a program in another state. 1028  
1029

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter in the same profession, occupation, or occupational activity as the profession, occupation, or occupational activity for which the certificate is required in this state in a state that does not require completion of such a training program. 1030  
1031  
1032  
1033  
1034  
1035  
1036

**Sec. 109.771.** (A) A tactical medical professional may carry firearms while on duty in the same manner, to the same extent, and in the same areas as a law enforcement officer of the law enforcement agency the professional is serving, if all of the following apply: 1037  
1038  
1039  
1040  
1041

(1) The law enforcement agency that the tactical medical professional is serving has specifically authorized the professional to carry firearms while on duty. 1042  
1043  
1044

(2) The tactical medical professional has done or received one of the following: 1045  
1046

(a) The professional has been awarded a certificate by the executive director of the Ohio peace officer training commission, which certificate attests to satisfactory completion of an approved state, county, or municipal basic training program or a program at the Ohio peace officer training academy that qualifies the professional to carry firearms while on duty 1047  
1048  
1049  
1050  
1051  
1052

and that conforms to the rules adopted under section 109.748 of 1053  
the Revised Code. 1054

(b) Prior to or during employment as a tactical medical 1055  
professional and prior to ~~the effective date of this section~~ 1056  
June 1, 2018, the professional has successfully completed a 1057  
firearms training program, other than one described in division 1058  
(A) (2) (a) of this section, that was approved by the Ohio peace 1059  
officer training commission. 1060

(B) A tactical medical professional to whom division (A) 1061  
of this section applies and who is carrying one or more firearms 1062  
under authority of that division has protection from potential 1063  
civil or criminal liability for any conduct occurring while 1064  
carrying the firearm or firearms to the same extent as a law 1065  
enforcement officer of the law enforcement agency the 1066  
professional is serving has such protection. 1067

(C) The executive director of the commission shall issue a 1068  
certificate of completion of a training program required under 1069  
this section in accordance with Chapter 4796. of the Revised 1070  
Code to an individual if either of the following applies: 1071

(1) The individual holds a certificate of completion of 1072  
such a program in another state. 1073

(2) The individual has satisfactory work experience, a 1074  
government certification, or a private certification as 1075  
described in that chapter as a tactical medical professional who 1076  
carries a firearm while on duty in a state that does not require 1077  
completion of such a training program. 1078

**Sec. 109.78.** (A) The executive director of the Ohio peace 1079  
officer training commission, on behalf of the commission and in 1080  
accordance with rules promulgated by the attorney general, shall 1081

certify persons who have satisfactorily completed approved 1082  
training programs designed to qualify persons for positions as 1083  
special police, security guards, or persons otherwise privately 1084  
employed in a police capacity and issue appropriate certificates 1085  
to such persons. Application for approval of a training program 1086  
designed to qualify persons for such positions shall be made to 1087  
the commission. An application for approval shall be submitted 1088  
to the commission with a fee of one hundred twenty-five dollars, 1089  
which fee shall be refunded if the application is denied. Such 1090  
programs shall cover only duties and jurisdiction of such 1091  
security guards and special police privately employed in a 1092  
police capacity when such officers do not qualify for training 1093  
under section 109.71 of the Revised Code. A person attending an 1094  
approved basic training program administered by the state shall 1095  
pay to the agency administering the program the cost of the 1096  
person's participation in the program as determined by the 1097  
agency. A person attending an approved basic training program 1098  
administered by a county or municipal corporation shall pay the 1099  
cost of the person's participation in the program, as determined 1100  
by the administering subdivision, to the county or the municipal 1101  
corporation. A person who is issued a certificate for 1102  
satisfactory completion of an approved basic training program 1103  
shall pay to the commission a fee of fifteen dollars. A 1104  
duplicate of a lost, spoliated, or destroyed certificate may be 1105  
issued upon application and payment of a fee of fifteen dollars. 1106  
Such certificate or the completion of twenty years of active 1107  
duty as a peace officer shall satisfy the educational 1108  
requirements for appointment or commission as a special police 1109  
officer or special deputy of a political subdivision of this 1110  
state. 1111

(B) (1) The executive director of the Ohio peace officer 1112

training commission, on behalf of the commission and in 1113  
accordance with rules promulgated by the attorney general, shall 1114  
certify basic firearms training programs, and shall issue 1115  
certificates to class A, B, or C licensees or prospective class 1116  
A, B, or C licensees under Chapter 4749. of the Revised Code and 1117  
to registered or prospective employees of such class A, B, or C 1118  
licensees who have satisfactorily completed a basic firearms 1119  
training program of the type described in division (A) (1) of 1120  
section 4749.10 of the Revised Code. 1121

Application for approval of a basic firearms training 1122  
program shall be made to the commission. An application shall be 1123  
submitted to the commission with a fee of one hundred dollars, 1124  
which fee shall be refunded if the application is denied. 1125

A person who is issued a certificate for satisfactory 1126  
completion of an approved basic firearms training program shall 1127  
pay a fee of ten dollars to the commission. A duplicate of a 1128  
lost, spoliated, or destroyed certificate may be issued upon 1129  
application and payment of a fee of five dollars. 1130

(2) The executive director, on behalf of the commission 1131  
and in accordance with rules promulgated by the attorney 1132  
general, also shall certify firearms requalification training 1133  
programs and instructors for the annual requalification of class 1134  
A, B, or C licensees under Chapter 4749. of the Revised Code and 1135  
registered or prospective employees of such class A, B, or C 1136  
licensees who are authorized to carry a firearm under section 1137  
4749.10 of the Revised Code. Application for approval of a 1138  
training program or instructor for such purpose shall be made to 1139  
the commission. Such an application shall be submitted to the 1140  
commission with a fee of fifty dollars, which fee shall be 1141  
refunded if the application is denied. 1142

(3) The executive director, upon request, also shall 1143  
review firearms training received within three years prior to 1144  
November 23, 1985, by any class A, B, or C licensee or 1145  
prospective class A, B, or C licensee, or by any registered or 1146  
prospective employee of any class A, B, or C licensee under 1147  
Chapter 4749. of the Revised Code to determine if the training 1148  
received is equivalent to a basic firearms training program that 1149  
includes twenty hours of handgun training and five hours of 1150  
training in the use of other firearms, if any other firearm is 1151  
to be used. If the executive director determines the training 1152  
was received within the three-year period and that it is 1153  
equivalent to such a program, the executive director shall issue 1154  
written evidence of approval of the equivalency training to the 1155  
licensee or employee. 1156

(C) There is hereby established in the state treasury the 1157  
peace officer private security fund, which shall be used by the 1158  
Ohio peace officer training commission to administer the 1159  
training program to qualify persons for positions as special 1160  
police, security guards, or other private employment in a police 1161  
capacity, as described in division (A) of this section, and the 1162  
training program in basic firearms and the training program for 1163  
firearms requalification, both as described in division (B) of 1164  
this section. All fees paid to the commission by applicants for 1165  
approval of a training program designed to qualify persons for 1166  
such private police positions, basic firearms training program, 1167  
or a firearms requalification training program or instructor, as 1168  
required by division (A) or (B) of this section, by persons who 1169  
satisfactorily complete a private police training program or a 1170  
basic firearms training program, as required by division (A) or 1171  
(B) of this section, or by persons who satisfactorily requalify 1172  
in firearms use, as required by division (B) (2) of section 1173



4749.10 of the Revised Code, shall be transmitted to the 1174  
treasurer of state for deposit in the fund. The fund shall be 1175  
used only for the purpose set forth in this division. 1176

(D) No public or private educational institution or 1177  
superintendent of the state highway patrol shall employ a person 1178  
as a special police officer, security guard, or other position 1179  
in which such person goes armed while on duty, who has not 1180  
received a certificate of having satisfactorily completed an 1181  
approved basic peace officer training program, unless the person 1182  
has completed twenty years of active duty as a peace officer. 1183

(E) The executive director of the commission shall issue a 1184  
certificate of completion of a training program required under 1185  
division (A) of this section in accordance with Chapter 4796. of 1186  
the Revised Code to an individual if either of the following 1187  
applies: 1188

(1) The individual holds a certificate of completion of 1189  
such a program in another state. 1190

(2) The individual has satisfactory work experience, a 1191  
government certification, or a private certification as 1192  
described in that chapter in the same profession, occupation, or 1193  
occupational activity as the profession, occupation, or 1194  
occupational activity for which the certificate is required in 1195  
this state in a state that does not require completion of such a 1196  
training program. 1197

**Sec. 109.804.** (A) (1) The Ohio peace officer training 1198  
commission shall develop and conduct a chief of police training 1199  
course lasting forty hours for newly appointed chiefs of police 1200  
appointed on or after January 1, 2018. The commission shall 1201  
determine the course topics, which shall include diversity 1202

training with an emphasis on historical perspectives and 1203  
community-police relations, and shall establish criteria for 1204  
what constitutes successful completion of the course. The 1205  
commission shall conduct the course at the Ohio peace officer 1206  
training academy and shall offer the course at least 1207  
semiannually. 1208

(2) The executive director of the commission shall issue a 1209  
certificate of completion of a training program required under 1210  
this section in accordance with Chapter 4796. of the Revised 1211  
Code to a newly appointed chief of police if either of the 1212  
following applies: 1213

(a) The person holds a certificate of completion of such a 1214  
program in another state. 1215

(b) The person has satisfactory work experience, a 1216  
government certification, or a private certification as 1217  
described in that chapter as a chief of police in a state that 1218  
does not require completion of such a training program. 1219

(B) A newly appointed chief of police may request an 1220  
equivalency exemption from a portion of the forty hours of the 1221  
chief of police training course by submitting to the Ohio peace 1222  
officer training commission, not more than ten calendar days 1223  
following the person's appointment as a chief of police, 1224  
evidence of training or qualification in the subject area of the 1225  
exempted portion. 1226

(C) Upon presentation of evidence by a newly appointed 1227  
chief of police that because of a medical disability or other 1228  
good cause the newly appointed chief of police is unable to 1229  
complete the chief of police training course, the Ohio peace 1230  
officer training commission may defer the requirement for the 1231

newly appointed chief of police to complete the chief of police 1232  
training course until the disability or cause terminates. 1233

(D) A newly appointed chief of police appointed on or 1234  
after January 1, 2018, shall attend a chief of police training 1235  
course conducted by the Ohio peace officer training commission 1236  
pursuant to division (A) of this section not later than six 1237  
months after the person's appointment as a chief of police. 1238  
While attending the chief of police training course, a newly 1239  
appointed chief of police shall receive compensation in the same 1240  
manner and amounts as if carrying out the powers and duties of 1241  
the office of chief of police. The costs of conducting the chief 1242  
of police training course shall be paid from state funds 1243  
appropriated to the attorney general. The cost of meals, 1244  
lodging, and travel of a newly appointed chief of police 1245  
attending the chief of police training course shall be paid from 1246  
the budget of the entity for which the newly appointed chief of 1247  
police was appointed. 1248

(E) As used in this section: 1249

"Newly appointed chief of police" means a person appointed 1250  
chief of police under section 505.49, 737.05, or 737.15 of the 1251  
Revised Code or any administrative official that is responsible 1252  
for the daily administration and supervision of peace officers 1253  
in a law enforcement agency who did not hold the office of chief 1254  
of police on the date the person was appointed chief of police. 1255

"Law enforcement agency" means a municipal or township 1256  
police department, or any other entity authorized by statute to 1257  
appoint peace officers to enforce criminal laws and who have the 1258  
statutory power of arrest. "Law enforcement agency" does not 1259  
include a county sheriff's office, the state highway patrol, or 1260  
the bureau of criminal identification and investigation. 1261

**Sec. 147.01.** (A) The secretary of state may appoint and 1262  
commission as notaries public as many persons who meet the 1263  
qualifications of division (B) of this section as the secretary 1264  
of state considers necessary. 1265

(B) In order for a person to qualify to be appointed and 1266  
commissioned as a notary public, except as provided in division 1267  
(F) of this section, the person shall demonstrate to the 1268  
secretary of state that the person satisfies all of the 1269  
following: 1270

(1) The person has attained the age of eighteen years. 1271

(2) (a) Except as provided in division (B) (2) (b) of this 1272  
section, the person is a legal resident of this state. 1273

(b) The person is not a legal resident of this state, but 1274  
is an attorney admitted to the practice of law in this state by 1275  
the Ohio supreme court, and has the person's principal place of 1276  
business or the person's primary practice in this state. 1277

(3) (a) Except as provided in division (B) (3) (b) of this 1278  
section, the person has submitted a criminal records check 1279  
report completed within the preceding six months in accordance 1280  
with section 147.022 of the Revised Code demonstrating that the 1281  
applicant has not been convicted of or pleaded guilty or no 1282  
contest to a disqualifying offense as determined in accordance 1283  
with section 9.79 of the Revised Code. 1284

(b) An attorney admitted to the practice of law in this 1285  
state shall not be required to submit a criminal records check 1286  
when applying to be appointed a notary public. 1287

(4) (a) Except as provided in divisions (B) (4) (b) and (c) 1288  
of this section, the person has successfully completed an 1289  
educational program and passed a test administered by the 1290

entities authorized by the secretary of state as required under 1291  
section 147.021 of the Revised Code. 1292

(b) An attorney who is commissioned as a notary public in 1293  
this state prior to September 20, 2019, shall not be required to 1294  
complete an education program or pass a test as required in 1295  
division (B) (4) (a) of this section. 1296

(c) Any attorney who applies to become commissioned as a 1297  
notary public in this state after September 20, 2019, shall not 1298  
be required to pass a test as required in division (B) (4) (a) of 1299  
this section, but shall be required to complete an education 1300  
program required by that division. 1301

(C) A notary public shall be appointed and commissioned as 1302  
a notary public for the state. The secretary of state may revoke 1303  
a commission issued to a notary public upon presentation of 1304  
satisfactory evidence of official misconduct or incapacity. 1305

(D) The secretary of state shall oversee the processing of 1306  
notary public applications and shall issue all notary public 1307  
commissions. The secretary of state shall oversee the creation 1308  
and maintenance of the online database of notaries public 1309  
commissioned in this state pursuant to section 147.051 of the 1310  
Revised Code. The secretary of state may perform all other 1311  
duties as required by this section. The entities authorized by 1312  
the secretary of state pursuant to section 147.021 or 147.63 of 1313  
the Revised Code shall administer the educational program and 1314  
required test or course of instruction and examination, as 1315  
applicable. 1316

(E) All submissions to the secretary of state for 1317  
receiving and renewing commissions, or notifications made under 1318  
section 147.05 of the Revised Code, shall be done 1319

electronically. 1320

(F) The secretary of state shall appoint and commission as 1321  
a notary public for the state an applicant who is commissioned 1322  
or licensed as a notary public in another state in accordance 1323  
with Chapter 4796. of the Revised Code. 1324

**Sec. 147.63.** (A) A notary public who has been duly 1325  
appointed and commissioned under section 147.01 of the Revised 1326  
Code, and who is a resident of this state, may apply to the 1327  
secretary of state to be authorized to act as an online notary 1328  
public during the term of that notary public's commission. A 1329  
state resident commissioned as a notary public qualifies to be 1330  
an online notary public by paying the fee described in section 1331  
147.631 of the Revised Code and submitting to the secretary of 1332  
state an application in the form prescribed by the secretary 1333  
that demonstrates to the satisfaction of the secretary that the 1334  
applicant will comply with the standards adopted in rules under 1335  
section 147.62 of the Revised Code and that the applicant is 1336  
otherwise qualified to be an online notary. 1337

(B) (1) Before an individual may be authorized to act as an 1338  
online notary public, that individual shall successfully 1339  
complete a course of instruction approved by the secretary of 1340  
state and pass an examination based on the course. The content 1341  
of the course shall include notarial rules, procedures, and 1342  
ethical obligations pertaining to online notarization contained 1343  
in sections 147.60 to 147.66 of the Revised Code or in any other 1344  
law or rules of this state. The course may be taken in 1345  
conjunction with the educational program required under section 1346  
147.021 of the Revised Code for a notary public commission. 1347

(2) The secretary of state shall approve one business 1348  
entity comprised of bar associations with statewide scope and 1349

regional presence that have expertise and experience in notary 1350  
laws and processes to provide the course and administer the 1351  
examination to become an online notary. 1352

(C) The application required under division (A) of this 1353  
section shall be transmitted electronically to the secretary of 1354  
state and shall include all of the following information: 1355

(1) The applicant's full legal name and official notary 1356  
public name to be used in acting as an online notary public; 1357

(2) A description of the technology the applicant intends 1358  
to use in performing online notarizations; 1359

(3) A certification that the applicant will comply with 1360  
the rules adopted under section 147.62 of the Revised Code; 1361

(4) An electronic mail address of the applicant; 1362

(5) Any decrypting instructions, keys, codes, or software 1363  
necessary to enable the application to be read; 1364

(6) Proof of successful completion of the course and 1365  
passage of the examination required under division (B) of this 1366  
section; 1367

(7) A disclosure of any and all license or commission 1368  
revocations or other professional disciplinary actions taken 1369  
against the applicant; 1370

(8) Any other information that the secretary of state may 1371  
require. 1372

(D) (1) If the secretary of state is satisfied that an 1373  
applicant meets the standards adopted in rules under section 1374  
147.62 of the Revised Code, and that the applicant is otherwise 1375  
qualified to be an online notary public, then the secretary 1376

shall issue to the applicant a written authorization to perform 1377  
online notarizations. 1378

The secretary of state shall issue a written authorization 1379  
to perform online notarizations to an applicant who holds an 1380  
authorization or license to perform online notarizations in 1381  
another state in accordance with Chapter 4796. of the Revised 1382  
Code. 1383

(2) Except as provided in division (D) (4) of this section, 1384  
the authorization shall expire when the notary public's 1385  
commission expires or is revoked under section 147.03, 147.031, 1386  
or 147.032 of the Revised Code. 1387

(3) (a) Except as provided in division (D) (5) of this 1388  
section, the authorization shall be renewed when the notary 1389  
public's commission is renewed. 1390

(b) An authorization to perform online notarizations that 1391  
is set to expire shall not be renewed unless the notary submits 1392  
to the secretary of state through the entity authorized in this 1393  
section all of the following: 1394

(i) A fee, set by the secretary of state, of not more than 1395  
four times the fee prescribed in division (B) (2) of section 1396  
147.031 of the Revised Code; 1397

(ii) An application for renewal on a form prescribed by 1398  
the secretary; 1399

(iii) Evidence of having completed continuing education, 1400  
as required under division (G) of this section. 1401

(c) If a notary public's online notarization authorization 1402  
expires before the notary submits the application for renewal, 1403  
the secretary of state shall not renew that expired 1404



authorization but shall permit that person to apply for a new 1405  
online notarization authorization. 1406

(4) An authorization to perform online notarizations 1407  
granted to an attorney admitted to the practice of law in this 1408  
state by the Ohio supreme court shall expire on the earlier of 1409  
five years after the date the authorization is granted or when 1410  
the attorney's term of office as a notary public ends. 1411

(5) An attorney authorized to perform online notarizations 1412  
may apply to renew the attorney's authorization three months 1413  
prior to the authorization's expiration date. 1414

(6) (a) The secretary may deny an application for an online 1415  
notary public if any of the required information is missing or 1416  
incorrect on the application form. 1417

(b) The secretary may also deny an application if the 1418  
technology the applicant identifies pursuant to division (C) (2) 1419  
of this section does not conform to the standards developed by 1420  
the secretary pursuant to section 147.62 of the Revised Code. 1421

(E) Nothing in this section shall be construed as 1422  
prohibiting an online notary public from receiving, installing, 1423  
and utilizing a software update to the technology that the 1424  
online notary public disclosed pursuant to division (C) (2) of 1425  
this section if that software update does not result in a 1426  
technology that is materially different from the technology that 1427  
the online notary public disclosed pursuant to division (C) (2) 1428  
of this section. 1429

(F) (1) If a notary public changes either the hardware or 1430  
the software that the notary intends to use to carry out online 1431  
notarizations, then the notary shall inform the secretary of 1432  
this intent on a form prescribed by the secretary. 1433

(2) If the secretary determines that the new hardware or software does not meet the standards prescribed in rules under section 147.62 of the Revised Code, then the secretary may suspend or revoke the notary's authority to perform online notarizations.

(G) (1) The secretary of state shall not renew an online notarization authorization unless the applicant has completed continuing education as required under rules adopted pursuant to division (G) (2) of this section.

(2) The secretary shall adopt rules in accordance with Chapter 119. of the Revised Code related to continuing education requirements for an online notarization authorization. The rules shall specify the number of hours of continuing education a notary must complete over the duration of the notary's license and may specify content to be included in the continuing education.

**Sec. 169.16.** (A) No person, on behalf of any other person, shall engage in any activity for the purpose of locating, delivering, recovering, or assisting in the recovery of unclaimed funds or contents of a safe deposit box, and receive a fee, compensation, commission, or other remuneration for such activity, without first having obtained a certificate of registration from the director of commerce in accordance with this section.

(B) An application for a certificate of registration shall be in writing and in the form prescribed by the director. The application shall be accompanied by a recent full-face color photograph of the applicant and notarized reference letters from two reputable witnesses. The application shall, at a minimum, provide all of the following:

(1) The applicant's full name, home address, and work address;	1464 1465
(2) The name, address, and telephone number of the two witnesses who have provided the reference letters;	1466 1467
(3) A statement that the applicant has not, during the five-year period immediately preceding the submission of the application, violated division (A) of this section on or after the effective date of this section, or division (C) of section 169.13 of the Revised Code;	1468 1469 1470 1471 1472
(4) A statement that the applicant has not been convicted of, or pleaded guilty to, any disqualifying offense as determined in accordance with section 9.79 of the Revised Code;	1473 1474 1475
(5) The notarized signature of the applicant immediately following an acknowledgment that any false or perjured statement subjects the applicant to criminal liability under section 2921.13 of the Revised Code.	1476 1477 1478 1479
(C) Upon the filing of the application with the division of unclaimed funds, the division may investigate the applicant to verify the information provided in the application and to determine the applicant's eligibility for a certificate of registration under this section. False information on an application is grounds for the denial or revocation of the applicant's certificate of registration.	1480 1481 1482 1483 1484 1485 1486
(D) <del>The</del> (1) <u>Except as provided in division (D) (2) of this section, the</u> director shall issue a certificate of registration to an applicant if the director finds that the following conditions are met:	1487 1488 1489 1490
<del>(1)</del> (a) The applicant has not, during the five-year period immediately preceding the submission of the application,	1491 1492

violated division (A) of this section on or after the effective 1493  
date of this section, or division (C) of section 169.13 of the 1494  
Revised Code; 1495

~~(2)~~ (b) The applicant has not been convicted of, or 1496  
pleaded guilty to, any disqualifying offense as determined in 1497  
accordance with section 9.79 of the Revised Code. 1498

~~(3)~~ (c) The applicant's general fitness command the 1499  
confidence of the public and warrant the belief that the 1500  
applicant's business will be conducted honestly and fairly. 1501

(2) The director shall issue a certificate of registration 1502  
in accordance with Chapter 4796. of the Revised Code to an 1503  
applicant if either of the following applies: 1504

(a) The applicant holds a license or certificate of 1505  
registration in another state. 1506

(b) The applicant has satisfactory work experience, a 1507  
government certification, or a private certification as 1508  
described in that chapter in the same profession, occupation, or 1509  
occupational activity as the profession, occupation, or 1510  
occupational activity for which the certificate of registration 1511  
is required in this state in a state that does not issue such a 1512  
license or certificate of registration. 1513

~~(E) The A certificate of registration issued pursuant to 1514  
division (D) of this section may be renewed annually if the 1515  
director finds that the following conditions are met: 1516~~

(1) The applicant submits a renewal application form 1517  
prescribed by the director. 1518

(2) The applicant meets the conditions set forth in 1519  
divisions (D) (1) (a) and ~~(3)~~ (c) of this section. 1520

(3) The applicant has not, during the ten-year period 1521  
immediately preceding the submission of the renewal application 1522  
but excluding any time before the initial issuance of the 1523  
certificate of registration, been convicted of, or pleaded 1524  
guilty to, any felony or any offense involving moral turpitude, 1525  
including theft, attempted theft, falsification, tampering with 1526  
records, securing writings by deception, fraud, forgery, and 1527  
perjury. 1528

(4) The applicant's certificate of registration is not 1529  
subject to an order of revocation by the director. 1530

**Sec. 173.21.** (A) The office of the state long-term care 1531  
ombudsman program, through the state long-term care ombudsman 1532  
and the regional long-term care ombudsman programs, shall 1533  
require each representative of the office to complete a training 1534  
and certification program in accordance with this section and to 1535  
meet the continuing education requirements established under 1536  
this section. 1537

(B) The department of aging shall adopt rules in 1538  
accordance with Chapter 119. of the Revised Code specifying the 1539  
content of training programs for representatives of the office 1540  
of the state long-term care ombudsman program. Training for 1541  
representatives other than those who are volunteers providing 1542  
services through regional long-term care ombudsman programs 1543  
shall include instruction regarding federal, state, and local 1544  
laws, rules, and policies on long-term care facilities and 1545  
community-based long-term care services; investigative 1546  
techniques; and other topics considered relevant by the 1547  
department and shall consist of the following: 1548

(1) A minimum of forty clock hours of basic instruction, 1549  
which shall be completed before the trainee is permitted to 1550

handle complaints without the supervision of a representative of 1551  
the office certified under this section; 1552

(2) An additional sixty clock hours of instruction, which 1553  
shall be completed within the first fifteen months of 1554  
employment; 1555

(3) An internship of twenty clock hours, which shall be 1556  
completed within the first twenty-four months of employment, 1557  
including instruction in, and observation of, basic nursing care 1558  
and long-term care provider operations and procedures. The 1559  
internship shall be performed at a site that has been approved 1560  
as an internship site by the state long-term care ombudsman. 1561

(4) One of the following, which shall be completed within 1562  
the first twenty-four months of employment: 1563

(a) Observation of a survey conducted by the director of 1564  
health to certify a nursing facility to participate in the 1565  
medicaid program; 1566

(b) Observation of an inspection conducted by the director 1567  
of mental health and addiction services to license a residential 1568  
facility under section 5119.34 of the Revised Code that provides 1569  
accommodations, supervision, and personal care services for 1570  
three to sixteen unrelated adults. 1571

(5) Any other training considered appropriate by the 1572  
department. 1573

(C) Any person who for a period of at least six months 1574  
prior to June 11, 1990, served as an ombudsman through the long- 1575  
term care ombudsman program established by the department of 1576  
aging under section 173.01 of the Revised Code shall not be 1577  
required to complete a training program. Such a person and 1578  
persons who complete a training program shall take an 1579

examination administered by the department of aging. On 1580  
attainment of a passing score, the person shall be certified by 1581  
the department as a representative of the office. The department 1582  
shall issue the person an identification card, which the 1583  
representative shall show at the request of any person with whom 1584  
the representative deals while performing the representative's 1585  
duties and which shall be surrendered at the time the 1586  
representative separates from the office. 1587

(D) The state ombudsman and each regional program shall 1588  
conduct training programs for volunteers on their respective 1589  
staffs in accordance with the rules of the department of aging 1590  
adopted under division (B) of this section. Training programs 1591  
may be conducted that train volunteers to complete some, but not 1592  
all, of the duties of a representative of the office. Each 1593  
regional office shall bear the cost of training its 1594  
representatives who are volunteers. On completion of a training 1595  
program, the representative shall take an examination 1596  
administered by the department of aging. On attainment of a 1597  
passing score, a volunteer shall be certified by the department 1598  
as a representative authorized to perform services specified in 1599  
the certification. The department shall issue an identification 1600  
card, which the representative shall show at the request of any 1601  
person with whom the representative deals while performing the 1602  
representative's duties and which shall be surrendered at the 1603  
time the representative separates from the office. Except as a 1604  
supervised part of a training program, no volunteer shall 1605  
perform any duty unless the volunteer is certified as a 1606  
representative having received appropriate training for that 1607  
duty. 1608

(E) The state ombudsman shall provide technical assistance 1609  
to regional programs conducting training programs for volunteers 1610

and shall monitor the training programs. 1611

(F) Prior to scheduling an observation of a certification 1612  
survey or licensing inspection for purposes of division (B) (4) 1613  
of this section, the state ombudsman shall obtain permission to 1614  
have the survey or inspection observed from both the long-term 1615  
care facility at which the survey or inspection is to take place 1616  
and, as the case may be, the director of health or director of 1617  
mental health and addiction services. 1618

(G) Notwithstanding the requirements for a certification 1619  
under this section, the department shall issue a certificate as 1620  
a representative of the office of the state long-term care 1621  
ombudsman program in accordance with Chapter 4796. of the 1622  
Revised Code to a person if either of the following applies: 1623

(1) The person holds a license or certificate in another 1624  
state. 1625

(2) The person has satisfactory work experience, a 1626  
government certification, or a private certification as 1627  
described in that chapter as a representative of a state long- 1628  
term care ombudsman program in a state that does not issue that 1629  
license or certificate. 1630

(H) The department of aging shall establish continuing 1631  
education requirements for representatives of the office. 1632

**Sec. 173.391.** (A) Subject to section 173.381 of the 1633  
Revised Code and except as provided in division (I) of this 1634  
section, the department of aging or its designee shall do all of 1635  
the following in accordance with Chapter 119. of the Revised 1636  
Code: 1637

(1) Certify a provider to provide services, including 1638  
community-based long-term care services, under a program the 1639



department administers if the provider satisfies the 1640  
requirements for certification established by rules adopted 1641  
under division (B) of this section and pays the fee, if any, 1642  
established by rules adopted under division (G) of this section; 1643

(2) When required to do so by rules adopted under division 1644  
(B) of this section, take one or more of the following 1645  
disciplinary actions against a provider certified under division 1646  
(A) (1) of this section: 1647

(a) Issue a written warning; 1648

(b) Require the submission of a plan of correction or 1649  
evidence of compliance with requirements identified by the 1650  
department; 1651

(c) Suspend referrals; 1652

(d) Remove clients; 1653

(e) Impose a fiscal sanction such as a civil monetary 1654  
penalty or an order that unearned funds be repaid; 1655

(f) Suspend the certification; 1656

(g) Revoke the certification; 1657

(h) Impose another sanction. 1658

(3) Except as provided in division (E) of this section, 1659  
hold hearings when there is a dispute between the department or 1660  
its designee and a provider concerning actions the department or 1661  
its designee takes regarding a decision not to certify the 1662  
provider under division (A) (1) of this section or a disciplinary 1663  
action under divisions (A) (2) (e) to (h) of this section. 1664

(B) The director of aging shall adopt rules in accordance 1665  
with Chapter 119. of the Revised Code establishing certification 1666

requirements and standards for determining which type of 1667  
disciplinary action to take under division (A) (2) of this 1668  
section in individual situations. The rules shall establish 1669  
procedures for all of the following: 1670

(1) Ensuring that providers comply with sections 173.38 1671  
and 173.381 of the Revised Code; 1672

(2) Evaluating the services provided by the providers to 1673  
ensure that the services are provided in a quality manner 1674  
advantageous to the individual receiving the services; 1675

(3) In a manner consistent with section 173.381 of the 1676  
Revised Code, determining when to take disciplinary action under 1677  
division (A) (2) of this section and which disciplinary action to 1678  
take; 1679

(4) Determining what constitutes another sanction for 1680  
purposes of division (A) (2) (h) of this section. 1681

(C) The procedures established in rules adopted under 1682  
division (B) (2) of this section shall require that all of the 1683  
following be considered as part of an evaluation described in 1684  
division (B) (2) of this section: 1685

(1) The provider's experience and financial 1686  
responsibility; 1687

(2) The provider's ability to comply with standards for 1688  
the services, including community-based long-term care services, 1689  
that the provider provides under a program the department 1690  
administers; 1691

(3) The provider's ability to meet the needs of the 1692  
individuals served; 1693

(4) Any other factor the director considers relevant. 1694

(D) The rules adopted under division (B)(3) of this section shall specify that the reasons disciplinary action may be taken under division (A)(2) of this section include good cause, including misfeasance, malfeasance, nonfeasance, confirmed abuse or neglect, financial irresponsibility, or other conduct the director determines is injurious, or poses a threat, to the health or safety of individuals being served.

(E) Subject to division (F) of this section, the department is not required to hold hearings under division (A)(3) of this section if any of the following conditions apply:

(1) Rules adopted by the director of aging pursuant to this chapter require the provider to be a party to a provider agreement; hold a license, certificate, or permit; or maintain a certification, any of which is required or issued by a state or federal government entity other than the department of aging, and either of the following is the case:

(a) The provider agreement has not been entered into or the license, certificate, permit, or certification has not been obtained or maintained.

(b) The provider agreement, license, certificate, permit, or certification has been denied, revoked, not renewed, or suspended or has been otherwise restricted.

(2) The provider's certification under this section has been denied, suspended, or revoked for any of the following reasons:

(a) A government entity of this state, other than the department of aging, has terminated or refused to renew any of the following held by, or has denied any of the following sought by, a provider: a provider agreement, license, certificate,

permit, or certification. Division (E) (2) (a) of this section 1724  
applies regardless of whether the provider has entered into a 1725  
provider agreement in, or holds a license, certificate, permit, 1726  
or certification issued by, another state. 1727

(b) The provider or a principal owner or manager of the 1728  
provider who provides direct care has entered a guilty plea for, 1729  
or has been convicted of, an offense materially related to the 1730  
medicaid program. 1731

(c) A principal owner or manager of the provider who 1732  
provides direct care has entered a guilty plea for, been 1733  
convicted of, or been found eligible for intervention in lieu of 1734  
conviction for an offense listed or described in divisions (A) 1735  
(3) (a) to (e) of section 109.572 of the Revised Code, but only 1736  
if the provider, principal owner, or manager does not meet 1737  
standards specified by the director in rules adopted under 1738  
section 173.38 of the Revised Code. 1739

(d) The department or its designee is required by section 1740  
173.381 of the Revised Code to deny or revoke the provider's 1741  
certification. 1742

(e) The United States department of health and human 1743  
services has taken adverse action against the provider and that 1744  
action impacts the provider's participation in the medicaid 1745  
program. 1746

(f) The provider has failed to enter into or renew a 1747  
provider agreement with the PASSPORT administrative agency, as 1748  
that term is defined in section 173.42 of the Revised Code, that 1749  
administers programs on behalf of the department of aging in the 1750  
region of the state in which the provider is certified to 1751  
provide services. 1752

(g) The provider has not billed or otherwise submitted a claim to the department for payment under the medicaid program in at least two years. 1753  
1754  
1755

(h) The provider denied or failed to provide the department or its designee access to the provider's facilities during the provider's normal business hours for purposes of conducting an audit or structural compliance review. 1756  
1757  
1758  
1759

(i) The provider has ceased doing business. 1760

(j) The provider has voluntarily relinquished its certification for any reason. 1761  
1762

(3) The provider's provider agreement with the department of medicaid has been suspended under section 5164.36 of the Revised Code. 1763  
1764  
1765

(4) The provider's provider agreement with the department of medicaid is denied or revoked because the provider or its owner, officer, authorized agent, associate, manager, or employee has been convicted of an offense that caused the provider agreement to be suspended under section 5164.36 of the Revised Code. 1766  
1767  
1768  
1769  
1770  
1771

(F) If the department does not hold hearings when any condition described in division (E) of this section applies, the department shall send a notice to the provider describing a decision not to certify the provider under division (A)(1) of this section or the disciplinary action the department is taking under divisions (A)(2)(e) to (h) of this section. The notice shall be sent to the provider's address that is on record with the department and may be sent by regular mail. 1772  
1773  
1774  
1775  
1776  
1777  
1778  
1779

(G) The director of aging may adopt rules in accordance with Chapter 119. of the Revised Code establishing a fee to be 1780  
1781

charged by the department of aging or its designee for 1782  
certification issued under division (A) of this section. 1783

(H) Any amounts collected by the department or its 1784  
designee under this section shall be deposited in the state 1785  
treasury to the credit of the provider certification fund, which 1786  
is hereby created. Money credited to the fund shall be used to 1787  
pay for services, including community-based long-term care 1788  
services, to pay for administrative costs associated with 1789  
provider certification under this section, and to pay for 1790  
administrative costs related to the publication of the Ohio 1791  
long-term care consumer guide. 1792

(I) The director shall certify a provider in accordance 1793  
with Chapter 4796. of the Revised Code if either of the 1794  
following applies: 1795

(1) The provider is licensed or certified in another 1796  
state. 1797

(2) The provider has satisfactory work experience, a 1798  
government certification, or a private certification as 1799  
described in that chapter as a provider of community-based long- 1800  
term care services under a state program in a state that does 1801  
not issue that license or certificate. 1802

**Sec. 173.422.** (A) The department of aging shall certify 1803  
individuals who meet certification requirements established by 1804  
rule to provide long-term care consultations for purposes of 1805  
sections 173.42 and 173.421 of the Revised Code. The director of 1806  
aging shall adopt rules in accordance with Chapter 119. of the 1807  
Revised Code governing the certification process and 1808  
requirements. The rules shall specify the education, experience, 1809  
or training in long-term care a person must have to qualify for 1810

certification. 1811

(B) Notwithstanding the requirements for a certification 1812  
under division (A) of this section, the department shall issue a 1813  
certification to provide long-term care consultations in 1814  
accordance with Chapter 4796. of the Revised Code to a person if 1815  
either of the following applies: 1816

(1) The person holds a license or certification in another 1817  
state. 1818

(2) The person has satisfactory work experience, a 1819  
government certification, or a private certification as 1820  
described in that chapter as a provider of long-term care 1821  
consultations in a state that does not issue that license or 1822  
certification. 1823

**Sec. 503.41.** (A) A board of township trustees, by 1824  
resolution, may regulate and require the registration of massage 1825  
establishments and their employees within the unincorporated 1826  
territory of the township. In accordance with sections 503.40 to 1827  
503.49 of the Revised Code, for that purpose, the board, by a 1828  
majority vote of all members, may adopt, amend, administer, and 1829  
enforce regulations within the unincorporated territory of the 1830  
township. 1831

(B) A board may adopt regulations and amendments under 1832  
this section only after public hearing at not fewer than two 1833  
regular sessions of the board. The board shall cause to be 1834  
published in a newspaper of general circulation in the township, 1835  
or as provided in section 7.16 of the Revised Code, notice of 1836  
the public hearings, including the time, date, and place, once a 1837  
week for two weeks immediately preceding the hearings. The board 1838  
shall make available proposed regulations or amendments to the 1839

public at the office of the board. 1840

(C) Regulations or amendments adopted by the board are 1841  
effective thirty days after the date of adoption unless, within 1842  
thirty days after the adoption of the regulations or amendments, 1843  
the township fiscal officer receives a petition, signed by a 1844  
number of qualified electors residing in the unincorporated area 1845  
of the township equal to not less than ten per cent of the total 1846  
vote cast for all candidates for governor in the area at the 1847  
most recent general election at which a governor was elected, 1848  
requesting the board to submit the regulations or amendments to 1849  
the electors of the area for approval or rejection at the next 1850  
primary or general election occurring at least ninety days after 1851  
the board receives the petition. 1852

No regulation or amendment for which the referendum vote 1853  
has been requested is effective unless a majority of the votes 1854  
cast on the issue is in favor of the regulation or amendment. 1855  
Upon certification by the board of elections that a majority of 1856  
the votes cast on the issue was in favor of the regulation or 1857  
amendment, the regulation or amendment takes immediate effect. 1858

(D) The board shall make available regulations it adopts 1859  
or amends to the public at the office of the board and shall 1860  
cause to be published once a notice of the availability of the 1861  
regulations in a newspaper of general circulation in the 1862  
township within ten days after their adoption or amendment. 1863

(E) Nothing in sections 503.40 to 503.49 of the Revised 1864  
Code shall be construed to allow a board of township trustees to 1865  
regulate the practice of any limited branch of medicine 1866  
specified in section 4731.15 of the Revised Code or the practice 1867  
of providing therapeutic massage by a licensed physician, a 1868  
licensed chiropractor, a licensed podiatrist, a licensed nurse, 1869



or any other licensed health professional. As used in this 1870  
division, "licensed" means licensed, certified, or registered to 1871  
practice in this state. 1872

(F) If a township adopts regulations to require the 1873  
registration of massage establishments and their employees, the 1874  
township shall comply with Chapter 4796. of the Revised Code. 1875

**Sec. 715.27.** (A) Any municipal corporation may: 1876

(1) Regulate the erection of fences, billboards, signs, 1877  
and other structures, within the municipal corporation, and 1878  
provide for the removal and repair of insecure billboards, 1879  
signs, and other structures; 1880

(2) Regulate the construction and repair of wires, poles, 1881  
plants, and all equipment to be used for the generation and 1882  
application of electricity; 1883

(3) Provide for the licensing of house movers; plumbers; 1884  
sewer tappers; vault cleaners; and specialty contractors who are 1885  
not required to hold a valid license issued pursuant to Chapter 1886  
4740. of the Revised Code; 1887

(4) Require all specialty contractors other than those who 1888  
hold a valid license issued pursuant to Chapter 4740. of the 1889  
Revised Code, to successfully complete an examination, test, or 1890  
demonstration of technical skills, and may impose a fee and 1891  
additional requirements for a license or registration to engage 1892  
in their respective occupations within the jurisdiction of the 1893  
municipal corporation. 1894

(B) No municipal corporation shall require any specialty 1895  
contractor who holds a valid license issued pursuant to Chapter 1896  
4740. of the Revised Code to complete an examination, test, or 1897  
demonstration of technical skills to engage in the type of 1898

contracting for which the license is held, within the municipal corporation. 1899  
1900

(C) A municipal corporation may require a specialty contractor who holds a valid license issued pursuant to Chapter 4740. of the Revised Code to register with the municipal corporation and pay any fee the municipal corporation imposes before that specialty contractor may engage within the municipal corporation in the type of contracting for which the license is held. Any fee shall be the same for all specialty contractors who engage in the same type of contracting. A municipal corporation may require a bond and proof of all of the following: 1901  
1902  
1903  
1904  
1905  
1906  
1907  
1908  
1909  
1910

(1) Insurance pursuant to division (B) (4) of section 4740.06 of the Revised Code; 1911  
1912

(2) Compliance with Chapters 4121. and 4123. of the Revised Code; 1913  
1914

(3) Registration with the tax department of the municipal corporation. 1915  
1916

If a municipal corporation requires registration, imposes such a fee, or requires a bond or proof of the items listed in divisions (C) (1), (2), and (3) of this section, the municipal corporation immediately shall permit a contractor who presents proof of holding a valid license issued pursuant to Chapter 4740. of the Revised Code, who registers, pays the fee, obtains a bond, and submits the proof described under divisions (C) (1), (2), and (3) of this section, as required, to engage in the type of contracting for which the license is held, within the municipal corporation. 1917  
1918  
1919  
1920  
1921  
1922  
1923  
1924  
1925  
1926

(D) A municipal corporation may revoke the registration of 1927

a contractor registered with that municipal corporation for good 1928  
cause shown. Good cause shown includes the failure of a 1929  
contractor to maintain a bond or the items listed in divisions 1930  
(C) (1), (2), and (3) of this section, if the municipal 1931  
corporation requires those. 1932

(E) A municipal corporation that licenses specialty 1933  
contractors pursuant to division (A) (3) of this section may 1934  
accept, for purposes of satisfying its licensing requirements, a 1935  
valid license issued pursuant to Chapter 4740. of the Revised 1936  
Code that a specialty contractor holds, for the construction, 1937  
replacement, maintenance, or repair of one-family, two-family, 1938  
or three-family dwelling houses or accessory structures 1939  
incidental to those dwelling houses. 1940

(F) A municipal corporation shall not register a specialty 1941  
contractor who is required to hold a license under Chapter 4740. 1942  
of the Revised Code but does not hold a valid license issued 1943  
under that chapter. 1944

(G) If a municipal corporation regulates a profession, 1945  
occupation, or occupational activity under this section, the 1946  
municipal corporation shall comply with Chapter 4796. of the 1947  
Revised Code. 1948

(H) As used in this section, "specialty contractor" means 1949  
a heating, ventilating, and air conditioning contractor, 1950  
refrigeration contractor, electrical contractor, plumbing 1951  
contractor, or hydronics contractor, as those contractors are 1952  
described in Chapter 4740. of the Revised Code. 1953

**Sec. 903.07.** (A) On and after the date that is established 1954  
in rules by the director of agriculture, both of the following 1955  
apply: 1956

(1) The management and handling of manure at a major concentrated animal feeding facility, including the land application of manure or the removal of manure from a manure storage or treatment facility, shall be conducted only by or under the supervision of a person holding a livestock manager certification issued under this section. A person managing or handling manure who is acting under the instructions and control of a person holding a livestock manager certification is considered to be under the supervision of the certificate holder if the certificate holder is responsible for the actions of the person and is available when needed even though the certificate holder is not physically present at the time of the manure management or handling.

(2) No person shall transport and land apply annually or buy, sell, or land apply annually the volume of manure established in rules adopted by the director under division (D) (5) of section 903.10 of the Revised Code unless the person holds a livestock manager certification issued under this section.

(B) ~~The~~ Except as provided in division (D) of this section, the director shall issue a livestock manager certification to a person who has submitted a complete application for certification on a form prescribed and provided by the director, together with the appropriate application fee, and who has completed successfully the required training and has passed the required examination. The director may suspend or revoke a livestock manager certification and may reinstate a suspended or revoked livestock manager certification in accordance with rules.

(C) Information required to be included in an application

for a livestock manager certification, the amount of the 1987  
application fee, requirements regarding training and the 1988  
examination, requirements governing the management and handling 1989  
of manure, including the land application of manure, and 1990  
requirements governing the keeping of records regarding the 1991  
handling of manure, including the land application of manure, 1992  
shall be established in rules. 1993

(D) The director shall issue a livestock manager 1994  
certification in accordance with Chapter 4796. of the Revised 1995  
Code to an individual if either of the following applies: 1996

(1) The individual holds a certification in another state. 1997

(2) The individual has satisfactory work experience, a 1998  
government certification, or a private certification as 1999  
described in that chapter as a livestock manager in a state that 2000  
does not issue that license. 2001

**Sec. 905.321.** (A) Beginning September thirtieth of the 2002  
third year after ~~the effective date of this section~~ August 21, 2003  
2014, no person shall apply fertilizer for the purposes of 2004  
agricultural production unless that person has been certified to 2005  
do so by the director of agriculture under this section and 2006  
rules or is acting under the instructions and control of a 2007  
person who is so certified. 2008

(B) ~~A~~ Except as otherwise provided in this division, a 2009  
person shall be certified to apply fertilizer for purposes of 2010  
agricultural production in accordance with rules. A person that 2011  
has been so certified shall comply with requirements and 2012  
procedures established in those rules. 2013

The director shall issue a certification to apply 2014  
fertilizer for purposes of agricultural production in accordance 2015

<u>with Chapter 4796. of the Revised Code to an individual if</u>	2016
<u>either of the following applies:</u>	2017
<u>(1) The individual holds a license or certification in</u>	2018
<u>another state.</u>	2019
<u>(2) The individual has satisfactory work experience, a</u>	2020
<u>government certification, or a private certification as</u>	2021
<u>described in that chapter as a fertilizer applicator in a state</u>	2022
<u>that does not issue that license or certification.</u>	2023
(C) A person that has been licensed as a commercial	2024
applicator under section 921.06 of the Revised Code or as a	2025
private applicator under section 921.11 of the Revised Code may	2026
apply to be certified under this section, but shall not be	2027
required to pay the application fee for certification	2028
established in rules adopted under section 905.322 of the	2029
Revised Code.	2030
<b>Sec. 917.09.</b> (A) The director of agriculture may issue the	2031
following types of licenses:	2032
(1) Producer;	2033
(2) Processor;	2034
(3) Milk dealer;	2035
(4) Raw milk retailer;	2036
(5) Weigher, sampler, or tester;	2037
(6) Milk hauler.	2038
(B) The director may adopt rules establishing categories	2039
for each type of license that are based on the grade or type of	2040
dairy product with which the licensee is involved.	2041
(C) Except as provided in section 917.091 of the Revised	2042

Code and division (J) of this section, no person shall act as or 2043  
hold the person's self out as a producer; processor; milk 2044  
dealer; raw milk retailer; weigher, sampler, or tester; or milk 2045  
hauler unless the person holds a valid license issued by the 2046  
director under this section. 2047

(D) Each person desiring a license shall submit to the 2048  
director a license application on a form prescribed by the 2049  
director, accompanied by a license fee in an amount specified in 2050  
rules adopted under section 917.02 of the Revised Code. The 2051  
applicant shall specify on the application the type of license 2052  
and category requested and shall include any other information 2053  
required by rules adopted under section 917.02 of the Revised 2054  
Code. 2055

(E) Each applicant for a weigher, sampler, or tester 2056  
license or registration, prior to issuance of the license or 2057  
registration, shall pass an examination that is given in 2058  
accordance with section 917.08 of the Revised Code and rules 2059  
adopted under section 917.02 of the Revised Code. 2060

Each applicant for any other type of license issued under 2061  
this section, prior to issuance of the license, shall pass an 2062  
inspection that is made in accordance with rules adopted under 2063  
section 917.02 of the Revised Code. 2064

(F) The director shall not issue a license to an applicant 2065  
unless the director determines, through an inspection or 2066  
otherwise, that the applicant is in compliance with the 2067  
requirements set forth in this chapter and the rules adopted 2068  
under it. 2069

(G) Examinations that must be passed prior to issuance of 2070  
a weigher, sampler, or tester license, inspections that must be 2071

passed prior to issuance of any other type of license issued 2072  
under this section, procedures for issuing and renewing 2073  
licenses, and license terms and renewal periods shall comply 2074  
with rules adopted under section 917.02 of the Revised Code. 2075

(H) Suspension and revocation of licenses shall comply 2076  
with section 917.22 of the Revised Code and rules adopted under 2077  
section 917.02 of the Revised Code. 2078

(I) Each licensed weigher, sampler, and tester annually 2079  
shall meet the continuing education requirements established in 2080  
rules adopted under division (B) of section 917.02 of the 2081  
Revised Code. 2082

(J) A person whose religion prohibits the person from 2083  
obtaining a license under this section, in place of a license, 2084  
shall register with the director as a producer; processor; milk 2085  
dealer; raw milk retailer; weigher, sampler, or tester; or milk 2086  
hauler. 2087

The person claiming the exemption from licensure shall 2088  
register on a form prescribed by the director and shall meet any 2089  
other registration requirements contained in rules adopted under 2090  
section 917.02 of the Revised Code. Upon receiving the person's 2091  
registration form and determining that the person has satisfied 2092  
all requirements for registration, the director shall notify the 2093  
person that the person is registered to lawfully operate as a 2094  
producer; processor; milk dealer; raw milk retailer; weigher, 2095  
sampler, or tester; or milk hauler. 2096

A registrant is subject to all provisions governing 2097  
licensees, such as provisions concerning testing, sampling, and 2098  
inspection of dairy products. A registrant is subject to 2099  
provisions governing issuance of a temporary weigher, sampler, 2100



or tester license under section 917.091 of the Revised Code. A 2101  
registration shall be renewed, suspended, and revoked under the 2102  
same terms as a license. 2103

(K) Notwithstanding the requirements for a license or 2104  
registration under this section, the director shall issue a 2105  
license or registration to operate as a producer; processor; 2106  
milk dealer; raw milk retailer; weigher, sampler, or tester; or 2107  
milk hauler, as applicable, in accordance with Chapter 4796. of 2108  
the Revised Code to an individual if either of the following 2109  
applies: 2110

(1) The individual holds a license or registration in 2111  
another state. 2112

(2) The individual has satisfactory work experience, a 2113  
government certification, or a private certification as 2114  
described in that chapter as a producer; processor; milk dealer; 2115  
raw milk retailer; weigher, sampler, or tester; or milk hauler, 2116  
as applicable, in a state that does not issue the applicable 2117  
license or registration. 2118

**Sec. 917.091.** The director of agriculture may issue a 2119  
temporary weigher, sampler, or tester license to an applicant 2120  
upon determining that the applicant has met all qualifications 2121  
for licensure under section 917.09 of the Revised Code except 2122  
successful completion of an examination. A temporary weigher, 2123  
sampler, or tester license is effective for ninety days from the 2124  
date of issuance. An applicant who has not taken an examination 2125  
for licensure may receive no more than three temporary weigher, 2126  
sampler, or tester licenses. An applicant who takes and fails an 2127  
examination for licensure may receive no more than two temporary 2128  
weigher, sampler, or tester licenses. Chapter 4796. of the 2129  
Revised Code does not apply to a temporary license issued under 2130

this section. 2131

**Sec. 921.06.** (A) (1) No individual shall do any of the 2132  
following without having a commercial applicator license issued 2133  
by the director of agriculture: 2134

(a) Apply pesticides for a pesticide business without 2135  
direct supervision; 2136

(b) Apply pesticides as part of the individual's duties 2137  
while acting as an employee of the United States government, a 2138  
state, county, township, or municipal corporation, or a park 2139  
district, port authority, or sanitary district created under 2140  
Chapter 1545., 4582., or 6115. of the Revised Code, 2141  
respectively; 2142

(c) Apply restricted use pesticides. Division (A) (1) (c) of 2143  
this section does not apply to a private applicator or an 2144  
immediate family member or a subordinate employee of a private 2145  
applicator who is acting under the direct supervision of that 2146  
private applicator. 2147

(d) If the individual is the owner of a business other 2148  
than a pesticide business or an employee of such an owner, apply 2149  
pesticides at any of the following publicly accessible sites 2150  
that are located on the property: 2151

(i) Food service operations that are licensed under 2152  
Chapter 3717. of the Revised Code; 2153

(ii) Retail food establishments that are licensed under 2154  
Chapter 3717. of the Revised Code; 2155

(iii) Golf courses; 2156

(iv) Rental properties of more than four apartment units 2157  
at one location; 2158

(v) Hospitals or medical facilities as defined in section 3701.01 of the Revised Code;	2159 2160
(vi) Child day-care centers or school child day-care centers as defined in section 5104.01 of the Revised Code;	2161 2162
(vii) Facilities owned or operated by a school district established under Chapter 3311. of the Revised Code, including an educational service center, a community school established under Chapter 3314. of the Revised Code, or a chartered or nonchartered nonpublic school that meets minimum standards established by the state board of education;	2163 2164 2165 2166 2167 2168
(viii) State institutions of higher education as defined in section 3345.011 of the Revised Code, nonprofit institutions holding a certificate of authorization pursuant to Chapter 1713. of the Revised Code, institutions holding a certificate of registration from the state board of career colleges and schools and program authorization for an associate or bachelor's degree program issued under section 3332.05 of the Revised Code, and private institutions exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code;	2169 2170 2171 2172 2173 2174 2175 2176 2177 2178
(ix) Food processing establishments as defined in section 3715.021 of the Revised Code;	2179 2180
(x) Any other site designated by rule.	2181
(e) Conduct authorized diagnostic inspections.	2182
(2) Divisions (A)(1)(a) to (d) of this section do not apply to an individual who is acting as a trained serviceperson under the direct supervision of a commercial applicator.	2183 2184 2185
(3) Licenses shall be issued for a period of time	2186

established by rule and shall be renewed in accordance with 2187  
deadlines established by rule. The fee for each such license 2188  
shall be established by rule. If a license is not issued or 2189  
renewed, the application fee shall be retained by the state as 2190  
payment for the reasonable expense of processing the 2191  
application. The director shall by rule classify by pesticide- 2192  
use category licenses to be issued under this section. A single 2193  
license may include more than one pesticide-use category. No 2194  
individual shall be required to pay an additional license fee if 2195  
the individual is licensed for more than one category. 2196

The fee for each license or renewal does not apply to an 2197  
applicant who is an employee of the department of agriculture 2198  
whose job duties require licensure as a commercial applicator as 2199  
a condition of employment. 2200

(B) Application for a commercial applicator license shall 2201  
be made on a form prescribed by the director. Each application 2202  
for a license shall state the pesticide-use category or 2203  
categories of license for which the applicant is applying and 2204  
other information that the director determines essential to the 2205  
administration of this chapter. 2206

(C) ~~If~~ (1) Except as provided in division (C) (2) of this 2207  
section, if the director finds that the applicant is competent 2208  
to apply pesticides and conduct diagnostic inspections and that 2209  
the applicant has passed both the general examination and each 2210  
applicable pesticide-use category examination as required under 2211  
division (A) of section 921.12 of the Revised Code, the director 2212  
shall issue a commercial applicator license limited to the 2213  
pesticide-use category or categories for which the applicant is 2214  
found to be competent. If the director rejects an application, 2215  
the director may explain why the application was rejected, 2216

describe the additional requirements necessary for the applicant 2217  
to obtain a license, and return the application. The applicant 2218  
may resubmit the application without payment of any additional 2219  
fee. 2220

(2) The director shall issue a commercial applicator 2221  
license in accordance with Chapter 4796. of the Revised Code to 2222  
an individual if either of the following applies: 2223

(a) The individual holds a commercial applicator license 2224  
in another state. 2225

(b) The individual has satisfactory work experience, a 2226  
government certification, or a private certification as 2227  
described in that chapter as a commercial applicator in a state 2228  
that does not issue that license. 2229

A license issued under this division shall be limited to 2230  
the pesticide-use category or categories for which the applicant 2231  
is licensed in another state or has satisfactory work 2232  
experience, a government certification, or a private 2233  
certification in that state. 2234

(D) (1) A person who is a commercial applicator shall be 2235  
deemed to hold a private applicator's license for purposes of 2236  
applying pesticides on agricultural commodities that are 2237  
produced by the commercial applicator. 2238

(2) A commercial applicator shall apply pesticides only in 2239  
the pesticide-use category or categories in which the applicator 2240  
is licensed under this chapter. 2241

(E) All money collected under this section shall be 2242  
credited to the pesticide, fertilizer, and lime program fund 2243  
created in section 921.22 of the Revised Code. 2244

<b>Sec. 921.11.</b> (A) (1) No individual shall apply restricted	2245
use pesticides unless the individual is one of the following:	2246
(a) Licensed under section 921.06 of the Revised Code;	2247
(b) Licensed under division (B) of this section;	2248
(c) A trained serviceperson who is acting under the direct	2249
supervision of a commercial applicator;	2250
(d) An immediate family member or a subordinate employee	2251
of a private applicator who is acting under the direct	2252
supervision of that private applicator.	2253
(2) No individual shall directly supervise the application	2254
of a restricted use pesticide unless the individual is one of	2255
the following:	2256
(a) Licensed under section 921.06 of the Revised Code;	2257
(b) Licensed under division (B) of this section.	2258
(B) <del>The (1) Subject to division (B) (2) of this section,</del>	2259
<u>the director</u> of agriculture shall adopt rules to establish	2260
standards and procedures for the licensure of private	2261
applicators. An individual shall apply for a private applicator	2262
license to the director, on forms prescribed by the director.	2263
The individual shall include in the application the pesticide-	2264
use category or categories of the license for which the	2265
individual is applying and any other information that the	2266
director determines is essential to the administration of this	2267
chapter. The fee for each license shall be established by rule.	2268
Licenses shall be issued for a period of time established by	2269
rule and shall be renewed in accordance with deadlines	2270
established by rule. If a license is not issued or renewed, the	2271
state shall retain any fee submitted as payment for reasonable	2272

expenses of processing the application.	2273
<u>(2) The director shall issue a private applicator license</u>	2274
<u>in accordance with Chapter 4796. of the Revised Code to an</u>	2275
<u>individual if either of the following applies:</u>	2276
<u>(a) The individual holds a private applicator license in</u>	2277
<u>another state.</u>	2278
<u>(b) The individual has satisfactory work experience, a</u>	2279
<u>government certification, or a private certification as</u>	2280
<u>described in that chapter as a private applicator in a state</u>	2281
<u>that does not issue that license.</u>	2282
<u>A license issued under this division shall be limited to</u>	2283
<u>the pesticide-use category or categories for which the applicant</u>	2284
<u>is licensed in another state or has satisfactory work</u>	2285
<u>experience, a government certification, or a private</u>	2286
<u>certification in that state.</u>	2287
(C) An individual who is licensed under this section shall	2288
use or directly supervise the use of a restricted use pesticide	2289
only for the purpose of producing agricultural commodities on	2290
property that is owned or rented by the individual or the	2291
individual's employer.	2292
(D) All money collected under this section shall be	2293
credited to the pesticide, fertilizer, and lime program fund	2294
created in section 921.22 of the Revised Code.	2295
<b>Sec. 921.12.</b> (A) The director of agriculture shall require	2296
each applicant for a license <u>by examination</u> under section 921.06	2297
or 921.11 of the Revised Code to be examined on the applicant's	2298
knowledge and competency in each of the following:	2299
(1) This chapter and rules adopted under it;	2300

(2) The proper use, handling, and application of pesticides and, if the applicant is applying for a license under section 921.06 of the Revised Code, in the conducting of diagnostic inspections in the pesticide-use categories for which the applicant has applied.

(B) Each application for renewal of a license provided for in section 921.06 of the Revised Code shall be filed prior to the deadline established by rule. If filed after the deadline, a penalty of fifty per cent shall be assessed and added to the original fee and shall be paid by the applicant before the renewal license is issued. However, if a license issued under section 921.06 or 921.11 of the Revised Code is not renewed within one hundred eighty days after the date of expiration, the licensee shall be required to take another examination on this chapter and rules adopted under it and on the proper use, handling, and application of pesticides and, if applicable, the proper conducting of diagnostic inspections in the pesticide-use categories for which the licensee has been licensed.

(C) A person who fails to pass an examination under division (A) or (B) of this section is not entitled to an adjudication under Chapter 119. of the Revised Code for that failure.

(D) The holder of a commercial applicator license may renew the license within one hundred eighty days after the date of expiration without re-examination unless the director determines that a new examination is necessary to insure that the holder continues to meet the requirements of changing technology and to assure a continuing level of competence and ability to use pesticides safely and properly.

(E) The holder of a private applicator license may renew



the license within one hundred eighty days after the date of 2331  
expiration without re-examination unless the director determines 2332  
that a new examination is necessary to insure that the holder 2333  
continues to meet the requirements of changing technology and to 2334  
assure a continuing level of competence and ability to use 2335  
pesticides safely and properly. 2336

(F) Instead of requiring a commercial applicator or 2337  
private applicator to complete re-examination successfully under 2338  
division (D) or (E) of this section, the director may require, 2339  
in accordance with criteria established by rule, the commercial 2340  
applicator or private applicator to participate in training 2341  
programs that are designed to foster knowledge of new technology 2342  
and to ensure a continuing level of competence and ability to 2343  
use pesticides safely and properly. The director or the 2344  
director's representative may provide the training or may 2345  
authorize a third party to do so. In order for such 2346  
authorization to occur, the third party and its training program 2347  
shall comply with standards and requirements established by 2348  
rule. 2349

**Sec. 921.24.** No person shall do any of the following: 2350

(A) Apply, use, directly supervise such application or 2351  
use, or recommend a pesticide for use inconsistent with the 2352  
pesticide's labeling, treatment standards, or other restrictions 2353  
imposed by the director of agriculture; 2354

(B) Act as a commercial applicator without being licensed 2355  
to do so; 2356

(C) Use any restricted use pesticide, unless the person is 2357  
licensed to do so, is a trained serviceperson acting under the 2358  
direct supervision of a commercial applicator, or is an 2359

immediate family member or a subordinate employee of a private applicator under the direct supervision of that private applicator;	2360 2361 2362
(D) Refuse or fail to keep or maintain records required by the director in rules adopted under this chapter, or to make reports when and as required by the director in rules adopted under this chapter;	2363 2364 2365 2366
(E) Falsely or fraudulently represent the effect of pesticides or methods to be utilized;	2367 2368
(F) Apply known ineffective or improper materials;	2369
(G) Operate in a negligent manner, which includes the operation of faulty or unsafe equipment;	2370 2371
(H) Impersonate any federal, state, county, or municipal official;	2372 2373
(I) Make false or fraudulent records, invoices, or reports;	2374 2375
(J) Fail to provide training to trained servicepersons in the application of pesticides;	2376 2377
(K) Fail to provide direct supervision as specified in rules adopted under division (C) of section 921.16 of the Revised Code;	2378 2379 2380
(L) Distribute a misbranded or adulterated pesticide;	2381
(M) Use fraud or misrepresentation in making application for a license or registration or renewal of a license or registration;	2382 2383 2384
(N) Refuse, fail, or neglect to comply with any limitation or restriction of a license or registration issued under this	2385 2386

chapter or rules adopted thereunder;	2387
(O) Aid or abet a licensee or another person in violating this chapter or rules adopted thereunder;	2388 2389
(P) Make a false or misleading statement in an inspection concerning any infestation of pests or the use of pesticides;	2390 2391
(Q) Refuse or fail to comply with this chapter, the rules adopted thereunder, or any lawful order of the director;	2392 2393
(R) Distribute restricted use pesticides to the ultimate user without a pesticide dealer's license;	2394 2395
(S) Except as provided in division (F) of section 921.26 of the Revised Code, distribute restricted use pesticides to an ultimate user who is not licensed under section 921.06, <del>921.08,</del> or 921.11 of the Revised Code and rules adopted under this chapter;	2396 2397 2398 2399 2400
(T) Use any pesticide that is under an experimental use permit contrary to the provisions of the permit;	2401 2402
(U) Engage in fraudulent business practices;	2403
(V) Dispose of any pesticide product or container in such a manner as to have unreasonable adverse effects on the environment;	2404 2405 2406
(W) Display any pesticide in any manner to produce unreasonable adverse effects on the environment, or to contaminate adjacent food, feed, or other products;	2407 2408 2409
(X) Apply any pesticide by aircraft without being licensed as a commercial applicator;	2410 2411
(Y) Distribute a pesticide that is not registered with the director;	2412 2413

(Z) Fail to properly supervise a trained serviceperson.	2414
<b>Sec. 921.26.</b> (A) The penalties provided for violations of	2415
this chapter do not apply to any of the following:	2416
(1) Any carrier while lawfully engaged in transporting a	2417
pesticide or device within this state, if that carrier, upon	2418
request, permits the director of agriculture to copy all records	2419
showing the transactions in the movement of the pesticides or	2420
devices;	2421
(2) Public officials of this state and the federal	2422
government, other than commercial applicators employed by the	2423
federal government, the state, or a political subdivision, while	2424
engaged in the performance of their official duties in	2425
administering state or federal pesticide laws or rules, or while	2426
engaged in pesticide research;	2427
(3) The manufacturer or shipper of a pesticide for	2428
experimental use only by or under supervision of an agency of	2429
this state or of the federal government authorized by law to	2430
conduct research in the field of pesticides, provided that the	2431
manufacturer or shipper is not required to obtain an	2432
experimental use permit from the United States environmental	2433
protection agency;	2434
(4) The manufacturer or shipper of a substance being	2435
tested in which its purpose only is to determine its value for	2436
pesticide purposes or to determine its toxicity or other	2437
properties, and from which the user does not expect to receive	2438
any benefit in pest control from its use;	2439
(5) Persons conducting laboratory research involving	2440
pesticides;	2441
(6) Persons who incidentally use pesticides. The	2442

incidental use shall involve only the application of general use pesticides. If a person incidentally uses a pesticide, the pesticide shall be applied in strict accordance with the manufacturer's label for general use purposes. If further applications are necessary following the incidental use application, a pesticide applicator shall apply the pesticide.

(B) No pesticide or device shall be considered in violation of this chapter when intended solely for export to a foreign country, and when prepared or packed according to the specifications or directions of the purchaser. If the pesticide or device is not so exported, this chapter applies.

(C) No person who is licensed, regulated, or registered under section 921.02, 921.03, 921.06, ~~921.08~~, 921.09, 921.11, or 921.13 of the Revised Code shall be required to obtain a license or permit to operate or to be otherwise regulated in such capacity by any local ordinance, or to meet any other condition except as otherwise provided by statute or rule of the United States or of this state.

(D) Section 921.09 of the Revised Code does not apply to an individual who uses only ground equipment for the individual or for the individual's neighbors, provided that the individual meets all of the following requirements:

(1) Is licensed under section 921.11 of the Revised Code;

(2) Operates farm property and operates and maintains pesticide application equipment primarily for the individual's own use;

(3) Is not regularly engaged in the business of applying pesticides for hire or does not publicly hold oneself out as a pesticide applicator;

(4) Meets any other requirement established by rule.	2472
(E) Section 921.06 of the Revised Code relating to licenses and requirements for their issuance does not apply to licensed physicians or veterinarians applying pesticides to human beings or other animals during the normal course of their practice, provided that they are not regularly engaged in the business of applying pesticides for hire amounting to a principal or regular occupation or do not publicly hold themselves out as commercial applicators.	2473 2474 2475 2476 2477 2478 2479 2480
(F) Division (S) of section 921.24 of the Revised Code does not apply to a pesticide dealer who distributes restricted use pesticides to a nonresident who is licensed in another state having a state plan approved by the United States environmental protection agency.	2481 2482 2483 2484 2485
<b>Sec. 926.30.</b> (A) No licensed handler or employee of a licensed handler who receives an agricultural commodity from a producer, either for sale or for storage under a bailment agreement, shall perform a quality test on the commodity for the purpose of applying a premium, discount, or conditioning charge unless the person making the test has passed an examination on the subject that is approved by the director of agriculture.	2486 2487 2488 2489 2490 2491 2492
<del>Upon</del> <u>Except as provided in division (D) of this section, upon</u> application by a person who has passed the examination, the director shall issue to the person an agricultural commodity tester certificate that shall be valid for a period of three years. Except as otherwise provided in this division, an agricultural commodity tester shall pass an examination on agricultural commodity testing approved by the director prior to each renewal of a certificate. The director may exempt from the examination requirement for certificate renewal an agricultural	2493 2494 2495 2496 2497 2498 2499 2500 2501

commodity tester who, during the year prior to expiration of the 2502  
certificate, successfully completes training on agricultural 2503  
commodity testing that has been approved by the director. The 2504  
director shall establish by rule standards that such training 2505  
must meet in order to be approved by the director. The rules 2506  
shall require the training to include instructions in the use of 2507  
the official grain standards of the United States as a basis for 2508  
determining the quality of the commodities tested by an 2509  
agricultural commodity tester. An agricultural commodity tester 2510  
certificate issued prior to ~~the effective date of this amendment~~ 2511  
July 29, 1998, shall be considered to be valid until the date on 2512  
which, at the time of issuance, it was scheduled to expire. Upon 2513  
expiration of the certificate, the examination requirement for 2514  
renewal shall apply. 2515

(B) The director may determine that retraining or review 2516  
is necessary for the tester as a result of changes in or 2517  
amendments to the official grain standards of the United States, 2518  
or if the director has reason to believe that retraining is 2519  
necessary as a result of complaints relating to the tester's 2520  
inability to accurately test commodities according to the 2521  
official grain standards. A fee to cover the cost of issuing 2522  
certificates and administering the educational program shall be 2523  
established by rule of the director adopted under Chapter 119. 2524  
of the Revised Code and shall be deposited into the commodity 2525  
handler regulatory program fund created in section 926.19 of the 2526  
Revised Code. 2527

(C) The director may suspend or revoke the certificate of 2528  
an agricultural commodity tester in accordance with Chapter 119. 2529  
of the Revised Code for failure or inability of the tester to 2530  
apply the official grain standards of the United States in 2531  
testing the quality of an agricultural commodity. 2532

(D) The director shall issue an agricultural commodity 2533  
tester certificate in accordance with Chapter 4796. of the 2534  
Revised Code to an individual if either of the following 2535  
applies: 2536

(1) The individual holds a license or certificate in 2537  
another state. 2538

(2) The individual has satisfactory work experience, a 2539  
government certification, or a private certification as 2540  
described in that chapter as a agricultural commodity tester in 2541  
a state that does not issue that license. 2542

**Sec. 928.02.** (A) (1) The director of agriculture shall 2543  
establish a program to monitor and regulate hemp cultivation and 2544  
processing in this state. Under the program, the director shall 2545  
issue hemp cultivation licenses and hemp processing licenses in 2546  
accordance with rules adopted under section 928.03 of the 2547  
Revised Code. 2548

(2) As authorized by the director, the department of 2549  
agriculture or a university may cultivate or process hemp 2550  
without a hemp cultivation license or hemp processing license 2551  
for research purposes. 2552

(B) Except as authorized under division (A) (2) or (E) of 2553  
this section, any person that wishes to cultivate hemp shall 2554  
apply for and obtain a hemp cultivation license from the 2555  
director in accordance with rules adopted under section 928.03 2556  
of the Revised Code. Except as authorized under division (A) (2) 2557  
or (E) of this section, any person that wishes to process hemp 2558  
shall apply for and obtain a hemp processing license from the 2559  
director in accordance with those rules. Such licenses are valid 2560  
for three years unless earlier suspended or revoked by the 2561



director. 2562

(C) The department, a university, or any person may, 2563  
without a hemp cultivation license or hemp processing license, 2564  
possess, buy, or sell hemp or a hemp product. 2565

(D) Notwithstanding any other provision of the Revised 2566  
Code to the contrary, the addition of hemp or a hemp product to 2567  
any other product does not adulterate that other product. 2568

(E) The director shall issue a hemp cultivation license or 2569  
hemp processing license in accordance with Chapter 4796. of the 2570  
Revised Code to an individual if either of the following 2571  
applies: 2572

(1) The individual holds the applicable license in another 2573  
state. 2574

(2) The individual has satisfactory work experience, a 2575  
government certification, or a private certification as 2576  
described in that chapter as a hemp cultivator or hemp processor 2577  
in a state that does not issue the applicable license. 2578

**Sec. 943.09. Licenses**—(A) Except as provided in division 2579  
(B) of this section, licenses shall be issued by the department 2580  
of agriculture to weighers under such rules and regulations as 2581  
the department shall prescribe. Each weigher shall display ~~his~~ 2582  
the weigher's license in a conspicuous place on or adjacent to 2583  
the weighing facility operated by such weigher. A weigher's 2584  
license may be revoked for a violation of section 943.11 of the 2585  
Revised Code or of the rules and regulations of the department 2586  
relating thereto. The license of any weigher convicted of a 2587  
violation of such section shall be promptly revoked. A weigher's 2588  
license, unless revoked, shall expire on the thirty-first day of 2589  
March of each year and shall be renewed according to the 2590

standard renewal procedure of sections 4745.01 to 4745.03, 2591  
inclusive, of the Revised Code. 2592

(B) The director of agriculture shall issue a weigher's 2593  
license in accordance with Chapter 4796. of the Revised Code to 2594  
an individual if either of the following applies: 2595

(1) The individual holds a license in another state. 2596

(2) The individual has satisfactory work experience, a 2597  
government certification, or a private certification as 2598  
described in that chapter as a weigher in a state that does not 2599  
issue that license. 2600

**Sec. 956.05.** (A) (1) No person shall act as or perform the 2601  
functions of a dog broker in this state without a dog broker 2602  
license issued by the director of agriculture in accordance with 2603  
this section and rules adopted under section 956.03 of the 2604  
Revised Code. 2605

(2) The director shall not issue a license under this 2606  
section unless the director determines that the applicant will 2607  
act as or perform the functions of a dog broker in accordance 2608  
with this chapter and rules adopted under it. 2609

(B) A person who is proposing to act as or perform the 2610  
functions of a dog broker shall submit an application for a 2611  
license to the director. During the month of December, but 2612  
before the first day of January of the next year, a person who 2613  
is proposing to continue to act as or perform the functions of a 2614  
dog broker shall obtain a license from the director for the 2615  
following year. 2616

(C) The director shall issue a dog broker license in 2617  
accordance with Chapter 4796. of the Revised Code to a person if 2618  
either of the following applies: 2619

<u>(1) The person holds a license in another state.</u>	2620
<u>(2) The person has satisfactory work experience, a</u>	2621
<u>government certification, or a private certification as</u>	2622
<u>described in that chapter as a dog broker in a state that does</u>	2623
<u>not issue that license.</u>	2624
<b>Sec. 956.06.</b> (A) (1) No person shall operate an animal	2625
rescue for dogs without first registering with the director of	2626
agriculture in accordance with <u>division (C) of this section or</u>	2627
rules adopted under section 956.03 of the Revised Code, <u>as</u>	2628
<u>applicable.</u> A registration is valid for one year.	2629
(2) A registration may be renewed. An application for	2630
renewal shall be submitted to the director at least ninety days	2631
prior to the expiration of the registration.	2632
(3) The director shall not charge a registration fee to an	2633
animal rescue for dogs. However, if a person fails to renew a	2634
registration prior to its expiration, the director shall charge	2635
the person a late renewal fee of two hundred dollars.	2636
(B) The director shall maintain a database of all persons	2637
that are registered to operate an animal rescue for dogs in this	2638
state.	2639
<u>(C) The director shall issue an animal rescue license for</u>	2640
<u>dogs registration in accordance with Chapter 4796. of the</u>	2641
<u>Revised Code to a person if either of the following applies:</u>	2642
<u>(1) The person holds a license or registration in another</u>	2643
<u>state.</u>	2644
<u>(2) The person has satisfactory work experience, a</u>	2645
<u>government certification, or a private certification as</u>	2646
<u>described in that chapter as an animal rescue for dogs operator</u>	2647

in a state that does not issue that license or registration. 2648

**Sec. 1315.23.** (A) Upon the filing of an application for an 2649  
original license to engage in the business of cashing checks, 2650  
and the payment of the fees for investigation and licensure, the 2651  
superintendent of financial institutions shall investigate the 2652  
financial condition and responsibility and general fitness of 2653  
the applicant. As part of that investigation, the superintendent 2654  
shall request that the superintendent of the bureau of criminal 2655  
identification and investigation investigate and determine, with 2656  
respect to the applicant, whether the bureau has any information 2657  
gathered under section 109.57 of the Revised Code that pertains 2658  
to that applicant. 2659

~~(B) The~~ (1) Except as provided in division (B) (2) of this 2660  
section, the superintendent shall issue a license, which shall 2661  
apply to all check-cashing business locations of the applicant, 2662  
if the superintendent determines that the applicant meets all 2663  
the following requirements: 2664

~~(1) (a)~~ The applicant is financially sound and has a net 2665  
worth of at least twenty-five thousand dollars. The applicant's 2666  
net worth shall be computed according to generally accepted 2667  
accounting principles. The applicant shall maintain a net worth 2668  
of at least twenty-five thousand dollars throughout the 2669  
licensure period. 2670

~~(2) (b)~~ The applicant has the ability and fitness in the 2671  
capacity involved to engage in the business of cashing checks. 2672

~~(3) (c)~~ The applicant has not been convicted of, or has 2673  
not pleaded guilty or no contest to, a disqualifying offense 2674  
determined in accordance with section 9.79 of the Revised Code. 2675

~~(4) (d)~~ The applicant has never had a check-cashing 2676

license revoked. 2677

(2) The superintendent shall issue a license to engage in the business of cashing checks in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 2678  
2679  
2680  
2681

(a) The applicant holds a license in another state. 2682

(b) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in the business of cashing checks in a state that does not issue that license. 2683  
2684  
2685  
2686

(C) (1) A license issued to a check-cashing business shall remain in full force and effect through the thirty-first day of December following its date of issuance, unless earlier surrendered, suspended, or revoked. 2687  
2688  
2689  
2690

(2) Each check-cashing business shall conspicuously post and at all times display in every business location its check-cashing license. No check-cashing license is transferable or assignable. 2691  
2692  
2693  
2694

(D) A check-cashing business voluntarily may surrender its license at any time by giving written notice to the superintendent and sending, by certified mail, to the superintendent all license documents issued to it pursuant to sections 1315.21 to 1315.28 of the Revised Code. 2695  
2696  
2697  
2698  
2699

(E) (1) A check-cashing business annually may apply to the superintendent for a renewal of its license on or after the first day of December of the year in which its existing license expires. 2700  
2701  
2702  
2703

(2) If a check-cashing business files an application for a 2704

renewal license with the superintendent before the first day of 2705  
January of any year, the license sought to be renewed shall 2706  
continue in full force and effect until the issuance by the 2707  
superintendent of the renewal license applied for or until ten 2708  
days after the superintendent has given the check-cashing 2709  
business notice of the superintendent's refusal to issue a 2710  
renewal license. 2711

(F) The superintendent may, except as otherwise provided 2712  
in this division, suspend, revoke, or refuse an original or 2713  
renewal license for failure to comply with this section or for 2714  
any violation of section 1315.28 of the Revised Code. If a 2715  
suspension, revocation, or refusal of an original or renewal 2716  
license is based on a violation of section 1315.28 of the 2717  
Revised Code that is committed, without the licensee's 2718  
knowledge, at a check-cashing business location of the licensee, 2719  
the suspension or revocation applies only to that check-cashing 2720  
business location. In all other cases, a suspension, revocation, 2721  
or refusal of an original or renewal license applies to all 2722  
check-cashing business locations of the licensee. The 2723  
superintendent shall not refuse an original license to an 2724  
applicant because of a criminal conviction unless the refusal is 2725  
in accordance with section 9.79 of the Revised Code. 2726

(G) No original or renewal license shall be suspended, 2727  
revoked, or refused except after a hearing in accordance with 2728  
Chapter 119. of the Revised Code. In suspending a license under 2729  
this division, the superintendent shall establish the length of 2730  
the suspension, provided that no suspension may be for a period 2731  
exceeding one year. The superintendent's decision to revoke, 2732  
suspend, or refuse an original or renewal license may be 2733  
appealed pursuant to Chapter 119. of the Revised Code. 2734

(H) Upon revocation of a license, the licensee shall 2735  
immediately send, by certified mail, all license documents 2736  
issued pursuant to sections 1310.21 to 1310.28 of the Revised 2737  
Code to the superintendent. 2738

(I) The superintendent may, in lieu of a suspension or 2739  
revocation of a license, impose a fine of not more than one 2740  
thousand dollars for each violation. 2741

**Sec. 1321.04.** ~~Upon (A) Except as otherwise provided in~~ 2742  
division (B) of this section, upon the filing of an application 2743  
under section 1321.03 of the Revised Code and payment of fees 2744  
pursuant to section 1321.20 of the Revised Code, the division of 2745  
financial institutions shall investigate the facts concerning 2746  
the applicant and the requirements provided for in divisions (A) 2747  
(1) and ~~(B) (2)~~ of this section. 2748

The division shall approve the application and issue and 2749  
deliver a license to the applicant if the division finds both of 2750  
the following: 2751

~~(A) (1)~~ That the financial responsibility, experience, and 2752  
general fitness of the applicant and of the members thereof, if 2753  
the applicant is a partnership or an association, and of the 2754  
officers and directors thereof, if the applicant is a 2755  
corporation, are such as to warrant the belief that the business 2756  
will be operated lawfully, honestly, and fairly under sections 2757  
1321.01 to 1321.19 of the Revised Code and within the purposes 2758  
of those sections, that the applicant has fully complied with 2759  
those sections, and that the applicant is qualified to act as a 2760  
licensed lender; 2761

~~(B) (2)~~ That the applicant has available for the operation 2762  
of such business cash or moneys deposited in a readily 2763

accessible fund or account of not less than twenty-five thousand 2764  
dollars. 2765

If the division does not so find, it shall enter an order 2766  
denying such application and forthwith notify the applicant of 2767  
the denial, the grounds for the denial, and the applicant's 2768  
reasonable opportunity to be heard on the action in accordance 2769  
with Chapter 119. of the Revised Code. In the event of denial, 2770  
the division shall return the license fee but shall retain the 2771  
investigation fee. 2772

(B) The division shall issue and deliver a license in 2773  
accordance with Chapter 4796. of the Revised Code to an 2774  
applicant if either of the following applies: 2775

(1) The applicant holds a license in another state. 2776

(2) The applicant has satisfactory work experience, a 2777  
government certification, or a private certification as 2778  
described in that chapter in the business of lending money, 2779  
credit, or choses in action in amounts of five thousand dollars 2780  
or less in a state that does not issue that license. 2781

**Sec. 1321.37.** (A) Application for an original or renewal 2782  
license to make short-term loans shall be in writing, under 2783  
oath, and in the form prescribed by the superintendent of 2784  
financial institutions, and shall contain the name and address 2785  
of the applicant, the location where the business of making 2786  
loans is to be conducted, and any further information as the 2787  
superintendent requires. At the time of making an application 2788  
for an original license, the applicant shall pay to the 2789  
superintendent a nonrefundable investigation fee of two hundred 2790  
dollars. No investigation fee or any portion thereof shall be 2791  
refunded after an original license has been issued. The 2792



application for an original or renewal license shall be 2793  
accompanied by an original or renewal license fee, for each 2794  
business location of one thousand dollars, except that 2795  
applications for original licenses issued on or after the first 2796  
day of July for any year shall be accompanied by an original 2797  
license fee of five hundred dollars, and except that an 2798  
application for an original or renewal license, for a nonprofit 2799  
corporation that is incorporated under Chapter 1702. of the 2800  
Revised Code, shall be accompanied by an original or renewal 2801  
license fee, for each business location, that is one-half of the 2802  
fee otherwise required. All fees paid to the superintendent 2803  
pursuant to this division shall be deposited into the state 2804  
treasury to the credit of the consumer finance fund. 2805

(B) Upon the filing of an application for an original 2806  
license and, with respect to an application filed for a renewal 2807  
license, on a schedule determined by the superintendent by rule 2808  
adopted pursuant to section 1321.43 of the Revised Code, and the 2809  
payment of fees in accordance with division (A) of this section, 2810  
the superintendent shall investigate the facts concerning the 2811  
applicant and the requirements provided by this division. The 2812  
superintendent shall request the superintendent of the bureau of 2813  
criminal identification and investigation, or a vendor approved 2814  
by the bureau, to conduct a criminal records check based on the 2815  
applicant's fingerprints in accordance with section 109.572 of 2816  
the Revised Code. Notwithstanding division (K) of section 121.08 2817  
of the Revised Code, the superintendent of financial 2818  
institutions shall request that criminal record information from 2819  
the federal bureau of investigation be obtained as part of the 2820  
criminal records check. The superintendent of financial 2821  
institutions shall conduct a civil records check. The 2822  
superintendent shall approve an application and issue an 2823

original or renewal license to the applicant if the 2824  
superintendent finds all of the following: 2825

(1) The financial responsibility, experience, and general 2826  
fitness of the applicant are such as to warrant the belief that 2827  
the business of making loans will be operated lawfully, 2828  
honestly, and fairly under sections 1321.35 to 1321.48 of the 2829  
Revised Code and within the purposes of those sections; that the 2830  
applicant has fully complied with those sections and any rule or 2831  
order adopted or issued pursuant to section 1321.43 of the 2832  
Revised Code; and that the applicant is qualified to engage in 2833  
the business of making loans under sections 1321.35 to 1321.48 2834  
of the Revised Code. 2835

(2) The applicant is financially sound and has a net worth 2836  
of not less than one hundred thousand dollars, or in the case of 2837  
a nonprofit corporation that is incorporated under Chapter 1702. 2838  
of the Revised Code, a net worth of not less than fifty thousand 2839  
dollars. The applicant's net worth shall be computed according 2840  
to generally accepted accounting principles. 2841

(3) The applicant has never had revoked a license to make 2842  
loans under sections 1321.35 to 1321.48 of the Revised Code, 2843  
under former sections 1315.35 to 1315.44 of the Revised Code, or 2844  
to do business under sections 1315.21 to 1315.30 of the Revised 2845  
Code. 2846

(4) Neither the applicant nor any senior officer, or 2847  
partner of the applicant, has pleaded guilty to or been 2848  
convicted of a disqualifying offense as determined in accordance 2849  
with section 9.79 of the Revised Code. 2850

(5) Neither the applicant nor any senior officer, or 2851  
partner of the applicant, has been subject to any adverse 2852

judgment for conversion, embezzlement, misappropriation of 2853  
funds, fraud, misfeasance or malfeasance, or breach of fiduciary 2854  
duty, or if the applicant or any of those other persons has been 2855  
subject to such a judgment, the applicant has proven to the 2856  
superintendent, by a preponderance of the evidence, that the 2857  
applicant's or other person's activities and employment record 2858  
since the judgment show that the applicant or other person is 2859  
honest and truthful and there is no basis in fact for believing 2860  
that the applicant or other person will be subject to such a 2861  
judgment again. 2862

(C) If the superintendent finds that the applicant does 2863  
not meet the requirements of division (B) of this section, or 2864  
the superintendent finds that the applicant knowingly or 2865  
repeatedly contracts with or employs persons to directly engage 2866  
in lending activities who have been convicted of a felony crime 2867  
listed in division (B)(5) of this section, the superintendent 2868  
shall issue an order denying the application for an original or 2869  
renewal license and giving the applicant an opportunity for a 2870  
hearing on the denial in accordance with Chapter 119. of the 2871  
Revised Code. The superintendent shall notify the applicant of 2872  
the denial, the grounds for the denial, and the applicant's 2873  
opportunity for a hearing. If the application is denied, the 2874  
superintendent shall return the annual license fee but shall 2875  
retain the investigation fee. 2876

(D) No person licensed under sections 1321.35 to 1321.48 2877  
of the Revised Code shall conduct business in this state unless 2878  
the licensee has obtained and maintains in effect at all times a 2879  
corporate surety bond issued by a bonding company or insurance 2880  
company authorized to do business in this state. The bond shall 2881  
be in favor of the superintendent and in the penal sum of at 2882  
least one hundred thousand dollars, or in the case of a 2883

nonprofit corporation that is incorporated under Chapter 1702. 2884  
of the Revised Code, in the amount of fifty thousand dollars. 2885  
The term of the bond shall coincide with the term of the 2886  
license. The licensee shall file a copy of the bond with the 2887  
superintendent. The bond shall be for the exclusive benefit of 2888  
any borrower injured by a violation by a licensee or any 2889  
employee of a licensee, of any provision of sections 1321.35 to 2890  
1321.48 of the Revised Code. 2891

(E) Notwithstanding any provision of this section to the 2892  
contrary, the superintendent shall issue an original license in 2893  
accordance with Chapter 4796. of the Revised Code to an 2894  
applicant if either of the following applies: 2895

(1) The applicant holds a license in another state. 2896

(2) The applicant has satisfactory work experience, a 2897  
government certification, or a private certification as 2898  
described in that chapter as a short-term lender in a state that 2899  
does not issue that license. 2900

**Sec. 1321.53.** (A) (1) An application for a certificate of 2901  
registration under sections 1321.51 to 1321.60 of the Revised 2902  
Code shall contain an undertaking by the applicant to abide by 2903  
those sections. The application shall be in writing, under oath, 2904  
and in the form prescribed by the division of financial 2905  
institutions, and shall contain any information that the 2906  
division may require. Applicants that are foreign corporations 2907  
shall obtain and maintain a license pursuant to Chapter 1703. of 2908  
the Revised Code before a certificate is issued or renewed. 2909

(2) Upon the filing of the application and the payment by 2910  
the applicant of a nonrefundable two-hundred-dollar 2911  
investigation fee and a nonrefundable three-hundred-dollar 2912

annual registration fee, the division shall investigate the 2913  
relevant facts. If the application involves investigation 2914  
outside this state, the applicant may be required by the 2915  
division to advance sufficient funds to pay any of the actual 2916  
expenses of such investigation, when it appears that these 2917  
expenses will exceed two hundred dollars. An itemized statement 2918  
of any of these expenses which the applicant is required to pay 2919  
shall be furnished to the applicant by the division. No 2920  
certificate shall be issued unless all the required fees have 2921  
been submitted to the division. 2922

(3) The investigation undertaken upon application shall 2923  
include both a civil and criminal records check of the applicant 2924  
including any individual whose identity is required to be 2925  
disclosed in the application. Where the applicant is a business 2926  
entity the superintendent shall have the authority to require a 2927  
civil and criminal background check of those persons that in the 2928  
determination of the superintendent have the authority to direct 2929  
and control the operations of the applicant. 2930

(4) (a) Notwithstanding division (K) of section 121.08 of 2931  
the Revised Code, the superintendent of financial institutions 2932  
shall obtain a criminal history records check and, as part of 2933  
that records check, request that criminal record information 2934  
from the federal bureau of investigation be obtained. To fulfill 2935  
this requirement, the superintendent shall request the 2936  
superintendent of the bureau of criminal identification and 2937  
investigation, or a vendor approved by the bureau, to conduct a 2938  
criminal records check based on the applicant's fingerprints or, 2939  
if the fingerprints are unreadable, based on the applicant's 2940  
social security number, in accordance with section 109.572 of 2941  
the Revised Code. 2942

(b) Any fee required under division (C) (3) of section 2943  
109.572 of the Revised Code shall be paid by the applicant. 2944

(5) If an application for a certificate of registration 2945  
does not contain all of the information required under division 2946  
(A) of this section, and if such information is not submitted to 2947  
the division within ninety days after the superintendent 2948  
requests the information in writing, including by electronic 2949  
transmission or facsimile, the superintendent may consider the 2950  
application withdrawn. 2951

(6) If the division finds that the financial 2952  
responsibility, experience, and general fitness of the applicant 2953  
command the confidence of the public and warrant the belief that 2954  
the business will be operated honestly and fairly in compliance 2955  
with the purposes of sections 1321.51 to 1321.60 of the Revised 2956  
Code and the rules adopted thereunder, and that the applicant 2957  
has the applicable net worth and assets required by division ~~(B)~~ 2958  
(C) of this section, the division shall thereupon issue a 2959  
certificate of registration to the applicant. The superintendent 2960  
shall not use a credit score as the sole basis for a 2961  
registration denial. 2962

(a) (i) Certificates of registration issued on or after 2963  
July 1, 2010, shall annually expire on the thirty-first day of 2964  
December, unless renewed by the filing of a renewal application 2965  
and payment of a three-hundred-dollar nonrefundable annual 2966  
registration fee and any assessment as determined by the 2967  
superintendent pursuant to division (A) (6) (a) (ii) of this 2968  
section on or before the last day of December of each year. No 2969  
other fee or assessment shall be required of a registrant by the 2970  
state or any political subdivision of this state. 2971

(ii) If the renewal fees billed by the superintendent 2972

pursuant to division (A) (6) (a) (i) of this section are less than 2973  
the estimated expenditures of the consumer finance section of 2974  
the division of financial institutions, as determined by the 2975  
superintendent, for the following fiscal year, the 2976  
superintendent may assess each registrant at a rate sufficient 2977  
to equal in the aggregate the difference between the renewal 2978  
fees billed and the estimated expenditures. Each registrant 2979  
shall pay the assessed amount to the superintendent prior to the 2980  
last day of June. In no case shall the assessment exceed ten 2981  
cents per each one hundred dollars of interest (excluding 2982  
charge-off recoveries), points, loan origination charges, and 2983  
credit line charges collected by that registrant during the 2984  
previous calendar year. If such an assessment is imposed, it 2985  
shall not be less than two hundred fifty dollars per registrant 2986  
and shall not exceed thirty thousand dollars less the total 2987  
renewal fees paid pursuant to division (A) (6) (a) (i) of this 2988  
section by each registrant. 2989

(b) Registrants shall timely file renewal applications on 2990  
forms prescribed by the division and provide any further 2991  
information that the division may require. If a renewal 2992  
application does not contain all of the information required 2993  
under this section, and if that information is not submitted to 2994  
the division within ninety days after the superintendent 2995  
requests the information in writing, including by electronic 2996  
transmission or facsimile, the superintendent may consider the 2997  
application withdrawn. 2998

(c) Renewal shall not be granted if the applicant's 2999  
certificate of registration is subject to an order of 3000  
suspension, revocation, or an unpaid and past due fine imposed 3001  
by the superintendent. 3002

(d) If the division finds the applicant does not meet the conditions set forth in this section, it shall issue a notice of intent to deny the application, and forthwith notify the applicant of the denial, the grounds for the denial, and the applicant's reasonable opportunity to be heard on the action in accordance with Chapter 119. of the Revised Code.

(7) If there is a change of five per cent or more in the ownership of a registrant, the division may make any investigation necessary to determine whether any fact or condition exists that, if it had existed at the time of the original application for a certificate of registration, the fact or condition would have warranted the division to deny the application under division (A) (6) of this section. If such a fact or condition is found, the division may, in accordance with Chapter 119. of the Revised Code, revoke the registrant's certificate.

(B) Notwithstanding division (A) of this section, the division shall issue a certificate of registration in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license or certificate in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a general loan lender in a state that does not issue that license.

(C) Each registrant that engages in lending under sections 1321.51 to 1321.60 of the Revised Code shall maintain both of the following:



(1) A net worth of at least fifty thousand dollars; 3032

(2) For each certificate of registration, assets of at 3033  
least fifty thousand dollars either in use or readily available 3034  
for use in the conduct of the business. 3035

~~(C)~~ (D) Not more than one place of business shall be 3036  
maintained under the same certificate, but the division may 3037  
issue additional certificates to the same registrant upon 3038  
compliance with sections 1321.51 to 1321.60 of the Revised Code, 3039  
governing the issuance of a single certificate. No change in the 3040  
place of business of a registrant to a location outside the 3041  
original municipal corporation shall be permitted under the same 3042  
certificate without the approval of a new application, the 3043  
payment of the registration fee and, if required by the 3044  
superintendent, the payment of an investigation fee of two 3045  
hundred dollars. When a registrant wishes to change its place of 3046  
business within the same municipal corporation, it shall give 3047  
written notice of the change in advance to the division, which 3048  
shall provide a certificate for the new address without cost. If 3049  
a registrant changes its name, prior to making loans under the 3050  
new name it shall give written notice of the change to the 3051  
division, which shall provide a certificate in the new name 3052  
without cost. Sections 1321.51 to 1321.60 of the Revised Code do 3053  
not limit the loans of any registrant to residents of the 3054  
community in which the registrant's place of business is 3055  
situated. Each certificate shall be kept conspicuously posted in 3056  
the place of business of the registrant and is not transferable 3057  
or assignable. 3058

~~(D)~~ (E) Sections 1321.51 to 1321.60 of the Revised Code do 3059  
not apply to any of the following: 3060

(1) Entities chartered and lawfully doing business under 3061

the authority of any law of this state, another state, or the 3062  
United States as a bank, savings bank, trust company, savings 3063  
and loan association, or credit union, or a subsidiary of any 3064  
such entity, which subsidiary is regulated by a federal banking 3065  
agency and is owned and controlled by such a depository 3066  
institution; 3067

(2) Life, property, or casualty insurance companies 3068  
licensed to do business in this state; 3069

(3) Any person that is a lender making a loan pursuant to 3070  
sections 1321.01 to 1321.19 or sections 1321.62 to 1321.701 of 3071  
the Revised Code or a business loan as described in division (B) 3072  
(6) of section 1343.01 of the Revised Code; 3073

(4) Any political subdivision, or any governmental or 3074  
other public entity, corporation, instrumentality, or agency, in 3075  
or of the United States or any state of the United States, or 3076  
any entity described in division (B) (3) of section 1343.01 of 3077  
the Revised Code; 3078

(5) A college or university, or controlled entity of a 3079  
college or university, as those terms are defined in section 3080  
1713.05 of the Revised Code. 3081

~~(E)~~ (F) No person engaged in the business of selling 3082  
tangible goods or services related to tangible goods may receive 3083  
or retain a certificate under sections 1321.51 to 1321.60 of the 3084  
Revised Code for such place of business. 3085

**Sec. 1321.64.** (A) An application for a license shall 3086  
contain an undertaking by the applicant to abide by those 3087  
sections. The application shall be in writing, under oath, and 3088  
in the form prescribed by the superintendent of financial 3089  
institutions, and shall contain any information that the 3090

superintendent may require. Applicants that are foreign 3091  
corporations shall obtain and maintain a license pursuant to 3092  
Chapter 1703. of the Revised Code before a license is issued or 3093  
renewed. 3094

(B) Upon the filing of the application and the payment by 3095  
the applicant of a nonrefundable investigation fee of two 3096  
hundred dollars, a nonrefundable annual registration fee of 3097  
three hundred dollars, and any additional fee required by the 3098  
NMLSR, the division of financial institutions shall investigate 3099  
the relevant facts. If the application involves investigation 3100  
outside this state, the applicant may be required by the 3101  
division to advance sufficient funds to pay any of the actual 3102  
expenses of the investigation when it appears that these 3103  
expenses will exceed two hundred dollars. An itemized statement 3104  
of any of these expenses which the applicant is required to pay 3105  
shall be furnished to the applicant by the division. A license 3106  
shall not be issued unless all the required fees have been 3107  
submitted to the division. 3108

(C) (1) The investigation undertaken upon receipt of an 3109  
application shall include both a civil and criminal records 3110  
check of any control person. 3111

(2) (a) Notwithstanding division (K) of section 121.08 of 3112  
the Revised Code, the superintendent shall obtain a criminal 3113  
records check on each control person and, as part of that 3114  
records check, request that criminal records information from 3115  
the federal bureau of investigation be obtained. To fulfill this 3116  
requirement, the superintendent shall do either of the 3117  
following: 3118

(i) Request the superintendent of the bureau of criminal 3119  
identification and investigation, or a vendor approved by the 3120

bureau, to conduct a criminal records check based on the control 3121  
person's fingerprints or, if the fingerprints are unreadable, 3122  
based on the control person's social security number, in 3123  
accordance with section 109.572 of the Revised Code; 3124

(ii) Authorize the NMLSR to request a criminal records 3125  
check of the control person. 3126

(b) Any fee required under division (C) (3) of section 3127  
109.572 of the Revised Code or by the NMLSR shall be paid by the 3128  
applicant. 3129

(D) If an application for a license does not contain all 3130  
of the information required under division (A) of this section, 3131  
and if such information is not submitted to the division or to 3132  
the NMLSR within ninety days after the superintendent or the 3133  
NMLSR requests the information in writing, including by 3134  
electronic transmission or facsimile, the superintendent may 3135  
consider the application withdrawn. 3136

(E) If the superintendent of financial institutions finds 3137  
that the financial responsibility, experience, and general 3138  
fitness of the applicant command the confidence of the public 3139  
and warrant the belief that the business will be operated 3140  
honestly and fairly in compliance with the purposes of sections 3141  
1321.62 to 1321.702 of the Revised Code and the rules adopted 3142  
thereunder, and that the applicant has the requisite net worth 3143  
and assets required under section 1321.65 of the Revised Code, 3144  
the superintendent shall issue a license to the applicant. The 3145  
license shall be valid until the thirty-first day of December of 3146  
the year in which it is issued. A person may be licensed under 3147  
both sections 1321.51 to 1321.60 and sections 1321.62 to 3148  
1321.702 of the Revised Code. 3149

(F) If the superintendent finds that the applicant does 3150  
not meet the conditions set forth in this section, the 3151  
superintendent shall issue a notice of intent to deny the 3152  
application, and promptly notify the applicant of the denial, 3153  
the grounds for the denial, and the applicant's reasonable 3154  
opportunity to be heard on the action in accordance with Chapter 3155  
119. of the Revised Code. 3156

(G) Notwithstanding any provision of this section to the 3157  
contrary, the superintendent shall issue a license in accordance 3158  
with Chapter 4796. of the Revised Code to an applicant if either 3159  
of the following applies: 3160

(1) The applicant holds a license in another state. 3161

(2) The applicant has satisfactory work experience, a 3162  
government certification, or a private certification as 3163  
described in that chapter as a consumer installment loan lender 3164  
in a state that does not issue that license. 3165

**Sec. 1321.74.** (A) Application for a license as a premium 3166  
finance company shall be in writing, under oath, in the form 3167  
prescribed by the division of financial institutions. An 3168  
applicant also shall provide the form of premium finance 3169  
agreement it intends to use in doing business under sections 3170  
1321.71 to 1321.83 of the Revised Code. Upon the filing of an 3171  
application and the payment of the license fee, and upon deposit 3172  
of an investigation fee not to exceed three hundred dollars if 3173  
the investigation can be conducted in this state or the 3174  
estimated costs of the investigation if it must be conducted 3175  
outside this state, the division shall make an investigation of 3176  
each applicant and shall issue a license if the applicant is 3177  
qualified in accordance with sections 1321.71 to 1321.83 of the 3178  
Revised Code. An itemized statement of any investigation 3179

expenses incurred which the applicant is required to pay shall 3180  
be furnished the applicant by the division, and only the actual 3181  
cost of such investigation shall be paid by the applicant, but 3182  
at no time shall the investigation fee be less than two hundred 3183  
dollars. If the division does not so find, it shall, within a 3184  
reasonable period of time after it has received the application, 3185  
at the request of the applicant, give the applicant opportunity 3186  
for a hearing conducted in accordance with Chapter 119. of the 3187  
Revised Code. 3188

(B) (1) The division shall, except as provided in division 3189  
(B) (2) of this section, issue or renew a license when it is 3190  
satisfied that the applicant: 3191

(a) Is competent and trustworthy and intends to act in 3192  
good faith in the capacity involved by the license applied for; 3193

(b) Has a good business reputation and has had experience, 3194  
training, or education so as to be qualified in the business for 3195  
which the license is applied for; 3196

(c) If a corporation, is a corporation incorporated under 3197  
the laws of this state or is a foreign corporation authorized to 3198  
transact business in this state; 3199

(d) Has a net worth of at least fifty thousand dollars, as 3200  
determined in accordance with generally accepted accounting 3201  
principles; 3202

(e) With respect to the issuance of a license, has filed 3203  
with the division a form of premium finance agreement that 3204  
complies with sections 1321.71 to 1321.83 of the Revised Code. 3205

(2) The division shall not refuse to issue a license to an 3206  
applicant because of a criminal conviction unless the refusal is 3207  
in accordance with section 9.79 of the Revised Code. 3208

(C) Not more than one place of business shall be 3209  
maintained under the same license, but the division may issue 3210  
additional licenses to the same licensee upon compliance with 3211  
sections 1321.71 to 1321.83 of the Revised Code. 3212

No change in the place of business of a licensee to a 3213  
location outside the original municipal corporation shall be 3214  
permitted under the same license without the approval of a new 3215  
application, the payment of the license fee as determined by the 3216  
superintendent of financial institutions pursuant to section 3217  
1321.20 of the Revised Code, and, if required by the 3218  
superintendent, the payment of an investigation fee of two 3219  
hundred dollars. If a licensee wishes to change its place of 3220  
business within the same municipal corporation, it shall give 3221  
written notice of the change in advance to the division, which 3222  
shall provide a license for the new address without cost. If a 3223  
licensee changes its name, it shall give, prior to entering into 3224  
or otherwise acquiring premium finance agreements under the new 3225  
name, written notice of the change to the division, which shall 3226  
provide a license in the new name, without cost. 3227

Each license shall be kept conspicuously posted in the 3228  
place of business of the licensee and is not transferable or 3229  
assignable. 3230

Notwithstanding any other provision of this section to the 3231  
contrary, the division shall issue a license to act as a premium 3232  
finance company in accordance with Chapter 4796. of the Revised 3233  
Code to an applicant if either of the following applies: 3234

(1) The applicant is licensed in another state. 3235

(2) The applicant has satisfactory work experience, a 3236  
government certification, or a private certification as 3237

described in that chapter as an operator of a premium finance 3238  
company in a state that does not issue that license. 3239

**Sec. 1322.10.** (A) Upon the conclusion of the investigation 3240  
required under division (B) of section 1322.09 of the Revised 3241  
Code, the superintendent of financial institutions shall issue a 3242  
certificate of registration to the applicant if the 3243  
superintendent finds that the following conditions are met: 3244

(1) The application is accompanied by the application fee 3245  
and any fee required by the nationwide mortgage licensing system 3246  
and registry. 3247

(a) If a check or other draft instrument is returned to 3248  
the superintendent for insufficient funds, the superintendent 3249  
shall notify the applicant by certified mail, return receipt 3250  
requested, that the application will be withdrawn unless the 3251  
applicant, within thirty days after receipt of the notice, 3252  
submits the application fee and a one-hundred-dollar penalty to 3253  
the superintendent. If the applicant does not submit the 3254  
application fee and penalty within that time period, or if any 3255  
check or other draft instrument used to pay the fee or penalty 3256  
is returned to the superintendent for insufficient funds, the 3257  
application shall be withdrawn. 3258

(b) If a check or other draft instrument is returned to 3259  
the superintendent for insufficient funds after the certificate 3260  
of registration has been issued, the superintendent shall notify 3261  
the registrant by certified mail, return receipt requested, that 3262  
the certificate of registration issued in reliance on the check 3263  
or other draft instrument will be canceled unless the 3264  
registrant, within thirty days after receipt of the notice, 3265  
submits the application fee and a one-hundred-dollar penalty to 3266  
the superintendent. If the registrant does not submit the 3267



application fee and penalty within that time period, or if any 3268  
check or other draft instrument used to pay the fee or penalty 3269  
is returned to the superintendent for insufficient funds, the 3270  
certificate of registration shall be canceled immediately 3271  
without a hearing, and the registrant shall cease activity as a 3272  
mortgage broker, mortgage lender, or mortgage servicer. 3273

(2) If the application is for a location that is a 3274  
residence, evidence that the use of the residence to transact 3275  
business as a mortgage lender, mortgage broker, or mortgage 3276  
servicer is not prohibited. 3277

(3) The applicant maintains all necessary filings and 3278  
approvals required by the secretary of state. 3279

(4) The applicant complies with the surety bond 3280  
requirements of section 1322.32 of the Revised Code. 3281

(5) The applicant has not made a material misstatement of 3282  
fact or material omission of fact in the application. 3283

(6) Neither the applicant nor any person whose identity is 3284  
required to be disclosed on an application for a certificate of 3285  
registration has had such a certificate of registration or 3286  
mortgage loan originator license, or any comparable authority, 3287  
revoked in any governmental jurisdiction or has pleaded guilty 3288  
or nolo contendere to or been convicted of a disqualifying 3289  
offense as determined in accordance with section 9.79 of the 3290  
Revised Code. 3291

(7) The applicant's operations manager successfully 3292  
completed the examination required by section 1322.27 of the 3293  
Revised Code. 3294

(8) The applicant's financial responsibility, experience, 3295  
and general fitness command the confidence of the public and 3296

warrant the belief that the business will be operated honestly, 3297  
fairly, and efficiently in compliance with the purposes of this 3298  
chapter and the rules adopted thereunder. The superintendent 3299  
shall not use a credit score or a bankruptcy as the sole basis 3300  
for registration denial. 3301

(B) For purposes of determining whether an applicant that 3302  
is a partnership, corporation, or other business entity or 3303  
association has met the conditions set forth in divisions (A) (6) 3304  
and (8) of this section, the superintendent shall determine 3305  
which partners, shareholders, or persons named in the 3306  
application must meet those conditions. This determination shall 3307  
be based on the extent and nature of the partner's, 3308  
shareholder's, or person's ownership interest in the 3309  
partnership, corporation, or other business entity or 3310  
association that is the applicant and on whether the person is 3311  
in a position to direct, control, or adversely influence the 3312  
operations of the applicant. 3313

(C) The certificate of registration issued pursuant to 3314  
division (A) of this section may be renewed annually on or 3315  
before the thirty-first day of December if the superintendent 3316  
finds that all of the following conditions are met: 3317

(1) The renewal application is accompanied by a 3318  
nonrefundable renewal fee of seven hundred dollars for each 3319  
location of an office to be maintained by the applicant in 3320  
accordance with division (A) of section 1322.07 of the Revised 3321  
Code and any fee required by the nationwide mortgage licensing 3322  
system and registry. If a check or other draft instrument is 3323  
returned to the superintendent for insufficient funds, the 3324  
superintendent shall notify the registrant by certified mail, 3325  
return receipt requested, that the certificate of registration 3326

renewed in reliance on the check or other draft instrument will 3327  
be canceled unless the registrant, within thirty days after 3328  
receipt of the notice, submits the renewal fee and a one- 3329  
hundred-dollar penalty to the superintendent. If the registrant 3330  
does not submit the renewal fee and penalty within that time 3331  
period, or if any check or other draft instrument used to pay 3332  
the fee or penalty is returned to the superintendent for 3333  
insufficient funds, the certificate of registration shall be 3334  
canceled immediately without a hearing and the registrant shall 3335  
cease activity as a mortgage broker, mortgage lender, or 3336  
mortgage servicer. 3337

(2) The applicant meets the conditions set forth in 3338  
divisions (A)(2), (3), (4), (5), (7), and (8) of this section. 3339

(3) Neither the applicant nor any person whose identity is 3340  
required to be disclosed on the renewal application has had a 3341  
certificate of registration or mortgage loan originator license, 3342  
or any comparable authority, revoked in any governmental 3343  
jurisdiction or has pleaded guilty or nolo contendere to or been 3344  
convicted of any of the following in a domestic, foreign, or 3345  
military court: 3346

(a) During the seven-year period immediately preceding the 3347  
date of the renewal application but excluding any time before 3348  
the certificate of registration was issued, a misdemeanor 3349  
involving theft or any felony; 3350

(b) At any time between the date of the original 3351  
certificate of registration and the date of the renewal 3352  
application, a felony involving an act of fraud, dishonesty, a 3353  
breach of trust, theft, or money laundering. 3354

(4) The applicant's certificate of registration is not 3355

subject to an order of suspension or an unpaid and past due fine 3356  
imposed by the superintendent. 3357

(D) (1) Subject to division (D) (2) of this section, if a 3358  
renewal fee or additional fee required by the nationwide 3359  
mortgage licensing system and registry is received by the 3360  
superintendent after the thirty-first day of December, the 3361  
certificate of registration shall not be considered renewed, and 3362  
the applicant shall cease activity as a mortgage lender, 3363  
mortgage broker, or mortgage servicer. 3364

(2) Division (D) (1) of this section shall not apply if the 3365  
applicant, not later than forty-five days after the renewal 3366  
deadline, submits the renewal fee or additional fee and a one- 3367  
hundred-fifty-dollar penalty to the superintendent. 3368

(E) Certificates of registration issued under this chapter 3369  
annually expire on the thirty-first day of December. 3370

(F) The pardon or expungement of a conviction shall not be 3371  
considered a conviction for purposes of this section. 3372

(G) Notwithstanding any provision of this chapter to the 3373  
contrary, the superintendent shall issue a certificate of 3374  
registration in accordance with Chapter 4796. of the Revised 3375  
Code to an applicant if either of the following applies: 3376

(1) The applicant holds a license or certificate of 3377  
registration in another state. 3378

(2) The applicant has satisfactory work experience, a 3379  
government certification, or a private certification as 3380  
described in that chapter as a mortgage broker or mortgage 3381  
lender in a state that does not issue that license or 3382  
certificate of registration. 3383

**Sec. 1322.21.** (A) Upon the conclusion of the investigation 3384  
required under division (C) of section 1322.20 of the Revised 3385  
Code, the superintendent of financial institutions shall issue a 3386  
mortgage loan originator license to the applicant if the 3387  
superintendent finds that the following conditions are met: 3388

(1) The application is accompanied by the application fee 3389  
and any fee required by the nationwide mortgage licensing system 3390  
and registry. 3391

(a) If a check or other draft instrument is returned to 3392  
the superintendent for insufficient funds, the superintendent 3393  
shall notify the applicant by certified mail, return receipt 3394  
requested, that the application will be withdrawn unless the 3395  
applicant, within thirty days after receipt of the notice, 3396  
submits the application fee and a one-hundred-dollar penalty to 3397  
the superintendent. If the applicant does not submit the 3398  
application fee and penalty within that time period, or if any 3399  
check or other draft instrument used to pay the fee or penalty 3400  
is returned to the superintendent for insufficient funds, the 3401  
application shall be withdrawn. 3402

(b) If a check or other draft instrument is returned to 3403  
the superintendent for insufficient funds after the license has 3404  
been issued, the superintendent shall notify the licensee by 3405  
certified mail, return receipt requested, that the license 3406  
issued in reliance on the check or other draft instrument will 3407  
be canceled unless the licensee, within thirty days after 3408  
receipt of the notice, submits the application fee and a one- 3409  
hundred-dollar penalty to the superintendent. If the licensee 3410  
does not submit the application fee and penalty within that time 3411  
period, or if any check or other draft instrument used to pay 3412  
the fee or penalty is returned to the superintendent for 3413

insufficient funds, the license shall be canceled immediately 3414  
without a hearing, and the licensee shall cease activity as a 3415  
loan originator. 3416

(2) The applicant has not made a material misstatement of 3417  
fact or material omission of fact in the application. 3418

(3) The applicant has not been convicted of or pleaded 3419  
guilty or nolo contendere to a disqualifying offense as 3420  
determined in accordance with section 9.79 of the Revised Code. 3421

(4) The applicant completed the prelicensing instruction 3422  
set forth in division (B) of section 1322.20 of the Revised 3423  
Code. 3424

(5) The applicant's financial responsibility and general 3425  
fitness command the confidence of the public and warrant the 3426  
belief that the business will be operated honestly and fairly in 3427  
compliance with the purposes of this chapter. The superintendent 3428  
shall not use a credit score or bankruptcy as the sole basis for 3429  
a license denial. 3430

(6) The applicant is in compliance with the surety bond 3431  
requirements of section 1322.32 of the Revised Code. 3432

(7) The applicant has not had a mortgage loan originator 3433  
license, or comparable authority, revoked in any governmental 3434  
jurisdiction. 3435

(B) The license issued under division (A) of this section 3436  
may be renewed annually on or before the thirty-first day of 3437  
December if the superintendent finds that all of the following 3438  
conditions are met: 3439

(1) The renewal application is accompanied by a 3440  
nonrefundable renewal fee of two hundred dollars and any fee 3441

required by the nationwide mortgage licensing system and 3442  
registry. If a check or other draft instrument is returned to 3443  
the superintendent for insufficient funds, the superintendent 3444  
shall notify the licensee by certified mail, return receipt 3445  
requested, that the license renewed in reliance on the check or 3446  
other draft instrument will be canceled unless the licensee, 3447  
within thirty days after receipt of the notice, submits the 3448  
renewal fee and a one-hundred-dollar penalty to the 3449  
superintendent. If the licensee does not submit the renewal fee 3450  
and penalty within that time period, or if any check or other 3451  
draft instrument used to pay the fee or penalty is returned to 3452  
the superintendent for insufficient funds, the license shall be 3453  
canceled immediately without a hearing, and the licensee shall 3454  
cease activity as a loan originator. 3455

(2) The applicant has completed at least eight hours of 3456  
continuing education as required under section 1322.28 of the 3457  
Revised Code. 3458

(3) The applicant meets the conditions set forth in 3459  
divisions (A) (2), (4), (5), (6), and (7) of this section. 3460

(4) The applicant has not been convicted of or pleaded 3461  
guilty or nolo contendere to any of the following in a domestic, 3462  
foreign, or military court: 3463

(a) During the seven-year period immediately preceding the 3464  
date of the renewal application but excluding any time before 3465  
the license was issued, a misdemeanor involving theft or any 3466  
felony; 3467

(b) At any time between the date of the original license 3468  
and the date of the renewal application, a felony involving an 3469  
act of fraud, dishonesty, a breach of trust, theft, or money 3470

laundering. 3471

(5) The applicant's license is not subject to an order of 3472  
suspension or an unpaid and past due fine imposed by the 3473  
superintendent. 3474

(C) (1) Subject to division (C) (2) of this section, if a 3475  
license renewal application fee, including any fee required by 3476  
the nationwide mortgage licensing system and registry, is 3477  
received by the superintendent after the thirty-first day of 3478  
December, the license shall not be considered renewed, and the 3479  
applicant shall cease activity as a mortgage loan originator. 3480

(2) Division (C) (1) of this section shall not apply if the 3481  
applicant, not later than forty-five days after the renewal 3482  
deadline, submits the renewal application and any other required 3483  
fees and a one-hundred-fifty-dollar penalty to the 3484  
superintendent. 3485

(D) Mortgage originator licenses annually expire on the 3486  
thirty-first day of December. 3487

(E) The pardon or expungement of a conviction shall not be 3488  
considered a conviction for purposes of this section. When 3489  
determining the eligibility of an applicant, the superintendent 3490  
may consider the underlying crime, facts, or circumstances 3491  
connected with a pardoned or expunged conviction. 3492

(F) Notwithstanding any provision of this chapter to the 3493  
contrary, the superintendent shall issue a mortgage loan 3494  
originator license in accordance with Chapter 4796. of the 3495  
Revised Code to an applicant if either of the following applies: 3496

(1) The applicant holds a license in another state. 3497

(2) The applicant has satisfactory work experience, a 3498



government certification, or a private certification as 3499  
described in that chapter as a mortgage loan originator in a 3500  
state that does not issue that license. 3501

**Sec. 1513.07.** (A) (1) No operator shall conduct a coal 3502  
mining operation without a permit for the operation issued by 3503  
the chief of the division of mineral resources management. 3504

(2) All permits issued pursuant to this chapter shall be 3505  
issued for a term not to exceed five years, except that, if the 3506  
applicant demonstrates that a specified longer term is 3507  
reasonably needed to allow the applicant to obtain necessary 3508  
financing for equipment and the opening of the operation and if 3509  
the application is full and complete for the specified longer 3510  
term, the chief may grant a permit for the longer term. A 3511  
successor in interest to a permittee who applies for a new 3512  
permit within thirty days after succeeding to the interest and 3513  
who is able to obtain the performance security of the original 3514  
permittee may continue coal mining and reclamation operations 3515  
according to the approved mining and reclamation plan of the 3516  
original permittee until the successor's application is granted 3517  
or denied. 3518

(3) A permit shall terminate if the permittee has not 3519  
commenced the coal mining operations covered by the permit 3520  
within three years after the issuance of the permit, except that 3521  
the chief may grant reasonable extensions of the time upon a 3522  
showing that the extensions are necessary by reason of 3523  
litigation precluding the commencement or threatening 3524  
substantial economic loss to the permittee or by reason of 3525  
conditions beyond the control and without the fault or 3526  
negligence of the permittee, and except that with respect to 3527  
coal to be mined for use in a synthetic fuel facility or 3528

specified major electric generating facility, the permittee 3529  
shall be deemed to have commenced coal mining operations at the 3530  
time construction of the synthetic fuel or generating facility 3531  
is initiated. 3532

(4) (a) Any permit issued pursuant to this chapter shall 3533  
carry with it the right of successive renewal upon expiration 3534  
with respect to areas within the boundaries of the permit. The 3535  
holders of the permit may apply for renewal and the renewal 3536  
shall be issued unless the chief determines by written findings, 3537  
subsequent to fulfillment of the public notice requirements of 3538  
this section and section 1513.071 of the Revised Code through 3539  
demonstrations by opponents of renewal or otherwise, that one or 3540  
more of the following circumstances exists: 3541

(i) The terms and conditions of the existing permit are 3542  
not being satisfactorily met. 3543

(ii) The present coal mining and reclamation operation is 3544  
not in compliance with the environmental protection standards of 3545  
this chapter. 3546

(iii) The renewal requested substantially jeopardizes the 3547  
operator's continuing responsibilities on existing permit areas. 3548

(iv) The applicant has not provided evidence that the 3549  
performance security in effect for the operation will continue 3550  
in effect for any renewal requested in the application. 3551

(v) Any additional, revised, or updated information 3552  
required by the chief has not been provided. Prior to the 3553  
approval of any renewal of a permit, the chief shall provide 3554  
notice to the appropriate public authorities as prescribed by 3555  
rule of the chief. 3556

(b) If an application for renewal of a valid permit 3557

includes a proposal to extend the mining operation beyond the 3558  
boundaries authorized in the existing permit, the portion of the 3559  
application for renewal of a valid permit that addresses any new 3560  
land areas shall be subject to the full standards applicable to 3561  
new applications under this chapter. 3562

(c) A permit renewal shall be for a term not to exceed the 3563  
period of the original permit established by this chapter. 3564  
Application for permit renewal shall be made at least one 3565  
hundred twenty days prior to the expiration of the valid permit. 3566

(5) A permit issued pursuant to this chapter does not 3567  
eliminate the requirements for obtaining a permit to install or 3568  
modify a disposal system or any part thereof or to discharge 3569  
sewage, industrial waste, or other wastes into the waters of the 3570  
state in accordance with Chapter 6111. of the Revised Code. 3571

(B)(1) The permit application shall be submitted in a 3572  
manner satisfactory to the chief and shall contain, among other 3573  
things, all of the following: 3574

(a) The names and addresses of all of the following: 3575

(i) The permit applicant; 3576

(ii) Every legal owner of record of the property, surface 3577  
and mineral, to be mined; 3578

(iii) The holders of record of any leasehold interest in 3579  
the property; 3580

(iv) Any purchaser of record of the property under a real 3581  
estate contract; 3582

(v) The operator if different from the applicant; 3583

(vi) If any of these are business entities other than a 3584

single proprietor, the names and addresses of the principals, 3585  
officers, and statutory agent for service of process. 3586

(b) The names and addresses of the owners of record of all 3587  
surface and subsurface areas adjacent to any part of the permit 3588  
area; 3589

(c) A statement of any current or previous coal mining 3590  
permits in the United States held by the applicant, the permit 3591  
identification, and any pending applications; 3592

(d) If the applicant is a partnership, corporation, 3593  
association, or other business entity, the following where 3594  
applicable: the names and addresses of every officer, partner, 3595  
director, or person performing a function similar to a director, 3596  
of the applicant, the name and address of any person owning, of 3597  
record, ten per cent or more of any class of voting stock of the 3598  
applicant, a list of all names under which the applicant, 3599  
partner, or principal shareholder previously operated a coal 3600  
mining operation within the United States within the five-year 3601  
period preceding the date of submission of the application, and 3602  
a list of the person or persons primarily responsible for 3603  
ensuring that the applicant complies with the requirements of 3604  
this chapter and rules adopted pursuant thereto while mining and 3605  
reclaiming under the permit; 3606

(e) A statement of whether the applicant, any subsidiary, 3607  
affiliate, or persons controlled by or under common control with 3608  
the applicant, any partner if the applicant is a partnership, 3609  
any officer, principal shareholder, or director if the applicant 3610  
is a corporation, or any other person who has a right to control 3611  
or in fact controls the management of the applicant or the 3612  
selection of officers, directors, or managers of the applicant: 3613

(i) Has ever held a federal or state coal mining permit 3614  
that in the five-year period prior to the date of submission of 3615  
the application has been suspended or revoked or has had a coal 3616  
mining bond, performance security, or similar security deposited 3617  
in lieu of bond forfeited and, if so, a brief explanation of the 3618  
facts involved; 3619

(ii) Has been an officer, partner, director, principal 3620  
shareholder, or person having the right to control or has in 3621  
fact controlled the management of or the selection of officers, 3622  
directors, or managers of a business entity that has had a coal 3623  
mining or surface mining permit that in the five-year period 3624  
prior to the date of submission of the application has been 3625  
suspended or revoked or has had a coal mining or surface mining 3626  
bond, performance security, or similar security deposited in 3627  
lieu of bond forfeited and, if so, a brief explanation of the 3628  
facts involved. 3629

(f) A copy of the applicant's advertisement to be 3630  
published in a newspaper of general circulation in the locality 3631  
of the proposed site at least once a week for four successive 3632  
weeks, which shall include the ownership of the proposed mine, a 3633  
description of the exact location and boundaries of the proposed 3634  
site sufficient to make the proposed operation readily 3635  
identifiable by local residents, and the location where the 3636  
application is available for public inspection; 3637

(g) A description of the type and method of coal mining 3638  
operation that exists or is proposed, the engineering techniques 3639  
proposed or used, and the equipment used or proposed to be used; 3640

(h) The anticipated or actual starting and termination 3641  
dates of each phase of the mining operation and number of acres 3642  
of land to be affected; 3643

(i) An accurate map or plan, to an appropriate scale, 3644  
clearly showing the land to be affected, the land upon which the 3645  
applicant has the legal right to enter and commence coal mining 3646  
operations, and the land for which the applicant will acquire 3647  
the legal right to enter and commence coal mining operations 3648  
during the term of the permit, copies of those documents upon 3649  
which is based the applicant's legal right to enter and commence 3650  
coal mining operations or a notarized statement describing the 3651  
applicant's legal right to enter and commence coal mining 3652  
operations, and a statement whether that right is the subject of 3653  
pending litigation. This chapter does not authorize the chief to 3654  
adjudicate property title disputes. 3655

(j) The name of the watershed and location of the surface 3656  
stream or tributary into which drainage from the operation will 3657  
be discharged; 3658

(k) A determination of the probable hydrologic 3659  
consequences of the mining and reclamation operations, both on 3660  
and off the mine site, with respect to the hydrologic regime, 3661  
providing information on the quantity and quality of water in 3662  
surface and ground water systems including the dissolved and 3663  
suspended solids under seasonal flow conditions and the 3664  
collection of sufficient data for the mine site and surrounding 3665  
areas so that an assessment can be made by the chief of the 3666  
probable cumulative impacts of all anticipated mining in the 3667  
area upon the hydrology of the area and particularly upon water 3668  
availability, but this determination shall not be required until 3669  
hydrologic information of the general area prior to mining is 3670  
made available from an appropriate federal or state agency; 3671  
however, the permit shall not be approved until the information 3672  
is available and is incorporated into the application; 3673

(l) When requested by the chief, the climatological 3674  
factors that are peculiar to the locality of the land to be 3675  
affected, including the average seasonal precipitation, the 3676  
average direction and velocity of prevailing winds, and the 3677  
seasonal temperature ranges; 3678

(m) Accurate maps prepared by or under the direction of 3679  
and certified by a qualified registered professional engineer, 3680  
registered surveyor, or licensed landscape architect to an 3681  
appropriate scale clearly showing all types of information set 3682  
forth on topographical maps of the United States geological 3683  
survey of a scale of not more than four hundred feet to the 3684  
inch, including all artificial features and significant known 3685  
archeological sites. The map, among other things specified by 3686  
the chief, shall show all boundaries of the land to be affected, 3687  
the boundary lines and names of present owners of record of all 3688  
surface areas abutting the permit area, and the location of all 3689  
buildings within one thousand feet of the permit area. 3690

(n) (i) Cross-section maps or plans of the land to be 3691  
affected including the actual area to be mined, prepared by or 3692  
under the direction of and certified by a qualified registered 3693  
professional engineer or certified professional geologist with 3694  
assistance from experts in related fields such as hydrology, 3695  
hydrogeology, geology, and landscape architecture, showing 3696  
pertinent elevations and locations of test borings or core 3697  
samplings and depicting the following information: the nature 3698  
and depth of the various strata of overburden; the nature and 3699  
thickness of any coal or rider seam above the coal seam to be 3700  
mined; the nature of the stratum immediately beneath the coal 3701  
seam to be mined; all mineral crop lines and the strike and dip 3702  
of the coal to be mined within the area to be affected; existing 3703  
or previous coal mining limits; the location and extent of known 3704

workings of any underground mines, including mine openings to 3705  
the surface; the location of spoil, waste, or refuse areas and 3706  
topsoil preservation areas; the location of all impoundments for 3707  
waste or erosion control; any settling or water treatment 3708  
facility; constructed or natural drainways and the location of 3709  
any discharges to any surface body of water on the land to be 3710  
affected or adjacent thereto; profiles at appropriate cross 3711  
sections of the anticipated final surface configuration that 3712  
will be achieved pursuant to the operator's proposed reclamation 3713  
plan; the location of subsurface water, if encountered; the 3714  
location and quality of aquifers; and the estimated elevation of 3715  
the water table. Registered surveyors shall be allowed to 3716  
perform all plans, maps, and certifications under this chapter 3717  
as they are authorized under Chapter 4733. of the Revised Code. 3718

(ii) A statement of the quality and locations of 3719  
subsurface water. The chief shall provide by rule the number of 3720  
locations to be sampled, frequency of collection, and parameters 3721  
to be analyzed to obtain the statement required. 3722

(o) A statement of the results of test borings or core 3723  
samplings from the permit area, including logs of the drill 3724  
holes, the thickness of the coal seam found, an analysis of the 3725  
chemical properties of the coal, the sulfur content of any coal 3726  
seam, chemical analysis of potentially acid or toxic forming 3727  
sections of the overburden, and chemical analysis of the stratum 3728  
lying immediately underneath the coal to be mined, except that 3729  
this division may be waived by the chief with respect to the 3730  
specific application by a written determination that its 3731  
requirements are unnecessary. If the test borings or core 3732  
samplings from the permit area indicate the existence of 3733  
potentially acid forming or toxic forming quantities of sulfur 3734  
in the coal or overburden to be disturbed by mining, the 3735



application also shall include a statement of the acid 3736  
generating potential and the acid neutralizing potential of the 3737  
rock strata to be disturbed as calculated in accordance with the 3738  
calculation method established under section 1513.075 of the 3739  
Revised Code or with another calculation method. 3740

(p) For those lands in the permit application that a 3741  
reconnaissance inspection suggests may be prime farmlands, a 3742  
soil survey shall be made or obtained according to standards 3743  
established by the secretary of the United States department of 3744  
agriculture in order to confirm the exact location of the prime 3745  
farmlands, if any; 3746

(q) A certificate issued by an insurance company 3747  
authorized to do business in this state certifying that the 3748  
applicant has a public liability insurance policy in force for 3749  
the coal mining and reclamation operations for which the permit 3750  
is sought or evidence that the applicant has satisfied other 3751  
state self-insurance requirements. The policy shall provide for 3752  
personal injury and property damage protection in an amount 3753  
adequate to compensate any persons damaged as a result of coal 3754  
mining and reclamation operations, including the use of 3755  
explosives, and entitled to compensation under the applicable 3756  
provisions of state law. The policy shall be maintained in 3757  
effect during the term of the permit or any renewal, including 3758  
the length of all reclamation operations. The insurance company 3759  
shall give prompt notice to the permittee and the chief if the 3760  
public liability insurance policy lapses for any reason 3761  
including the nonpayment of insurance premiums. Upon the lapse 3762  
of the policy, the chief may suspend the permit and all other 3763  
outstanding permits until proper insurance coverage is obtained. 3764

(r) The business telephone number of the applicant; 3765

(s) If the applicant seeks an authorization under division 3766  
(E) (7) of this section to conduct coal mining and reclamation 3767  
operations on areas to be covered by the permit that were 3768  
affected by coal mining operations before August 3, 1977, that 3769  
have resulted in continuing water pollution from or on the 3770  
previously mined areas, such additional information pertaining 3771  
to those previously mined areas as may be required by the chief, 3772  
including, without limitation, maps, plans, cross sections, data 3773  
necessary to determine existing water quality from or on those 3774  
areas with respect to pH, iron, and manganese, and a pollution 3775  
abatement plan that may improve water quality from or on those 3776  
areas with respect to pH, iron, and manganese. 3777

(2) Information pertaining to coal seams, test borings, 3778  
core samplings, or soil samples as required by this section 3779  
shall be made available by the chief to any person with an 3780  
interest that is or may be adversely affected, except that 3781  
information that pertains only to the analysis of the chemical 3782  
and physical properties of the coal, excluding information 3783  
regarding mineral or elemental content that is potentially toxic 3784  
in the environment, shall be kept confidential and not made a 3785  
matter of public record. 3786

(3) (a) If the chief finds that the probable total annual 3787  
production at all locations of any operator will not exceed 3788  
three hundred thousand tons, the following activities, upon the 3789  
written request of the operator in connection with a permit 3790  
application, shall be performed by a qualified public or private 3791  
laboratory or another public or private qualified entity 3792  
designated by the chief, and the cost of the activities shall be 3793  
assumed by the chief, provided that sufficient moneys for such 3794  
assistance are available: 3795

(i) The determination of probable hydrologic consequences required under division (B) (1) (k) of this section;	3796 3797
(ii) The development of cross-section maps and plans required under division (B) (1) (n) (i) of this section;	3798 3799
(iii) The geologic drilling and statement of results of test borings and core samplings required under division (B) (1) (o) of this section;	3800 3801 3802
(iv) The collection of archaeological information required under division (B) (1) (m) of this section and any other archaeological and historical information required by the chief, and the preparation of plans necessitated thereby;	3803 3804 3805 3806
(v) Pre-blast surveys required under division <del>(E)</del> <u>(B) (5)</u> of section 1513.161 of the Revised Code;	3807 3808
(vi) The collection of site-specific resource information and production of protection and enhancement plans for fish and wildlife habitats and other environmental values required by the chief under this chapter.	3809 3810 3811 3812
(b) A coal operator that has received assistance under division (B) (3) (a) of this section shall reimburse the chief for the cost of the services rendered if the chief finds that the operator's actual and attributed annual production of coal for all locations exceeds three hundred thousand tons during the twelve months immediately following the date on which the operator was issued a coal mining and reclamation permit.	3813 3814 3815 3816 3817 3818 3819
(4) Each applicant for a permit shall submit to the chief as part of the permit application a reclamation plan that meets the requirements of this chapter.	3820 3821 3822
(5) Each applicant for a coal mining and reclamation	3823

permit shall file a copy of the application for a permit, 3824  
excluding that information pertaining to the coal seam itself, 3825  
for public inspection with the county recorder or an appropriate 3826  
public office approved by the chief in the county where the 3827  
mining is proposed to occur. 3828

(6) Each applicant for a coal mining and reclamation 3829  
permit shall submit to the chief as part of the permit 3830  
application a blasting plan that describes the procedures and 3831  
standards by which the operator will comply with section 3832  
1513.161 of the Revised Code. 3833

(C) Each reclamation plan submitted as part of a permit 3834  
application shall include, in the detail necessary to 3835  
demonstrate that reclamation required by this chapter can be 3836  
accomplished and in the detail necessary for the chief to 3837  
determine the estimated cost of reclamation if the reclamation 3838  
has to be performed by the division of mineral resources 3839  
management in the event of forfeiture of the performance 3840  
security by the applicant, a statement of: 3841

(1) The identification of the lands subject to coal mining 3842  
operations over the estimated life of those operations and the 3843  
size, sequence, and timing of the subareas for which it is 3844  
anticipated that individual permits for mining will be sought; 3845

(2) The condition of the land to be covered by the permit 3846  
prior to any mining, including all of the following: 3847

(a) The uses existing at the time of the application and, 3848  
if the land has a history of previous mining, the uses that 3849  
preceded any mining; 3850

(b) The capability of the land prior to any mining to 3851  
support a variety of uses, giving consideration to soil and 3852

foundation characteristics, topography, and vegetative cover 3853  
and, if applicable, a soil survey prepared pursuant to division 3854  
(B) (1) (p) of this section; 3855

(c) The productivity of the land prior to mining, 3856  
including appropriate classification as prime farmlands as well 3857  
as the average yield of food, fiber, forage, or wood products 3858  
obtained from the land under high levels of management. 3859

(3) The use that is proposed to be made of the land 3860  
following reclamation, including information regarding the 3861  
utility and capacity of the reclaimed land to support a variety 3862  
of alternative uses, the relationship of the proposed use to 3863  
existing land use policies and plans, and the comments of any 3864  
owner of the land and state and local governments or agencies 3865  
thereof that would have to initiate, implement, approve, or 3866  
authorize the proposed use of the land following reclamation; 3867

(4) A detailed description of how the proposed postmining 3868  
land use is to be achieved and the necessary support activities 3869  
that may be needed to achieve the proposed land use; 3870

(5) The engineering techniques proposed to be used in 3871  
mining and reclamation and a description of the major equipment; 3872  
a plan for the control of surface water drainage and of water 3873  
accumulation; a plan, where appropriate, for backfilling, soil 3874  
stabilization, and compacting, grading, and appropriate 3875  
revegetation; a plan for soil reconstruction, replacement, and 3876  
stabilization, pursuant to the performance standards in section 3877  
1513.16 of the Revised Code, for those food, forage, and forest 3878  
lands identified in that section; and a statement as to how the 3879  
permittee plans to comply with each of the requirements set out 3880  
in section 1513.16 of the Revised Code; 3881

(6) A description of the means by which the utilization	3882
and conservation of the solid fuel resource being recovered will	3883
be maximized so that re-affecting the land in the future can be	3884
minimized;	3885
(7) A detailed estimated timetable for the accomplishment	3886
of each major step in the reclamation plan;	3887
(8) A description of the degree to which the coal mining	3888
and reclamation operations are consistent with surface owner	3889
plans and applicable state and local land use plans and	3890
programs;	3891
(9) The steps to be taken to comply with applicable air	3892
and water quality laws and regulations and any applicable health	3893
and safety standards;	3894
(10) A description of the degree to which the reclamation	3895
plan is consistent with local physical, environmental, and	3896
climatological conditions;	3897
(11) A description of all lands, interests in lands, or	3898
options on such interests held by the applicant or pending bids	3899
on interests in lands by the applicant, which lands are	3900
contiguous to the area to be covered by the permit;	3901
(12) The results of test borings that the applicant has	3902
made at the area to be covered by the permit, or other	3903
equivalent information and data in a form satisfactory to the	3904
chief, including the location of subsurface water, and an	3905
analysis of the chemical properties, including acid forming	3906
properties of the mineral and overburden; except that	3907
information that pertains only to the analysis of the chemical	3908
and physical properties of the coal, excluding information	3909
regarding mineral or elemental contents that are potentially	3910

toxic in the environment, shall be kept confidential and not 3911  
made a matter of public record; 3912

(13) A detailed description of the measures to be taken 3913  
during the mining and reclamation process to ensure the 3914  
protection of all of the following: 3915

(a) The quality of surface and ground water systems, both 3916  
on- and off-site, from adverse effects of the mining and 3917  
reclamation process; 3918

(b) The rights of present users to such water; 3919

(c) The quantity of surface and ground water systems, both 3920  
on- and off-site, from adverse effects of the mining and 3921  
reclamation process or, where such protection of quantity cannot 3922  
be assured, provision of alternative sources of water. 3923

(14) Any other requirements the chief prescribes by rule. 3924

(D) (1) Any information required by division (C) of this 3925  
section that is not on public file pursuant to this chapter 3926  
shall be held in confidence by the chief. 3927

(2) With regard to requests for an exemption from the 3928  
requirements of this chapter for coal extraction incidental to 3929  
the extraction of other minerals, as described in division (H) 3930  
(1) (a) of section 1513.01 of the Revised Code, confidential 3931  
information includes and is limited to information concerning 3932  
trade secrets or privileged commercial or financial information 3933  
relating to the competitive rights of the persons intending to 3934  
conduct the extraction of minerals. 3935

(E) (1) Upon the basis of a complete mining application and 3936  
reclamation plan or a revision or renewal thereof, as required 3937  
by this chapter, and information obtained as a result of public 3938

notification and public hearing, if any, as provided by section 3939  
1513.071 of the Revised Code, the chief shall grant, require 3940  
modification of, or deny the application for a permit and notify 3941  
the applicant in writing in accordance with division (I) (3) of 3942  
this section. An application is deemed to be complete as 3943  
submitted to the chief unless the chief, within fourteen days of 3944  
the submission, identifies deficiencies in the application in 3945  
writing and subsequently submits a copy of a written list of 3946  
deficiencies to the applicant. An application shall not be 3947  
considered incomplete or denied by reason of right of entry 3948  
documentation, provided that the applicant documents the 3949  
applicant's legal right to enter and mine at least sixty-seven 3950  
per cent of the total area for which coal mining operations are 3951  
proposed. 3952

A decision of the chief denying a permit shall state in 3953  
writing the specific reasons for the denial. 3954

The applicant for a permit or revision of a permit has the 3955  
burden of establishing that the application is in compliance 3956  
with all the requirements of this chapter. Within ten days after 3957  
the granting of a permit, the chief shall notify the boards of 3958  
township trustees and county commissioners, the mayor, and the 3959  
legislative authority in the township, county, and municipal 3960  
corporation in which the area of land to be affected is located 3961  
that a permit has been issued and shall describe the location of 3962  
the land. However, failure of the chief to notify the local 3963  
officials shall not affect the status of the permit. 3964

(2) No permit application or application for revision of 3965  
an existing permit shall be approved unless the application 3966  
affirmatively demonstrates and the chief finds in writing on the 3967  
basis of the information set forth in the application or from 3968



information otherwise available, which shall be documented in 3969  
the approval and made available to the applicant, all of the 3970  
following: 3971

(a) The application is accurate and complete and all the 3972  
requirements of this chapter have been complied with. 3973

(b) The applicant has demonstrated that the reclamation 3974  
required by this chapter can be accomplished under the 3975  
reclamation plan contained in the application. 3976

(c) (i) Assessment of the probable cumulative impact of all 3977  
anticipated mining in the general and adjacent area on the 3978  
hydrologic balance specified in division (B) (1) (k) of this 3979  
section has been made by the chief, and the proposed operation 3980  
has been designed to prevent material damage to hydrologic 3981  
balance outside the permit area. 3982

(ii) There shall be an ongoing process conducted by the 3983  
chief in cooperation with other state and federal agencies to 3984  
review all assessments of probable cumulative impact of coal 3985  
mining in light of post-mining data and any other hydrologic 3986  
information as it becomes available to determine if the 3987  
assessments were realistic. The chief shall take appropriate 3988  
action as indicated in the review process. 3989

(d) The area proposed to be mined is not included within 3990  
an area designated unsuitable for coal mining pursuant to 3991  
section 1513.073 of the Revised Code or is not within an area 3992  
under study for such designation in an administrative proceeding 3993  
commenced pursuant to division (A) (3) (c) or (B) of section 3994  
1513.073 of the Revised Code unless in an area as to which an 3995  
administrative proceeding has commenced pursuant to division (A) 3996  
(3) (c) or (B) of section 1513.073 of the Revised Code, the 3997

operator making the permit application demonstrates that, prior 3998  
to January 1, 1977, the operator made substantial legal and 3999  
financial commitments in relation to the operation for which a 4000  
permit is sought. 4001

(e) In cases where the private mineral estate has been 4002  
severed from the private surface estate and surface disturbance 4003  
will result from the applicant's proposed use of a strip mining 4004  
method, the applicant has submitted to the chief one of the 4005  
following: 4006

(i) The written consent of the surface owner to the 4007  
surface disturbance that will result from the extraction of coal 4008  
by the applicant's proposed strip mining method; 4009

(ii) A conveyance that expressly grants or reserves the 4010  
right to extract the coal by strip mining methods that cause 4011  
surface disturbance; 4012

(iii) If the conveyance does not expressly grant the right 4013  
to extract coal by strip mining methods that cause surface 4014  
disturbance, the surface-subsurface legal relationship 4015  
concerning surface disturbance shall be determined under the law 4016  
of this state. This chapter does not authorize the chief to 4017  
adjudicate property rights disputes. 4018

(3) (a) The applicant shall file with the permit 4019  
application a schedule listing all notices of violations of any 4020  
law, rule, or regulation of the United States or of any 4021  
department or agency thereof or of any state pertaining to air 4022  
or water environmental protection incurred by the applicant in 4023  
connection with any coal mining operation during the three-year 4024  
period prior to the date of application. The schedule also shall 4025  
indicate the final resolution of such a notice of violation. 4026

Upon receipt of an application, the chief shall provide a 4027  
schedule listing all notices of violations of this chapter 4028  
pertaining to air or water environmental protection incurred by 4029  
the applicant during the three-year period prior to receipt of 4030  
the application and the final resolution of all such notices of 4031  
violation. The chief shall provide this schedule to the 4032  
applicant for filing by the applicant with the application filed 4033  
for public review, as required by division (B) (5) of this 4034  
section. When the schedule or other information available to the 4035  
chief indicates that any coal mining operation owned or 4036  
controlled by the applicant is currently in violation of such 4037  
laws, the permit shall not be issued until the applicant submits 4038  
proof that the violation has been corrected or is in the process 4039  
of being corrected to the satisfaction of the regulatory 4040  
authority, department, or agency that has jurisdiction over the 4041  
violation and that any civil penalties owed to the state for a 4042  
violation and not the subject of an appeal have been paid. No 4043  
permit shall be issued to an applicant after a finding by the 4044  
chief that the applicant or the operator specified in the 4045  
application controls or has controlled mining operations with a 4046  
demonstrated pattern of willful violations of this chapter of a 4047  
nature and duration to result in irreparable damage to the 4048  
environment as to indicate an intent not to comply with or a 4049  
disregard of this chapter. 4050

(b) For the purposes of division (E) (3) (a) of this 4051  
section, any violation resulting from an unanticipated event or 4052  
condition at a surface coal mining operation on lands eligible 4053  
for remining under a permit held by the person submitting an 4054  
application for a coal mining permit under this section shall 4055  
not prevent issuance of that permit. As used in this division, 4056  
"unanticipated event or condition" means an event or condition 4057

encountered in a remining operation that was not contemplated by 4058  
the applicable surface coal mining and reclamation permit. 4059

(4) (a) In addition to finding the application in 4060  
compliance with division (E) (2) of this section, if the area 4061  
proposed to be mined contains prime farmland as determined 4062  
pursuant to division (B) (1) (p) of this section, the chief, after 4063  
consultation with the secretary of the United States department 4064  
of agriculture and pursuant to regulations issued by the 4065  
secretary of the interior with the concurrence of the secretary 4066  
of agriculture, may grant a permit to mine on prime farmland if 4067  
the chief finds in writing that the operator has the 4068  
technological capability to restore the mined area, within a 4069  
reasonable time, to equivalent or higher levels of yield as 4070  
nonmined prime farmland in the surrounding area under equivalent 4071  
levels of management and can meet the soil reconstruction 4072  
standards in section 1513.16 of the Revised Code. 4073

(b) Division (E) (4) (a) of this section does not apply to a 4074  
permit issued prior to August 3, 1977, or revisions or renewals 4075  
thereof. 4076

(5) The chief shall issue an order denying a permit after 4077  
finding that the applicant has misrepresented or omitted any 4078  
material fact in the application for the permit. 4079

(6) The chief may issue an order denying a permit after 4080  
finding that the applicant, any partner, if the applicant is a 4081  
partnership, any officer, principal shareholder, or director, if 4082  
the applicant is a corporation, or any other person who has a 4083  
right to control or in fact controls the management of the 4084  
applicant or the selection of officers, directors, or managers 4085  
of the applicant has been a sole proprietor or partner, officer, 4086  
director, principal shareholder, or person having the right to 4087

control or has in fact controlled the management of or the 4088  
selection of officers, directors, or managers of a business 4089  
entity that ever has had a coal mining license or permit issued 4090  
by this or any other state or the United States suspended or 4091  
revoked, ever has forfeited a coal or surface mining bond, 4092  
performance security, or similar security deposited in lieu of 4093  
bond in this or any other state or with the United States, or 4094  
ever has substantially or materially failed to comply with this 4095  
chapter. 4096

(7) When issuing a permit under this section, the chief 4097  
may authorize an applicant to conduct coal mining and 4098  
reclamation operations on areas to be covered by the permit that 4099  
were affected by coal mining operations before August 3, 1977, 4100  
that have resulted in continuing water pollution from or on the 4101  
previously mined areas for the purpose of potentially reducing 4102  
the pollution loadings of pH, iron, and manganese from 4103  
discharges from or on the previously mined areas. Following the 4104  
chief's authorization to conduct such operations on those areas, 4105  
the areas shall be designated as pollution abatement areas for 4106  
the purposes of this chapter. 4107

The chief shall not grant an authorization under division 4108  
(E) (7) of this section to conduct coal mining and reclamation 4109  
operations on any such previously mined areas unless the 4110  
applicant demonstrates to the chief's satisfaction that all of 4111  
the following conditions are met: 4112

(a) The applicant's pollution abatement plan for mining 4113  
and reclaiming the previously mined areas represents the best 4114  
available technology economically achievable. 4115

(b) Implementation of the plan will potentially reduce 4116  
pollutant loadings of pH, iron, and manganese resulting from 4117

discharges of surface waters or ground water from or on the 4118  
previously mined areas within the permit area. 4119

(c) Implementation of the plan will not cause any 4120  
additional degradation of surface water quality off the permit 4121  
area with respect to pH, iron, and manganese. 4122

(d) Implementation of the plan will not cause any 4123  
additional degradation of ground water. 4124

(e) The plan meets the requirements governing mining and 4125  
reclamation of such previously mined pollution abatement areas 4126  
established by the chief in rules adopted under section 1513.02 4127  
of the Revised Code. 4128

(f) Neither the applicant; any partner, if the applicant 4129  
is a partnership; any officer, principal shareholder, or 4130  
director, if the applicant is a corporation; any other person 4131  
who has a right to control or in fact controls the management of 4132  
the applicant or the selection of officers, directors, or 4133  
managers of the applicant; nor any contractor or subcontractor 4134  
of the applicant, has any of the following: 4135

(i) Responsibility or liability under this chapter or 4136  
rules adopted under it as an operator for treating the 4137  
discharges of water pollutants from or on the previously mined 4138  
areas for which the authorization is sought; 4139

(ii) Any responsibility or liability under this chapter or 4140  
rules adopted under it for reclaiming the previously mined areas 4141  
for which the authorization is sought; 4142

(iii) During the eighteen months prior to submitting the 4143  
permit application requesting an authorization under division 4144  
(E) (7) of this section, had a coal mining and reclamation permit 4145  
suspended or revoked under division (D) (3) of section 1513.02 of 4146

the Revised Code for violating this chapter or Chapter 6111. of 4147  
the Revised Code or rules adopted under them with respect to 4148  
water quality, effluent limitations, or surface or ground water 4149  
monitoring; 4150

(iv) Ever forfeited a coal or surface mining bond, 4151  
performance security, or similar security deposited in lieu of a 4152  
bond in this or any other state or with the United States. 4153

(8) In the case of the issuance of a permit that involves 4154  
a conflict of results between various methods of calculating 4155  
potential acidity and neutralization potential for purposes of 4156  
assessing the potential for acid mine drainage to occur at a 4157  
mine site, the permit shall include provisions for monitoring 4158  
and record keeping to identify the creation of unanticipated 4159  
acid water at the mine site. If the monitoring detects the 4160  
creation of acid water at the site, the permit shall impose on 4161  
the permittee additional requirements regarding mining practices 4162  
and site reclamation to prevent the discharge of acid mine 4163  
drainage from the mine site. As used in division (E) (8) of this 4164  
section, "potential acidity" and "neutralization potential" have 4165  
the same meanings as in section 1513.075 of the Revised Code. 4166

(F) (1) During the term of the permit, the permittee may 4167  
submit an application for a revision of the permit, together 4168  
with a revised reclamation plan, to the chief. 4169

(2) An application for a revision of a permit shall not be 4170  
approved unless the chief finds that reclamation required by 4171  
this chapter can be accomplished under the revised reclamation 4172  
plan. The revision shall be approved or disapproved within 4173  
ninety days after receipt of a complete revision application. 4174  
The chief shall establish, by rule, criteria for determining the 4175  
extent to which all permit application information requirements 4176

and procedures, including notice and hearings, shall apply to 4177  
the revision request, except that any revisions that propose 4178  
significant alterations in the reclamation plan, at a minimum, 4179  
shall be subject to notice and hearing requirements. 4180

(3) Any extensions to the area covered by the permit 4181  
except incidental boundary revisions shall be made by 4182  
application for a permit. 4183

(4) Documents or a notarized statement that form the basis 4184  
of the applicant's legal right to enter and commence coal mining 4185  
operations on land that is located within an area covered by the 4186  
permit and that was legally acquired subsequent to the issuance 4187  
of the permit for the area shall be submitted with an 4188  
application for a revision of the permit. 4189

(G) No transfer, assignment, or sale of the rights granted 4190  
under a permit issued pursuant to this chapter shall be made 4191  
without the written approval of the chief. 4192

(H) The chief, within a time limit prescribed in the 4193  
chief's rules, shall review outstanding permits and may require 4194  
reasonable revision or modification of a permit. A revision or 4195  
modification shall be based upon a written finding and subject 4196  
to notice and hearing requirements established by rule of the 4197  
chief. 4198

(I) (1) If an informal conference has been held pursuant to 4199  
section 1513.071 of the Revised Code, the chief shall issue and 4200  
furnish the applicant for a permit, persons who participated in 4201  
the informal conference, and persons who filed written 4202  
objections pursuant to division (B) of section 1513.071 of the 4203  
Revised Code, with the written finding of the chief granting or 4204  
denying the permit in whole or in part and stating the reasons 4205



therefor within sixty days of the conference, provided that the 4206  
chief shall comply with the time frames established in division 4207  
(I) (3) of this section. 4208

(2) If there has been no informal conference held pursuant 4209  
to section 1513.071 of the Revised Code, the chief shall submit 4210  
to the applicant for a permit the written finding of the chief 4211  
granting or denying the permit in whole or in part and stating 4212  
the reasons therefor within the time frames established in 4213  
division (I) (3) of this section. 4214

(3) The chief shall grant or deny a permit not later than 4215  
two hundred forty days after the submission of a complete 4216  
application for the permit. Any time during which the applicant 4217  
is making revisions to an application or providing additional 4218  
information requested by the chief regarding an application 4219  
shall not be included in the two hundred forty days. If the 4220  
chief determines that a permit cannot be granted or denied 4221  
within the two-hundred-forty-day time frame, the chief, not 4222  
later than two hundred ten days after the submission of a 4223  
complete application for the permit, shall provide the applicant 4224  
with written notice of the expected delay. 4225

(4) If the application is approved, the permit shall be 4226  
issued. However, the permit shall prohibit the commencement of 4227  
coal mining operations on any land that is located within an 4228  
area covered by the permit if the permittee has not provided to 4229  
the chief documents that form the basis of the permittee's legal 4230  
right to enter and conduct coal mining operations on that land. 4231  
If the application is disapproved, specific reasons therefor 4232  
shall be set forth in the notification. Within thirty days after 4233  
the applicant is notified of the final decision of the chief on 4234  
the permit application, the applicant or any person with an 4235

interest that is or may be adversely affected may appeal the 4236  
decision to the reclamation commission pursuant to section 4237  
1513.13 of the Revised Code. 4238

(5) Any applicant or any person with an interest that is 4239  
or may be adversely affected who has participated in the 4240  
administrative proceedings as an objector and is aggrieved by 4241  
the decision of the reclamation commission, or if the commission 4242  
fails to act within the time limits specified in this chapter, 4243  
may appeal in accordance with section 1513.14 of the Revised 4244  
Code. 4245

**Sec. 1513.161.** (A) An operator shall use explosives only 4246  
in accordance with Chapter 1567. of the Revised Code and rules 4247  
adopted pursuant thereto by the chief of the division of mineral 4248  
resources management, and in accordance with this section and 4249  
rules adopted pursuant thereto by the chief, and in accordance 4250  
with all applicable federal laws and regulations. If, in any 4251  
situation involving a coal mining operation, except when 4252  
underground coal mining is part or all of the coal mining 4253  
operation, a rule adopted pursuant to Chapter 1567. of the 4254  
Revised Code is in conflict with a rule adopted pursuant to this 4255  
section, the rule adopted pursuant to this section prevails. 4256  
When underground coal mining is part or all of the coal mining 4257  
operation, the rule adopted pursuant to Chapter 1567. of the 4258  
Revised Code prevails. 4259

Before an explosive is set off, sufficient warning shall 4260  
be given to allow any person in or approaching the area ample 4261  
time to retreat a safe distance. 4262

No blasting shall be done between the hours of sunset and 4263  
sunrise. 4264

(B) The chief shall adopt rules to: 4265

~~(A)~~ (1) Provide adequate advance written notice to local 4266  
governments and residents who might be affected by the use of 4267  
explosives by publication of the planned blasting schedule in a 4268  
newspaper of general circulation in the locality of the coal 4269  
mining operation, by mailing a copy of the proposed blasting 4270  
schedule to every resident living within one-half mile of the 4271  
proposed blasting site, and by providing daily notice to 4272  
residents or occupants in such areas prior to any blasting; 4273

~~(B)~~ (2) Maintain for a period of at least three years and 4274  
make available for public inspection upon request a log 4275  
detailing the location of the blasts, the pattern and depth of 4276  
the drill holes, the amount of explosives used per hole, and the 4277  
order and length of delay in the blasts; 4278

~~(C)~~ (3) Limit the type of explosives and detonating 4279  
equipment, the size, and the timing and frequency of blasts 4280  
based upon the physical conditions of the site so as to prevent: 4281

~~(1)~~ (a) Injury to persons; 4282

~~(2)~~ (b) Damage to public and private property outside the 4283  
permit area; 4284

~~(3)~~ (c) Adverse impacts on any underground mine; 4285

~~(4)~~ (d) Change in the course, channel, or availability of 4286  
ground or surface water outside the permit area. 4287

~~(D)~~ (4) Require that all blasting operations be conducted 4288  
by trained and competent persons as certified by the chief; 4289

~~(E)~~ (5) Provide that upon the request of a resident or 4290  
owner of an artificial dwelling or structure or water supply 4291  
within one-half mile of any portion of the permit area, the 4292

applicant or permittee shall conduct a preblasting survey of the 4293  
structures or water supply and submit the survey to the chief 4294  
and a copy to the resident or owner making the request. The area 4295  
of the survey shall be decided by the chief and shall include 4296  
such provisions as the chief prescribes. 4297

~~(F) Require~~ (6) Except as provided in division (C) of this 4298  
section, require the training, examination, and certification of 4299  
persons engaging in or directly responsible for blasting or use 4300  
of explosives in coal mining operations. 4301

(C) The chief shall issue a certificate for blasting or 4302  
use of explosives in coal mining operations in accordance with 4303  
Chapter 4796. of the Revised Code to an applicant if either of 4304  
the following applies: 4305

(1) The applicant holds a license or certificate in 4306  
another state. 4307

(2) The applicant has satisfactory work experience, a 4308  
government certification, or a private certification as 4309  
described in that chapter as a blaster or user of explosives in 4310  
coal mining operations in a state that does not issue that 4311  
license or certificate. 4312

(D) The chief, by rule or order, may prohibit blasting in 4313  
specific areas where the safety of the public would be 4314  
endangered. 4315

(E) No person shall use explosives in violation of this 4316  
section, a rule adopted thereunder, or an order of the chief. 4317

**Sec. 1514.12.** (A) Explosives shall be used in a manner 4318  
that prevents injury to persons and damage to public or private 4319  
property that is located outside the area for which a permit was 4320  
issued under section 1514.02 or 1514.021 of the Revised Code. 4321

(B) The ground vibration resulting from the use of 4322  
explosives when measured at any dwelling, public or commercial 4323  
building, school, church, or community or institutional building 4324  
that is located outside the area for which a permit was issued 4325  
under section 1514.02 or 1514.021 of the Revised Code and that 4326  
is not owned by the operator shall not exceed the frequency- 4327  
dependent particle velocity limits listed in the "report of 4328  
investigations 8507, appendix B -- alternative blasting level 4329  
criteria, (1980)," published by the former United States bureau 4330  
of mines, or other limits established by rule. 4331

(C) The airblast resulting from the use of explosives when 4332  
measured with a two hertz high-pass system at any location 4333  
listed in division (B) of this section shall not exceed a level 4334  
of one hundred thirty-three decibels. 4335

(D) On and after July 1, 2003, all blasting in surface 4336  
mining shall be conducted by persons who are trained and 4337  
competent in blasting as certified by the chief of the division 4338  
of mineral resources management or a certifying authority 4339  
approved by the chief. 4340

(E) ~~The~~ Except as provided in division (G) of this 4341  
section, the chief shall adopt, and may amend and rescind, rules 4342  
in accordance with Chapter 119. of the Revised Code establishing 4343  
requirements and standards governing all of the following: 4344

(1) Seismographic monitoring and alternate methods to 4345  
prove compliance with the ground vibration limits established 4346  
under division (B) of this section and the airblast limits 4347  
established under division (C) of this section; 4348

(2) Protection of any building or structure not listed in 4349  
division (B) of this section; 4350

(3) Training, examination, and certification of persons 4351  
conducting blasting in surface mining and suspension or 4352  
revocation of certifications; 4353

(4) Standard blast warning and all-clear signals; 4354

(5) Blasting records and flyrock reporting requirements; 4355

(6) Safety measures for blasting in surface mining. 4356

(F) The chief may adopt rules under this section that 4357  
establish limits on the amount of ground vibration resulting 4358  
from the use of explosives that is permissible when measured at 4359  
the locations described in division (B) of this section. 4360

(G) The chief shall issue a certificate to conduct 4361  
blasting in surface mining in accordance with Chapter 4796. of 4362  
the Revised Code to any person if either of the following 4363  
applies: 4364

(1) The person holds a license or certificate in another 4365  
state. 4366

(2) The person has satisfactory work experience, a 4367  
government certification, or a private certification as 4368  
described in that chapter as a surface mining blaster in a state 4369  
that does not issue that license or certificate. 4370

**Sec. 1514.47.** (A) (1) The operator of a surface mining 4371  
operation shall employ a certified mine foreperson to be in 4372  
charge of the conditions and practices at the mine and to be 4373  
responsible for conducting examinations of the surface mining 4374  
operation under 30 C.F.R. part 56, as amended. 4375

(2) Examinations of surface mining operations for the 4376  
purposes of 30 C.F.R. part 56, as amended, shall be conducted by 4377  
one of the following: 4378

<del>(i)</del> <u>(a)</u> A certified mine foreperson;	4379
<del>(ii)</del> <u>(b)</u> A person who is qualified to conduct such examinations as provided in division (D) of this section;	4380 4381
<del>(iii)</del> <u>(c)</u> A person designated by the certified mine foreperson as a competent person.	4382 4383
(3) For purposes of this section, a competent person is a person who has been trained in accordance with 30 C.F.R. part 46 and been determined by a certified mine foreperson to have demonstrated the ability, training, knowledge, or experience necessary to perform the duty to which the person is assigned. A person is not a competent person if the chief of the division of mineral resources management demonstrates, with good cause, that the person does not have the ability, training, knowledge, or experience necessary to perform that duty.	4384 4385 4386 4387 4388 4389 4390 4391 4392
(4) The operator of a surface mining operation shall maintain records demonstrating that a competent person designated by a certified mine foreperson has the ability, training, knowledge, or experience to perform the duty to which the person is assigned as well as records of the competent person's training in accordance with 30 C.F.R. part 46. The operator shall make the records available to the chief upon request.	4393 4394 4395 4396 4397 4398 4399 4400
<del>(B) The</del> <u>Except as provided in division (E) of this section, the</u> chief shall conduct examinations for the position of certified mine foreperson in accordance with rules. In order to be eligible for examination as a certified mine foreperson, an applicant shall file with the chief an affidavit establishing the applicant's qualifications to take the examination. The chief shall grade examinations and issue certificates.	4401 4402 4403 4404 4405 4406 4407

(C) (1) A certificate issued under this section shall not 4408  
expire unless the certificate holder has not been employed in a 4409  
surface mining operation for five consecutive years. If the 4410  
certificate holder has not been employed in a surface mining 4411  
operation for five consecutive years, the certificate holder may 4412  
retake the mine foreperson examination or may petition the chief 4413  
to accept past employment history in lieu of fulfilling the 4414  
employment requirement established in this division. The chief 4415  
shall grant or deny the petition by issuance of an order. If the 4416  
chief grants the petition, the chief shall reissue the 4417  
certificate. 4418

(2) If a certificate issued under this section is 4419  
suspended, the certificate shall not be renewed until the 4420  
suspension period expires and the person whose certificate is 4421  
suspended successfully completes all actions required by the 4422  
chief. ~~If an applicant's license, certificate, or similar~~ 4423  
~~authority that is issued by another state to perform specified~~ 4424  
~~mining duties is suspended or revoked by that state, the~~ 4425  
~~applicant shall be ineligible for examination for or renewal of~~ 4426  
~~a certificate in this state during that period of suspension or~~ 4427  
~~revocation.~~ A certificate that has been revoked shall not be 4428  
renewed. 4429

(3) If a person who has been certified by the chief under 4430  
this section purposely violates this chapter, the chief may 4431  
suspend or revoke the certificate after an investigation and 4432  
hearing conducted in accordance with Chapter 119. of the Revised 4433  
Code are completed. 4434

(4) If a person holds a certificate issued under this 4435  
section that has not expired prior to ~~the effective date of this~~ 4436  
~~amendment~~ September 29, 2015, the chief, upon request, shall 4437



reissue to that person a certificate that does not expire as 4438  
provided in division (C) (1) of this section. 4439

(5) If a person holds a certificate issued under this 4440  
section that expired on or after April 7, 2012, and has not been 4441  
issued a new certificate prior to ~~the effective date of this~~ 4442  
~~amendment~~ September 29, 2015, the chief, upon request, shall 4443  
issue to that person a certificate that does not expire as 4444  
provided in division (C) (1) of this section, provided that the 4445  
person is in compliance with all other applicable requirements 4446  
established in this chapter and rules adopted under it. 4447

(D) In lieu of employing a certified mine foreperson, the 4448  
operator of a surface mining operation may submit to the chief a 4449  
detailed training plan under which persons who qualify under the 4450  
plan may conduct and document examinations at the surface mining 4451  
operation for purposes of 30 C.F.R. part 56, as amended. The 4452  
chief shall review the plan and determine if the plan complies 4453  
with the requirements established in rules. The chief shall 4454  
approve or deny the plan and notify in writing the operator who 4455  
submitted the plan of the chief's decision. 4456

(E) The chief shall issue a mine foreperson certificate in 4457  
accordance with Chapter 4796. of the Revised Code to any person 4458  
if either of the following applies: 4459

(1) The person holds a license or certificate in another 4460  
state. 4461

(2) The person has satisfactory work experience, a 4462  
government certification, or a private certification as 4463  
described in that chapter as a mine foreperson in a state that 4464  
does not issue that license or certificate. 4465

**Sec. 1531.40.** (A) As used in this section: 4466

(1) "Nuisance wild animal" means a wild animal that 4467  
interferes with the use or enjoyment of property, is causing a 4468  
threat to public safety, or may cause damage or harm to a 4469  
structure, property, or person. 4470

(2) "Commercial nuisance wild animal control operator" 4471  
means an individual or business that provides nuisance wild 4472  
animal removal or control services for hire to the owner, the 4473  
operator, or the owner's or operator's authorized agent of 4474  
property or a structure. 4475

(B) (1) No person shall provide nuisance wild animal 4476  
removal or control services for hire without obtaining a license 4477  
under this section from the chief of the division of wildlife. 4478

(2) An applicant shall pay a license fee of forty dollars 4479  
for the license. The license shall be renewed annually prior to 4480  
the first day of March and shall expire on the last day of 4481  
February. All money collected under this division shall be 4482  
deposited in the state treasury to the credit of the wildlife 4483  
fund created in section 1531.17 of the Revised Code. 4484

(3) An individual who is providing nuisance wild animal 4485  
removal or control services for hire under a license issued 4486  
under this section is exempt from obtaining a hunting license 4487  
under section 1533.10 of the Revised Code, a fur taker permit 4488  
under section 1533.111 of the Revised Code, or a fishing license 4489  
under section 1533.32 of the Revised Code for the purposes of 4490  
performing those services. 4491

(4) An individual who is employed by the state, a county, 4492  
or a municipal corporation and who performs nuisance wild animal 4493  
removal or control services on land that is owned by the state, 4494  
county, or municipal corporation, as applicable, as part of the 4495

individual's employment is exempt from obtaining a license under 4496  
this section. 4497

(C) (1) Unless otherwise specified by division rule, a 4498  
commercial nuisance wild animal control operator and any 4499  
individual who is employed by an operator that is engaged in 4500  
activities that are part of or related to the removal or control 4501  
of nuisance wild animals, including setting or maintaining 4502  
traps, shall obtain a certification of completion of a course of 4503  
instruction that complies with rules adopted under division (F) 4504  
of this section. A certification shall be renewed every three 4505  
years. 4506

(2) ~~An~~ Except as provided in division (H) of this section, 4507  
an individual who provides nuisance wild animal removal or 4508  
control services under a license issued under this section shall 4509  
comply with division (C) (1) of this section. 4510

(D) An operator that holds a license issued under this 4511  
section is responsible for the acts of each of the operator's 4512  
employees in the removal or control of a nuisance wild animal. 4513

(E) If an individual who is licensed under this section 4514  
uses a pesticide in the removal or control of a nuisance wild 4515  
animal, the individual shall obtain the appropriate license 4516  
under Chapter 921. of the Revised Code. 4517

(F) ~~The~~ Except as provided in division (H) of this 4518  
section, the chief shall adopt rules under section 1531.10 of 4519  
the Revised Code establishing all of the following: 4520

(1) Appropriate methods for trapping, capturing, removing, 4521  
relocating, and controlling nuisance wild animals by operators 4522  
licensed under this section; 4523

(2) Procedures for issuing, denying, suspending, and 4524

revoking a license under this section; 4525

(3) Requirements governing the certification course 4526  
required by division (C)(1) of this section. The rules shall 4527  
specify the minimum contents of such a course, including public 4528  
safety and health, animal life history, the use of nuisance wild 4529  
animal removal and control devices, and the laws and rules 4530  
governing those activities. The rules also shall specify who may 4531  
conduct such a course. The rules shall require that, in order 4532  
for an operator to receive a certification of completion, the 4533  
operator shall pass an examination. 4534

(4) Any other requirements and procedures necessary to 4535  
administer and enforce this section. 4536

Rules shall be adopted under division (F) of this section 4537  
only with the approval of the director of natural resources. 4538

(G) In accordance with Chapter 119. of the Revised Code 4539  
and with rules adopted under this section, the chief may suspend 4540  
or revoke a license issued under this section if the chief finds 4541  
that the holder of the license is violating or has violated this 4542  
chapter, Chapter 1533. of the Revised Code, or rules adopted 4543  
under those chapters. 4544

(H) The chief shall issue a license to provide nuisance 4545  
wild animal removal or control services in accordance with 4546  
Chapter 4796. of the Revised Code to an applicant if either of 4547  
the following applies: 4548

(1) The applicant holds a license in another state. 4549

(2) The applicant has satisfactory work experience, a 4550  
government certification, or a private certification as 4551  
described in that chapter as an individual who provides nuisance 4552  
wild animal removal or control services in a state that does not 4553

issue that license. 4554

**Sec. 1533.051.** (A) The chief of the division of wildlife 4555  
may authorize commercial and noncommercial propagation of 4556  
raptors by rules adopted pursuant to section 1531.08 of the 4557  
Revised Code. The rules shall be consistent with federal 4558  
regulations governing raptor propagation. 4559

(B) No person shall propagate raptors without a permit to 4560  
do so issued by the chief. The duration of the permit shall be 4561  
consistent with applicable federal requirements. 4562

The fees for permits shall be set by the chief in amounts 4563  
sufficient to cover the expenses of the division in exercising 4564  
its authority under this section and may vary according to the 4565  
type of permit. Moneys received from the sale of permits shall 4566  
be paid into the state treasury to the credit of the fund 4567  
established in section 1533.15 of the Revised Code. 4568

(C) The chief shall issue a commercial raptor propagation 4569  
permit in accordance with Chapter 4796. of the Revised Code to 4570  
an applicant if either of the following applies: 4571

(1) The applicant holds a license or permit in another 4572  
state. 4573

(2) The applicant has satisfactory work experience, a 4574  
government certification, or a private certification as 4575  
described in that chapter as a person who propogates raptors in 4576  
a state that does not issue that license or permit. 4577

(D) A permittee may use a raptor possessed for propagation 4578  
in the sport of falconry only if the permittee is in compliance 4579  
with section 1533.05 of the Revised Code and the raptor is 4580  
reported under permits issued under both that section and this 4581  
section. 4582

~~(D)~~ (E) This section does not apply to propagation of 4583  
raptors by the state, any agency of the state, the United 4584  
States, any agency or instrumentality thereof, or any zoological 4585  
park. 4586

**Sec. 1533.51.** (A) No person shall be or serve as a fishing 4587  
guide in the Lake Erie fishing district without a license from 4588  
the chief of the division of wildlife. The application for a 4589  
license, and the license, shall be in such form as the chief 4590  
prescribes. 4591

(B) The chief, with the approval of the wildlife council, 4592  
may establish the qualifications for such a license and the 4593  
terms, conditions, and restrictions thereof. Such qualifications 4594  
when applicable shall include that the applicant possesses a 4595  
power boat operator's license from a department, agency, 4596  
commission, or instrumentality of the United States. 4597

(C) The chief shall issue a fishing guide license in 4598  
accordance with Chapter 4796. of the Revised Code to an 4599  
applicant if either of the following applies: 4600

(1) The applicant holds a license in another state. 4601

(2) The applicant has satisfactory work experience, a 4602  
government certification, or a private certification as 4603  
described in that chapter as a fishing guide in a state that 4604  
does not issue that license. 4605

(D) Fishing guide licenses shall expire each year on the 4606  
fifteenth day of April. Such a license shall be carried ~~by~~ on 4607  
the person or the person in command of the boat or person in 4608  
charge, ~~upon his person,~~ when such service is being performed, 4609  
and shall be exhibited upon demand to any wildlife officer or 4610  
other law enforcement officer who has authority to enforce the 4611

wildlife, hunting, and fishing laws. 4612

(E) The license fee for a fishing guide license is fifty 4613  
dollars per person. 4614

(F) The license fee for other services or devices, as 4615  
approved by the chief, not mentioned in this section shall be an 4616  
amount set by the chief with the approval of the wildlife 4617  
council, not to exceed twenty-five dollars. 4618

(G) All license fees collected from fishing guides shall 4619  
be deposited in the state treasury pursuant to section 1533.33 4620  
of the Revised Code. 4621

(H) No person shall fail to comply with any provision of 4622  
this section or division rule adopted pursuant to it. 4623

**Sec. 1561.14.** ~~A~~ (A) Except as provided in division (B) of 4624  
this section, a person who applies for a certificate as a mine 4625  
electrician shall be able to read and write the English 4626  
language, and prior to the date of the application for 4627  
examination either shall have had at least one year's experience 4628  
in performing electrical work underground in a coal mine, in the 4629  
surface work area of an underground coal mine, in a surface coal 4630  
mine, or in a noncoal mine, or shall have had such experience as 4631  
the chief of the division of mineral resources management 4632  
determines to be equivalent. Each applicant for examination 4633  
shall pay a fee of ten dollars to the chief on the first day of 4634  
the examination. Any money collected under this section shall be 4635  
paid into the state treasury to the credit of the mining 4636  
regulation and safety fund created in section 1513.30 of the 4637  
Revised Code. 4638

(B) The chief shall issue a mine electrician certificate 4639  
in accordance with Chapter 4796. of the Revised Code to an 4640

applicant if either of the following applies: 4641

(1) The applicant holds a license or certificate in 4642  
another state. 4643

(2) The applicant has satisfactory work experience, a 4644  
government certification, or a private certification as 4645  
described in that chapter as a mine electrician in a state that 4646  
does not issue that license or certificate. 4647

**Sec. 1561.15.** ~~An~~ (A) Except as provided in division (B) of 4648  
this section, an applicant for a certificate as mine foreperson, 4649  
foreperson, mine electrician, shot firer, surface mine blaster, 4650  
or fire boss shall apply to the chief of the division of mineral 4651  
resources management for examination and shall be examined by 4652  
the chief. This shall be a practical examination, a substantial 4653  
part of which shall be oral, to determine the competency of the 4654  
applicant, based on experience and practical knowledge of the 4655  
dangers incident to coal mining, and not upon technical 4656  
education, but consideration shall be given such technical 4657  
education as the applicant possesses. This examination shall be 4658  
held as soon after application is made as practicable in the 4659  
district from which the applicant makes application. 4660

(B) The chief may require an applicant for a certificate 4661  
as mine foreperson, foreperson, mine electrician, shot firer, 4662  
surface mine blaster, or fire boss to pass an examination in 4663  
accordance with Chapter 4796. of the Revised Code. 4664

**Sec. 1561.16.** (A) As used in this section and sections 4665  
1561.17 to 1561.21 of the Revised Code, "actual practical 4666  
experience" means previous employment that involved a person's 4667  
regular presence in the type of mining operation in which the 4668  
experience is required to exist; participation in functions 4669



relating to the hazards involved in and the utilization of 4670  
equipment, tools, and work crews and individuals for that type 4671  
of mining; and regular exposure to the methods, procedures, and 4672  
safety laws applicable to that type of mining. Credit of up to 4673  
one year for a portion of the required experience time may be 4674  
given upon documentation to the chief of the division of mineral 4675  
resources management of an educational degree in a field related 4676  
to mining. Credit of up to two years of the required experience 4677  
time may be given upon presentation to the chief of proof of 4678  
graduation from an accredited school of mines or mining after a 4679  
four-year course of study with employment in the mining industry 4680  
during interim breaks during the school years. 4681

(B) ~~A~~ Except as provided in division (G) of this section, 4682  
a person who applies for a certificate as a mine foreperson of 4683  
gaseous mines shall be able to read and write the English 4684  
language; shall have had at least five years' actual practical 4685  
experience in the underground workings of a gaseous mine or the 4686  
equivalent thereof in the judgment of the chief; and shall have 4687  
had practical experience obtained by actual contact with gas in 4688  
mines and have knowledge of the dangers and nature of noxious 4689  
and explosive gases and ventilation of gaseous mines. An 4690  
applicant for a certificate as a foreperson of gaseous mines 4691  
shall meet the same requirements, except that the applicant 4692  
shall have had at least three years' actual practical experience 4693  
in the underground workings of a gaseous mine or the equivalent 4694  
thereof in the judgment of the chief. Each applicant for 4695  
examination shall pay a fee established in rules adopted under 4696  
this section to the chief on the first day of such examination. 4697

(C) A person who has been issued a certificate as a mine 4698  
foreperson or a foreperson of a gaseous mine and who has not 4699  
worked in an underground coal mine for a period of more than two 4700

calendar years shall apply for and obtain recertification from 4701  
the chief in accordance with rules adopted under this section 4702  
before performing the duties of a mine foreperson or a 4703  
foreperson of a gaseous mine. An applicant for recertification 4704  
shall pay a fee established in rules adopted under this section 4705  
at the time of application for recertification. 4706

(D) A person who has been issued a certificate as a mine 4707  
foreperson or a foreperson of a gaseous mine and who has not 4708  
worked in an underground coal mine for a period of one or more 4709  
calendar years shall successfully complete a retraining course 4710  
in accordance with rules adopted under this section before 4711  
performing the duties of a mine foreperson or a foreperson of a 4712  
gaseous mine. 4713

(E) The chief, in consultation with a statewide 4714  
association representing the coal mining industry and a 4715  
statewide association representing employees of coal mines, 4716  
shall adopt rules in accordance with Chapter 119. of the Revised 4717  
Code that do all of the following: 4718

(1) Prescribe requirements, criteria, and procedures for 4719  
the recertification of a mine foreperson or a foreperson of a 4720  
gaseous mine who has not worked in an underground coal mine for 4721  
a period of more than two calendar years; 4722

(2) Prescribe requirements, criteria, and procedures for 4723  
the retraining of a mine foreperson or a foreperson of a gaseous 4724  
mine who has not worked in an underground coal mine for a period 4725  
of one or more calendar years; 4726

(3) Establish fees for the examination and recertification 4727  
of mine forepersons or forepersons of gaseous mines under this 4728  
section; 4729

(4) Prescribe any other requirements, criteria, and 4730  
procedures that the chief determines are necessary to administer 4731  
this section. 4732

(F) Any money collected under this section shall be paid 4733  
into the state treasury to the credit of the mining regulation 4734  
and safety fund created in section 1513.30 of the Revised Code. 4735

(G) The chief shall issue a certificate as a foreperson of 4736  
gaseous mines in accordance with Chapter 4796. of the Revised 4737  
Code to an applicant if either of the following applies: 4738

(1) The applicant holds a license or certificate in 4739  
another state. 4740

(2) The applicant has satisfactory work experience, a 4741  
government certification, or a private certification as 4742  
described in that chapter as a foreperson of gaseous mines in a 4743  
state that does not issue that license or certificate. 4744

**Sec. 1561.17.** (A) ~~A~~ Except as provided in division (F) of 4745  
this section, a person who applies for a certificate as mine 4746  
foreperson or foreperson of nongaseous mines shall be able to 4747  
read and write the English language; shall have had at least 4748  
three years' actual practical experience in mines, or the 4749  
equivalent thereof in the judgment of the chief of the division 4750  
of mineral resources management; and shall have knowledge of the 4751  
dangers and nature of noxious gases. Each applicant for 4752  
examination shall pay a fee established in rules adopted under 4753  
this section to the chief on the first day of the examination. 4754

(B) A person who has been issued a certificate as a mine 4755  
foreperson or a foreperson of a nongaseous coal mine and who has 4756  
not worked in an underground coal mine for a period of more than 4757  
two calendar years shall apply for and obtain recertification 4758

from the chief in accordance with rules adopted under this 4759  
section before performing the duties of a mine foreperson or a 4760  
foreperson of a nongaseous coal mine. An applicant for 4761  
recertification shall pay a fee established in rules adopted 4762  
under this section at the time of application for 4763  
recertification. 4764

(C) A person who has been issued a certificate as a mine 4765  
foreperson or a foreperson of a nongaseous coal mine and who has 4766  
not worked in an underground coal mine for a period of one or 4767  
more calendar years shall successfully complete a retraining 4768  
course in accordance with rules adopted under this section 4769  
before performing the duties of a mine foreperson or a 4770  
foreperson of a nongaseous coal mine. 4771

(D) The chief, in consultation with a statewide 4772  
association representing the coal mining industry and a 4773  
statewide association representing employees of coal mines, 4774  
shall adopt rules in accordance with Chapter 119. of the Revised 4775  
Code that do all of the following: 4776

(1) Prescribe requirements, criteria, and procedures for 4777  
the recertification of a mine foreperson or a foreperson of a 4778  
nongaseous coal mine who has not worked in an underground coal 4779  
mine for a period of more than two calendar years; 4780

(2) Prescribe requirements, criteria, and procedures for 4781  
the retraining of a mine foreperson or a foreperson of a 4782  
nongaseous coal mine who has not worked in an underground coal 4783  
mine for a period of one or more calendar years; 4784

(3) Establish fees for the examination and recertification 4785  
of mine forepersons or forepersons of nongaseous coal mines 4786  
under this section; 4787

(4) Prescribe any other requirements, criteria, and procedures that the chief determines are necessary to administer this section. 4788  
4789  
4790

(E) Any money collected under this section shall be paid into the state treasury to the credit of the mining regulation and safety fund created in section 1513.30 of the Revised Code. 4791  
4792  
4793

(F) The chief shall issue a certificate as a foreperson of nongaseous mines in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 4794  
4795  
4796

(1) The applicant holds a license or certificate in another state. 4797  
4798

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a foreperson of nongaseous mines in a state that does not issue that license or certificate. 4799  
4800  
4801  
4802

**Sec. 1561.18. A—**(A) Except as provided in division (B) of this section, a person who applies for a certificate as a foreperson of surface maintenance facilities at underground or surface mines shall be able to read and write the English language and shall have had at least three years' actual practical experience in or around the surface maintenance facilities of underground or surface mines or the equivalent thereof in the judgment of the chief of the division of mineral resources management. Each applicant for examination shall pay a fee of ten dollars to the chief on the first day of the examination. 4803  
4804  
4805  
4806  
4807  
4808  
4809  
4810  
4811  
4812  
4813

(B) The chief shall issue a certificate as a foreperson of surface maintenance facilities at underground or surface mines in accordance with Chapter 4796. of the Revised Code to an 4814  
4815  
4816

applicant if either of the following applies: 4817

(1) The applicant holds a license or certificate in 4818  
another state. 4819

(2) The applicant has satisfactory work experience, a 4820  
government certification, or a private certification as 4821  
described in that chapter as a foreperson of surface maintenance 4822  
facilities at underground or surface mines in a state that does 4823  
not issue that license or certificate. 4824

(C) Any money collected under this section shall be paid 4825  
into the state treasury to the credit of the mining regulation 4826  
and safety fund created in section 1513.30 of the Revised Code. 4827

**Sec. 1561.19. A—**(A) Except as provided in division (B) of 4828  
this section, a person who applies for a certificate as a mine 4829  
foreperson of surface mines shall be able to read and write the 4830  
English language and shall have had at least five years' actual 4831  
practical experience in surface mines. An applicant for a 4832  
certificate as a foreperson of surface mines shall meet the same 4833  
requirements, except that the applicant shall have had at least 4834  
three years' actual practical experience in surface mines or the 4835  
equivalent thereof in the judgment of the chief of the division 4836  
of mineral resources management. Each applicant for examination 4837  
shall pay a fee of ten dollars to the chief on the first day of 4838  
the examination. 4839

(B) The chief shall issue a certificate as a foreperson of 4840  
surface mines in accordance with Chapter 4796. of the Revised 4841  
Code to an applicant if either of the following applies: 4842

(1) The applicant holds a license or certificate in 4843  
another state. 4844

(2) The applicant has satisfactory work experience, a 4845

government certification, or a private certification as 4846  
described in that chapter as a foreperson of surface mines in a 4847  
state that does not issue that license or certificate. 4848

(C) Any money collected under this section shall be paid 4849  
into the state treasury to the credit of the mining regulation 4850  
and safety fund created in section 1513.30 of the Revised Code. 4851

**Sec. 1561.20. A—**(A) Except as provided in division (B) of 4852  
this section, a person who applies for a certificate as a 4853  
surface mine blaster shall be able to read and write the English 4854  
language; shall have had at least one year's actual practical 4855  
experience in surface mines or the equivalent thereof in the 4856  
judgment of the chief of the division of mineral resources 4857  
management; shall have knowledge of the dangers and nature of 4858  
the use of explosives, related equipment, and blasting 4859  
techniques; and shall have knowledge of safety laws and rules, 4860  
including those related to the storage, use, and transportation 4861  
of explosives. Each applicant for examination shall pay a fee of 4862  
ten dollars to the chief on the first day of the examination. 4863

(B) The chief shall issue a surface mine blaster 4864  
certificate in accordance with Chapter 4796. of the Revised Code 4865  
to an applicant if either of the following applies: 4866

(1) The applicant holds a license or certificate in 4867  
another state. 4868

(2) The applicant has satisfactory work experience, a 4869  
government certification, or a private certification as 4870  
described in that chapter as a surface mine blaster in a state 4871  
that does not issue that license or certificate. 4872

(C) Any money collected under this section shall be paid 4873  
into the state treasury to the credit of the mining regulation 4874

and safety fund created in section 1513.30 of the Revised Code. 4875

Sec. 1561.21. A—(A) Except as provided in division (B) of 4876  
this section, a person who applies for a certificate as a shot 4877  
firer shall be able to read and write the English language; 4878  
shall have had at least one year's actual practical experience 4879  
in the underground workings of mines or the equivalent thereof 4880  
in the judgment of the chief of the division of mineral 4881  
resources management; shall have knowledge of the dangers and 4882  
nature of noxious and explosive gases; shall have knowledge of 4883  
the dangers and nature of the use of explosives, related 4884  
equipment, and blasting techniques; and shall have knowledge of 4885  
safety laws and rules, including those related to the 4886  
underground storage, use, and transportation of explosives. Each 4887  
applicant for examination shall pay a fee of ten dollars to the 4888  
chief on the first day of the examination. 4889

(B) The chief shall issue a shot firer certificate in 4890  
accordance with Chapter 4796. of the Revised Code to an 4891  
applicant if either of the following applies: 4892

(1) The applicant holds a license or certificate in 4893  
another state. 4894

(2) The applicant has satisfactory work experience, a 4895  
government certification, or a private certification as 4896  
described in that chapter as a shot firer in a state that does 4897  
not issue that license or certificate. 4898

(C) Any money collected under this section shall be paid 4899  
into the state treasury to the credit of the mining regulation 4900  
and safety fund created in section 1513.30 of the Revised Code. 4901

(D) Any person who possesses a mine foreperson or 4902  
foreperson certificate issued by the chief shall be considered 4903



certified as a shot firer. 4904

**Sec. 1561.22.** ~~A~~ (A) Except as provided in division (B) of 4905  
this section, a person who applies for a certificate as fire 4906  
boss shall be able to read and write the English language; shall 4907  
have had at least three years' actual practical experience in 4908  
the underground workings of a gaseous mine or the equivalent 4909  
thereof in the judgment of the chief of the division of mineral 4910  
resources management; and shall have knowledge of the dangers 4911  
and nature of noxious and explosive gases gained by actual 4912  
contact with gas in mines and ventilation of gaseous mines. Each 4913  
applicant for examination shall pay a fee of ten dollars to the 4914  
chief on the first day of the examination. 4915

(B) The chief shall issue a fire boss certificate in 4916  
accordance with Chapter 4796. of the Revised Code to an 4917  
applicant if either of the following applies: 4918

(1) The applicant holds a license or certificate in 4919  
another state. 4920

(2) The applicant has satisfactory work experience, a 4921  
government certification, or a private certification as 4922  
described in that chapter as a fire boss in a state that does 4923  
not issue that license or certificate. 4924

(C) Any money collected under this section shall be paid 4925  
into the state treasury to the credit of the mining regulation 4926  
and safety fund created in section 1513.30 of the Revised Code. 4927

**Sec. 1565.06.** (A) In emergencies arising at a mine because 4928  
of accident, death, illness, or any other cause, an operator may 4929  
appoint noncertificate persons as forepersons and fire bosses to 4930  
act until certified forepersons and fire bosses satisfactory to 4931  
the operator can be secured. Such appointee may not serve in 4932

such capacity for a period longer than six months or until such 4933  
time thereafter as an examination is held for such certified 4934  
persons under section 1561.13 of the Revised Code. The employer 4935  
of such noncertificate person shall, upon appointment of such 4936  
noncertificate person in this capacity, forward the name of such 4937  
noncertificate person to the chief of the division of mineral 4938  
resources management. 4939

(B) An operator may appoint as a temporary foreperson or 4940  
fire boss a noncertificate person who is within six months of 4941  
possessing the necessary actual practical experience to qualify 4942  
to take the examination for certification for the position to 4943  
which the person is temporarily appointed. Upon appointment of a 4944  
noncertificate person, the operator shall forward the name, 4945  
social security number, and brief summary of the person's actual 4946  
practical experience to the chief, and the chief shall issue the 4947  
person a temporary certificate for the position to which the 4948  
person has been temporarily appointed. A temporary certificate 4949  
issued under this division is valid for six months or until such 4950  
time thereafter as an examination is held under section 1561.13 4951  
of the Revised Code for the position to which the person has 4952  
been temporarily appointed. 4953

(C) A nonresident person who possesses a valid certificate 4954  
issued by another state for a position for which the chief 4955  
issues a certificate shall be eligible for a temporary 4956  
certificate from the chief upon presentation to the chief of a 4957  
copy of the certificate from that other state. Chapter 4796. of 4958  
the Revised Code does not apply to a certificate issued under 4959  
this section. A temporary certificate issued under this division 4960  
shall be valid for six months. 4961

No operator of a mine shall violate or fail to comply with 4962

this section. 4963

**Sec. 1565.15.** (A) As used in this section: 4964

(1) "EMT-basic," "EMT-I," "paramedic," and "emergency 4965  
medical service organization" have the same meanings as in 4966  
section 4765.01 of the Revised Code. 4967

(2) "First aid provider" includes a mine medical 4968  
responder, an EMT-basic, an EMT-I, a paramedic, or an employee 4969  
at a surface coal mine who has satisfied the training 4970  
requirements established in division (D)(1) of this section. 4971

(3) "Mine medical responder" means a person who has 4972  
satisfied the requirements established in rules adopted under 4973  
division (E) (1) of this section or has been issued a certificate 4974  
under division (E) (2) of this section. 4975

(B) The operator of an underground coal mine where twenty 4976  
or more persons are employed on a shift, including all persons 4977  
working at different locations at the mine within a ten-mile 4978  
radius, shall provide at least one mine medical responder, EMT- 4979  
basic, or EMT-I on duty at the underground coal mine whenever 4980  
employees at the mine are actively engaged in the extraction, 4981  
production, or preparation of coal. The operator shall provide 4982  
mine medical responders, EMTs-basic, or EMTs-I on duty at the 4983  
underground coal mine at times and in numbers sufficient to 4984  
ensure that no miner works in a mine location that cannot be 4985  
reached within a reasonable time by a mine medical responder, an 4986  
EMT-basic, or an EMT-I. Mine medical responders, EMTs-basic, and 4987  
EMTs-I shall be employed on their regular coal mining duties at 4988  
locations convenient for quick response to emergencies in order 4989  
to provide emergency medical services inside the underground 4990  
coal mine and transportation of injured or sick employees to the 4991

entrance of the mine. The operator shall provide for the 4992  
services of at least one emergency medical service organization 4993  
to be available on call to reach the entrance of the underground 4994  
coal mine within thirty minutes at any time that employees are 4995  
engaged in the extraction, production, or preparation of coal in 4996  
order to provide emergency medical services and transportation 4997  
to a hospital. 4998

The operator shall make available to mine medical 4999  
responders, EMTs-basic, and EMTs-I all of the equipment for 5000  
first aid and emergency medical services that is necessary for 5001  
those personnel to function and to comply with the regulations 5002  
pertaining to first aid and emergency medical services that are 5003  
adopted under the "Federal Mine Safety and Health Act of 1977," 5004  
91 Stat. 1290, 30 U.S.C.A. 801, and amendments to it. The 5005  
operator of the underground coal mine shall install telephone 5006  
service or equivalent facilities that enable two-way voice 5007  
communication between the mine medical responders, EMTs-basic, 5008  
or EMTs-I in the mine and the emergency medical service 5009  
organization outside the mine that provides emergency medical 5010  
services on a regular basis. 5011

(C) The operator of a surface coal mine shall provide at 5012  
least one first aid provider on duty at the mine whenever 5013  
employees at the mine are actively engaged in the extraction, 5014  
production, or preparation of coal. The operator shall provide 5015  
first aid providers on duty at the surface coal mine at times 5016  
and in numbers sufficient to ensure that no miner works in a 5017  
mine location that cannot be reached within a reasonable time by 5018  
a first aid provider. First aid providers shall be employed on 5019  
their regular coal mining duties at locations convenient for 5020  
quick response to emergencies in order to provide emergency 5021  
medical services and transportation of injured or sick employees 5022

to the entrance of the surface coal mine. The operator shall 5023  
provide for the services of at least one emergency medical 5024  
service organization to be available on call to reach the 5025  
entrance of the surface coal mine within thirty minutes at any 5026  
time that employees are engaged in the extraction, production, 5027  
or preparation of coal in order to provide emergency medical 5028  
services and transportation to a hospital. 5029

The operator shall provide at the mine site all of the 5030  
equipment for first aid and emergency medical services that is 5031  
necessary for those personnel to function and to comply with the 5032  
regulations pertaining to first aid and emergency medical 5033  
services that are adopted under the "Federal Mine Safety and 5034  
Health Act of 1977," 91 Stat. 1290, 30 U.S.C.A. 801, and 5035  
amendments to it. 5036

(D) (1) An employee at a surface coal mine shall be 5037  
considered to be a first aid provider for the purposes of this 5038  
section if the employee has received from an instructor approved 5039  
by the chief of the division of mineral resources management ten 5040  
hours of initial first aid training as a selected supervisory 5041  
employee under 30 C.F.R. 77.1703 and receives five hours of 5042  
refresher first aid training as a selected supervisory employee 5043  
under 30 C.F.R. 77.1705 in each subsequent calendar year. 5044

(2) Each miner employed at a surface coal mine who is not 5045  
a first aid provider shall receive from an instructor approved 5046  
by the chief three hours of initial first aid training and two 5047  
hours of refresher first aid training in each subsequent 5048  
calendar year. 5049

(3) The training received in accordance with division (D) 5050  
of this section shall consist of a course of instruction 5051  
established in the manual issued by the mine safety and health 5052

administration in the United States department of labor entitled 5053  
"first aid, a bureau of mines instruction manual" or its 5054  
successor or any other curriculum approved by the chief. The 5055  
training shall be included in the hours of instruction provided 5056  
to miners in accordance with training requirements established 5057  
under 30 C.F.R. part 48, subpart (B), as amended, and 30 C.F.R. 5058  
part 77, as amended. 5059

~~(E) The (1) Except as provided in division (E) (2) of this~~ 5060  
~~section, the~~ chief, in consultation with persons certified under 5061  
Chapter 4765. of the Revised Code to teach in an emergency 5062  
medical services training program, shall adopt rules in 5063  
accordance with Chapter 119. of the Revised Code that do all of 5064  
the following: 5065

~~(1) (a)~~ Prescribe training requirements for a mine medical 5066  
responder that specifically focus on treating injuries and 5067  
illnesses associated with underground coal mining; 5068

~~(2) (b)~~ Prescribe an examination for a mine medical 5069  
responder; 5070

~~(3) (c)~~ Prescribe continuing training requirements for a 5071  
mine medical responder; 5072

~~(4) (d)~~ Establish the fee for examination for a mine 5073  
medical responder; 5074

~~(5) (e)~~ Prescribe any other requirements, criteria, and 5075  
procedures that the chief determines are necessary regarding the 5076  
training, examination, and continuing training of mine medical 5077  
responders. 5078

~~If a person qualifies as a mine medical responder or~~ 5079  
~~similar classification in another state, the person may provide~~ 5080  
~~emergency medical services as a mine medical responder in this~~ 5081

~~state without completing the training or passing the examination~~ 5082  
~~that is required in rules adopted under this division, provided~~ 5083  
~~that the chief determines that the person's qualifications from~~ 5084  
~~the other state satisfy all of the applicable requirements that~~ 5085  
~~are established in rules adopted under this division.~~ 5086

(2) The chief shall issue a mine medical responder 5087  
certificate in accordance with Chapter 4796. of the Revised Code 5088  
to an applicant if either of the following applies: 5089

(a) The applicant holds a certificate in another state. 5090

(b) The applicant has satisfactory work experience, a 5091  
government certification, or a private certification as 5092  
described in that chapter as a mine medical responder in a state 5093  
that does not issue that certificate. 5094

(F) Each operator of a surface coal mine shall establish, 5095  
keep current, and make available for inspection an emergency 5096  
medical plan that includes the telephone numbers of the division 5097  
of mineral resources management and of an emergency medical 5098  
services organization the services of which are required to be 5099  
retained under division (C) of this section. The chief shall 5100  
adopt rules in accordance with Chapter 119. of the Revised Code 5101  
that establish any additional information required to be 5102  
included in an emergency medical plan. 5103

(G) Each operator of an underground coal mine or surface 5104  
coal mine shall provide or contract to obtain emergency medical 5105  
services training or first aid training, as applicable, at the 5106  
operator's expense, that is sufficient to train and maintain the 5107  
certification of the number of employees necessary to comply 5108  
with division (B) of this section and that is sufficient to 5109  
train employees as required under division (D) of this section 5110

and to comply with division (C) of this section. 5111

(H) The division may provide emergency medical services 5112  
training for coal mine employees by operating an emergency 5113  
medical services training program accredited under section 5114  
4765.17 of the Revised Code or by contracting with the operator 5115  
of an emergency medical services training program accredited 5116  
under that section to provide that training. The division may 5117  
charge coal mine operators a uniform part of the unit cost per 5118  
trainee. 5119

(I) No coal mine operator shall violate or fail to comply 5120  
with this section. 5121

**Sec. 1707.15.** (A) Application for a dealer's license shall 5122  
be made in accordance with this section and by filing with the 5123  
division of securities the information, materials, and forms 5124  
specified in rules adopted by the division, along with all of 5125  
the following information: 5126

(1) The name and address of the applicant; 5127

(2) The location and addresses of the principal office and 5128  
all other offices of the applicant; 5129

(3) A general description of the business of the applicant 5130  
done prior to the application, including a list of states in 5131  
which the applicant is a licensed dealer. 5132

(B) (1) The division may investigate any applicant for a 5133  
license, and may require such additional information as it deems 5134  
necessary to determine the applicant's business repute and 5135  
qualifications to act as a dealer in securities. 5136

(2) If the application for any license involves 5137  
investigation outside of this state, the applicant may be 5138



required by the division to advance sufficient funds to pay any 5139  
of the actual expenses of such examination. An itemized 5140  
statement of any such expenses which the applicant is required 5141  
to pay shall be furnished the applicant by the division. 5142

(C) The division shall by rule require one natural person 5143  
who is a principal, officer, director, general partner, manager, 5144  
or employee of a dealer to pass an examination designated by the 5145  
division. Each dealer that is not a natural person shall notify 5146  
the division of the name and relationship to the dealer of the 5147  
natural person who has passed the examination on behalf of the 5148  
dealer and who will serve as the designated principal on behalf 5149  
of the dealer. 5150

(D) Dealers shall employ as salespersons only those 5151  
salespersons who are licensed under this chapter. If at any time 5152  
a salesperson resigns or is discharged or a new salesperson is 5153  
added, the dealer shall promptly notify the division. 5154

~~(E) If~~ (1) Except as provided in division (E) (2) of this 5155  
section, if the division finds that the applicant is of good 5156  
business repute, appears qualified to act as a dealer in 5157  
securities, and has fully complied with this chapter and rules 5158  
adopted under this chapter by the division, the division, upon 5159  
payment of the fees prescribed by division (B) of section 5160  
1707.17 of the Revised Code, shall issue to the applicant a 5161  
license authorizing the applicant to act as a dealer. 5162

(2) The division shall issue a license to act as a dealer 5163  
in accordance with Chapter 4796. of the Revised Code to an 5164  
applicant if either of the following applies: 5165

(a) The applicant holds a license in another state; 5166

(b) The applicant has satisfactory work experience, a 5167

government certification, or a private certification as 5168  
described in that chapter as a dealer in a state that does not 5169  
issue that license. 5170

**Sec. 1707.151.** (A) Application for an investment adviser's 5171  
license shall be made in accordance with this section and by 5172  
filing with the division of securities the information, 5173  
materials, and forms specified in rules adopted by the division. 5174

(B) (1) The division may investigate any applicant for a 5175  
license and may require any additional information as it 5176  
considers necessary to determine the applicant's business repute 5177  
and qualifications to act as an investment adviser. 5178

(2) If the application for any license involves 5179  
investigation outside of this state, the applicant may be 5180  
required by the division to advance sufficient funds to pay any 5181  
of the actual expenses of the examination. The division shall 5182  
furnish the applicant with an itemized statement of such 5183  
expenses that the applicant is required to pay. 5184

(C) The division shall by rule require a natural person 5185  
who is an applicant for an investment adviser's license to pass 5186  
an examination designated by the division or achieve a specified 5187  
professional designation. 5188

(D) An investment adviser licensed under section 1707.141 5189  
of the Revised Code shall employ only investment adviser 5190  
representatives licensed, or exempted from licensure, under 5191  
section 1707.161 of the Revised Code. 5192

(E) ~~If~~ (1) Except as provided in division (E) (2) of this 5193  
section, if the division finds that the applicant is of good 5194  
business repute, appears to be qualified to act as an investment 5195  
adviser, and has complied with this chapter and rules adopted 5196

under this chapter by the division, the division, upon payment 5197  
of the fees prescribed by division (B) of section 1707.17 of the 5198  
Revised Code, shall issue to the applicant a license authorizing 5199  
the applicant to act as an investment adviser. 5200

(2) The division shall issue a license to act as an 5201  
investment adviser in accordance with Chapter 4796. of the 5202  
Revised Code to an applicant if either of the following applies: 5203

(a) The applicant holds a license in another state. 5204

(b) The applicant has satisfactory work experience, a 5205  
government certification, or a private certification as 5206  
described in that chapter as an investment adviser in a state 5207  
that does not issue that license. 5208

**Sec. 1707.16.** (A) Every salesperson of securities must be 5209  
licensed by the division of securities and shall be employed, 5210  
authorized, or appointed only by the licensed dealer specified 5211  
in the salesperson's license. If the relationship between the 5212  
salesperson and the dealer is severed, the salesperson's license 5213  
shall be void. 5214

(B) Application for a salesperson's license shall be made 5215  
in accordance with this section and by filing with the division 5216  
the information, materials, and forms specified in rules adopted 5217  
by the division, along with all of the following information: 5218

(1) The name and complete residence and business addresses 5219  
of the applicant; 5220

(2) The name of the dealer who is employing the applicant 5221  
or who intends to employ the applicant; 5222

(3) The applicant's age and education, and the applicant's 5223  
experience in the sale of securities; whether the applicant has 5224

ever been licensed by the division, and if so, when; whether the 5225  
applicant has ever been refused a license by the division; and 5226  
whether the applicant has ever been licensed or refused a 5227  
license or any similar permit by any division or commissioner of 5228  
securities, whatsoever name known or designated, anywhere. 5229

(C) The division shall by rule require an applicant to 5230  
pass an examination designated by the division. 5231

~~(D) If (1) Except as provided in division (D) (2) of this~~ 5232  
~~section, if~~ the division finds that the applicant is of good 5233  
business repute, appears to be qualified to act as a salesperson 5234  
of securities, and has fully complied with this chapter, and 5235  
that the dealer named in the application is a licensed dealer, 5236  
the division shall, upon payment of the fees prescribed by 5237  
section 1707.17 of the Revised Code, issue a license to the 5238  
applicant authorizing the applicant to act as salesperson for 5239  
the dealer named in the application. 5240

(2) The division shall issue a license to act as a 5241  
salesperson of securities in accordance with Chapter 4796. of 5242  
the Revised Code to an applicant if either of the following 5243  
applies: 5244

(a) The applicant holds a license in another state. 5245

(b) The applicant has satisfactory work experience, a 5246  
government certification, or a private certification as 5247  
described in that chapter as a salesperson of securities in a 5248  
state that does not issue that license. 5249

**Sec. 1707.161.** (A) No person shall act as an investment 5250  
adviser representative, unless one of the following applies: 5251

(1) The person is licensed as an investment adviser 5252  
representative by the division of securities. 5253

(2) The person is a natural person who is licensed as an investment adviser by the division, and does not act as an investment adviser representative for another investment adviser; however, a natural person who is licensed as an investment adviser by the division may act as an investment adviser representative for another investment adviser if the natural person also is licensed by the division, or is properly excepted from licensure, as an investment adviser representative of the other investment adviser.

(3) The person is employed by or associated with an investment adviser registered under section 203 of the "Investment Advisers Act of 1940," 15 U.S.C. 80b-3, and does not have a place of business in this state.

(4) The person is employed by or associated with an investment adviser that is excepted from licensure pursuant to division (A) (3), (4), (5), or (6) of section 1707.141 of the Revised Code or excepted from notice filing pursuant to division (B) (3) of section 1707.141 of the Revised Code.

(B) (1) No investment adviser representative required to be licensed under this section shall act as an investment adviser representative for more than two investment advisers. An investment adviser representative that acts as an investment adviser representative for two investment advisers shall do so only after the occurrence of both of the following:

(a) Being properly licensed, or properly excepted from licensure under this section, as an investment adviser representative for both investment advisers;

(b) Complying with the requirements set forth in rules adopted by the division regarding consent of both investment

advisers and notice.	5283
(2) Nothing in this section shall be construed to prohibit	5284
a natural person from being licensed by the division as both an	5285
investment adviser and an investment adviser representative.	5286
(3) Nothing in this section shall be construed to prohibit	5287
a natural person from being licensed by the division as both a	5288
salesperson and an investment adviser representative.	5289
(4) Nothing in this section shall be construed to prohibit	5290
a natural person from being licensed by the division as both a	5291
dealer and an investment adviser representative.	5292
(C) An investment adviser representative's license issued	5293
under this section shall not be effective during any period when	5294
the investment adviser representative is not employed by or	5295
associated with an investment adviser that is licensed by the	5296
division or that is in compliance with the notice filing	5297
requirements of division (B) of section 1707.141 of the Revised	5298
Code. Notice of the commencement and termination of the	5299
employment or association of an investment adviser	5300
representative licensed under this section shall be given to the	5301
division within thirty days after the commencement or	5302
termination by either of the following:	5303
(1) The investment adviser, in the case of an investment	5304
adviser representative licensed under this section and employed	5305
by or associated with, or formerly employed by or associated	5306
with, an investment adviser licensed under section 1707.141 of	5307
the Revised Code;	5308
(2) The investment adviser representative, in the case of	5309
an investment adviser representative licensed under this section	5310
and employed by or associated with, or formerly employed by or	5311

associated with, an investment adviser that is subject to the 5312  
notice filings requirements of division (B) of section 1707.141 5313  
of the Revised Code. 5314

(D) (1) Application for an investment adviser 5315  
representative license shall be made in accordance with this 5316  
section and by filing with the division the information, 5317  
materials, and forms specified in rules adopted by the division. 5318

(2) The division shall by rule require an applicant to 5319  
pass an examination designated by the division or achieve a 5320  
specified professional designation. 5321

(3) Prior to issuing the investment adviser representative 5322  
license, the division may require the applicant to reimburse the 5323  
division for the actual expenses incurred in investigating the 5324  
applicant. An itemized statement of any such expenses that the 5325  
applicant is required to pay shall be furnished to the applicant 5326  
by the division. 5327

(E) ~~If~~ (1) Except as provided in division (E) (2) of this 5328  
section, if the division finds that the applicant is of good 5329  
business repute, appears to be qualified to act as an investment 5330  
adviser representative, and has complied with sections 1707.01 5331  
to 1707.50 of the Revised Code and the rules adopted under those 5332  
sections by the division, the division, upon payment of the fees 5333  
prescribed by division (B) of section 1707.17 of the Revised 5334  
Code, shall issue to the applicant a license authorizing the 5335  
applicant to act as an investment adviser representative for the 5336  
investment adviser, or investment advisers that are under common 5337  
ownership or control, named in the application. 5338

(2) The division shall issue a license to act as an 5339  
investment adviser representative in accordance with Chapter 5340

<u>4796. of the Revised Code to an applicant if either of the</u>	5341
<u>following applies:</u>	5342
<u>(a) The applicant holds a license in another state.</u>	5343
<u>(b) The applicant has satisfactory work experience, a</u>	5344
<u>government certification, or a private certification as</u>	5345
<u>described in that chapter as an investment adviser</u>	5346
<u>representative in a state that does not issue that license.</u>	5347
<b>Sec. 1707.163.</b> (A) Application for a state retirement	5348
system investment officer's license shall be made in accordance	5349
with this section by filing with the division of securities the	5350
information, materials, and forms specified in rules adopted by	5351
the division.	5352
(B) (1) The division may investigate any applicant for a	5353
license and may require any additional information as it	5354
considers necessary to determine the applicant's business repute	5355
and qualifications to act as an investment officer.	5356
(2) If the application for a state retirement system	5357
investment officer's license involves investigation outside of	5358
this state, the applicant may be required by the division to	5359
advance sufficient funds to pay any of the actual expenses of	5360
the investigation. The division shall furnish the applicant with	5361
an itemized statement of the expenses the applicant is required	5362
to pay.	5363
(C) The division shall by rule require an applicant for a	5364
state retirement system investment officer's license to pass an	5365
examination designated by the division or achieve a specified	5366
professional designation unless the applicant meets both of the	5367
following requirements:	5368
(1) Acts as a state retirement system investment officer	5369



~~on the effective date of this section, September 15, 2004;~~ 5370

(2) Has experience or equivalent education acceptable to 5371  
the division. 5372

~~(D) If (1) Except as provided in division (D) (2) of this~~ 5373  
~~section, if~~ the division finds that the applicant is of good 5374  
business repute, appears to be qualified to act as a state 5375  
retirement system investment officer, and has complied with this 5376  
chapter and rules adopted under this chapter by the division, 5377  
the division, on payment of the fees prescribed by division (B) 5378  
of section 1707.17 of the Revised Code, shall issue to the 5379  
applicant a license authorizing the applicant to act as a state 5380  
retirement system investment officer. 5381

(2) The division shall issue a license authorizing an 5382  
applicant to act as a state retirement system investment officer 5383  
in accordance with Chapter 4796. of the Revised Code to an 5384  
applicant if either of the following applies: 5385

(a) The applicant holds a license in another state. 5386

(b) The applicant has satisfactory work experience, a 5387  
government certification, or a private certification as 5388  
described in that chapter as a state retirement system 5389  
investment officer in a state that does not issue that license. 5390

**Sec. 1707.165.** (A) Application for a bureau of workers' 5391  
compensation chief investment officer's license shall be made in 5392  
accordance with this section by filing with the division of 5393  
securities the information, materials, and forms specified in 5394  
rules adopted by the division. 5395

(B) The division may investigate any applicant for a 5396  
license and may require any additional information as it 5397  
considers necessary to determine the applicant's business repute 5398

and qualifications to act as a chief investment officer. If the 5399  
application for a bureau of workers' compensation chief 5400  
investment officer's license involves investigation outside of 5401  
this state, the applicant may be required by the division to 5402  
advance sufficient funds to pay any of the actual expenses of 5403  
the investigation. The division shall furnish the applicant with 5404  
an itemized statement of the expenses the applicant is required 5405  
to pay. 5406

(C) The division shall by rule require an applicant for a 5407  
bureau of workers' compensation chief investment officer's 5408  
license to pass an examination designated by the division or 5409  
achieve a specified professional designation unless the 5410  
applicant meets both of the following requirements: 5411

(1) Acts as a bureau of workers' compensation chief 5412  
investment officer ~~on the effective date of this section~~ 5413  
September 29, 2005; 5414

(2) Has experience or education acceptable to the 5415  
division. 5416

~~(D) If~~ (1) Except as provided in division (D) (2) of this 5417  
section, if the division finds that the applicant is of good 5418  
business repute, appears to be qualified to act as a bureau of 5419  
workers' compensation chief investment officer, and has complied 5420  
with this chapter and rules adopted by the division under this 5421  
chapter, the division, upon receipt of the fees prescribed by 5422  
division (B) of section 1707.17 of the Revised Code, shall issue 5423  
to the applicant a license authorizing the applicant to act as a 5424  
bureau of workers' compensation chief investment officer. 5425

(2) The division shall issue a license to act as a bureau 5426  
of workers' compensation chief investment officer in accordance 5427

with Chapter 4796. of the Revised Code to an applicant if either 5428  
of the following applies: 5429

(a) The applicant holds a license in another state. 5430

(b) The applicant has satisfactory work experience, a 5431  
government certification, or a private certification as 5432  
described in that chapter as a bureau of workers' compensation 5433  
chief investment officer in a state that does not issue that 5434  
license. 5435

**Sec. 1717.06.** (A) A county humane society organized under 5436  
section 1717.05 of the Revised Code may appoint humane society 5437  
agents for the purpose of prosecuting any person guilty of an 5438  
act of cruelty to animals. Such agents may arrest any person 5439  
found violating this chapter or any other law for protecting 5440  
animals or preventing acts of cruelty thereto. Upon making an 5441  
arrest, the humane society agent shall convey the person 5442  
arrested before a court or magistrate having jurisdiction of the 5443  
offense, and there make complaint against the person on oath or 5444  
affirmation of the offense. 5445

(B) A humane society agent that was appointed prior to ~~the~~ 5446  
~~effective date of this amendment~~ March 31, 2021, by a branch of 5447  
the Ohio humane society is considered to be a humane society 5448  
agent appointed under this section for purposes of this chapter 5449  
and any other laws regarding humane society agents. 5450

(C) (1) The appointment of an agent under this section is 5451  
subject to the requirements of section 1717.061 of the Revised 5452  
Code, and is not final until the appointment has been approved 5453  
under division (C) (2) of this section. 5454

(2) The appointment of an agent under this section does 5455  
not take effect unless it has been approved by the mayor of the 5456

municipal corporation for which it is made. If the society 5457  
operates outside a municipal corporation, the appointment does 5458  
not take effect until it has been approved by the probate judge 5459  
of the county for which it is made. The mayor or probate judge 5460  
shall keep a record of the appointments and shall maintain as a 5461  
public record a copy of the proof of successful completion of 5462  
training for each humane society agent acting within the 5463  
approving authority's jurisdiction. 5464

(D) The approving authority shall notify the appropriate 5465  
county sheriff and the board of county commissioners when the 5466  
appointment of a humane society agent has been approved and, not 5467  
later than two business days after the appointment has been 5468  
approved, shall file a copy of the proof of successful 5469  
completion of training with the sheriff. The county sheriff 5470  
shall maintain as a public record a copy of the proof for each 5471  
humane society agent that is operating in the county. 5472

(E) A humane society shall notify the county sheriff and 5473  
the approving authority when all approved humane society agents 5474  
have ceased to perform the duties of the appointment and there 5475  
are no humane society agents operating in the county. 5476

(F) A humane society agent only has the specific authority 5477  
granted to the agent under the Revised Code. 5478

(G) The Ohio peace officer training commission shall issue 5479  
a certificate of completion of the training program required for 5480  
appointment as a humane society agent under this section in 5481  
accordance with Chapter 4796. of the Revised Code to an 5482  
individual if either of the following applies: 5483

(1) The individual holds a certificate of completion of 5484  
such a program in another state. 5485

(2) The individual has satisfactory work experience, a 5486  
government certification, or a private certification as 5487  
described in that chapter as a humane society agent in a state 5488  
that does not require a certificate of completion of such a 5489  
program. 5490

**Sec. 3101.10.** A minister upon producing to the secretary 5491  
of state, credentials of the minister's being a regularly 5492  
ordained or licensed minister of any religious society or 5493  
congregation, shall be entitled to receive from the secretary of 5494  
state a license authorizing the minister to solemnize marriages 5495  
in this state so long as the minister continues as a regular 5496  
minister in that society or congregation. A minister shall 5497  
produce for inspection the minister's license to solemnize 5498  
marriages upon demand of any party to a marriage at which the 5499  
minister officiates or proposes to officiate or upon demand of 5500  
any probate judge. The secretary of state shall issue a license 5501  
to solemnize marriages in this state in accordance with Chapter 5502  
4796. of the Revised Code to a minister if either of the 5503  
following applies: 5504

(A) The minister holds a license in another state. 5505

(B) The minister has satisfactory work experience, a 5506  
government certification, or a private certification as 5507  
described in that chapter as a minister who solemnizes marriages 5508  
in a state that does not issue a license to solemnize marriages. 5509

**Sec. 3301.071.** (A) (1) ~~In~~ Except as provided in division 5510  
(E) of this section, in the case of nontax-supported schools, 5511  
standards for teacher certification prescribed under section 5512  
3301.07 of the Revised Code shall provide for certification, 5513  
without further educational requirements, of any administrator, 5514  
supervisor, or teacher who has attended and received a 5515

bachelor's degree from a college or university accredited by a national or regional association in the United States except that, at the discretion of the state board of education, this requirement may be met by having an equivalent degree from a foreign college or university of comparable standing.

(2) ~~In-Except as provided in division (E) of this section,~~ in the case of nonchartered, nontax-supported schools, the standards for teacher certification prescribed under section 3301.07 of the Revised Code shall provide for certification, without further educational requirements, of any administrator, supervisor, or teacher who has attended and received a diploma from a "bible college" or "bible institute" described in division (E) of section 1713.02 of the Revised Code.

(3) A certificate issued under division (A) (3) of this section shall be valid only for teaching foreign language, music, religion, computer technology, or fine arts.

Notwithstanding division (A) (1) of this section and except as provided in division (E) of this section, the standards for teacher certification prescribed under section 3301.07 of the Revised Code shall provide for certification of a person as a teacher upon receipt by the state board of an affidavit signed by the chief administrative officer of a chartered nonpublic school seeking to employ the person, stating that the person meets one of the following conditions:

(a) The person has specialized knowledge, skills, or expertise that qualifies the person to provide instruction.

(b) The person has provided to the chief administrative officer evidence of at least three years of teaching experience in a public or nonpublic school.

(c) The person has provided to the chief administrative officer evidence of completion of a teacher training program named in the affidavit.

(B) Each person applying for a certificate under this section for purposes of serving in a nonpublic school chartered by the state board under section 3301.16 of the Revised Code shall pay a fee in the amount established under division (A) of section 3319.51 of the Revised Code. Any fees received under this division shall be paid into the state treasury to the credit of the state board of education certification fund established under division (B) of section 3319.51 of the Revised Code.

(C) A person applying for or holding any certificate pursuant to this section for purposes of serving in a nonpublic school chartered by the state board is subject to sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code and sections 3319.31 and 3319.311 of the Revised Code.

(D) Divisions (B) and (C) of this section and sections 3319.291, 3319.31, and 3319.311 of the Revised Code do not apply to any administrators, supervisors, or teachers in nonchartered, nontax-supported schools.

(E) The state board shall issue a certificate to serve in a nonpublic school as an administrator, supervisor, or teacher in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a certificate in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as

described in that chapter as a nonpublic school administrator, 5574  
supervisor, or teacher in a state that does not issue one or 5575  
more of those certificates. 5576

**Sec. 3301.074.** (A) ~~The~~ Except as provided in division (E) 5577  
of this section, the state board of education shall, by rule 5578  
adopted in accordance with Chapter 119. of the Revised Code, 5579  
establish standards for licensing school district treasurers and 5580  
business managers, for the renewal of such licenses, and for the 5581  
issuance of duplicate copies of licenses. Licenses of the 5582  
following types shall be issued or renewed by the board to 5583  
applicants who meet the standards for the license or the renewal 5584  
of the license for which application is made: 5585

(1) Treasurer, valid for serving as treasurer of a school 5586  
district in accordance with section 3313.22 of the Revised Code; 5587

(2) Business manager, valid for serving as business 5588  
manager of a school district in accordance with section 3319.03 5589  
of the Revised Code. 5590

(B) Each application for a license or renewal or duplicate 5591  
copy of a license shall be accompanied by the payment of a fee 5592  
in the amount established under division (A) of section 3319.51 5593  
of the Revised Code. Any fees received under this section shall 5594  
be paid into the state treasury to the credit of the state board 5595  
of education licensure fund established under division (B) of 5596  
section 3319.51 of the Revised Code. 5597

(C) Any person employed under section 3313.22 of the 5598  
Revised Code as a treasurer on July 1, 1983, shall be considered 5599  
to meet the standards for licensure as a treasurer and for 5600  
renewal of such license. Any person employed under section 5601  
3319.03 of the Revised Code as a business manager on July 1, 5602



1983, shall be considered to meet the standards for licensure as 5603  
a business manager and for renewal of such license. 5604

(D) Any person applying for or holding any license 5605  
pursuant to this section is subject to sections 3123.41 to 5606  
3123.50 of the Revised Code and any applicable rules adopted 5607  
under section 3123.63 of the Revised Code and sections 3319.31 5608  
and 3319.311 of the Revised Code. 5609

(E) The state board shall issue a license to act as a 5610  
school district treasurer or business manager in accordance with 5611  
Chapter 4796. of the Revised Code to an applicant if either of 5612  
the following applies: 5613

(1) The applicant holds a license in another state. 5614

(2) The applicant has satisfactory work experience, a 5615  
government certification, or a private certification as 5616  
described in that chapter as a school district treasurer or 5617  
business manager in a state that does not issue one of those 5618  
licenses or both. 5619

**Sec. 3319.088.** As used in this section, "educational 5620  
assistant" means any nonteaching employee in a school district 5621  
who directly assists a teacher as defined in section 3319.09 of 5622  
the Revised Code, by performing duties for which a license 5623  
issued pursuant to sections 3319.22 to 3319.30 of the Revised 5624  
Code is not required. 5625

(A) ~~The~~ Except as provided in division (G) of this 5626  
section, the state board of education shall issue educational 5627  
aide permits and educational paraprofessional licenses for 5628  
educational assistants and shall adopt rules for the issuance 5629  
and renewal of such permits and licenses which shall be 5630  
consistent with the provisions of this section. Educational aide 5631

permits and educational paraprofessional licenses may be of 5632  
several types and the rules shall prescribe the minimum 5633  
qualifications of education and health for the service to be 5634  
authorized under each type. The prescribed minimum 5635  
qualifications may require special training or educational 5636  
courses designed to qualify a person to perform effectively the 5637  
duties authorized under an educational aide permit or 5638  
educational paraprofessional license. 5639

(B) (1) ~~Any~~ Except as provided in division (G) of this 5640  
section, any application for a permit or license, or a renewal 5641  
or duplicate of a permit or license, under this section shall be 5642  
accompanied by the payment of a fee in the amount established 5643  
under division (A) of section 3319.51 of the Revised Code. Any 5644  
fees received under this division shall be paid into the state 5645  
treasury to the credit of the state board of education licensure 5646  
fund established under division (B) of section 3319.51 of the 5647  
Revised Code. 5648

(2) Any person applying for or holding a permit or license 5649  
pursuant to this section is subject to sections 3123.41 to 5650  
3123.50 of the Revised Code and any applicable rules adopted 5651  
under section 3123.63 of the Revised Code and sections 3319.31 5652  
and 3319.311 of the Revised Code. 5653

(C) Educational assistants shall at all times while in the 5654  
performance of their duties be under the supervision and 5655  
direction of a teacher as defined in section 3319.09 of the 5656  
Revised Code. Educational assistants may assist a teacher to 5657  
whom assigned in the supervision of pupils, in assisting with 5658  
instructional tasks, and in the performance of duties which, in 5659  
the judgment of the teacher to whom the assistant is assigned, 5660  
may be performed by a person not licensed pursuant to sections 5661

3319.22 to 3319.30 of the Revised Code and for which a teaching 5662  
license, issued pursuant to sections 3319.22 to 3319.30 of the 5663  
Revised Code is not required. The duties of an educational 5664  
assistant shall not include the assignment of grades to pupils. 5665  
The duties of an educational assistant need not be performed in 5666  
the physical presence of the teacher to whom assigned, but the 5667  
activity of an educational assistant shall at all times be under 5668  
the direction of the teacher to whom assigned. The assignment of 5669  
an educational assistant need not be limited to assisting a 5670  
single teacher. In the event an educational assistant is 5671  
assigned to assist more than one teacher the assignments shall 5672  
be clearly delineated and so arranged that the educational 5673  
assistant shall never be subject to simultaneous supervision or 5674  
direction by more than one teacher. 5675

Educational assistants assigned to supervise children 5676  
shall, when the teacher to whom assigned is not physically 5677  
present, maintain the degree of control and discipline that 5678  
would be maintained by the teacher. 5679

Educational assistants may not be used in place of 5680  
classroom teachers or other employees and any payment of 5681  
compensation by boards of education to educational assistants 5682  
for such services is prohibited. The ratio between the number of 5683  
licensed teachers and the pupils in a school district may not be 5684  
decreased by utilization of educational assistants and no 5685  
grouping, or other organization of pupils, for utilization of 5686  
educational assistants shall be established which is 5687  
inconsistent with sound educational practices and procedures. A 5688  
school district may employ up to one full time equivalent 5689  
educational assistant for each six full time equivalent licensed 5690  
employees of the district. Educational assistants shall not be 5691  
counted as licensed employees for purposes of state support in 5692

the school foundation program and no grouping or regrouping of 5693  
pupils with educational assistants may be counted as a class or 5694  
unit for school foundation program purposes. Neither special 5695  
courses required by the regulations of the state board of 5696  
education, prescribing minimum qualifications of education for 5697  
an educational assistant, nor years of service as an educational 5698  
assistant shall be counted in any way toward qualifying for a 5699  
teacher license, for a teacher contract of any type, or for 5700  
determining placement on a salary schedule in a school district 5701  
as a teacher. 5702

(D) Educational assistants employed by a board of 5703  
education shall have all rights, benefits, and legal protection 5704  
available to other nonteaching employees in the school district, 5705  
except that provisions of Chapter 124. of the Revised Code shall 5706  
not apply to any person employed as an educational assistant, 5707  
and shall be members of the school employees retirement system. 5708  
Educational assistants shall be compensated according to a 5709  
salary plan adopted annually by the board. 5710

Except as provided in this section nonteaching employees 5711  
shall not serve as educational assistants without first 5712  
obtaining an appropriate educational aide permit or educational 5713  
paraprofessional license from the state board of education. A 5714  
nonteaching employee who is the holder of a valid educational 5715  
aide permit or educational paraprofessional license shall 5716  
neither render nor be required to render services inconsistent 5717  
with the type of services authorized by the permit or license 5718  
held. No person shall receive compensation from a board of 5719  
education for services rendered as an educational assistant in 5720  
violation of this provision. 5721

Nonteaching employees whose functions are solely 5722

secretarial-clerical and who do not perform any other duties as 5723  
educational assistants, even though they assist a teacher and 5724  
work under the direction of a teacher shall not be required to 5725  
hold a permit or license issued pursuant to this section. 5726  
Students preparing to become licensed teachers or educational 5727  
assistants shall not be required to hold an educational aide 5728  
permit or paraprofessional license for such periods of time as 5729  
such students are assigned, as part of their training program, 5730  
to work with a teacher in a school district. Such students shall 5731  
not be compensated for such services. 5732

Following the determination of the assignment and general 5733  
job description of an educational assistant and subject to 5734  
supervision by the teacher's immediate administrative officer, a 5735  
teacher to whom an educational assistant is assigned shall make 5736  
all final determinations of the duties to be assigned to such 5737  
assistant. Teachers shall not be required to hold a license 5738  
designated for being a supervisor or administrator in order to 5739  
perform the necessary supervision of educational assistants. 5740

(E) No person who is, or who has been employed as an 5741  
educational assistant shall divulge, except to the teacher to 5742  
whom assigned, or the administrator of the school in the absence 5743  
of the teacher to whom assigned, or when required to testify in 5744  
a court or proceedings, any personal information concerning any 5745  
pupil in the school district which was obtained or obtainable by 5746  
the educational assistant while so employed. Violation of this 5747  
provision is grounds for disciplinary action or dismissal, or 5748  
both. 5749

(F) Notwithstanding anything to the contrary in this 5750  
section, the superintendent of a school district may allow an 5751  
employee who does not hold a permit or license issued under this 5752

section to work as a substitute for an educational assistant who 5753  
is absent on account of illness or on a leave of absence, or to 5754  
fill a temporary position created by an emergency, provided that 5755  
the superintendent believes the employee's application materials 5756  
indicate that the employee is qualified to obtain a permit or 5757  
license under this section. 5758

An employee shall begin work as a substitute under this 5759  
division not earlier than on the date on which the employee 5760  
files an application with the state board for a permit or 5761  
license under this section. An employee shall cease working as a 5762  
substitute under this division on the earliest of the following: 5763

(1) The date on which the employee files a valid permit or 5764  
license issued under this section with the superintendent; 5765

(2) The date on which the employee is denied a permit or 5766  
license under this section; 5767

(3) Sixty days following the date on which the employee 5768  
began work as a substitute under this division. 5769

The superintendent shall ensure that an employee assigned 5770  
to work as a substitute under division (F) of this section has 5771  
undergone a criminal records check in accordance with section 5772  
3319.391 of the Revised Code. 5773

(G) The state board shall issue an educational aide permit 5774  
or educational paraprofessional license in accordance with 5775  
Chapter 4796. of the Revised Code to an applicant if either of 5776  
the following applies: 5777

(1) The applicant holds a permit or license in another 5778  
state. 5779

(2) The applicant has satisfactory work experience, a 5780

government certification, or a private certification as 5781  
described in that chapter as an educational aide or educational 5782  
paraprofessional in a state that does not issue that permit or 5783  
license or both. 5784

**Sec. 3319.22.** (A) (1) The state board of education shall 5785  
issue the following educator licenses: 5786

(a) A resident educator license, which shall be valid for 5787  
four years and shall be renewable for reasons specified by rules 5788  
adopted by the state board pursuant to division (A) (3) of this 5789  
section. The state board, on a case-by-case basis, may extend 5790  
the license's duration as necessary to enable the license holder 5791  
to complete the Ohio teacher residency program established under 5792  
section 3319.223 of the Revised Code; 5793

(b) A professional educator license, which shall be valid 5794  
for five years and shall be renewable; 5795

(c) A senior professional educator license, which shall be 5796  
valid for five years and shall be renewable; 5797

(d) A lead professional educator license, which shall be 5798  
valid for five years and shall be renewable. 5799

Licenses issued under division (A) (1) of this section on 5800  
and after ~~the effective date of this amendment~~ November 2, 2018, 5801  
shall specify whether the educator is licensed to teach grades 5802  
pre-kindergarten through five, grades four through nine, or 5803  
grades seven through twelve. The changes to the grade band 5804  
specifications under this amendment shall not apply to a person 5805  
who holds a license under division (A) (1) of this section prior 5806  
to ~~the effective date of this amendment~~ November 2, 2018. 5807  
Further, the changes to the grade band specifications under this 5808  
amendment shall not apply to any license issued to teach in the 5809

area of computer information science, bilingual education, 5810  
dance, drama or theater, world language, health, library or 5811  
media, music, physical education, teaching English to speakers 5812  
of other languages, career-technical education, or visual arts 5813  
or to any license issued to an intervention specialist, 5814  
including a gifted intervention specialist, or to any other 5815  
license that does not align to the grade band specifications. 5816

(2) The state board may issue any additional educator 5817  
licenses of categories, types, and levels the board elects to 5818  
provide. 5819

(3) ~~The~~ Except as provided in division (I) of this 5820  
section, the state board shall adopt rules establishing the 5821  
standards and requirements for obtaining each educator license 5822  
issued under this section. The rules shall also include the 5823  
reasons for which a resident educator license may be renewed 5824  
under division (A) (1) (a) of this section. 5825

(B) ~~The~~ Except as provided in division (I) of this 5826  
section, the rules adopted under this section shall require at 5827  
least the following standards and qualifications for the 5828  
educator licenses described in division (A) (1) of this section: 5829

(1) An applicant for a resident educator license shall 5830  
hold at least a bachelor's degree from an accredited teacher 5831  
preparation program or be a participant in the teach for America 5832  
program and meet the qualifications required under section 5833  
3319.227 of the Revised Code. 5834

(2) An applicant for a professional educator license 5835  
shall: 5836

(a) Hold at least a bachelor's degree from an institution 5837  
of higher education accredited by a regional accrediting 5838



organization;	5839
(b) Have successfully completed the Ohio teacher residency	5840
program established under section 3319.223 of the Revised Code,	5841
if the applicant's current or most recently issued license is a	5842
resident educator license issued under this section or an	5843
alternative resident educator license issued under section	5844
3319.26 of the Revised Code.	5845
(3) An applicant for a senior professional educator	5846
license shall:	5847
(a) Hold at least a master's degree from an institution of	5848
higher education accredited by a regional accrediting	5849
organization;	5850
(b) Have previously held a professional educator license	5851
issued under this section or section 3319.222 or under former	5852
section 3319.22 of the Revised Code;	5853
(c) Meet the criteria for the accomplished or	5854
distinguished level of performance, as described in the	5855
standards for teachers adopted by the state board under section	5856
3319.61 of the Revised Code.	5857
(4) An applicant for a lead professional educator license	5858
shall:	5859
(a) Hold at least a master's degree from an institution of	5860
higher education accredited by a regional accrediting	5861
organization;	5862
(b) Have previously held a professional educator license	5863
or a senior professional educator license issued under this	5864
section or a professional educator license issued under section	5865
3319.222 or former section 3319.22 of the Revised Code;	5866

(c) Meet the criteria for the distinguished level of performance, as described in the standards for teachers adopted by the state board under section 3319.61 of the Revised Code;

(d) Either hold a valid certificate issued by the national board for professional teaching standards or meet the criteria for a master teacher or other criteria for a lead teacher adopted by the educator standards board under division (F) (4) or (5) of section 3319.61 of the Revised Code.

(C) The state board shall align the standards and qualifications for obtaining a principal license with the standards for principals adopted by the state board under section 3319.61 of the Revised Code.

(D) If the state board requires any examinations for educator licensure, the department of education shall provide the results of such examinations received by the department to the chancellor of higher education, in the manner and to the extent permitted by state and federal law.

(E) Any rules the state board of education adopts, amends, or rescinds for educator licenses under this section, division (D) of section 3301.07 of the Revised Code, or any other law shall be adopted, amended, or rescinded under Chapter 119. of the Revised Code except as follows:

(1) Notwithstanding division (E) of section 119.03 and division (A) (1) of section 119.04 of the Revised Code, in the case of the adoption of any rule or the amendment or rescission of any rule that necessitates institutions' offering preparation programs for educators and other school personnel that are approved by the chancellor of higher education under section 3333.048 of the Revised Code to revise the curriculum of those

programs, the effective date shall not be as prescribed in 5896  
division (E) of section 119.03 and division (A) (1) of section 5897  
119.04 of the Revised Code. Instead, the effective date of such 5898  
rules, or the amendment or rescission of such rules, shall be 5899  
the date prescribed by section 3333.048 of the Revised Code. 5900

(2) Notwithstanding the authority to adopt, amend, or 5901  
rescind emergency rules in division (G) of section 119.03 of the 5902  
Revised Code, this authority shall not apply to the state board 5903  
of education with regard to rules for educator licenses. 5904

(F) (1) The rules adopted under this section establishing 5905  
standards requiring additional coursework for the renewal of any 5906  
educator license shall require a school district and a chartered 5907  
nonpublic school to establish local professional development 5908  
committees. In a nonpublic school, the chief administrative 5909  
officer shall establish the committees in any manner acceptable 5910  
to such officer. The committees established under this division 5911  
shall determine whether coursework that a district or chartered 5912  
nonpublic school teacher proposes to complete meets the 5913  
requirement of the rules. The department of education shall 5914  
provide technical assistance and support to committees as the 5915  
committees incorporate the professional development standards 5916  
adopted by the state board of education pursuant to section 5917  
3319.61 of the Revised Code into their review of coursework that 5918  
is appropriate for license renewal. The rules shall establish a 5919  
procedure by which a teacher may appeal the decision of a local 5920  
professional development committee. 5921

(2) In any school district in which there is no exclusive 5922  
representative established under Chapter 4117. of the Revised 5923  
Code, the professional development committees shall be 5924  
established as described in division (F) (2) of this section. 5925

Not later than the effective date of the rules adopted 5926  
under this section, the board of education of each school 5927  
district shall establish the structure for one or more local 5928  
professional development committees to be operated by such 5929  
school district. The committee structure so established by a 5930  
district board shall remain in effect unless within thirty days 5931  
prior to an anniversary of the date upon which the current 5932  
committee structure was established, the board provides notice 5933  
to all affected district employees that the committee structure 5934  
is to be modified. Professional development committees may have 5935  
a district-level or building-level scope of operations, and may 5936  
be established with regard to particular grade or age levels for 5937  
which an educator license is designated. 5938

Each professional development committee shall consist of 5939  
at least three classroom teachers employed by the district, one 5940  
principal employed by the district, and one other employee of 5941  
the district appointed by the district superintendent. For 5942  
committees with a building-level scope, the teacher and 5943  
principal members shall be assigned to that building, and the 5944  
teacher members shall be elected by majority vote of the 5945  
classroom teachers assigned to that building. For committees 5946  
with a district-level scope, the teacher members shall be 5947  
elected by majority vote of the classroom teachers of the 5948  
district, and the principal member shall be elected by a 5949  
majority vote of the principals of the district, unless there 5950  
are two or fewer principals employed by the district, in which 5951  
case the one or two principals employed shall serve on the 5952  
committee. If a committee has a particular grade or age level 5953  
scope, the teacher members shall be licensed to teach such grade 5954  
or age levels, and shall be elected by majority vote of the 5955  
classroom teachers holding such a license and the principal 5956

shall be elected by all principals serving in buildings where 5957  
any such teachers serve. The district superintendent shall 5958  
appoint a replacement to fill any vacancy that occurs on a 5959  
professional development committee, except in the case of 5960  
vacancies among the elected classroom teacher members, which 5961  
shall be filled by vote of the remaining members of the 5962  
committee so selected. 5963

Terms of office on professional development committees 5964  
shall be prescribed by the district board establishing the 5965  
committees. The conduct of elections for members of professional 5966  
development committees shall be prescribed by the district board 5967  
establishing the committees. A professional development 5968  
committee may include additional members, except that the 5969  
majority of members on each such committee shall be classroom 5970  
teachers employed by the district. Any member appointed to fill 5971  
a vacancy occurring prior to the expiration date of the term for 5972  
which a predecessor was appointed shall hold office as a member 5973  
for the remainder of that term. 5974

The initial meeting of any professional development 5975  
committee, upon election and appointment of all committee 5976  
members, shall be called by a member designated by the district 5977  
superintendent. At this initial meeting, the committee shall 5978  
select a chairperson and such other officers the committee deems 5979  
necessary, and shall adopt rules for the conduct of its 5980  
meetings. Thereafter, the committee shall meet at the call of 5981  
the chairperson or upon the filing of a petition with the 5982  
district superintendent signed by a majority of the committee 5983  
members calling for the committee to meet. 5984

(3) In the case of a school district in which an exclusive 5985  
representative has been established pursuant to Chapter 4117. of 5986

the Revised Code, professional development committees shall be 5987  
established in accordance with any collective bargaining 5988  
agreement in effect in the district that includes provisions for 5989  
such committees. 5990

If the collective bargaining agreement does not specify a 5991  
different method for the selection of teacher members of the 5992  
committees, the exclusive representative of the district's 5993  
teachers shall select the teacher members. 5994

If the collective bargaining agreement does not specify a 5995  
different structure for the committees, the board of education 5996  
of the school district shall establish the structure, including 5997  
the number of committees and the number of teacher and 5998  
administrative members on each committee; the specific 5999  
administrative members to be part of each committee; whether the 6000  
scope of the committees will be district levels, building 6001  
levels, or by type of grade or age levels for which educator 6002  
licenses are designated; the lengths of terms for members; the 6003  
manner of filling vacancies on the committees; and the frequency 6004  
and time and place of meetings. However, in all cases, except as 6005  
provided in division (F) (4) of this section, there shall be a 6006  
majority of teacher members of any professional development 6007  
committee, there shall be at least five total members of any 6008  
professional development committee, and the exclusive 6009  
representative shall designate replacement members in the case 6010  
of vacancies among teacher members, unless the collective 6011  
bargaining agreement specifies a different method of selecting 6012  
such replacements. 6013

(4) Whenever an administrator's coursework plan is being 6014  
discussed or voted upon, the local professional development 6015  
committee shall, at the request of one of its administrative 6016

members, cause a majority of the committee to consist of 6017  
administrative members by reducing the number of teacher members 6018  
voting on the plan. 6019

(G) (1) The department of education, educational service 6020  
centers, county boards of developmental disabilities, college 6021  
and university departments of education, head start programs, 6022  
and the Ohio education computer network may establish local 6023  
professional development committees to determine whether the 6024  
coursework proposed by their employees who are licensed or 6025  
certificated under this section or section 3319.222 of the 6026  
Revised Code, or under the former version of either section as 6027  
it existed prior to October 16, 2009, meet the requirements of 6028  
the rules adopted under this section. They may establish local 6029  
professional development committees on their own or in 6030  
collaboration with a school district or other agency having 6031  
authority to establish them. 6032

Local professional development committees established by 6033  
county boards of developmental disabilities shall be structured 6034  
in a manner comparable to the structures prescribed for school 6035  
districts in divisions (F) (2) and (3) of this section, as shall 6036  
the committees established by any other entity specified in 6037  
division (G) (1) of this section that provides educational 6038  
services by employing or contracting for services of classroom 6039  
teachers licensed or certificated under this section or section 6040  
3319.222 of the Revised Code, or under the former version of 6041  
either section as it existed prior to October 16, 2009. All 6042  
other entities specified in division (G) (1) of this section 6043  
shall structure their committees in accordance with guidelines 6044  
which shall be issued by the state board. 6045

(2) Educational service centers may establish local 6046

professional development committees to serve educators who are 6047  
not employed in schools in this state, including pupil services 6048  
personnel who are licensed under this section. Local 6049  
professional development committees shall be structured in a 6050  
manner comparable to the structures prescribed for school 6051  
districts in divisions (F) (2) and (3) of this section. 6052

These committees may agree to review the coursework, 6053  
continuing education units, or other equivalent activities 6054  
related to classroom teaching or the area of licensure that is 6055  
proposed by an individual who satisfies both of the following 6056  
conditions: 6057

(a) The individual is licensed or certificated under this 6058  
section or under the former version of this section as it 6059  
existed prior to October 16, 2009. 6060

(b) The individual is not currently employed as an 6061  
educator or is not currently employed by an entity that operates 6062  
a local professional development committee under this section. 6063

Any committee that agrees to work with such an individual 6064  
shall work to determine whether the proposed coursework, 6065  
continuing education units, or other equivalent activities meet 6066  
the requirements of the rules adopted by the state board under 6067  
this section. 6068

(3) Any public agency that is not specified in ~~divisions~~ 6069  
division (G) (1) or (2) of this section but provides educational 6070  
services and employs or contracts for services of classroom 6071  
teachers licensed or certificated under this section or section 6072  
3319.222 of the Revised Code, or under the former version of 6073  
either section as it existed prior to October 16, 2009, may 6074  
establish a local professional development committee, subject to 6075



the approval of the department of education. The committee shall 6076  
be structured in accordance with guidelines issued by the state 6077  
board. 6078

(H) Not later than July 1, 2016, the state board, in 6079  
accordance with Chapter 119. of the Revised Code, shall adopt 6080  
rules pursuant to division (A) (3) of this section that do both 6081  
of the following: 6082

(1) Exempt consistently high-performing teachers from the 6083  
requirement to complete any additional coursework for the 6084  
renewal of an educator license issued under this section or 6085  
section 3319.26 of the Revised Code. The rules also shall 6086  
specify that such teachers are exempt from any requirements 6087  
prescribed by professional development committees established 6088  
under divisions (F) and (G) of this section. 6089

(2) For purposes of division (H) (1) of this section, the 6090  
state board shall define the term "consistently high-performing 6091  
teacher." 6092

(I) The state board shall issue a resident educator 6093  
license, professional educator license, senior professional 6094  
educator license, lead professional educator license, or any 6095  
other educator license in accordance with Chapter 4796. of the 6096  
Revised Code to an applicant if either of the following applies: 6097

(1) The applicant holds a license in another state. 6098

(2) The applicant has satisfactory work experience, a 6099  
government certification, or a private certification as 6100  
described in that chapter as a resident educator, professional 6101  
educator, senior professional educator, lead professional 6102  
educator, or any other type of educator in a state that does not 6103  
issue one or more of those licenses. 6104

**Sec. 3319.226.** (A) Beginning July 1, 2019, the state board 6105  
of education shall issue educator licenses for substitute 6106  
teaching only under this section. 6107

(B) ~~The~~ Except as provided in division (E) of this 6108  
section, the state board shall adopt rules establishing 6109  
standards and requirements for obtaining a license under this 6110  
section and for renewal of the license. Except as provided in 6111  
division (F) of section 3319.229 of the Revised Code, the rules 6112  
shall require an applicant to hold a post-secondary degree, but 6113  
not in any specified subject area. The rules also shall allow 6114  
the holder of a license issued under this section to work: 6115

(1) For an unlimited number of school days if the license 6116  
holder has a post-secondary degree in either education or a 6117  
subject area directly related to the subject of the class the 6118  
license holder will teach; 6119

(2) For one full semester, subject to the approval of the 6120  
employing school district board of education, if the license 6121  
holder has a post-secondary degree in a subject area that is not 6122  
directly related to the subject of the class that the license 6123  
holder will teach. 6124

The district superintendent may request that the board 6125  
approve one or more additional subsequent semester-long periods 6126  
of teaching for the license holder. 6127

(C) The rules adopted under division (B) of this section 6128  
shall permit a substitute career-technical teaching license 6129  
holder to teach outside the license holder's certified career 6130  
field for up to one semester, subject to approval of the 6131  
employing school district superintendent. 6132

(D) Any license issued or renewed under former section 6133

3319.226 of the Revised Code that was still in force on November 2, 2018, shall remain in force for the remainder of the term for which it was issued or renewed. Upon the expiration of that term, the holder of that license shall be subject to licensure under the rules adopted under this section.

(E) The state board shall issue an educator license for substitute teaching in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a substitute teacher in a state that does not issue that license.

**Sec. 3319.229.** (A) (1) Notwithstanding the repeal of former section 3319.229 of the Revised Code by S.B. 216 of the 132nd general assembly, the state board of education shall accept applications for new, and for renewal of, professional career-technical teaching licenses through June 30, 2019, and issue them on the basis of the applications received by that date in accordance with the rules described in that former section. Except as otherwise provided in divisions (A) (2) and (3) of this section, beginning July 1, 2019, the state board shall issue career-technical workforce development educator licenses only under this section.

(2) An individual who, on July 1, 2019, holds a professional career-technical teaching license issued under the rules described in former section 3319.229 of the Revised Code, may continue to renew that license in accordance with those rules for the remainder of the individual's teaching career.

However, nothing in this division shall be construed to prohibit 6163  
the individual from applying to the state board for a career- 6164  
technical workforce development educator license under this 6165  
section. 6166

(3) An individual who, on July 1, 2019, holds an 6167  
alternative resident educator license for teaching career- 6168  
technical education issued under section 3319.26 of the Revised 6169  
Code may, upon the expiration of the license, apply for a 6170  
professional career-technical teaching license issued under the 6171  
rules described in former section 3319.229 of the Revised Code. 6172  
Such an individual may continue to renew the professional 6173  
license in accordance with those rules for the remainder of the 6174  
individual's teaching career. However, nothing in this division 6175  
shall be construed to prohibit the individual from applying to 6176  
the state board for a career-technical workforce development 6177  
educator license under this section. 6178

(B) ~~The~~ Except as provided in division (G) of this 6179  
section, the state board, in collaboration with the chancellor 6180  
of higher education, shall adopt rules establishing standards 6181  
and requirements for obtaining a two-year initial career- 6182  
technical workforce development educator license and a five-year 6183  
advanced career-technical workforce development educator 6184  
license. Each license shall be valid for teaching career- 6185  
technical education or workforce development programs in grades 6186  
four through twelve. The rules shall require applicants for 6187  
either license to have a high school diploma or a certificate of 6188  
high school equivalence as awarded under section 3301.80 of the 6189  
Revised Code or as recognized as the equivalent of such 6190  
certificate under division (C) of that section. 6191

(C) (1) ~~The~~ Except as provided in division (G) of this 6192

section, the state board shall issue an initial career-technical 6193  
workforce development educator license to an applicant upon 6194  
request from the superintendent of a school district that has 6195  
agreed to employ the applicant. In making the request, the 6196  
superintendent shall provide documentation, in accordance with 6197  
procedures prescribed by the department of education, showing 6198  
that the applicant has at least five years of work experience, 6199  
or the equivalent, in the subject area in which the applicant 6200  
will teach. The license shall be valid for teaching only in the 6201  
requesting district. The superintendent also shall provide 6202  
documentation, in accordance with procedures prescribed by the 6203  
department, that the applicant is enrolled in a career-technical 6204  
workforce development educator preparation program offered by an 6205  
institution of higher education that has an existing teacher 6206  
preparatory program in place that meets all of the following 6207  
criteria: 6208

(a) Is approved by the chancellor of higher education to 6209  
provide instruction in teaching methods and principles; 6210

(b) Provides classroom support to the license holder; 6211

(c) Includes at least three semester hours of coursework 6212  
in the teaching of reading in the subject area; 6213

(d) Is aligned with career-technical education and 6214  
workforce development competencies developed by the department; 6215

(e) Uses a summative performance-based assessment 6216  
developed by the program and aligned to the competencies 6217  
described in division (C) (1) (d) of this section to evaluate the 6218  
license holder's knowledge and skills; 6219

(f) Consists of not less than twenty-four semester hours 6220  
of coursework, or the equivalent. 6221

(2) As a condition of continuing to hold the initial 6222  
career-technical workforce development license, the holder of 6223  
the license shall be participating in a career-technical 6224  
workforce development educator preparation program described in 6225  
division (C) (1) of this section. 6226

(3) The state board shall renew an initial career- 6227  
technical workforce development educator license if the 6228  
supervisor of the program described in division (C) (1) of this 6229  
section and the superintendent of the employing school district 6230  
indicate that the applicant is making sufficient progress in 6231  
both the program and the teaching position. 6232

(D) ~~The Except as provided in division (G) of this~~ 6233  
~~section, the~~ state board shall issue an advanced career- 6234  
technical workforce development educator license to an applicant 6235  
who has successfully completed the program described in division 6236  
(C) (1) of this section, as indicated by the supervisor of the 6237  
program, and who demonstrates mastery of the applicable career- 6238  
technical education and workforce development competencies 6239  
described in division (C) (1) (d) of this section in the teaching 6240  
position, as indicated by the superintendent of the employing 6241  
school district. 6242

(E) The holder of an advanced career-technical workforce 6243  
development educator license shall work with a local 6244  
professional development committee established under section 6245  
3319.22 of the Revised Code in meeting requirements for renewal 6246  
of the license. 6247

(F) Notwithstanding the provisions of section 3319.226 of 6248  
the Revised Code, the state board shall not require any 6249  
applicant for an educator license for substitute teaching who 6250  
holds a license issued under this section to hold a post- 6251

secondary degree in order to be issued a license under section 6252  
3319.226 of the Revised Code to work as a substitute teacher for 6253  
career-technical education classes. 6254

(G) The state board shall issue a license to practice as 6255  
an initial career-technical workforce development educator or 6256  
advanced career-technical workforce development educator in 6257  
accordance with Chapter 4796. of the Revised Code to an 6258  
applicant if either of the following applies: 6259

(1) The applicant holds a license in another state. 6260

(2) The applicant has satisfactory work experience, a 6261  
government certification, or a private certification as 6262  
described in that chapter as a career-technical workforce 6263  
development educator in a state that does not issue one or both 6264  
of those licenses. 6265

**Sec. 3319.26.** (A) The Except as provided in division (H) 6266  
of this section, the state board of education shall adopt rules 6267  
establishing the standards and requirements for obtaining an 6268  
alternative resident educator license for teaching in grades 6269  
kindergarten to twelve, or the equivalent, in a designated 6270  
subject area or in the area of intervention specialist, as 6271  
defined by rule of the state board. The rules shall also include 6272  
the reasons for which an alternative resident educator license 6273  
may be renewed under division (D) of this section. 6274

(B) The superintendent of public instruction and the 6275  
chancellor of higher education jointly shall develop an 6276  
intensive pedagogical training institute to provide instruction 6277  
in the principles and practices of teaching for individuals 6278  
seeking an alternative resident educator license. The 6279  
instruction shall cover such topics as student development and 6280

learning, pupil assessment procedures, curriculum development, 6281  
classroom management, and teaching methodology. 6282

(C) ~~The~~ Except as provided in division (H) of this 6283  
section, the rules adopted under this section shall require 6284  
applicants for the alternative resident educator license to 6285  
satisfy the following conditions prior to issuance of the 6286  
license, but they shall not require applicants to have completed 6287  
a major or coursework in the subject area for which application 6288  
is being made: 6289

(1) Hold a minimum of a baccalaureate degree; 6290

(2) Successfully complete the pedagogical training 6291  
institute described in division (B) of this section or the 6292  
preservice training provided to participants of a teacher 6293  
preparation program that has been approved by the chancellor. 6294  
The chancellor may approve any such program that requires 6295  
participants to hold a bachelor's degree; have either a 6296  
cumulative undergraduate grade point average of at least 2.5 out 6297  
of 4.0, or its equivalent or a cumulative graduate school grade 6298  
point average of at least 3.0 out of 4.0; and successfully 6299  
complete the program's preservice training. 6300

(3) Pass an examination in the subject area for which 6301  
application is being made. 6302

(D) An alternative resident educator license shall be 6303  
valid for four years and shall be renewable for reasons 6304  
specified by rules adopted by the state board pursuant to 6305  
division (A) of this section. The state board, on a case-by-case 6306  
basis, may extend the license's duration as necessary to enable 6307  
the license holder to complete the Ohio teacher residency 6308  
program established under section 3319.223 of the Revised Code. 6309



(E) The rules shall require the holder of an alternative  
resident educator license, as a condition of continuing to hold  
the license, to do all of the following:

(1) Participate in the Ohio teacher residency program;

(2) Show satisfactory progress in taking and successfully  
completing one of the following:

(a) At least twelve additional semester hours, or the  
equivalent, of college coursework in the principles and  
practices of teaching in such topics as student development and  
learning, pupil assessment procedures, curriculum development,  
classroom management, and teaching methodology;

(b) Professional development provided by a teacher  
preparation program that has been approved by the chancellor  
under division (C) (2) of this section.

(3) Take an assessment of professional knowledge in the  
second year of teaching under the license.

(F) The rules shall provide for the granting of a  
professional educator license to a holder of an alternative  
resident educator license upon successfully completing all of  
the following:

(1) Four years of teaching under the alternative license;

(2) The additional college coursework or professional  
development described in division (E) (2) of this section;

(3) The assessment of professional knowledge described in  
division (E) (3) of this section. The standards for successfully  
completing this assessment and the manner of conducting the  
assessment shall be the same as for any other individual who is  
required to take the assessment pursuant to rules adopted by the

state board under section 3319.22 of the Revised Code. 6338

(4) The Ohio teacher residency program; 6339

(5) All other requirements for a professional educator 6340  
license adopted by the state board under section 3319.22 of the 6341  
Revised Code. 6342

(G) A person who is assigned to teach in this state as a 6343  
participant in the teach for America program or who has 6344  
completed two years of teaching in another state as a 6345  
participant in that program shall be eligible for a license only 6346  
under section 3319.227 of the Revised Code and shall not be 6347  
eligible for a license under this section. 6348

(H) The board shall issue an alternative resident educator 6349  
license in accordance with Chapter 4796. of the Revised Code to 6350  
an applicant if either of the following applies: 6351

(1) The applicant holds a license in another state. 6352

(2) The applicant has satisfactory work experience, a 6353  
government certification, or a private certification as 6354  
described in that chapter as an educator for grades kindergarten 6355  
through twelve in a state that does not issue that license. 6356

**Sec. 3319.261.** (A) Notwithstanding any other provision of 6357  
the Revised Code or any rule adopted by the state board of 6358  
education to the contrary and except as provided in division (C) 6359  
of this section, the state board shall issue an alternative 6360  
resident educator license under division (C) of section 3319.26 6361  
of the Revised Code to each applicant who meets the following 6362  
conditions: 6363

(1) Holds a bachelor's degree from an accredited 6364  
institution of higher education; 6365

(2) Has successfully completed a teacher education program 6366  
offered by one of the following entities: 6367

(a) The American Montessori society; 6368

(b) The association Montessori internationale; 6369

(c) An institution accredited by the Montessori 6370  
accreditation council for teacher education. 6371

(3) Is employed in a school that operates a program that 6372  
uses the Montessori method endorsed by the American Montessori 6373  
society, the Montessori accreditation council for teacher 6374  
education, or the association Montessori internationale as its 6375  
primary method of instruction. 6376

(B) The holder of an alternative resident educator license 6377  
issued under this section shall be subject to divisions (A), 6378  
(B), (D), and (E) of section 3319.26 of the Revised Code and 6379  
shall be granted a professional educator license upon successful 6380  
completion of the requirements described in division (F) of 6381  
section 3319.26 of the Revised Code. 6382

(C) The state board shall issue an alternative resident 6383  
educator license under this section in accordance with Chapter 6384  
4796. of the Revised Code to an applicant if either of the 6385  
following applies: 6386

(1) The applicant holds a license in another state. 6387

(2) The applicant has satisfactory work experience, a 6388  
government certification, or a private certification as 6389  
described in that chapter as an educator providing instruction 6390  
in a Montessori-method school in a state that does not issue 6391  
that license. 6392

**Sec. 3319.262.** (A) Notwithstanding any other provision of 6393

the Revised Code or any rule adopted by the state board of 6394  
education to the contrary and except as provided in division (C) 6395  
of this section, the state board shall adopt rules establishing 6396  
standards and requirements for obtaining a nonrenewable four- 6397  
year initial early college high school educator license for 6398  
teaching grades seven through twelve at an early college high 6399  
school described in section 3313.6013 of the Revised Code to any 6400  
applicant who meets the following conditions: 6401

(1) Has a graduate or terminal degree from an accredited 6402  
institution of higher education in a field related to the 6403  
subject area to be taught, as determined by the department of 6404  
education; 6405

(2) Has obtained a passing score on an examination in the 6406  
subject area to be taught, as prescribed by the state board; 6407

(3) Has experience teaching students at any grade level, 6408  
including post-secondary students; 6409

(4) Has proof that an early college high school intends to 6410  
employ the applicant pending a valid license under this section. 6411

An individual licensed under this section shall be subject 6412  
to sections 3319.291 and 3319.39 of the Revised Code. An initial 6413  
educator license issued under division (A) of this section shall 6414  
be valid for teaching only at the employing school described in 6415  
division (A) (4) of this section. 6416

(B) After four years of teaching under an initial early 6417  
college high school educator license issued under this section, 6418  
an individual may apply for a renewable five-year professional 6419  
educator license in the same subject area named in the initial 6420  
license. The state board shall issue the applicant a 6421  
professional educator license if the applicant attains a passing 6422

score on an assessment of professional knowledge prescribed by 6423  
the state board. Nothing in division (B) of this section shall 6424  
be construed to prohibit an individual from applying for a 6425  
professional-~~education~~ educator license under section 3319.22 of 6426  
the Revised Code. 6427

(C) The state board shall issue an initial early college 6428  
high school educator license in accordance with Chapter 4796. of 6429  
the Revised Code to an applicant if either of the following 6430  
applies: 6431

(1) The applicant holds a license in another state. 6432

(2) The applicant has satisfactory work experience, a 6433  
government certification, or a private certification as 6434  
described in that chapter as an early college high school 6435  
educator in a state that does not issue that license. 6436

**Sec. 3319.27.** (A) The-Except as provided in division (C) 6437  
of this section, the state board of education shall adopt rules 6438  
that establish an alternative principal license. The rules 6439  
establishing an alternative principal license shall include a 6440  
requirement that an applicant have obtained classroom teaching 6441  
experience. Beginning on the effective date of the rules, the 6442  
state board shall cease to issue temporary educator licenses 6443  
pursuant to section 3319.225 of the Revised Code for employment 6444  
as a principal. Any person who on the effective date of the 6445  
rules holds a valid temporary educator license issued under that 6446  
section and is employed as a principal shall be allowed to 6447  
continue employment as a principal until the expiration of the 6448  
license. Employment of any such person as a principal by a 6449  
school district after the expiration of the temporary educator 6450  
license shall be contingent upon the state board issuing the 6451  
person an alternative principal license in accordance with the 6452

rules adopted under this division. 6453

(B) ~~The~~ Except as provided in division (C) of this 6454  
section, the state board shall adopt rules that establish an 6455  
alternative administrator license, which shall be valid for 6456  
employment as a superintendent or in any other administrative 6457  
position except principal. Beginning on the effective date of 6458  
the rules, the state board shall cease to issue temporary 6459  
educator licenses pursuant to section 3319.225 of the Revised 6460  
Code for employment as a superintendent or in any other 6461  
administrative position except principal. Any person who on the 6462  
effective date of the rules holds a valid temporary educator 6463  
license issued under that section and is employed as a 6464  
superintendent or in any other administrative position except 6465  
principal shall be allowed to continue employment in that 6466  
position until the expiration of the license. Employment of any 6467  
such person as a superintendent or in any other administrative 6468  
position except principal by a school district after the 6469  
expiration of the temporary educator license shall be contingent 6470  
upon the state board issuing the person an alternative 6471  
administrator license in accordance with the rules adopted under 6472  
this division. 6473

(C) The state board shall issue an alternative principal 6474  
or alternative administrator license in accordance with Chapter 6475  
4796. of the Revised Code to an applicant if either of the 6476  
following applies: 6477

(1) The applicant holds a license in another state. 6478

(2) The applicant has satisfactory work experience, a 6479  
government certification, or a private certification as 6480  
described in that chapter as a school principal or school 6481  
administrator in a state that does not issue one or both of 6482

those licenses. 6483

**Sec. 3319.28.** (A) As used in this section, "STEM school" 6484  
means a science, technology, engineering, and mathematics school 6485  
established under Chapter 3326. of the Revised Code. 6486

(B) Notwithstanding any other provision of the Revised 6487  
Code or any rule adopted by the state board of education to the 6488  
contrary and except as provided in division (F) of this section, 6489  
the state board shall issue a two-year provisional educator 6490  
license for teaching science, technology, engineering, or 6491  
mathematics in grades six through twelve in a STEM school to any 6492  
applicant who meets the following conditions: 6493

(1) Holds a bachelor's degree from an accredited 6494  
institution of higher education in a field related to the 6495  
subject area to be taught; 6496

(2) Has passed an examination prescribed by the state 6497  
board in the subject area to be taught. 6498

(C) The holder of a provisional educator license issued 6499  
under this section shall complete a structured apprenticeship 6500  
program provided by an educational service center or a teacher 6501  
preparation program approved under section 3333.048 of the 6502  
Revised Code, in partnership with the STEM school that employs 6503  
the license holder. The apprenticeship program shall include the 6504  
following: 6505

(1) Mentoring by a teacher or administrator who regularly 6506  
observes the license holder's classroom instruction, provides 6507  
feedback on the license holder's teaching strategies and 6508  
classroom management, and engages the license holder in 6509  
discussions about methods for fostering and measuring student 6510  
learning; 6511

(2) Regularly scheduled seminars or meetings that address the following topics:	6512 6513
(a) The statewide academic standards adopted by the state board under section 3301.079 of the Revised Code and the importance of aligning curriculum with those standards;	6514 6515 6516
(b) The achievement assessments prescribed by section 3301.0710 of the Revised Code;	6517 6518
(c) The school district and building accountability system established under Chapter 3302. of the Revised Code;	6519 6520
(d) Instructional methods and strategies;	6521
(e) Student development;	6522
(f) Assessing student progress and providing remediation and intervention, as necessary, to meet students' special needs;	6523 6524
(g) Classroom management and record keeping.	6525
(D) After two years of teaching under a provisional educator license issued under this section, a person may apply for a five-year professional educator license in the same subject area named in the provisional license. The state board shall issue the applicant a professional educator license if the applicant meets the following conditions:	6526 6527 6528 6529 6530 6531
(1) The applicant completed the apprenticeship program described in division (C) of this section.	6532 6533
(2) The applicant receives a positive recommendation indicating that the applicant is an effective teacher from both of the following:	6534 6535 6536
(a) The chief administrative officer of the STEM school that most recently employed the applicant as a classroom	6537 6538



teacher; 6539

(b) The educational service center or teacher preparation 6540  
program administrator in charge of the apprenticeship program 6541  
completed by the applicant. 6542

(3) The applicant meets all other requirements for a 6543  
professional educator license adopted by the state board under 6544  
section 3319.22 of the Revised Code. 6545

(E) The department of education shall evaluate the 6546  
experiences of STEM schools with classroom teachers holding 6547  
provisional educator licenses issued under this section. The 6548  
evaluation shall cover the first two school years for which 6549  
licenses are issued and shall consider at least the schools' 6550  
satisfaction with the teachers and the operation of the 6551  
apprenticeship programs. 6552

(F) The state board shall issue a provisional educator 6553  
license for teaching in a STEM school in accordance with Chapter 6554  
4796. of the Revised Code to an applicant if either of the 6555  
following applies: 6556

(1) The applicant holds a license in another state. 6557

(2) The applicant has satisfactory work experience, a 6558  
government certification, or a private certification as 6559  
described in that chapter as a STEM educator in a state that 6560  
does not issue that license. 6561

**Sec. 3319.301.** (A) As used in this section: 6562

(1) "Dropout recovery community school" means a community 6563  
school established under Chapter 3314. of the Revised Code in 6564  
which a majority of the students are enrolled in a dropout 6565  
prevention and recovery program that is operated by the school. 6566

(2) "Industry-recognized credential program" means a 6567  
career-technical course in which a student may earn an industry- 6568  
recognized credential approved under section 3313.6113 of the 6569  
Revised Code. 6570

(3) "STEM school" means a science, technology, 6571  
engineering, and mathematics school established under Chapter 6572  
3326. of the Revised Code. 6573

(B) The state board of education shall issue permits to 6574  
individuals who are not licensed as required by sections 3319.22 6575  
to 3319.30 of the Revised Code, but who are otherwise qualified, 6576  
to teach classes for not more than a total of twelve hours a 6577  
week, except that an individual teaching in a STEM school or an 6578  
individual teaching an industry-recognized credential program 6579  
offered at a dropout recovery community school may teach classes 6580  
for not more than a total of forty hours a week. The state 6581  
board, by rule, shall set forth the qualifications, other than 6582  
licensure under sections 3319.22 to 3319.30 of the Revised Code, 6583  
to be met by individuals in order to be issued a permit as 6584  
provided in this section. Such qualifications shall include the 6585  
possession of a baccalaureate, master's, or doctoral degree in, 6586  
or significant experience related to, the subject the individual 6587  
is to teach. For an individual assigned to teach a career- 6588  
technical class, significant experience related to a subject 6589  
shall include career-technical experience. Applications for 6590  
permits pursuant to this section shall be made in accordance 6591  
with section 3319.29 of the Revised Code. A permit issued under 6592  
this section shall be renewable. 6593

The state board, by rule, shall authorize the board of 6594  
education of each school district and each STEM school to engage 6595  
individuals holding permits issued under this section to teach 6596

classes for not more than the total number of hours a week 6597  
specified in the permit. The rules shall include provisions with 6598  
regard to each of the following: 6599

(1) That a board of education or STEM school shall engage 6600  
a nonlicensed individual to teach pursuant to this section on a 6601  
volunteer basis, or by entering into a contract with the 6602  
individual or the individual's employer on such terms and 6603  
conditions as are agreed to between the board or school and the 6604  
individual or the individual's employer; 6605

(2) That an employee of the board of education or STEM 6606  
school who is licensed under sections 3319.22 to 3319.30 of the 6607  
Revised Code shall directly supervise a nonlicensed individual 6608  
who is engaged to teach pursuant to this section until the 6609  
superintendent of the school district or the chief 6610  
administrative officer of the STEM school is satisfied that the 6611  
nonlicensed individual has sufficient understanding of, and 6612  
experience in, effective teaching methods to teach without 6613  
supervision. 6614

(C) A nonlicensed individual engaged to teach pursuant to 6615  
this section is a teacher for the purposes of Title XXXIII of 6616  
the Revised Code except for the purposes of Chapters 3307. and 6617  
3317. and sections 3319.07 to 3319.31 of the Revised Code. Such 6618  
an individual is not an employee of the board of education or 6619  
STEM school for the purpose of Titles I or XLI or Chapter 3309. 6620  
of the Revised Code. 6621

(D) Students enrolled in a class taught by a nonlicensed 6622  
individual pursuant to this section and rules adopted thereunder 6623  
shall receive the same credit as if the class had been taught by 6624  
an employee licensed pursuant to sections 3319.22 to 3319.30 of 6625  
the Revised Code. 6626

(E) No board of education of any school district shall 6627  
engage any one or more nonlicensed individuals if such 6628  
employment displaces from employment an existing licensed 6629  
employee of the district. 6630

(F) Chapter 4796. of the Revised Code does not apply to 6631  
permits issued under this section. 6632

**Sec. 3319.303.** (A) ~~The~~ Except as provided in division (D) 6633  
of this section, the state board of education shall adopt rules 6634  
establishing standards and requirements for obtaining a pupil- 6635  
activity program permit for any individual who does not hold a 6636  
valid educator license, certificate, or permit issued by the 6637  
state board under section 3319.22, 3319.26, or 3319.27 of the 6638  
Revised Code. The permit issued under this section shall be 6639  
valid for coaching, supervising, or directing a pupil-activity 6640  
program under section 3313.53 of the Revised Code. Subject to 6641  
the provisions of section 3319.31 of the Revised Code, a permit 6642  
issued under this division shall be valid for three years and 6643  
shall be renewable. 6644

(B) The state board shall adopt rules applicable to 6645  
individuals who hold valid educator licenses, certificates, or 6646  
permits issued by the state board under section 3319.22, 6647  
3319.26, or 3319.27 of the Revised Code setting forth standards 6648  
to assure any such individual's competence to direct, supervise, 6649  
or coach a pupil-activity program described in section 3313.53 6650  
of the Revised Code. The rules adopted under this division shall 6651  
not be more stringent than the standards set forth in rules 6652  
applicable to individuals who do not hold such licenses, 6653  
certificates, or permits adopted under division (A) of this 6654  
section. Subject to the provisions of section 3319.31 of the 6655  
Revised Code, a permit issued to an individual under this 6656

division shall be valid for the same number of years as the 6657  
individual's educator license, certificate, or permit issued 6658  
under section 3319.22, 3319.26, or 3319.27 of the Revised Code 6659  
and shall be renewable. 6660

~~(C) As a condition to issuing or renewing a pupil-activity-~~ 6661  
~~program permit to coach interscholastic athletics:~~ 6662

(1) ~~The~~ Except as provided in division (D) of this 6663  
section, as a condition to issuing a pupil-activity program 6664  
permit to coach interscholastic athletics, the state board shall 6665  
require each individual applying for a first permit on or after 6666  
April 26, 2013, to successfully complete a training program that 6667  
is specifically focused on brain trauma and brain injury 6668  
management. 6669

(2) The state board shall require, as a condition to 6670  
renewing a pupil-activity program permit to coach 6671  
interscholastic athletics, each individual applying for a permit 6672  
renewal on or after that date to present evidence that the 6673  
individual has successfully completed, within the previous three 6674  
years, a training program in recognizing the symptoms of 6675  
concussions and head injuries to which the department of health 6676  
has provided a link on its internet web site under section 6677  
3707.52 of the Revised Code or a training program authorized and 6678  
required by an organization that regulates interscholastic 6679  
athletic competition and conducts interscholastic athletic 6680  
events. 6681

(D) The state board shall issue a permit for coaching, 6682  
supervising, or directing a pupil-activity program in accordance 6683  
with Chapter 4796. of the Revised Code to an applicant if either 6684  
of the following applies: 6685

(1) The applicant holds a license or permit in another state. 6686  
6687

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a coach, supervisor, or pupil-activity program director in a state that does not issue that permit. 6688  
6689  
6690  
6691  
6692

**Sec. 3319.361.** (A) The Except as provided in division (F) of this section, the state board of education shall establish rules for the issuance of a supplemental teaching license. This license shall be issued at the request of the superintendent of a city, local, exempted village, or joint vocational school district, educational service center, or the governing authority of a STEM school, chartered nonpublic school, or community school to an individual who meets all of the following criteria: 6693  
6694  
6695  
6696  
6697  
6698  
6699  
6700

(1) Holds a current professional or permanent Ohio teaching certificate or resident educator license, professional educator license, senior professional educator license, or lead professional educator license, as issued under section 3319.22 or 3319.26 of the Revised Code; 6701  
6702  
6703  
6704  
6705

(2) Is of good moral character; 6706

(3) Is employed in a supplemental licensure area or teaching field, as defined by the state board; 6707  
6708

(4) Completes an examination prescribed by the state board in the licensure area; 6709  
6710

(5) Completes, while employed under the supplemental teaching license and subsequent renewals thereof, additional coursework, if applicable, and testing requirements for full licensure in the supplemental area as a condition of holding and 6711  
6712  
6713  
6714

teaching under a supplemental teaching license. 6715

(B) The employing school district, service center, or 6716  
school shall assign a mentor to the individual holding a 6717  
supplemental teaching license. The assigned mentor shall be an 6718  
experienced teacher who currently holds a license in the same, 6719  
or a related, content area as the supplemental license. 6720

(C) Before the department of education will issue an 6721  
individual a supplemental teaching license in another area, the 6722  
supplemental licensee must complete the supplemental licensure 6723  
program, or its equivalent, and be issued a standard teaching 6724  
license in the area of the currently held supplemental license. 6725

(D) An individual may advance from a supplemental teaching 6726  
license to a standard teaching license upon: 6727

(1) Verification from the employing superintendent or 6728  
governing authority that the individual holding the supplemental 6729  
teaching license has taught successfully in the licensure area 6730  
for a minimum of two years; and 6731

(2) Completing requirements as applicable to the licensure 6732  
area or teaching field as established by the state board. 6733

(E) A licensee who has filed an application under this 6734  
section may work in the supplemental licensure area for up to 6735  
sixty school days while completing the requirements in division 6736  
(A) (4) of this section. If the requirements are not completed 6737  
within sixty days, the application shall be declined. 6738

(F) The state board shall issue a supplemental teaching 6739  
license in accordance with Chapter 4796. of the Revised Code to 6740  
an applicant if either of the following applies: 6741

(1) The applicant holds a license in another state. 6742

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as an educator providing supplemental instruction in a state that does not issue that license.

**Sec. 3327.10.** (A) ~~No~~ Except as provided in division (L) of this section, no person shall be employed as driver of a school bus or motor van, owned and operated by any school district or educational service center or privately owned and operated under contract with any school district or service center in this state, who has not received a certificate from either the educational service center governing board that has entered into an agreement with the school district under section 3313.843 or 3313.845 of the Revised Code or the superintendent of the school district, certifying that such person is at least eighteen years of age and is qualified physically and otherwise for such position. The service center governing board or the superintendent, as the case may be, shall provide for an annual physical examination that conforms with rules adopted by the state board of education of each driver to ascertain the driver's physical fitness for such employment. The examination shall be performed by one of the following:

(1) A person licensed under Chapter 4731. or 4734. of the Revised Code or by another state to practice medicine and surgery, osteopathic medicine and surgery, or chiropractic;

(2) A physician assistant;

(3) A certified nurse practitioner;

(4) A clinical nurse specialist;

(5) A certified nurse-midwife;

(6) A medical examiner who is listed on the national



registry of certified medical examiners established by the 6772  
federal motor carrier safety administration in accordance with 6773  
49 C.F.R. part 390. 6774

Any certificate may be revoked by the authority granting 6775  
the same on proof that the holder has been guilty of failing to 6776  
comply with division (D)(1) of this section, or upon a 6777  
conviction or a guilty plea for a violation, or any other 6778  
action, that results in a loss or suspension of driving rights. 6779  
Failure to comply with such division may be cause for 6780  
disciplinary action or termination of employment under division 6781  
(C) of section 3319.081, or section 124.34 of the Revised Code. 6782

(B) ~~No-Except as provided in division (L) of this section,~~ 6783  
no person shall be employed as driver of a school bus or motor 6784  
van not subject to the rules of the department of education 6785  
pursuant to division (A) of this section who has not received a 6786  
certificate from the school administrator or contractor 6787  
certifying that such person is at least eighteen years of age 6788  
and is qualified physically and otherwise for such position. 6789  
Each driver shall have an annual physical examination which 6790  
conforms to the state highway patrol rules, ascertaining the 6791  
driver's physical fitness for such employment. The examination 6792  
shall be performed by one of the following: 6793

(1) A person licensed under Chapter 4731. or 4734. of the 6794  
Revised Code or by another state to practice medicine and 6795  
surgery, osteopathic medicine and surgery, or chiropractic; 6796

(2) A physician assistant; 6797

(3) A certified nurse practitioner; 6798

(4) A clinical nurse specialist; 6799

(5) A certified nurse-midwife; 6800

(6) A medical examiner who is listed on the national 6801  
registry of certified medical examiners established by the 6802  
federal motor carrier safety administration in accordance with 6803  
49 C.F.R. part 390. 6804

Any written documentation of the physical examination 6805  
shall be completed by the individual who performed the 6806  
examination. 6807

Any certificate may be revoked by the authority granting 6808  
the same on proof that the holder has been guilty of failing to 6809  
comply with division (D) (2) of this section. 6810

(C) Any person who drives a school bus or motor van must 6811  
give satisfactory and sufficient bond except a driver who is an 6812  
employee of a school district and who drives a bus or motor van 6813  
owned by the school district. 6814

(D) No person employed as driver of a school bus or motor 6815  
van under this section who is convicted of a traffic violation 6816  
or who has had the person's commercial driver's license 6817  
suspended shall drive a school bus or motor van until the person 6818  
has filed a written notice of the conviction or suspension, as 6819  
follows: 6820

(1) If the person is employed under division (A) of this 6821  
section, the person shall file the notice with the 6822  
superintendent, or a person designated by the superintendent, of 6823  
the school district for which the person drives a school bus or 6824  
motor van as an employee or drives a privately owned and 6825  
operated school bus or motor van under contract. 6826

(2) If employed under division (B) of this section, the 6827  
person shall file the notice with the employing school 6828  
administrator or contractor, or a person designated by the 6829

administrator or contractor. 6830

(E) In addition to resulting in possible revocation of a 6831  
certificate as authorized by divisions (A) and (B) of this 6832  
section, violation of division (D) of this section is a minor 6833  
misdemeanor. 6834

(F) (1) Not later than thirty days after June 30, 2007, 6835  
each owner of a school bus or motor van shall obtain the 6836  
complete driving record for each person who is currently 6837  
employed or otherwise authorized to drive the school bus or 6838  
motor van. An owner of a school bus or motor van shall not 6839  
permit a person to operate the school bus or motor van for the 6840  
first time before the owner has obtained the person's complete 6841  
driving record. Thereafter, the owner of a school bus or motor 6842  
van shall obtain the person's driving record not less frequently 6843  
than semiannually if the person remains employed or otherwise 6844  
authorized to drive the school bus or motor van. An owner of a 6845  
school bus or motor van shall not permit a person to resume 6846  
operating a school bus or motor van, after an interruption of 6847  
one year or longer, before the owner has obtained the person's 6848  
complete driving record. 6849

(2) The owner of a school bus or motor van shall not 6850  
permit a person to operate the school bus or motor van for ten 6851  
years after the date on which the person pleads guilty to or is 6852  
convicted of a violation of section 4511.19 of the Revised Code 6853  
or a substantially equivalent municipal ordinance. 6854

(3) An owner of a school bus or motor van shall not permit 6855  
any person to operate such a vehicle unless the person meets all 6856  
other requirements contained in rules adopted by the state board 6857  
of education prescribing qualifications of drivers of school 6858  
buses and other student transportation. 6859

(G) No superintendent of a school district, educational service center, community school, or public or private employer shall permit the operation of a vehicle used for pupil transportation within this state by an individual unless both of the following apply:

(1) Information pertaining to that driver has been submitted to the department of education, pursuant to procedures adopted by that department. Information to be reported shall include the name of the employer or school district, name of the driver, driver license number, date of birth, date of hire, status of physical evaluation, and status of training.

(2) The most recent criminal records check required by division (J) of this section has been completed and received by the superintendent or public or private employer.

(H) A person, school district, educational service center, community school, nonpublic school, or other public or nonpublic entity that owns a school bus or motor van, or that contracts with another entity to operate a school bus or motor van, may impose more stringent restrictions on drivers than those prescribed in this section, in any other section of the Revised Code, and in rules adopted by the state board.

(I) For qualified drivers who, on July 1, 2007, are employed by the owner of a school bus or motor van to drive the school bus or motor van, any instance in which the driver was convicted of or pleaded guilty to a violation of section 4511.19 of the Revised Code or a substantially equivalent municipal ordinance prior to two years prior to July 1, 2007, shall not be considered a disqualifying event with respect to division (F) of this section.

(J) (1) This division applies to persons hired by a school 6889  
district, educational service center, community school, 6890  
chartered nonpublic school, or science, technology, engineering, 6891  
and mathematics school established under Chapter 3326. of the 6892  
Revised Code to operate a vehicle used for pupil transportation. 6893

For each person to whom this division applies who is hired 6894  
on or after November 14, 2007, the employer shall request a 6895  
criminal records check in accordance with section 3319.39 of the 6896  
Revised Code and every six years thereafter. For each person to 6897  
whom this division applies who is hired prior to that date, the 6898  
employer shall request a criminal records check by a date 6899  
prescribed by the department of education and every six years 6900  
thereafter. 6901

(2) This division applies to persons hired by a public or 6902  
private employer not described in division (J) (1) of this 6903  
section to operate a vehicle used for pupil transportation. 6904

For each person to whom this division applies who is hired 6905  
on or after November 14, 2007, the employer shall request a 6906  
criminal records check prior to the person's hiring and every 6907  
six years thereafter. For each person to whom this division 6908  
applies who is hired prior to that date, the employer shall 6909  
request a criminal records check by a date prescribed by the 6910  
department and every six years thereafter. 6911

(3) Each request for a criminal records check under 6912  
division (J) of this section shall be made to the superintendent 6913  
of the bureau of criminal identification and investigation in 6914  
the manner prescribed in section 3319.39 of the Revised Code, 6915  
except that if both of the following conditions apply to the 6916  
person subject to the records check, the employer shall request 6917  
the superintendent only to obtain any criminal records that the 6918

federal bureau of investigation has on the person: 6919

(a) The employer previously requested the superintendent 6920  
to determine whether the bureau of criminal identification and 6921  
investigation has any information, gathered pursuant to division 6922  
(A) of section 109.57 of the Revised Code, on the person in 6923  
conjunction with a criminal records check requested under 6924  
section 3319.39 of the Revised Code or under division (J) of 6925  
this section. 6926

(b) The person presents proof that the person has been a 6927  
resident of this state for the five-year period immediately 6928  
prior to the date upon which the person becomes subject to a 6929  
criminal records check under this section. 6930

Upon receipt of a request, the superintendent shall 6931  
conduct the criminal records check in accordance with section 6932  
109.572 of the Revised Code as if the request had been made 6933  
under section 3319.39 of the Revised Code. However, as specified 6934  
in division (B)(2) of section 109.572 of the Revised Code, if 6935  
the employer requests the superintendent only to obtain any 6936  
criminal records that the federal bureau of investigation has on 6937  
the person for whom the request is made, the superintendent 6938  
shall not conduct the review prescribed by division (B)(1) of 6939  
that section. 6940

(K)(1) Until the effective date of the amendments to rule 6941  
3301-83-23 of the Ohio Administrative Code required by the 6942  
second paragraph of division (E) of section 3319.39 of the 6943  
Revised Code, any person who is the subject of a criminal 6944  
records check under division (J) of this section and has been 6945  
convicted of or pleaded guilty to any offense described in 6946  
division (B)(1) of section 3319.39 of the Revised Code shall not 6947  
be hired or shall be released from employment, as applicable, 6948

unless the person meets the rehabilitation standards prescribed 6949  
for nonlicensed school personnel by rule 3301-20-03 of the Ohio 6950  
Administrative Code. 6951

(2) Beginning on the effective date of the amendments to 6952  
rule 3301-83-23 of the Ohio Administrative Code required by the 6953  
second paragraph of division (E) of section 3319.39 of the 6954  
Revised Code, any person who is the subject of a criminal 6955  
records check under division (J) of this section and has been 6956  
convicted of or pleaded guilty to any offense that, under the 6957  
rule, disqualifies a person for employment to operate a vehicle 6958  
used for pupil transportation shall not be hired or shall be 6959  
released from employment, as applicable, unless the person meets 6960  
the rehabilitation standards prescribed by the rule. 6961

(L) The superintendent of a school district or an 6962  
educational service center governing board shall issue a 6963  
certificate as a driver of a school bus or motor van or a 6964  
certificate to operate a vehicle used for pupil transportation 6965  
in accordance with Chapter 4796. of the Revised Code to an 6966  
applicant if either of the following applies: 6967

(1) The applicant holds a certificate in another state. 6968

(2) The applicant has satisfactory work experience, a 6969  
government certification, or a private certification as 6970  
described in that chapter as a school bus or motor van driver or 6971  
a pupil transportation vehicle operator in a state that does not 6972  
issue one or both of those certificates. 6973

**Sec. 3703.21.** (A) Within ninety days after September 16, 6974  
2004, the superintendent of industrial compliance shall appoint 6975  
a backflow advisory board consisting of not more than ten 6976  
members, who shall serve at the pleasure of the superintendent. 6977

The superintendent shall appoint a representative from the 6978  
plumbing section of the division of industrial compliance, three 6979  
representatives recommended by the plumbing administrator of the 6980  
division of industrial compliance, a representative of the 6981  
drinking water program of the Ohio environmental protection 6982  
agency, three representatives recommended by the director of 6983  
environmental protection, and not more than two members who are 6984  
not employed by the plumbing or water industry. 6985

The board shall advise the superintendent on matters 6986  
pertaining to the training and certification of backflow 6987  
technicians. 6988

(B) The superintendent shall adopt rules in accordance 6989  
with Chapter 119. of the Revised Code to provide for the 6990  
certification of backflow technicians. The rules shall establish 6991  
all of the following requirements, specifications, and 6992  
procedures: 6993

(1) Requirements and procedures for the initial 6994  
certification of backflow technicians, including eligibility 6995  
criteria and application requirements and fees; 6996

(2) Specifications concerning and procedures for taking 6997  
examinations required for certification as a backflow 6998  
technician, including eligibility criteria to take the 6999  
examination and application requirements and fees for taking the 7000  
examination; 7001

(3) Specifications concerning and procedures for renewing 7002  
a certification as a backflow technician, including eligibility 7003  
criteria, application requirements, and fees for renewal; 7004

(4) Specifications concerning and procedures for both of 7005  
the following: 7006



(a) Approval of training agencies authorized to teach	7007
required courses to candidates for certification as backflow	7008
technicians or continuing education courses to certified	7009
backflow technicians;	7010
(b) Renewal of the approval described in division (B) (4)	7011
(a) of this section.	7012
(5) Education requirements that candidates for initial	7013
certification as backflow technicians must satisfy and	7014
continuing education requirements that certified backflow	7015
technicians must satisfy;	7016
(6) Grounds and procedures for denying, suspending, or	7017
revoking certification, or denying the renewal of certification,	7018
as a backflow technician;	7019
(7) Procedures for issuing administrative orders for the	7020
remedy of any violation of this section or any rule adopted	7021
pursuant to division (B) of this section, including, but not	7022
limited to, procedures for assessing a civil penalty authorized	7023
under division <del>(D)</del> <u>(E)</u> of this section;	7024
(8) Any provision the superintendent determines is	7025
necessary to administer or enforce this section.	7026
(C) <u>The superintendent shall certify a backflow technician</u>	7027
<u>in accordance with Chapter 4796. of the Revised Code if either</u>	7028
<u>of the following applies:</u>	7029
<u>(1) The individual holds a license or certification in</u>	7030
<u>another state.</u>	7031
<u>(2) The individual has satisfactory work experience, a</u>	7032
<u>government certification, or a private certification as</u>	7033
<u>described in that chapter as a backflow technician in a state</u>	7034

that does not issue that certification. 7035

(D) No individual shall engage in the installation, 7036  
testing, or repair of any isolation backflow prevention device 7037  
unless that individual possesses a valid certification as a 7038  
backflow technician. This division does not apply with respect 7039  
to the installation, testing, or repair of any containment 7040  
backflow prevention device. 7041

~~(D)~~ (E) Whoever violates division ~~(C)~~ (D) of this section 7042  
or any rule adopted pursuant to division (B) of this section 7043  
shall pay a civil penalty of not more than five thousand dollars 7044  
for each day that the violation continues. The superintendent 7045  
may, by order, assess a civil penalty under this division, or 7046  
may request the attorney general to bring a civil action to 7047  
impose the civil penalty in the court of common pleas of the 7048  
county in which the violation occurred or where the violator 7049  
resides. 7050

~~(E)~~ (F) Any action taken under a rule adopted pursuant to 7051  
division (B) (6) of this section is subject to the appeal process 7052  
of Chapter 119. of the Revised Code. An administrative order 7053  
issued pursuant to rules adopted under division (B) (7) of this 7054  
section and an appeal to that type of administrative order shall 7055  
be executed in accordance with Chapter 119. of the Revised Code. 7056

~~(F)~~ (G) As used in this section: 7057

(1) "Isolation backflow prevention device" means a device 7058  
for the prevention of the backflow of liquids, solids, or gases 7059  
that is regulated by the building code adopted pursuant to 7060  
section 3781.10 of the Revised Code and rules adopted pursuant 7061  
to this section. 7062

(2) "Containment backflow prevention device" means a 7063

device for the prevention of the backflow of liquids, solids, or 7064  
gases that is installed by the supplier of, or as a requirement 7065  
of, any public water system as defined in division (A) of 7066  
section 6109.01 of the Revised Code. 7067

**Sec. 3704.14.** (A) (1) If the director of environmental 7068  
protection determines that implementation of a motor vehicle 7069  
inspection and maintenance program is necessary for the state to 7070  
effectively comply with the federal Clean Air Act after June 30, 7071  
2019, the director may provide for the implementation of the 7072  
program in those counties in this state in which such a program 7073  
is federally mandated. Upon making such a determination, the 7074  
director of environmental protection may request the director of 7075  
administrative services to extend the terms of the contract that 7076  
was entered into under the authority of Am. Sub. H.B. 64 of the 7077  
131st general assembly. Upon receiving the request, the director 7078  
of administrative services shall extend the contract, beginning 7079  
on July 1, 2019, in accordance with this section. The contract 7080  
shall be extended for a period of up to twenty-four months with 7081  
the contractor who conducted the motor vehicle inspection and 7082  
maintenance program under that contract. 7083

(2) Prior to the expiration of the contract extension that 7084  
is authorized by division (A) (1) of this section, the director 7085  
of environmental protection shall request the director of 7086  
administrative services to enter into a contract with a vendor 7087  
to operate a decentralized motor vehicle inspection and 7088  
maintenance program in each county in this state in which such a 7089  
program is federally mandated through June 30, 2023, with an 7090  
option for the state to renew the contract for a period of up to 7091  
twenty-four months through June 30, 2025. The contract shall 7092  
ensure that the decentralized motor vehicle inspection and 7093  
maintenance program achieves at least the same emission 7094

reductions as achieved by the program operated under the 7095  
authority of the contract that was extended under division (A) 7096  
(1) of this section. The director of administrative services 7097  
shall select a vendor through a competitive selection process in 7098  
compliance with Chapter 125. of the Revised Code. 7099

(3) Notwithstanding any law to the contrary, the director 7100  
of administrative services shall ensure that a competitive 7101  
selection process regarding a contract to operate a 7102  
decentralized motor vehicle inspection and maintenance program 7103  
in this state incorporates the following, which shall be 7104  
included in the contract: 7105

(a) For purposes of expanding the number of testing 7106  
locations for consumer convenience, a requirement that the 7107  
vendor utilize established local businesses, auto repair 7108  
facilities, or leased properties to operate state-approved 7109  
inspection and maintenance testing facilities; 7110

(b) A requirement that the vendor selected to operate the 7111  
program provide notification of the program's requirements to 7112  
each owner of a motor vehicle that is required to be inspected 7113  
under the program. The contract shall require the notification 7114  
to be provided not later than sixty days prior to the date by 7115  
which the owner of the motor vehicle is required to have the 7116  
motor vehicle inspected. The director of environmental 7117  
protection and the vendor shall jointly agree on the content of 7118  
the notice. However, the notice shall include at a minimum the 7119  
locations of all inspection facilities within a specified 7120  
distance of the address that is listed on the owner's motor 7121  
vehicle registration; 7122

(c) A requirement that the vendor comply with testing 7123  
methodology and supply the required equipment approved by the 7124

director of environmental protection as specified in the 7125  
competitive selection process in compliance with Chapter 125. of 7126  
the Revised Code. 7127

(4) A decentralized motor vehicle inspection and 7128  
maintenance program operated under this section shall comply 7129  
with division (B) of this section. The director of environmental 7130  
protection shall administer the decentralized motor vehicle 7131  
inspection and maintenance program operated under this section. 7132

(B) The decentralized motor vehicle inspection and 7133  
maintenance program authorized by this section, at a minimum, 7134  
shall do all of the following: 7135

(1) Comply with the federal Clean Air Act; 7136

(2) Provide for the issuance of inspection certificates; 7137

(3) Provide for a new car exemption for motor vehicles 7138  
four years old or newer and provide that a new motor vehicle is 7139  
exempt for four years regardless of whether legal title to the 7140  
motor vehicle is transferred during that period; 7141

(4) Provide for an exemption for battery electric motor 7142  
vehicles. 7143

~~(C)~~ (C) (1) The director of environmental protection shall 7144  
adopt rules in accordance with Chapter 119. of the Revised Code 7145  
that the director determines are necessary to implement this 7146  
section. The director may continue to implement and enforce 7147  
rules pertaining to the motor vehicle inspection and maintenance 7148  
program previously implemented under former section 3704.14 of 7149  
the Revised Code as that section existed prior to its repeal and 7150  
reenactment by Am. Sub. H.B. 66 of the 126th general assembly, 7151  
provided that the rules do not conflict with this section. 7152

(2) The director of environmental protection shall issue 7153  
an inspection certificate provided for under division (B) (2) of 7154  
this section in accordance with Chapter 4796. of the Revised 7155  
Code to an applicant if either of the following applies: 7156

(a) The individual holds a certificate or license in 7157  
another state. 7158

(b) The individual has satisfactory work experience, a 7159  
government certification, or a private certification as 7160  
described in that chapter as a vehicle inspector in a state that 7161  
does not issue that certificate. 7162

(D) There is hereby created in the state treasury the auto 7163  
emissions test fund, which shall consist of money received by 7164  
the director from any cash transfers, state and local grants, 7165  
and other contributions that are received for the purpose of 7166  
funding the program established under this section. The director 7167  
of environmental protection shall use money in the fund solely 7168  
for the implementation, supervision, administration, operation, 7169  
and enforcement of the motor vehicle inspection and maintenance 7170  
program established under this section. Money in the fund shall 7171  
not be used for either of the following: 7172

(1) To pay for the inspection costs incurred by a motor 7173  
vehicle dealer so that the dealer may provide inspection 7174  
certificates to an individual purchasing a motor vehicle from 7175  
the dealer when that individual resides in a county that is 7176  
subject to the motor vehicle inspection and maintenance program; 7177

(2) To provide payment for more than one free passing 7178  
emissions inspection or a total of three emissions inspections 7179  
for a motor vehicle in any three-hundred-sixty-five-day period. 7180  
The owner or lessee of a motor vehicle is responsible for 7181

inspection fees that are related to emissions inspections beyond 7182  
one free passing emissions inspection or three total emissions 7183  
inspections in any three-hundred-sixty-five-day period. 7184  
Inspection fees that are charged by a contractor conducting 7185  
emissions inspections under a motor vehicle inspection and 7186  
maintenance program shall be approved by the director of 7187  
environmental protection. 7188

(E) The motor vehicle inspection and maintenance program 7189  
established under this section expires upon the termination of 7190  
all contracts entered into under this section and shall not be 7191  
implemented beyond the final date on which termination occurs. 7192

(F) As used in this section "battery electric motor 7193  
vehicle" has the same meaning as in section 4501.01 of the 7194  
Revised Code. 7195

**Sec. 3713.05.** (A) Applications to register to import, 7196  
manufacture, renovate, wholesale, make, or reupholster stuffed 7197  
toys or bedding in this state shall be made in writing on forms 7198  
provided by the superintendent of industrial compliance. The 7199  
application shall be accompanied by a registration fee of fifty 7200  
dollars per person unless the applicant engages only in 7201  
renovation, in which case the registration fee shall be thirty- 7202  
five dollars. 7203

~~(B)~~ Upon receipt of the application and the appropriate 7204  
fee, the superintendent shall register the applicant and assign 7205  
a registration number to the registrant. 7206

(B) The superintendent shall register an applicant in 7207  
accordance with Chapter 4796. of the Revised Code if either of 7208  
the following applies: 7209

(1) The applicant is licensed or registered to import, 7210

manufacture, renovate, wholesale, make, or reupholster stuffed 7211  
toys or bedding in another state. 7212

(2) The applicant has satisfactory work experience, a 7213  
government certification, or a private certification as 7214  
described in that chapter with or for importing, manufacturing, 7215  
renovating, wholesaling, making, or reupholstering stuffed toys 7216  
or bedding in a state that does not issue that registration. 7217

(C) Notwithstanding section 3713.02 of the Revised Code 7218  
and division (A) of this section, the following are exempt from 7219  
registration: 7220

(1) An organization described in section 501(c)(3) of the 7221  
"Internal Revenue Code of 1986," and exempt from income tax 7222  
under section 501(a) of that code and that is operated 7223  
exclusively to provide recreation or social services; 7224

(2) A person who is not regularly engaged in the business 7225  
of manufacturing, making, wholesaling, or importing stuffed toys 7226  
but who manufactures or makes stuffed toys as a leisure pursuit 7227  
and who sells one hundred or fewer stuffed toys within one 7228  
calendar year; 7229

(3) A person who is not regularly engaged in the business 7230  
of manufacturing, making, wholesaling, or importing quilts, 7231  
comforters, pillows, or cushions, but who manufactures or makes 7232  
these items as a leisure pursuit and who sells five or fewer 7233  
quilts, ten or fewer comforters, or twenty or fewer pillows or 7234  
cushions within one calendar year. 7235

(D) Notwithstanding division (C)(2) or (3) of this 7236  
section, a person exempt under that division must attach a label 7237  
to each stuffed toy that contains all of the following 7238  
information: 7239



(1) The person's name and address;	7240
(2) A statement that the person is not registered by the state of Ohio;	7241 7242
(3) A statement that the contents of the product have not been inspected.	7243 7244
<b>Sec. 3717.09.</b> <u>(A) In accordance with rules adopted under section 3717.51 of the Revised Code, the director of health shall approve courses of study for certification in food protection as it pertains to retail food establishments and as it pertains to food service operations. <del>The</del> Except as provided in division (B) of this section, the director shall certify individuals in food protection who successfully complete a course of study approved under this section and meet all other certification requirements specified in rules adopted under section 3717.51 of the Revised Code.</u>	7245 7246 7247 7248 7249 7250 7251 7252 7253 7254
<u>(B) The director shall issue a certification in food protection in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:</u>	7255 7256 7257
<u>(1) The applicant holds a license or certification in another state.</u>	7258 7259
<u>(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter working in food protection in a state that does not issue that certification.</u>	7260 7261 7262 7263
<b>Sec. 3723.03.</b> Pursuant to division (B) of section 3723.02 of the Revised Code, an individual, business entity, or government entity that holds a valid license issued by another state authorizing practice as a radon tester, mitigation specialist, or mitigation contractor under the laws of that	7264 7265 7266 7267 7268

state may practice in this state without a license issued under 7269  
this chapter for not more than ninety days in any calendar year 7270  
as a radon tester, mitigation specialist, or mitigation 7271  
contractor, if the director of health finds that the 7272  
requirements for licensure in that state are comparable to the 7273  
requirements for licensure under this chapter and the rules 7274  
adopted under it and the individual, business entity, or 7275  
government entity provides notice to the director of health, in 7276  
accordance with rules adopted under section 3723.09 of the 7277  
Revised Code, prior to commencing practice in this state. 7278  
Chapter 4796. of the Revised Code does not apply to a 7279  
nonresident individual authorized to practice under this 7280  
section. 7281

**Sec. 3723.06.** (A) The director of health shall license 7282  
radon testers, mitigation specialists, and mitigation 7283  
contractors. Each applicant for a license shall submit a 7284  
completed application to the director on a form the director 7285  
shall prescribe and furnish. 7286

(B) ~~In~~ Except as provided in division (F) of this section 7287  
and in accordance with rules adopted under section 3723.09 of 7288  
the Revised Code, the director shall issue the appropriate 7289  
license to each applicant that pays the license fee prescribed 7290  
by the director, meets the licensing criteria established by the 7291  
director, and complies with any other licensing and training 7292  
requirements established by the director. An individual, 7293  
business entity, or government entity may hold more than one 7294  
license issued under this section, but a separate application is 7295  
required for each license. 7296

(C) Notwithstanding division (B) of this section and 7297  
except as provided in division (F) of this section, the director 7298

shall issue a radon mitigation contractor license on request to 7299  
the holder of a radon mitigation specialist license if the 7300  
license holder is the owner or chief stockholder of a business 7301  
entity for which the license holder is the only individual who 7302  
will work as a radon mitigation specialist. The licensing 7303  
criteria and any other licensing and training requirements the 7304  
individual was required to meet to qualify for the radon 7305  
mitigation specialist license are hereby deemed to satisfy any 7306  
and all criteria and requirements for a radon mitigation 7307  
contractor license. A license issued under this division shall 7308  
expire at the same time as the individual's radon mitigation 7309  
specialist license. No license fee shall be imposed for a 7310  
license issued under this division. 7311

(D) A license issued under this section expires biennially 7312  
and may be renewed by the director in accordance with criteria 7313  
and procedures established in rules adopted under section 7314  
3723.09 of the Revised Code and on payment of the license 7315  
renewal fee prescribed in those rules. 7316

(E) In accordance with Chapter 119. of the Revised Code, 7317  
the director may do either of the following: 7318

(1) Refuse to issue a license to an individual, business 7319  
entity, or government entity that does not meet the requirements 7320  
of this chapter or the rules adopted under it or has been in 7321  
violation of those requirements; 7322

(2) Suspend, revoke, or refuse to renew the license of an 7323  
individual, business entity, or government entity that is or has 7324  
been in violation of the requirements of this chapter or the 7325  
rules adopted under it. 7326

(F) The director shall issue a radon tester, mitigation 7327

specialist, or mitigation contractor license in accordance with 7328  
Chapter 4796. of the Revised Code to an applicant if either of 7329  
the following applies: 7330

(1) The applicant holds a license in another state. 7331

(2) The applicant has satisfactory work experience, a 7332  
government certification, or a private certification as 7333  
described in that chapter as a radon tester, mitigation 7334  
specialist, or mitigation contractor in a state that does not 7335  
issue one or more of those licenses. 7336

**Sec. 3737.83.** The state fire marshal shall, as part of the 7337  
state fire code, adopt rules to: 7338

(A) Establish minimum standards of performance for fire 7339  
protection equipment and fire fighting equipment; 7340

(B) Establish minimum standards of training, fix minimum 7341  
qualifications, and require certificates for all persons who 7342  
engage in the business for profit of installing, testing, 7343  
repairing, or maintaining fire protection equipment; 7344

(C) Provide for the issuance of certificates required 7345  
under division (B) of this section and establish the fees to be 7346  
charged for such certificates. A certificate shall be granted, 7347  
renewed, or revoked according to rules the state fire marshal 7348  
shall adopt, except that the state fire marshal shall grant a 7349  
certificate in accordance with Chapter 4796. of the Revised Code 7350  
to an applicant if either of the following applies: 7351

(1) The applicant holds a license or certificate in 7352  
another state. 7353

(2) The applicant has satisfactory work experience, a 7354  
government certification, or a private certification as 7355

described in that chapter as a person engaged in the business of 7356  
installing, testing, repairing, or maintaining fire protection 7357  
equipment in a state that does not issue that certificate. 7358

(D) Establish minimum standards of flammability for 7359  
consumer goods in any case where the federal government or any 7360  
department or agency thereof has established, or may from time 7361  
to time establish standards of flammability for consumer goods. 7362  
The standards established by the state fire marshal shall be 7363  
identical to the minimum federal standards. 7364

In any case where the federal government or any department 7365  
or agency thereof, establishes standards of flammability for 7366  
consumer goods subsequent to the adoption of a flammability 7367  
standard by the state fire marshal, standards previously adopted 7368  
by the state fire marshal shall not continue in effect to the 7369  
extent such standards are not identical to the minimum federal 7370  
standards. 7371

With respect to the adoption of minimum standards of 7372  
flammability, this division shall supersede any authority 7373  
granted a political subdivision by any other section of the 7374  
Revised Code. 7375

(E) Establish minimum standards pursuant to section 7376  
5104.05 of the Revised Code for fire prevention and fire safety 7377  
in child day-care centers and in type A family day-care homes, 7378  
as defined in section 5104.01 of the Revised Code. 7379

(F) Establish minimum standards for fire prevention and 7380  
safety in a residential facility licensed under section 5119.34 7381  
of the Revised Code that provides accommodations, supervision, 7382  
and personal care services for three to sixteen unrelated 7383  
adults. The state fire marshal shall adopt the rules under this 7384

division in consultation with the director of mental health and 7385  
addiction services and interested parties designated by the 7386  
director of mental health and addiction services. 7387

**Sec. 3737.881.** (A) The state fire marshal shall certify 7388  
underground storage tank systems installers who meet the 7389  
standards for certification established in rules adopted under 7390  
division (D)(1) of this section, pass the certification 7391  
examination required by this division, and pay the certificate 7392  
fee established in rules adopted under division (D)(5) of this 7393  
section. Any individual who wishes to obtain certification as an 7394  
installer shall apply to the state fire marshal on a form 7395  
prescribed by the state fire marshal. The application shall be 7396  
accompanied by the application and examination fees established 7397  
in rules adopted under division (D)(5) of this section. 7398

The state fire marshal shall prescribe an examination 7399  
designed to test the knowledge of applicants for certification 7400  
as underground storage tank system installers in the 7401  
installation, repair, abandonment, and removal of those systems. 7402  
The examination shall also test the applicants' knowledge and 7403  
understanding of the requirements and standards established in 7404  
rules adopted under sections 3737.88 and 3737.882 of the Revised 7405  
Code pertaining to the installation, repair, abandonment, and 7406  
removal of those systems. 7407

Installer certifications issued under this division shall 7408  
be renewed annually, upon submission of a certification renewal 7409  
form prescribed by the state fire marshal, provision of proof of 7410  
successful completion of continuing education requirements, and 7411  
payment of the certification renewal fee established in rules 7412  
adopted under division (D)(5) of this section. In addition, the 7413  
fire marshal may from time to time prescribe an examination for 7414

certification renewal and may require applicants to pass the 7415  
examination and pay the fee established for it in rules adopted 7416  
under division (D) (5) of this section. 7417

The state fire marshal may, in accordance with Chapter 7418  
119. of the Revised Code, deny, suspend, revoke, or refuse to 7419  
renew an installer's certification or renewal thereof after 7420  
finding that any of the following applies: 7421

(1) The applicant for certification or certificate holder 7422  
fails to meet the standards for certification or renewal thereof 7423  
under this section and rules adopted under it; 7424

(2) The certification was obtained through fraud or 7425  
misrepresentation; 7426

(3) The certificate holder recklessly caused or permitted 7427  
a person under the certificate holder's supervision to install, 7428  
perform major repairs on site to, abandon, or remove an 7429  
underground storage tank system in violation of the performance 7430  
standards set forth in rules adopted under section 3737.88 or 7431  
3737.882 of the Revised Code. 7432

As used in division (A) (3) of this section, "recklessly" 7433  
has the same meaning as in section 2901.22 of the Revised Code. 7434

(B) The state fire marshal shall certify persons who 7435  
sponsor training programs for underground storage tank system 7436  
installers who meet the criteria for certification established 7437  
in rules adopted by the state fire marshal under division (D) (4) 7438  
of this section and pay the certificate fee established in rules 7439  
adopted under division (D) (5) of this section. Any person who 7440  
wishes to obtain certification to sponsor such a training 7441  
program shall apply to the state fire marshal on a form 7442  
prescribed by the state fire marshal. Training program 7443

certificates issued under this division shall expire annually. 7444  
Upon submission of a certification renewal application form 7445  
prescribed by the state fire marshal and payment of the 7446  
application and certification renewal fees established in rules 7447  
adopted under division (D) (5) of this section, the state fire 7448  
marshal shall issue a training program renewal certificate to 7449  
the applicant. 7450

The state fire marshal may, in accordance with Chapter 7451  
119. of the Revised Code, deny an application for, suspend, or 7452  
revoke a training program certificate or renewal or renewal of a 7453  
training program certificate after finding that the training 7454  
program does not or will not meet the standards for 7455  
certification established in rules adopted under division (D) (4) 7456  
of this section. 7457

(C) The state fire marshal may conduct or cause to be 7458  
conducted training programs for underground storage tank systems 7459  
installers as the fire marshal considers to be necessary or 7460  
appropriate. The state fire marshal is not subject to division 7461  
(B) of this section with respect to training programs conducted 7462  
by employees of the office of the state fire marshal. 7463

(D) The state fire marshal shall adopt, and may amend and 7464  
rescind, rules doing all of the following: 7465

(1) Defining the activities that constitute supervision 7466  
over the installation, performance of major repairs on site to, 7467  
abandonment of, and removal of underground storage tank systems; 7468

(2) Establishing standards and procedures for 7469  
certification of underground storage tank systems installers; 7470

(3) Establishing standards and procedures for continuing 7471  
education for certification renewal, subject to the provisions 7472



of section 5903.12 of the Revised Code relating to active duty	7473
military service;	7474
(4) Establishing standards and procedures for	7475
certification of training programs for installers;	7476
(5) Establishing fees for applications for certifications	7477
under this section, the examinations prescribed under division	7478
(A) of this section, the issuance and renewal of certificates	7479
under divisions (A) and (B) of this section, and attendance at	7480
training programs conducted by the fire marshal under division	7481
(C) of this section. Fees received under this section shall be	7482
credited to the underground storage tank administration fund	7483
created in section 3737.02 of the Revised Code and shall be used	7484
to defray the costs of implementing, administering, and	7485
enforcing this section and the rules adopted thereunder,	7486
conducting training sessions, and facilitating prevention of	7487
releases.	7488
(6) That are necessary or appropriate for the	7489
implementation, administration, and enforcement of this section.	7490
(E) Nothing in this section or the rules adopted under it	7491
prohibits an owner or operator of an underground storage tank	7492
system from installing, making major repairs on site to,	7493
abandoning, or removing an underground storage tank system under	7494
the supervision of an installer certified under division (A) of	7495
this section who is a full-time or part-time employee of the	7496
owner or operator.	7497
(F) On and after January 7, 1990, no person shall do any	7498
of the following:	7499
(1) Install, make major repairs on site to, abandon, or	7500
remove an underground storage tank system unless the activity is	7501

performed under the supervision of a qualified individual who 7502  
holds a valid installer certificate issued under division (A) of 7503  
this section; 7504

(2) Act in the capacity of providing supervision for the 7505  
installation of, performance of major repairs on site to, 7506  
abandonment of, or removal of an underground storage tank system 7507  
unless the person holds a valid installer certificate issued 7508  
under division (A) of this section; 7509

(3) Except as provided in division (C) of this section, 7510  
sponsor a training program for underground storage tank systems 7511  
installers unless the person holds a valid training program 7512  
certificate issued under division (B) of this section. 7513

(G) Notwithstanding any provision of this section to the 7514  
contrary, the state fire marshal shall issue an installer's 7515  
certification or a training program certificate in accordance 7516  
with Chapter 4796. of the Revised Code to an applicant if either 7517  
of the following applies: 7518

(1) The applicant holds an installer's license or 7519  
certification or a training program license or certificate in 7520  
another state. 7521

(2) The applicant has satisfactory work experience, a 7522  
government certification, or a private certification as 7523  
described in that chapter as an installer of underground storage 7524  
tank systems in a state that does not issue one or both of those 7525  
certifications. 7526

**Sec. 3742.05.** (A) (1) The director of health shall issue 7527  
lead inspector, lead abatement contractor, lead risk assessor, 7528  
lead abatement project designer, lead abatement worker, and 7529  
clearance technician licenses. ~~The~~ Except as provided in 7530

division (C) of this section, the director shall issue a license 7531  
to an applicant who meets all of the following requirements: 7532

(a) Submits an application to the director on a form 7533  
prescribed by the director; 7534

(b) Meets the licensing and training requirements 7535  
established in rules adopted under section 3742.03 of the 7536  
Revised Code; 7537

(c) Successfully completes the licensing examination for 7538  
the applicant's area of expertise administered under section 7539  
3742.08 of the Revised Code and any training required by the 7540  
director under that section; 7541

(d) Pays the license fee established in rules adopted 7542  
under section 3742.03 of the Revised Code; 7543

(e) Provides the applicant's social security number and 7544  
any information the director may require to demonstrate the 7545  
applicant's compliance with this chapter and the rules adopted 7546  
under it. 7547

(2) An individual may hold more than one license issued 7548  
under this section, but a separate application is required for 7549  
each license. 7550

(B) A license issued under this section expires two years 7551  
after the date of issuance. The director shall renew a license 7552  
in accordance with the standard renewal procedure set forth in 7553  
Chapter 4745. of the Revised Code, if the licensee does all of 7554  
the following: 7555

(1) Continues to meet the requirements of division (A) of 7556  
this section; 7557

(2) Demonstrates compliance with procedures to prevent 7558

public exposure to lead hazards and for worker protection during 7559  
lead abatement projects established in rules adopted under 7560  
section 3742.03 of the Revised Code; 7561

(3) Meets the record-keeping and reporting requirements 7562  
for lead abatement projects or clearance examinations 7563  
established in rules adopted under section 3742.03 of the 7564  
Revised Code; 7565

(4) Pays the license renewal fee established in rules 7566  
adopted under section 3742.03 of the Revised Code. 7567

~~(C) An individual licensed, certified, or otherwise 7568  
approved under the law of another state to perform functions 7569  
substantially similar to those of The director shall issue a 7570  
lead inspector, lead abatement contractor, lead risk assessor, 7571  
lead abatement project designer, lead abatement worker, or 7572  
clearance technician may apply to the director of health for 7573  
licensure in accordance with the procedures set forth in 7574  
division (A) of this section. The director shall license an 7575  
individual under this division on a determination that the 7576  
standards for licensure, certification, or approval in that 7577  
state are at least substantially equivalent to those established 7578  
by this chapter and the rules adopted under it. The director may 7579  
require an examination for licensure under this division 7580  
license in accordance with Chapter 4796. of the Revised Code to 7581  
an applicant if either of the following applies: 7582~~

(1) The applicant holds a license in another state. 7583

(2) The applicant has satisfactory work experience, a 7584  
government certification, or a private certification as 7585  
described in that chapter as a lead inspector, lead abatement 7586  
contractor, lead risk assessor, lead abatement project designer, 7587

lead abatement worker, or clearance technician in a state that 7588  
does not issue one or more of those licenses. 7589

**Sec. 3743.03.** (A) If a person submits an application for 7590  
licensure as a manufacturer of fireworks, together with the 7591  
license fee, fingerprints, and proof of the insurance coverage, 7592  
as required by section 3743.02 of the Revised Code, the state 7593  
fire marshal shall review the application and accompanying 7594  
matter, request the criminal records check described in division 7595  
(E) of this section, inspect the premises of the fireworks plant 7596  
described in the application, and determine whether the 7597  
applicant will be issued the license. In determining whether to 7598  
issue the license, the state fire marshal shall consider the 7599  
results of the criminal records check and the inspection, and 7600  
the information set forth in the application, and shall decide 7601  
whether the applicant and the fireworks plant described in the 7602  
application conform to sections 3743.02 to 3743.08 of the 7603  
Revised Code and the rules adopted by the state fire marshal 7604  
pursuant to section 3743.05 of the Revised Code, and are in full 7605  
compliance with Chapters 3781. and 3791. of the Revised Code, 7606  
and any applicable building or zoning regulations. 7607

(B) ~~Subject~~ Except as provided in division (F) of this 7608  
section and subject to section 3743.70 of the Revised Code, the 7609  
state fire marshal shall issue a license in accordance with 7610  
Chapter 119. of the Revised Code to an applicant for licensure 7611  
as a manufacturer of fireworks only if the applicant and the 7612  
fireworks plant described in the application conform to sections 7613  
3743.02 to 3743.08 of the Revised Code and the rules adopted by 7614  
the state fire marshal pursuant to section 3743.05 of the 7615  
Revised Code, only if the fireworks plant described in the 7616  
application complies with the Ohio building code adopted under 7617  
Chapter 3781. of the Revised Code, if that fireworks plant was 7618

constructed after May 30, 1986, and only if the state fire 7619  
marshal is satisfied that the application and accompanying 7620  
matter are complete and in conformity with section 3743.02 of 7621  
the Revised Code. The requirements of this chapter and of the 7622  
rules adopted under this chapter as applicable to the structure 7623  
of a building do not apply to a building in a fireworks plant if 7624  
the building was inspected and approved by the department of 7625  
industrial relations or by any building department certified 7626  
pursuant to division (E) of section 3781.10 of the Revised Code 7627  
prior to May 30, 1986. 7628

(C) Each license issued pursuant to this section shall 7629  
contain a distinct number assigned to the licensed manufacturer 7630  
and, if the licensed manufacturer will engage in the processing 7631  
of fireworks as any part of its manufacturing of fireworks at 7632  
the fireworks plants, a notation indicating that fact. The state 7633  
fire marshal shall maintain a list of all licensed manufacturers 7634  
of fireworks. In the list next to each manufacturer's name, the 7635  
state fire marshal shall insert the period of licensure, the 7636  
license number of the manufacturer, and, if applicable, a 7637  
notation that the manufacturer will engage in the processing of 7638  
fireworks as part of its manufacturing of fireworks. 7639

(D) The holder of a license issued pursuant to this 7640  
section may request the state fire marshal to cancel that 7641  
license and issue in its place a license to sell fireworks at 7642  
wholesale under section 3743.16 of the Revised Code. Upon 7643  
receipt of such a request, the state fire marshal shall cancel 7644  
the license issued under this section and issue a license under 7645  
section 3743.16 of the Revised Code if the applicant meets the 7646  
requirements of that section. 7647

(E) Upon receipt of an application and the required 7648

accompanying matter under section 3743.02 of the Revised Code, 7649  
the state fire marshal shall forward to the superintendent of 7650  
the bureau of criminal identification and investigation a 7651  
request that the bureau conduct an investigation of the 7652  
applicant and, if applicable, additional individuals who hold, 7653  
own, or control a five per cent or greater beneficial or equity 7654  
interest in the applicant, to determine whether the applicant or 7655  
the additional associated individuals have been convicted of or 7656  
pled guilty to a disqualifying offense as determined under 7657  
section 9.79 of the Revised Code, under the laws of this state, 7658  
another state, or the United States. 7659

If the applicant for initial licensure has resided in this 7660  
state for less than five continuous years immediately prior to 7661  
the date the applicant submits an initial application, the 7662  
superintendent also shall request that the federal bureau of 7663  
investigation conduct an investigation of the applicant and, if 7664  
applicable, additional individuals who hold, own, or control a 7665  
five per cent or greater beneficial or equity interest in the 7666  
applicant, to determine whether the applicant or the additional 7667  
associated individuals have been convicted of or pled guilty to 7668  
a disqualifying offense as determined under section 9.79 of the 7669  
Revised Code, under the laws of this state, another state, or 7670  
the United States. 7671

The superintendent shall forward the results of an 7672  
investigation conducted pursuant to this division to the state 7673  
fire marshal and may charge a reasonable fee for providing the 7674  
results. The state fire marshal shall assess any fee charged by 7675  
the superintendent for the results to the applicant. 7676

(F) The state fire marshal shall issue a license to act as 7677  
a manufacturer of fireworks in accordance with Chapter 4796. of 7678

the Revised Code to an applicant if either of the following 7679  
applies: 7680

(1) The applicant is licensed in another state. 7681

(2) The applicant has satisfactory work experience, a 7682  
government certification, or a private certification as 7683  
described in that chapter as a manufacturer of fireworks in a 7684  
state that does not issue that license. 7685

**Sec. 3743.16.** (A) If a person submits an application for 7686  
licensure as a wholesaler of fireworks, together with the 7687  
license fee, fingerprints, and proof of the insurance coverage, 7688  
as required by section 3743.15 of the Revised Code, the state 7689  
fire marshal shall review the application and accompanying 7690  
matter, request the criminal records check described in division 7691  
(D) of this section, inspect the premises on which the fireworks 7692  
would be sold, and determine whether the applicant will be 7693  
issued the license. In determining whether to issue the license, 7694  
the state fire marshal shall consider the results of the 7695  
criminal records check and the inspection, and the information 7696  
set forth in the application, and shall decide whether the 7697  
applicant and the premises on which the fireworks will be sold 7698  
conform to sections 3743.15 to 3743.21 of the Revised Code and 7699  
the rules adopted by the state fire marshal pursuant to section 7700  
3743.18 of the Revised Code, and are in full compliance with 7701  
Chapters 3781. and 3791. of the Revised Code, and any applicable 7702  
building or zoning regulations. 7703

(B) ~~Subject~~ Except as provided in division (E) of this 7704  
section and subject to section 3743.70 of the Revised Code, the 7705  
state fire marshal shall issue a license in accordance with 7706  
Chapter 119. of the Revised Code to the applicant for licensure 7707  
as a wholesaler of fireworks only if the applicant and the 7708



premises on which the fireworks will be sold conform to sections 7709  
3743.15 to 3743.21 of the Revised Code and the rules adopted by 7710  
the state fire marshal pursuant to section 3743.18 of the 7711  
Revised Code, only if the premises on which the fireworks will 7712  
be sold complies with the Ohio building code adopted under 7713  
Chapter 3781. of the Revised Code, if that premises was 7714  
constructed after May 30, 1986, and only if the state fire 7715  
marshal is satisfied that the application and accompanying 7716  
matter are complete and in conformity with section 3743.15 of 7717  
the Revised Code. The requirements of this chapter and of the 7718  
rules adopted under this chapter as applicable to the structure 7719  
of a building do not apply to a building used by a wholesaler if 7720  
the building was inspected and approved by the department of 7721  
industrial relations or by any building department certified 7722  
pursuant to division (E) of section 3781.10 of the Revised Code 7723  
prior to May 30, 1986. 7724

(C) Each license issued pursuant to this section shall 7725  
contain a distinct number assigned to the particular wholesaler. 7726  
The state fire marshal shall maintain a list of all licensed 7727  
wholesalers of fireworks. In this list next to each wholesaler's 7728  
name, the state fire marshal shall insert the period of 7729  
licensure and the license number of the particular wholesaler. 7730

(D) Upon receipt of an application and the required 7731  
accompanying matter under section 3743.15 of the Revised Code, 7732  
the state fire marshal shall forward to the superintendent of 7733  
the bureau of criminal identification and investigation a 7734  
request that the bureau conduct an investigation of the 7735  
applicant and, if applicable, additional individuals who hold, 7736  
own, or control a five per cent or greater beneficial or equity 7737  
interest in the applicant, to determine whether the applicant or 7738  
the additional associated individuals have been convicted of or 7739

pled guilty to a disqualifying offense in accordance with 7740  
section 9.79 of the Revised Code, under the laws of this state, 7741  
another state, or the United States. 7742

If the applicant for initial licensure has resided in this 7743  
state for less than five continuous years immediately prior to 7744  
the date the applicant submits an initial application, the 7745  
superintendent also shall request that the federal bureau of 7746  
investigation conduct an investigation of the applicant and, if 7747  
applicable, additional individuals who hold, own, or control a 7748  
five per cent or greater beneficial or equity interest in the 7749  
applicant, to determine whether the applicant or the additional 7750  
associated individuals have been convicted of or pled guilty to 7751  
a disqualifying offense in accordance with section 9.79 of the 7752  
Revised Code, under the laws of this state, another state, or 7753  
the United States. 7754

The superintendent shall forward the results of an 7755  
investigation conducted pursuant to this division to the state 7756  
fire marshal and may charge a reasonable fee for providing the 7757  
results. The state fire marshal shall assess any fee charged by 7758  
the superintendent for the results to the applicant. 7759

(E) The state fire marshal shall issue a license to act as 7760  
a wholesaler of fireworks in accordance with Chapter 4796. of 7761  
the Revised Code to an applicant if either of the following 7762  
applies: 7763

(1) The applicant is licensed in another state. 7764

(2) The applicant has satisfactory work experience, a 7765  
government certification, or a private certification as 7766  
described in that chapter as a wholesaler of fireworks in a 7767  
state that does not issue that license. 7768

Sec. 3743.40. (A) Any person who resides in another state 7769  
and who intends to ship fireworks into this state shall submit 7770  
to the state fire marshal an application for a shipping permit. 7771  
As used in this section, "fireworks" includes only 1.3G and 1.4G 7772  
fireworks. The application shall be submitted prior to shipping 7773  
fireworks into this state, shall be on a form prescribed by the 7774  
state fire marshal, shall contain the information required by 7775  
division (B) of this section and all information requested by 7776  
the state fire marshal, and shall be accompanied by the fee and 7777  
the documentation described in division (C) of this section. 7778

The state fire marshal shall prescribe a form for 7779  
applications for shipping permits and make a copy of the form 7780  
available, upon request, to persons who seek such a permit. 7781

(B) In an application for a shipping permit, the applicant 7782  
shall specify the types of fireworks to be shipped into this 7783  
state. 7784

(C) An application for a shipping permit shall be 7785  
accompanied by a fee of two thousand seven hundred fifty 7786  
dollars. 7787

An application for a shipping permit shall be accompanied 7788  
by a certified copy or other copy acceptable to the state fire 7789  
marshal of the applicant's license or permit issued in the 7790  
applicant's state of residence and authorizing the applicant to 7791  
engage in the manufacture, wholesale sale, or transportation of 7792  
fireworks in that state, if that state issues such a license or 7793  
permit, and by a statement by the applicant that the applicant 7794  
understands and will abide by rules adopted by the state fire 7795  
marshal pursuant to section 3743.58 of the Revised Code for 7796  
transporting fireworks. 7797

(D) Except as otherwise provided in this division, and 7798  
subject to section 3743.70 of the Revised Code, the state fire 7799  
marshal shall issue a shipping permit to an applicant only if 7800  
the state fire marshal determines that the applicant is a 7801  
resident of another state and is the holder of a license or 7802  
permit issued by that state authorizing it to engage in the 7803  
manufacture, wholesale sale, or transportation of fireworks in 7804  
that state, and the state fire marshal is satisfied that the 7805  
application and documentation are complete and in conformity 7806  
with this section and that the applicant will transport 7807  
fireworks into this state in accordance with rules adopted by 7808  
the state fire marshal pursuant to section 3743.58 of the 7809  
Revised Code. The state fire marshal shall issue a shipping 7810  
permit to an applicant if the applicant meets all of the 7811  
requirements of this section for the issuance of a shipping 7812  
permit except that the applicant does not hold a license or 7813  
permit issued by the state of residence authorizing the 7814  
applicant to engage in the manufacture, wholesale sale, or 7815  
transportation of fireworks in that state because that state 7816  
does not issue such a license or permit. 7817

(E) Each permit issued pursuant to this section shall 7818  
contain a distinct number assigned to the particular permit 7819  
holder, and contain the information described in division (B) of 7820  
this section. 7821

The state fire marshal shall maintain a list of all 7822  
persons issued shipping permits. In this list next to each 7823  
person's name, the state fire marshal shall insert the date upon 7824  
which the permit was issued and the information described in 7825  
division (B) of this section. 7826

(F) A shipping permit is valid for one year from the date 7827

of issuance by the state fire marshal and only if the permit 7828  
holder ships the fireworks directly into this state to the 7829  
holder of a license issued under section 3743.03 or 3743.16 of 7830  
the Revised Code or a license holder under section 3743.51 of 7831  
the Revised Code who possesses a valid exhibition permit issued 7832  
in accordance with section 3743.54 of the Revised Code and the 7833  
fireworks shipped are to be used at the specifically permitted 7834  
exhibition. The permit authorizes the permit holder to ship 7835  
fireworks, as described in rules adopted by the state fire 7836  
marshal under Chapter 119. of the Revised Code, directly to the 7837  
holder of a license issued under section 3743.03 or 3743.16 of 7838  
the Revised Code, and to possess the fireworks in this state 7839  
while the permit holder is in the course of shipping them 7840  
directly into this state. 7841

The holder of a shipping permit shall have the permit in 7842  
the holder's possession in this state at all times while in the 7843  
course of shipping the fireworks directly into this state. A 7844  
shipping permit is not transferable or assignable. 7845

(G) The state fire marshal shall not require a person 7846  
holding a shipping permit issued under this section to obtain a 7847  
shipping permit pursuant to Chapter 4796. of the Revised Code. 7848

**Sec. 3743.51.** (A) If a person submits an application for 7849  
licensure as an exhibitor of fireworks, together with the fee, 7850  
as required by section 3743.50 of the Revised Code, the state 7851  
fire marshal shall review the application and determine whether 7852  
the applicant satisfies sections 3743.50 to 3743.55 of the 7853  
Revised Code and the rules adopted by the state fire marshal 7854  
pursuant to division (A) of section 3743.53 of the Revised Code. 7855

(B) ~~Subject~~ Except as provided in division (D) of this 7856  
section and subject to section 3743.70 of the Revised Code, the 7857

state fire marshal shall issue a license in accordance with 7858  
Chapter 119. of the Revised Code to the applicant for licensure 7859  
as an exhibitor of fireworks only if the applicant satisfies 7860  
sections 3743.50 to 3743.55 of the Revised Code and the rules 7861  
adopted by the state fire marshal pursuant to division (A) of 7862  
section 3743.53 of the Revised Code, and only if the state fire 7863  
marshal is satisfied that the application is complete and in 7864  
conformity with section 3743.50 of the Revised Code. 7865

(C) Each license issued pursuant to this section shall 7866  
contain a distinct number assigned to the particular exhibitor. 7867  
The state fire marshal shall maintain a list of all licensed 7868  
exhibitors of fireworks. In this list next to each exhibitor's 7869  
name, the state fire marshal shall insert the period of 7870  
licensure and the license number of the particular exhibitor. 7871

(D) The state fire marshal shall issue a license to act as 7872  
an exhibitor of fireworks in accordance with Chapter 4796. of 7873  
the Revised Code to an applicant if either of the following 7874  
applies: 7875

(1) The applicant is licensed in another state. 7876

(2) The applicant has satisfactory work experience, a 7877  
government certification, or a private certification as 7878  
described in that chapter as an exhibitor of fireworks in a 7879  
state that does not issue that license. 7880

**Sec. 3746.041.** The director of environmental protection 7881  
shall issue an environmental professional certification provided 7882  
for under division (B)(5) of section 3746.04 of the Revised Code 7883  
in accordance with Chapter 4796. of the Revised Code if an 7884  
applicant either holds a certification or license in another 7885  
state, or the applicant has satisfactory work experience, a 7886

government certification, or a private certification as 7887  
described in that chapter as an environmental professional in a 7888  
state that does not issue that certification. 7889

**Sec. 3748.07.** (A) ~~Every~~ Except as provided in division (G) 7890  
of this section, every facility that proposes to handle 7891  
radioactive material or radiation-generating equipment for which 7892  
licensure or registration, respectively, by its handler is 7893  
required shall apply in writing to the director of health on 7894  
forms prescribed and provided by the director for licensure or 7895  
registration. Terms and conditions of licenses and certificates 7896  
of registration may be amended in accordance with rules adopted 7897  
under section 3748.04 of the Revised Code or orders issued by 7898  
the director pursuant to section 3748.05 of the Revised Code. 7899

(B) (1) ~~An~~ Except as provided in division (G) of this 7900  
section, an applicant proposing to handle radioactive material 7901  
shall pay for a license or renewal of a license the appropriate 7902  
fee specified in rules adopted under section 3748.04 of the 7903  
Revised Code and listed on an invoice provided by the director. 7904  
The applicant shall pay the fee on receipt of the invoice. 7905

(2) (a) Except as provided in division (B) (2) (b) of this 7906  
section, until fees are established in rules adopted under 7907  
division (A) (8) (b) of section 3748.04 of the Revised Code, an 7908  
applicant proposing to handle radiation-generating equipment 7909  
shall pay for a certificate of registration or renewal of a 7910  
certificate a biennial registration fee of two hundred sixty-two 7911  
dollars. 7912

Except as provided in division (B) (2) (b) of this section, 7913  
on and after the effective date of the rules in which fees are 7914  
established under division (A) (8) (b) of section 3748.04 of the 7915  
Revised Code, an applicant proposing to handle radiation- 7916

generating equipment shall pay for a certificate of registration 7917  
or renewal of a certificate the appropriate fee established in 7918  
those rules. 7919

The applicant shall pay the fees described in division (B) 7920  
(2) (a) of this section at the time of applying for a certificate 7921  
of registration or renewal of a certificate. 7922

(b) An applicant that is, or is operated by, a medical 7923  
practitioner or medical-practitioner group and proposes to 7924  
handle radiation-generating equipment shall pay for a 7925  
certificate of registration or renewal of a certificate a 7926  
biennial registration fee of two hundred sixty-two dollars. The 7927  
applicant shall pay the fee at the time of applying for a 7928  
certificate of registration or renewal of the certificate. 7929

(C) All fees collected under this section shall be 7930  
deposited in the state treasury to the credit of the general 7931  
operations fund created in section 3701.83 of the Revised Code. 7932  
The fees shall be used solely to administer and enforce this 7933  
chapter and rules adopted under it. 7934

(D) Any fee required under this section that remains 7935  
unpaid on the ninety-first day after the original invoice date 7936  
shall be assessed an additional amount equal to ten per cent of 7937  
the original fee. 7938

(E) The director shall grant a license or registration to 7939  
any applicant who has paid the required fee and is in compliance 7940  
with this chapter and rules adopted under it. 7941

(F) Except as provided in division (B) (2) of this section, 7942  
licenses and certificates of registration shall be effective for 7943  
the applicable period established in rules adopted under section 7944  
3748.04 of the Revised Code. Licenses and certificates of 7945



registration shall be renewed in accordance with the renewal 7946  
procedure established in rules adopted under section 3748.04 of 7947  
the Revised Code. 7948

(G) The director shall issue a license to handle 7949  
radioactive material or a certificate of registration to handle 7950  
radiation-generating equipment in accordance with Chapter 4796. 7951  
of the Revised Code to an applicant if either of the following 7952  
applies: 7953

(1) The applicant holds a license or certificate in 7954  
another state. 7955

(2) The applicant has satisfactory work experience, a 7956  
government certification, or a private certification as 7957  
described in that chapter in handling radioactive material or 7958  
radiation-generating equipment in a state that does not issue 7959  
that license or certification or both. 7960

**Sec. 3748.12.** ~~The~~ (A) Except as provided in division (C) 7961  
of this section, the director of health shall certify radiation 7962  
experts pursuant to rules adopted under division (C) of section 7963  
3748.04 of the Revised Code. The director shall issue a 7964  
certificate to each person certified under this section. An 7965  
individual certified by the director is qualified to develop, 7966  
provide periodic review of, and conduct audits of the quality 7967  
assurance program for sources of radiation for which such a 7968  
program is required under division (A) of section 3748.13 of the 7969  
Revised Code. 7970

(B) The director shall establish an application fee for 7971  
applying for certification and a biennial certification renewal 7972  
fee in rules adopted under division (C) of section 3748.04 of 7973  
the Revised Code. A certificate issued under this section shall 7974

expire two years after the date of its issuance. To maintain 7975  
certification, a radiation expert shall apply to the director 7976  
for renewal of certification in accordance with the standard 7977  
renewal procedures established in Chapter 4745. of the Revised 7978  
Code. The certification renewal fee is not required for initial 7979  
certification, but shall be paid for every renewal of 7980  
certification. Fees collected under this section shall be 7981  
deposited into the state treasury to the credit of the general 7982  
operations fund created in section 3701.83 of the Revised Code. 7983  
The fees shall be used solely to administer and enforce this 7984  
chapter and rules adopted under it. Any fee required under this 7985  
section that remains unpaid on the ninety-first day after the 7986  
original invoice date shall be assessed an additional amount 7987  
equal to ten per cent of the original fee. 7988

(C) The director shall issue a certificate in accordance 7989  
with Chapter 4796. of the Revised Code to an applicant if either 7990  
of the following applies: 7991

(1) The applicant holds a license or certificate in 7992  
another state. 7993

(2) The applicant has satisfactory work experience, a 7994  
government certification, or a private certification as 7995  
described in that chapter as a radiation expert in a state that 7996  
does not issue that certificate. 7997

**Sec. 3769.03.** The state racing commission shall prescribe 7998  
the rules and conditions under which horse racing may be 7999  
conducted and may issue, deny, suspend, diminish, or revoke 8000  
permits to conduct horse racing as authorized by sections 8001  
3769.01 to 3769.14 of the Revised Code. The commission may 8002  
impose, in addition to any other penalty imposed by the 8003  
commission, fines in an amount not to exceed ten thousand 8004

dollars on any permit holder or any other person who violates 8005  
the rules or orders of the commission. The commission may 8006  
prescribe the forms of wagering that are permissible, the number 8007  
of races, the procedures on wagering, and the wagering 8008  
information to be provided to the public. 8009

The commission may require totalizator equipment to 8010  
display the amount of wagering in each wagering pool. The 8011  
commission shall initiate safeguards as necessary to account for 8012  
the amount of money wagered at each track in each wagering pool. 8013  
It may require permit holders to install equipment that will 8014  
provide a complete check and analysis of the functioning of any 8015  
computers and require safeguards on their performance. The 8016  
commission shall require all permit holders, except those 8017  
holding state fair, county fair, or other fair permits, to 8018  
provide a photographic recording, approved by the commission, of 8019  
the entire running of all races conducted by the permit holder. 8020

The state racing commission may issue, deny, suspend, or 8021  
revoke licenses to those persons engaged in racing and to those 8022  
employees of permit holders as is in the public interest for the 8023  
purpose of maintaining a proper control over horse-racing 8024  
meetings. The commission, as is in the public interest for the 8025  
purpose of maintaining proper control over horse-racing 8026  
meetings, also may rule any person off a permit holder's 8027  
premises. License fees shall include registration fees and shall 8028  
be set by the commission. Each license issued by the commission, 8029  
unless revoked for cause, shall be for the period of one year 8030  
from the first day of January of the year in which it is issued, 8031  
except as otherwise provided in section 3769.07 of the Revised 8032  
Code. Applicants for licenses issued by the commission shall 8033  
submit their fingerprints to the commission, and the commission 8034  
may forward the fingerprints to the federal bureau of 8035

investigation or to any other agency, or to both, for 8036  
examination. The commission shall issue a license to a person 8037  
engaged in racing or an employee of a permit holder in 8038  
accordance with Chapter 4796. of the Revised Code if that person 8039  
or employee holds a license in another state, or that person or 8040  
employee has satisfactory work experience, a government 8041  
certification, or a private certification as described in that 8042  
chapter in horse racing in a state that does not issue that 8043  
license. 8044

There is hereby created in the state treasury the state 8045  
racing commission operating fund. All license fees established 8046  
and collected by the commission pursuant to this section, and 8047  
the amounts specified in divisions (B) and (C) of section 8048  
3769.08 and division (A) (5) of section 3769.087 of the Revised 8049  
Code, shall be paid into the state treasury to the credit of the 8050  
fund. Moneys in the fund shall be expended by the commission to 8051  
defray its operating costs, salaries and expenses, and the cost 8052  
of administering and enforcing this chapter. 8053

The commission may deny a permit to any permit holder that 8054  
has defaulted in payments to the public, employees, or the 8055  
horsemen and may deny a permit to any successor purchaser of a 8056  
track for as long as any of those defaults have not been 8057  
satisfied by either the seller or purchaser. 8058

The commission shall deny a permit to any permit holder 8059  
that has defaulted in payments to the state or has defaulted in 8060  
payments required under section 3769.089 or 3769.0810 of the 8061  
Revised Code and shall deny a permit to any successor purchaser 8062  
of a track for as long as those defaults have not been satisfied 8063  
by either the seller or purchaser. 8064

Any violation of this chapter, of any rule of racing 8065

adopted by the commission, or of any law or rule with respect to 8066  
racing in any jurisdiction shall be sufficient reason for a 8067  
refusal to issue a license, or a suspension or revocation of any 8068  
license issued, pursuant to this section. 8069

With respect to the issuance, denial, suspension, or 8070  
revocation of a license to a participant in horse racing, the 8071  
action of the commission shall be subject to Chapter 119. of the 8072  
Revised Code. 8073

The commission may sue and be sued in its own name. Any 8074  
action against the commission shall be brought in the court of 8075  
common pleas of Franklin county. Any appeal from a determination 8076  
or decision of the commission rendered in the exercise of its 8077  
powers and duties under this chapter shall be brought in the 8078  
court of common pleas of Franklin county. 8079

The commission, biennially, shall make a full report to 8080  
the governor of its proceedings for the two-year period ending 8081  
with the thirty-first day of December preceding the convening of 8082  
the general assembly and shall include its recommendations in 8083  
the report. The commission, semiannually, on the thirtieth day 8084  
of June and on the thirty-first day of December of each year, 8085  
shall make a report and accounting to the governor. 8086

**Sec. 3772.13.** (A) No person may be employed as a key 8087  
employee of a casino operator, management company, or holding 8088  
company unless the person is the holder of a valid key employee 8089  
license issued by the commission. 8090

(B) No person may be employed as a key employee of a 8091  
gaming-related vendor unless that person is either the holder of 8092  
a valid key employee license issued by the commission, or the 8093  
person, at least five business days prior to the first day of 8094

employment as a key employee, has filed a notification of 8095  
employment with the commission and subsequently files a 8096  
completed application for a key employee license within the 8097  
first thirty days of employment as a key employee. 8098

(C) Each applicant shall, before the issuance of any key 8099  
employee license, produce information, documentation, and 8100  
assurances as are required by this chapter and rules adopted 8101  
thereunder. In addition, each applicant shall, in writing, 8102  
authorize the examination of all bank accounts and records as 8103  
may be deemed necessary by the commission. 8104

(D) To be eligible for a key employee license, the 8105  
applicant shall be at least twenty-one years of age and shall 8106  
meet the criteria set forth by rule by the commission. 8107

(E) Each application for a key employee license shall be 8108  
on a form prescribed by the commission and shall contain all 8109  
information required by the commission. The applicant shall set 8110  
forth in the application if the applicant has been issued prior 8111  
gambling-related licenses; if the applicant has been licensed in 8112  
any other state under any other name, and, if so, the name under 8113  
which the license was issued and the applicant's age at the time 8114  
the license was issued; any criminal conviction the applicant 8115  
has had; and if a permit or license issued to the applicant in 8116  
any other state has been suspended, restricted, or revoked, and, 8117  
if so, the cause and the duration of each action. The applicant 8118  
also shall complete a cover sheet for the application on which 8119  
the applicant shall disclose the applicant's name, the business 8120  
address of the casino operator, management company, holding 8121  
company, or gaming-related vendor employing the applicant, the 8122  
business address and telephone number of such employer, and the 8123  
county, state, and country in which the applicant's residence is 8124

located. 8125

(F) Each applicant shall submit with each application, on 8126  
a form provided by the commission, two sets of fingerprints and 8127  
a photograph. The commission shall charge each applicant an 8128  
application fee set by the commission to cover all actual costs 8129  
generated by each licensee and all background checks under this 8130  
section and section 3772.07 of the Revised Code. 8131

(G) (1) The casino operator, management company, or holding 8132  
company by whom a person is employed as a key employee shall 8133  
terminate the person's employment in any capacity requiring a 8134  
license under this chapter and shall not in any manner permit 8135  
the person to exercise a significant influence over the 8136  
operation of a casino facility if: 8137

(a) The person does not apply for and receive a key 8138  
employee license within three months of being issued a 8139  
provisional license, as established under commission rule. 8140

(b) The person's application for a key employee license is 8141  
denied by the commission. 8142

(c) The person's key employee license is revoked by the 8143  
commission. 8144

The commission shall notify the casino operator, 8145  
management company, or holding company who employs such a person 8146  
by certified mail of any such finding, denial, or revocation. 8147

(2) A casino operator, management company, or holding 8148  
company shall not pay to a person whose employment is terminated 8149  
under division (G) (1) of this section, any remuneration for any 8150  
services performed in any capacity in which the person is 8151  
required to be licensed, except for amounts due for services 8152  
rendered before notice was received under that division. A 8153

contract or other agreement for personal services or for the 8154  
conduct of any casino gaming at a casino facility between a 8155  
casino operator, management company, or holding company and a 8156  
person whose employment is terminated under division (G) (1) of 8157  
this section may be terminated by the casino operator, 8158  
management company, or holding company without further liability 8159  
on the part of the casino operator, management company, or 8160  
holding company. Any such contract or other agreement is deemed 8161  
to include a term authorizing its termination without further 8162  
liability on the part of the casino operator, management 8163  
company, or holding company upon receiving notice under division 8164  
(G) (1) of this section. That a contract or other agreement does 8165  
not expressly include such a term is not a defense in any action 8166  
brought to terminate the contract or other agreement, and is not 8167  
grounds for relief in any action brought questioning termination 8168  
of the contract or other agreement. 8169

(3) A casino operator, management company, or holding 8170  
company, without having obtained the prior approval of the 8171  
commission, shall not enter into any contract or other agreement 8172  
with a person who has been found unsuitable, who has been denied 8173  
a license, or whose license has been revoked under division (G) 8174  
(1) of this section, or with any business enterprise under the 8175  
control of such a person, after the date on which the casino 8176  
operator, management company, or holding company receives notice 8177  
under that division. 8178

(H) Notwithstanding the requirements for a license under 8179  
this section, the commission shall issue a key employee license 8180  
in accordance with Chapter 4796. of the Revised Code to an 8181  
applicant if either of the following applies: 8182

(1) The applicant holds a license in another state. 8183



(2) The applicant has satisfactory work experience, a 8184  
government certification, or a private certification as 8185  
described in that chapter as a key employee of a casino 8186  
operator, management company, or holding company in a state that 8187  
does not issue that license. 8188

**Sec. 3772.131.** (A) All casino gaming employees are 8189  
required to have a casino gaming employee license. "Casino 8190  
gaming employee" means the following and their supervisors: 8191

(1) Individuals involved in operating a casino gaming pit, 8192  
including dealers, shills, clerks, hosts, and junket 8193  
representatives; 8194

(2) Individuals involved in handling money, including 8195  
cashiers, change persons, count teams, and coin wrappers; 8196

(3) Individuals involved in operating casino games; 8197

(4) Individuals involved in operating and maintaining slot 8198  
machines, including mechanics, floor persons, and change and 8199  
payoff persons; 8200

(5) Individuals involved in security, including guards and 8201  
game observers; 8202

(6) Individuals with duties similar to those described in 8203  
divisions (A) (1) to (5) of this section or other persons as the 8204  
commission determines. "Casino gaming employee" does not include 8205  
an individual whose duties are related solely to nongaming 8206  
activities such as entertainment, hotel operation, maintenance, 8207  
or preparing or serving food and beverages. 8208

(B) The commission may issue a casino gaming employee 8209  
license to an applicant after it has determined that the 8210  
applicant is eligible for a license under rules adopted by the 8211

commission and paid any applicable fee. All applications shall 8212  
be made under oath. 8213

(C) To be eligible for a casino gaming employee license, 8214  
an applicant shall be at least twenty-one years of age. 8215

(D) Each application for a casino gaming employee license 8216  
shall be on a form prescribed by the commission and shall 8217  
contain all information required by the commission. The 8218  
applicant shall set forth in the application if the applicant 8219  
has been issued prior gambling-related licenses; if the 8220  
applicant has been licensed in any other state under any other 8221  
name, and, if so, the name under which the license was issued 8222  
and the applicant's age at the time the license was issued; any 8223  
criminal conviction the applicant has had; and if a permit or 8224  
license issued to the applicant in any other state has been 8225  
suspended, restricted, or revoked, and, if so, the cause and the 8226  
duration of each action. 8227

(E) Each applicant shall submit with each application, on 8228  
a form provided by the commission, two sets of the applicant's 8229  
fingerprints and a photograph. The commission shall charge each 8230  
applicant an application fee to cover all actual costs generated 8231  
by each licensee and all background checks. 8232

(F) Notwithstanding the requirements for a license under 8233  
this section, the commission shall issue a casino gaming 8234  
employee license in accordance with Chapter 4796. of the Revised 8235  
Code to an applicant if either of the following applies: 8236

(1) The applicant holds a license in another state. 8237

(2) The applicant has satisfactory work experience, a 8238  
government certification, or a private certification as 8239  
described in that chapter as a casino gaming employee in a state 8240

that does not issue that license. 8241

**Sec. 3773.36.** (A) Upon the proper filing of an application 8242  
to conduct any public or private competition that involves 8243  
boxing, mixed martial arts, kick boxing, tough man contests, 8244  
tough guy contests, or any other form of boxing or martial arts, 8245  
accompanied by the surety bond and the application fee, or upon 8246  
the proper filing of an application to conduct any public or 8247  
private competition that involves wrestling accompanied by the 8248  
application fee, the Ohio athletic commission shall issue a 8249  
promoter's license to the applicant if it finds that the 8250  
applicant is not in default on any payment, obligation, or debt 8251  
payable to the state under sections 3773.31 to 3773.57 of the 8252  
Revised Code, is financially responsible, and is knowledgeable 8253  
in the proper conduct of such matches or exhibitions. 8254

(B) Notwithstanding the requirements for a license under 8255  
division (A) of this section, the commission shall issue a 8256  
promoter's license in accordance with Chapter 4796. of the 8257  
Revised Code to an applicant if either of the following applies: 8258

(1) The applicant holds a license in another state. 8259

(2) The applicant has satisfactory work experience, a 8260  
government certification, or a private certification as 8261  
described in that chapter as a promoter in a state that does not 8262  
issue that license. 8263

(C) Each license issued pursuant to this section shall 8264  
bear the name of the licensee, the post office address of the 8265  
licensee, the date of expiration, an identification number 8266  
designated by the commission, and the seal of the commission. 8267

(D) A promoter's license shall expire twelve months after 8268  
its date of issuance and shall become invalid on that date 8269

unless renewed. A promoter's license may be renewed upon 8270  
application to the commission and upon payment of the renewal 8271  
fee prescribed in section 3773.43 of the Revised Code. The 8272  
commission shall renew the license unless it denies the 8273  
application for renewal for one or more reasons stated in 8274  
section 3123.47 or 3773.53 of the Revised Code. 8275

**Sec. 3773.421.** ~~A member of the~~ The Ohio athletic 8276  
~~commission may grant~~ shall issue a referee's, judge's, 8277  
matchmaker's, timekeeper's, manager's, trainer's, contestant's, 8278  
or second's license at any time prior to the beginning of a 8279  
public boxing match or exhibition in accordance with Chapter 8280  
4796. of the Revised Code to an applicant ~~from~~ if either of the 8281  
following applies: 8282

(A) The applicant holds a license in another state ~~who~~ 8283  
~~wishes to participate as specified in section 3773.41 of the~~ 8284  
~~Revised Code and who furnishes satisfactory proof to the member~~ 8285  
~~that the applicant holds a license that is not under suspension,~~ 8286  
~~revocation, or other disciplinary action, if the license was~~ 8287  
~~issued by an agency that is similar to the commission, is a~~ 8288  
~~member of the association of boxing commissions, and has~~ 8289  
~~licensing requirements that are at least as stringent as those~~ 8290  
~~established by the commission.~~ 8291

(B) The applicant has satisfactory work experience, a 8292  
government certification, or a private certification as 8293  
described in that chapter as a referee, judge, matchmaker, 8294  
timekeeper, manager, trainer, contestant, or second in a state 8295  
that does not issue that license. 8296

**Sec. 3781.10.** (A) (1) The board of building standards shall 8297  
formulate and adopt rules governing the erection, construction, 8298  
repair, alteration, and maintenance of all buildings or classes 8299

of buildings specified in section 3781.06 of the Revised Code, 8300  
including land area incidental to those buildings, the 8301  
construction of industrialized units, the installation of 8302  
equipment, and the standards or requirements for materials used 8303  
in connection with those buildings. The board shall incorporate 8304  
those rules into separate residential and nonresidential 8305  
building codes. The standards shall relate to the conservation 8306  
of energy and the safety and sanitation of those buildings. 8307

(2) The rules governing nonresidential buildings are the 8308  
lawful minimum requirements specified for those buildings and 8309  
industrialized units, except that no rule other than as provided 8310  
in division (C) of section 3781.108 of the Revised Code that 8311  
specifies a higher requirement than is imposed by any section of 8312  
the Revised Code is enforceable. The rules governing residential 8313  
buildings are uniform requirements for residential buildings in 8314  
any area with a building department certified to enforce the 8315  
state residential building code. In no case shall any local code 8316  
or regulation differ from the state residential building code 8317  
unless that code or regulation addresses subject matter not 8318  
addressed by the state residential building code or is adopted 8319  
pursuant to section 3781.01 of the Revised Code. 8320

(3) The rules adopted pursuant to this section are 8321  
complete, lawful alternatives to any requirements specified for 8322  
buildings or industrialized units in any section of the Revised 8323  
Code. Except as otherwise provided in division (I) of this 8324  
section, the board shall, on its own motion or on application 8325  
made under sections 3781.12 and 3781.13 of the Revised Code, 8326  
formulate, propose, adopt, modify, amend, or repeal the rules to 8327  
the extent necessary or desirable to effectuate the purposes of 8328  
sections 3781.06 to 3781.18 of the Revised Code. 8329

(B) The board shall report to the general assembly 8330  
proposals for amendments to existing statutes relating to the 8331  
purposes declared in section 3781.06 of the Revised Code that 8332  
public health and safety and the development of the arts require 8333  
and shall recommend any additional legislation to assist in 8334  
carrying out fully, in statutory form, the purposes declared in 8335  
that section. The board shall prepare and submit to the general 8336  
assembly a summary report of the number, nature, and disposition 8337  
of the petitions filed under sections 3781.13 and 3781.14 of the 8338  
Revised Code. 8339

(C) On its own motion or on application made under 8340  
sections 3781.12 and 3781.13 of the Revised Code, and after 8341  
thorough testing and evaluation, the board shall determine by 8342  
rule that any particular fixture, device, material, process of 8343  
manufacture, manufactured unit or component, method of 8344  
manufacture, system, or method of construction complies with 8345  
performance standards adopted pursuant to section 3781.11 of the 8346  
Revised Code. The board shall make its determination with regard 8347  
to adaptability for safe and sanitary erection, use, or 8348  
construction, to that described in any section of the Revised 8349  
Code, wherever the use of a fixture, device, material, method of 8350  
manufacture, system, or method of construction described in that 8351  
section of the Revised Code is permitted by law. The board shall 8352  
amend or annul any rule or issue an authorization for the use of 8353  
a new material or manufactured unit on any like application. No 8354  
department, officer, board, or commission of the state other 8355  
than the board of building standards or the board of building 8356  
appeals shall permit the use of any fixture, device, material, 8357  
method of manufacture, newly designed product, system, or method 8358  
of construction at variance with what is described in any rule 8359  
the board of building standards adopts or issues or that is 8360

authorized by any section of the Revised Code. Nothing in this 8361  
section shall be construed as requiring approval, by rule, of 8362  
plans for an industrialized unit that conforms with the rules 8363  
the board of building standards adopts pursuant to section 8364  
3781.11 of the Revised Code. 8365

(D) The board shall recommend rules, codes, and standards 8366  
to help carry out the purposes of section 3781.06 of the Revised 8367  
Code and to help secure uniformity of state administrative 8368  
rulings and local legislation and administrative action to the 8369  
bureau of workers' compensation, the director of commerce, any 8370  
other department, officer, board, or commission of the state, 8371  
and to legislative authorities and building departments of 8372  
counties, townships, and municipal corporations, and shall 8373  
recommend that they audit those recommended rules, codes, and 8374  
standards by any appropriate action that they are allowed 8375  
pursuant to law or the constitution. 8376

(E) (1) The board shall certify municipal, township, and 8377  
county building departments, the personnel of those building 8378  
departments, persons described in division (E) (7) of this 8379  
section, and employees of individuals, firms, the state, or 8380  
corporations described in division (E) (7) of this section to 8381  
exercise enforcement authority, to accept and approve plans and 8382  
specifications, and to make inspections, pursuant to sections 8383  
3781.03, 3791.04, and 4104.43 of the Revised Code. 8384

(2) The board shall certify departments, personnel, and 8385  
persons to enforce the state residential building code, to 8386  
enforce the nonresidential building code, or to enforce both the 8387  
residential and the nonresidential building codes. Any 8388  
department, personnel, or person may enforce only the type of 8389  
building code for which certified. 8390

(3) The board shall not require a building department, its personnel, or any persons that it employs to be certified for residential building code enforcement if that building department does not enforce the state residential building code. The board shall specify, in rules adopted pursuant to Chapter 119. of the Revised Code, the requirements for certification for residential and nonresidential building code enforcement, which shall be consistent with this division. The requirements for residential and nonresidential certification may differ. Except as otherwise provided in this division, the requirements shall include, but are not limited to, the satisfactory completion of an initial examination and, to remain certified, the completion of a specified number of hours of continuing building code education within each three-year period following the date of certification which shall be not less than thirty hours. The rules shall provide that continuing education credits and certification issued by the council of American building officials, national model code organizations, and agencies or entities the board recognizes are acceptable for purposes of this division. The rules shall specify requirements that are consistent with the provisions of section 5903.12 of the Revised Code relating to active duty military service and are compatible, to the extent possible, with requirements the council of American building officials and national model code organizations establish.

(4) The board shall establish and collect a certification and renewal fee for building department personnel, and persons and employees of persons, firms, or corporations as described in this section, who are certified pursuant to this division.

(5) Any individual certified pursuant to this division shall complete the number of hours of continuing building code



education that the board requires or, for failure to do so, 8422  
forfeit certification. 8423

(6) This division does not require or authorize the board 8424  
to certify personnel of municipal, township, and county building 8425  
departments, and persons and employees of persons, firms, or 8426  
corporations as described in this section, whose 8427  
responsibilities do not include the exercise of enforcement 8428  
authority, the approval of plans and specifications, or making 8429  
inspections under the state residential and nonresidential 8430  
building codes. 8431

(7) Enforcement authority for approval of plans and 8432  
specifications and enforcement authority for inspections may be 8433  
exercised, and plans and specifications may be approved and 8434  
inspections may be made on behalf of a municipal corporation, 8435  
township, or county, by any of the following who the board of 8436  
building standards certifies: 8437

(a) Officers or employees of the municipal corporation, 8438  
township, or county; 8439

(b) Persons, or employees of persons, firms, or 8440  
corporations, pursuant to a contract to furnish architectural, 8441  
engineering, or other services to the municipal corporation, 8442  
township, or county; 8443

(c) Officers or employees of, and persons under contract 8444  
with, a municipal corporation, township, county, health 8445  
district, or other political subdivision, pursuant to a contract 8446  
to furnish architectural, engineering, or other services; 8447

(d) Officers or employees of the division of industrial 8448  
compliance in the department of commerce pursuant to a contract 8449  
authorized by division (B) of section 121.083 of the Revised 8450

Code. 8451

(8) Municipal, township, and county building departments 8452  
have jurisdiction within the meaning of sections 3781.03, 8453  
3791.04, and 4104.43 of the Revised Code, only with respect to 8454  
the types of buildings and subject matters for which they are 8455  
certified under this section. 8456

(9) A certified municipal, township, or county building 8457  
department may exercise enforcement authority, accept and 8458  
approve plans and specifications, and make inspections pursuant 8459  
to sections 3781.03, 3791.04, and 4104.43 of the Revised Code 8460  
for a park district created pursuant to Chapter 1545. of the 8461  
Revised Code upon the approval, by resolution, of the board of 8462  
park commissioners of the park district requesting the 8463  
department to exercise that authority and conduct those 8464  
activities, as applicable. 8465

(10) Certification shall be granted upon application by 8466  
the municipal corporation, the board of township trustees, or 8467  
the board of county commissioners and approval of that 8468  
application by the board of building standards. The application 8469  
shall set forth: 8470

(a) Whether the certification is requested for residential 8471  
or nonresidential buildings, or both; 8472

(b) The number and qualifications of the staff composing 8473  
the building department; 8474

(c) The names, addresses, and qualifications of persons, 8475  
firms, or corporations contracting to furnish work or services 8476  
pursuant to division (E) (7) (b) of this section; 8477

(d) The names of any other municipal corporation, 8478  
township, county, health district, or political subdivision 8479

under contract to furnish work or services pursuant to division 8480  
(E) (7) of this section; 8481

(e) The proposed budget for the operation of the building 8482  
department. 8483

(11) The board of building standards shall adopt rules 8484  
governing all of the following: 8485

(a) The certification of building department personnel and 8486  
persons and employees of persons, firms, or corporations 8487  
exercising authority pursuant to division (E) (7) of this 8488  
section. The rules shall disqualify any employee of the 8489  
department or person who contracts for services with the 8490  
department from performing services for the department when that 8491  
employee or person would have to pass upon, inspect, or 8492  
otherwise exercise authority over any labor, material, or 8493  
equipment the employee or person furnishes for the construction, 8494  
alteration, or maintenance of a building or the preparation of 8495  
working drawings or specifications for work within the 8496  
jurisdictional area of the department. The department shall 8497  
provide other similarly qualified personnel to enforce the 8498  
residential and nonresidential building codes as they pertain to 8499  
that work. 8500

(b) The minimum services to be provided by a certified 8501  
building department. 8502

(12) The board of building standards may revoke or suspend 8503  
certification to enforce the residential and nonresidential 8504  
building codes, on petition to the board by any person affected 8505  
by that enforcement or approval of plans, or by the board on its 8506  
own motion. Hearings shall be held and appeals permitted on any 8507  
proceedings for certification or revocation or suspension of 8508

certification in the same manner as provided in section 3781.101 8509  
of the Revised Code for other proceedings of the board of 8510  
building standards. 8511

(13) Upon certification, and until that authority is 8512  
revoked, any county or township building department shall 8513  
enforce the residential and nonresidential building codes for 8514  
which it is certified without regard to limitation upon the 8515  
authority of boards of county commissioners under Chapter 307. 8516  
of the Revised Code or boards of township trustees under Chapter 8517  
505. of the Revised Code. 8518

(14) The board shall certify a person to exercise 8519  
enforcement authority, to accept and approve plans and 8520  
specifications, or to make inspections in this state in 8521  
accordance with Chapter 4796. of the Revised Code if either of 8522  
the following applies: 8523

(a) The person holds a license or certificate in another 8524  
state. 8525

(b) The person has satisfactory work experience, a 8526  
government certification, or a private certification as 8527  
described in that chapter in the same profession, occupation, or 8528  
occupational activity as the profession, occupation, or 8529  
occupational activity for which the certificate is required in 8530  
this state in a state that does not issue that license or 8531  
certificate. 8532

(F) In addition to hearings sections 3781.06 to 3781.18 8533  
and 3791.04 of the Revised Code require, the board of building 8534  
standards shall make investigations and tests, and require from 8535  
other state departments, officers, boards, and commissions 8536  
information the board considers necessary or desirable to assist 8537

it in the discharge of any duty or the exercise of any power 8538  
mentioned in this section or in sections 3781.06 to 3781.18, 8539  
3791.04, and 4104.43 of the Revised Code. 8540

(G) The board shall adopt rules and establish reasonable 8541  
fees for the review of all applications submitted where the 8542  
applicant applies for authority to use a new material, assembly, 8543  
or product of a manufacturing process. The fee shall bear some 8544  
reasonable relationship to the cost of the review or testing of 8545  
the materials, assembly, or products and for the notification of 8546  
approval or disapproval as provided in section 3781.12 of the 8547  
Revised Code. 8548

(H) The residential construction advisory committee shall 8549  
provide the board with a proposal for a state residential 8550  
building code that the committee recommends pursuant to division 8551  
(D) (1) of section 4740.14 of the Revised Code. Upon receiving a 8552  
recommendation from the committee that is acceptable to the 8553  
board, the board shall adopt rules establishing that code as the 8554  
state residential building code. 8555

(I) (1) The committee may provide the board with proposed 8556  
rules to update or amend the state residential building code 8557  
that the committee recommends pursuant to division (E) of 8558  
section 4740.14 of the Revised Code. 8559

(2) If the board receives a proposed rule to update or 8560  
amend the state residential building code as provided in 8561  
division (I) (1) of this section, the board either may accept or 8562  
reject the proposed rule for incorporation into the residential 8563  
building code. If the board does not act to either accept or 8564  
reject the proposed rule within ninety days after receiving the 8565  
proposed rule from the committee as described in division (I) (1) 8566  
of this section, the proposed rule shall become part of the 8567

residential building code. 8568

(J) The board shall cooperate with the director of job and 8569  
family services when the director promulgates rules pursuant to 8570  
section 5104.05 of the Revised Code regarding safety and 8571  
sanitation in type A family day-care homes. 8572

(K) The board shall adopt rules to implement the 8573  
requirements of section 3781.108 of the Revised Code. 8574

**Sec. 3781.102.** (A) Any county or municipal building 8575  
department certified pursuant to division (E) of section 3781.10 8576  
of the Revised Code as of September 14, 1970, and that, as of 8577  
that date, was inspecting single-family, two-family, and three- 8578  
family residences, and any township building department 8579  
certified pursuant to division (E) of section 3781.10 of the 8580  
Revised Code, is hereby declared to be certified to inspect 8581  
single-family, two-family, and three-family residences 8582  
containing industrialized units, and shall inspect the buildings 8583  
or classes of buildings subject to division (E) of section 8584  
3781.10 of the Revised Code. 8585

(B) Each board of county commissioners may adopt, by 8586  
resolution, rules establishing standards and providing for the 8587  
licensing of electrical and heating, ventilating, and air 8588  
conditioning contractors who are not required to hold a valid 8589  
and unexpired license pursuant to Chapter 4740. of the Revised 8590  
Code. 8591

Rules adopted by a board of county commissioners pursuant 8592  
to this division may be enforced within the unincorporated areas 8593  
of the county and within any municipal corporation where the 8594  
legislative authority of the municipal corporation has 8595  
contracted with the board for the enforcement of the county 8596

rules within the municipal corporation pursuant to section 8597  
307.15 of the Revised Code. The rules shall not conflict with 8598  
rules adopted by the board of building standards pursuant to 8599  
section 3781.10 of the Revised Code or by the department of 8600  
commerce pursuant to Chapter 3703. of the Revised Code. This 8601  
division does not impair or restrict the power of municipal 8602  
corporations under Section 3 of Article XVIII, Ohio 8603  
Constitution, to adopt rules concerning the erection, 8604  
construction, repair, alteration, and maintenance of buildings 8605  
and structures or of establishing standards and providing for 8606  
the licensing of specialty contractors pursuant to section 8607  
715.27 of the Revised Code. 8608

A board of county commissioners, pursuant to this 8609  
division, may require all electrical contractors and heating, 8610  
ventilating, and air conditioning contractors, other than those 8611  
who hold a valid and unexpired license issued pursuant to 8612  
Chapter 4740. of the Revised Code, to successfully complete an 8613  
examination, test, or demonstration of technical skills, and may 8614  
impose a fee and additional requirements for a license to engage 8615  
in their respective occupations within the jurisdiction of the 8616  
board's rules under this division. 8617

(C) No board of county commissioners shall require any 8618  
specialty contractor who holds a valid and unexpired license 8619  
issued pursuant to Chapter 4740. of the Revised Code to 8620  
successfully complete an examination, test, or demonstration of 8621  
technical skills in order to engage in the type of contracting 8622  
for which the license is held, within the unincorporated areas 8623  
of the county and within any municipal corporation whose 8624  
legislative authority has contracted with the board for the 8625  
enforcement of county regulations within the municipal 8626  
corporation, pursuant to section 307.15 of the Revised Code. 8627

(D) A board may impose a fee for registration of a specialty contractor who holds a valid and unexpired license issued pursuant to Chapter 4740. of the Revised Code before that specialty contractor may engage in the type of contracting for which the license is held within the unincorporated areas of the county and within any municipal corporation whose legislative authority has contracted with the board for the enforcement of county regulations within the municipal corporation, pursuant to section 307.15 of the Revised Code, provided that the fee is the same for all specialty contractors who wish to engage in that type of contracting. If a board imposes such a fee, the board immediately shall permit a specialty contractor who presents proof of holding a valid and unexpired license and pays the required fee to engage in the type of contracting for which the license is held within the unincorporated areas of the county and within any municipal corporation whose legislative authority has contracted with the board for the enforcement of county regulations within the municipal corporation, pursuant to section 307.15 of the Revised Code.

(E) The political subdivision associated with each municipal, township, and county building department the board of building standards certifies pursuant to division (E) of section 3781.10 of the Revised Code may prescribe fees to be paid by persons, political subdivisions, or any department, agency, board, commission, or institution of the state, for the acceptance and approval of plans and specifications, and for the making of inspections, pursuant to sections 3781.03 and 3791.04 of the Revised Code.

(F) Each political subdivision that prescribes fees pursuant to division (E) of this section shall collect, on behalf of the board of building standards, fees equal to the



following: 8659

(1) Three per cent of the fees the political subdivision 8660  
collects in connection with nonresidential buildings; 8661

(2) One per cent of the fees the political subdivision 8662  
collects in connection with residential buildings. 8663

(G) (1) The board shall adopt rules, in accordance with 8664  
Chapter 119. of the Revised Code, specifying the manner in which 8665  
the fee assessed pursuant to division (F) of this section shall 8666  
be collected and remitted monthly to the board. The board shall 8667  
pay the fees into the state treasury to the credit of the 8668  
industrial compliance operating fund created in section 121.084 8669  
of the Revised Code. 8670

(2) All money credited to the industrial compliance 8671  
operating fund under this division shall be used exclusively for 8672  
the following: 8673

(a) Operating costs of the board; 8674

(b) Providing services, including educational programs, 8675  
for the building departments that are certified by the board 8676  
pursuant to division (E) of section 3781.10 of the Revised Code; 8677

(c) Paying the expenses of the residential construction 8678  
advisory committee, including the expenses of committee members 8679  
as provided in section 4740.14 of the Revised Code. 8680

(H) A board of county commissioners that adopts rules 8681  
providing for the licensing of electrical and heating, 8682  
ventilating, and air conditioning contractors, pursuant to 8683  
division (B) of this section, may accept, for purposes of 8684  
satisfying the requirements of rules adopted under that 8685  
division, a valid and unexpired license issued pursuant to 8686

Chapter 4740. of the Revised Code that is held by an electrical 8687  
or heating, ventilating, and air conditioning contractor, for 8688  
the construction, replacement, maintenance, or repair of one- 8689  
family, two-family, or three-family dwelling houses or accessory 8690  
structures incidental to those dwelling houses. 8691

(I) A board of county commissioners shall not register a 8692  
specialty contractor who is required to hold a license under 8693  
Chapter 4740. of the Revised Code but does not hold a valid 8694  
license issued under that chapter. 8695

(J) If a board of county commissioners regulates a 8696  
profession, occupation, or occupational activity under this 8697  
section, the board shall comply with Chapter 4796. of the 8698  
Revised Code. 8699

(K) As used in this section, "specialty contractor" means 8700  
a heating, ventilating, and air conditioning contractor, 8701  
refrigeration contractor, electrical contractor, plumbing 8702  
contractor, or hydronics contractor, as those contractors are 8703  
described in Chapter 4740. of the Revised Code. 8704

**Sec. 3781.105.** (A) The board of building standards shall 8705  
certify individuals who design fire protection systems for 8706  
buildings and who meet the requirements specified in this 8707  
section. The board may establish separate certification 8708  
categories for specific types of fire protection systems. 8709

(B) Any individual who wishes to obtain certification 8710  
shall make application to the board on a form prescribed by the 8711  
board. The application shall be accompanied by an application 8712  
fee and an initial certification fee. The initial certification 8713  
fee shall be refunded if the applicant fails to obtain 8714  
certification. Certification may be renewed annually upon 8715

payment of a renewal fee. 8716

Fees required to be paid under this division shall be 8717  
established by rule adopted by the board. The application fee 8718  
shall bear a reasonable relationship to processing the 8719  
individual's application, the certification fee shall bear a 8720  
reasonable relationship to certifying the individual, and the 8721  
certification renewal fee shall bear a reasonable relationship 8722  
to renewing the individual's certification. 8723

(C) Each applicant shall submit evidence satisfactory to 8724  
the board that the applicant has directly engaged in designing 8725  
and preparing drawings for the category of the type of fire 8726  
protection system for which the applicant seeks certification. 8727

(D) The board shall certify any qualified applicant who 8728  
passes an examination prescribed either by the board or by the 8729  
national institute for certification in engineering 8730  
technologies. The examination shall demonstrate the applicant's 8731  
knowledge and understanding of the category of the type of fire 8732  
protection system for which the applicant seeks certification. 8733

(E) The board, after a hearing in accordance with Chapter 8734  
119. of the Revised Code, may suspend or revoke any category of 8735  
certification of any individual who proves at any time to be 8736  
incompetent to submit and certify plans and specifications for 8737  
that category to the appropriate building department under 8738  
section 3791.04 of the Revised Code, and may suspend or revoke 8739  
all categories of certification of any individual who engages in 8740  
any illegal or fraudulent acts in connection with the design of 8741  
fire protection systems. 8742

~~(H)~~ (F) The board may adopt rules in accordance with 8743  
Chapter 119. of the Revised Code for the administration and 8744

enforcement of this section. 8745

(G) Notwithstanding any other provision of this section to 8746  
the contrary, the board shall certify an applicant in accordance 8747  
with Chapter 4796. of the Revised Code if either of the 8748  
following applies: 8749

(1) The applicant is licensed or certified in another 8750  
state. 8751

(2) The applicant has satisfactory work experience, a 8752  
government certification, or a private certification as 8753  
described in that chapter as a designer of fire protection 8754  
systems in a state that does not issue that license or 8755  
certificate. 8756

**Sec. 3916.03.** (A) An ~~Except~~ as provided in division (H) of 8757  
this section, an applicant for a license as a viatical 8758  
settlement provider or viatical settlement broker shall submit 8759  
an application for the license in a manner prescribed by the 8760  
superintendent of insurance. The application shall be 8761  
accompanied by a fee established by the superintendent by rule 8762  
adopted in accordance with Chapter 119. of the Revised Code. 8763

(B) A license issued under this chapter to a person other 8764  
than an individual authorizes all partners, officers, members, 8765  
or designated employees of the person to act as viatical 8766  
settlement providers or viatical settlement brokers, as 8767  
applicable, and all those partners, officers, members, or 8768  
designated employees shall be named in the application and any 8769  
supplements to the application. 8770

(C) ~~Upon~~ Except as provided in division (H) of this 8771  
section, upon the filing of an application under this section 8772  
and the payment of the license fee, the superintendent shall 8773

make an investigation of the applicant and issue to the 8774  
applicant a license that states in substance that the person is 8775  
authorized to act as a viatical settlement provider or viatical 8776  
settlement broker, as applicable, if all of the following apply: 8777

(1) Regarding an application for a license as a viatical 8778  
settlement provider, the applicant provides all of the 8779  
following: 8780

(a) A detailed plan of operation; 8781

(b) Proof of financial responsibility pursuant to division 8782  
(D) of this section; 8783

(c) A general description of the method the applicant will 8784  
use to determine life expectancies, including a description of 8785  
the applicant's intended receipt of life expectancies, the 8786  
applicant's intended use of life expectancies, the applicant's 8787  
intended use of life expectancy providers, and a written plan of 8788  
policies and procedures used to determine life expectancies. 8789

(2) The superintendent finds all of the following: 8790

(a) The applicant is competent and trustworthy and intends 8791  
to act in good faith in the capacity of a viatical settlement 8792  
provider or viatical settlement broker, as applicable. 8793

(b) The applicant has a good business reputation and has 8794  
had experience, training, or education so as to be qualified to 8795  
act in the capacity of a viatical settlement provider or 8796  
viatical settlement broker, as applicable. 8797

(3) If the applicant is a person other than an individual, 8798  
the applicant provides a certificate of good standing from the 8799  
state of its organization. 8800

(4) The applicant provides an antifraud plan that meets 8801

the requirements of division (G) of section 3916.18 of the Revised Code. 8802  
8803

(D) (1) An applicant for licensure as a viatical settlement provider may provide proof of financial responsibility through one of the following means: 8804  
8805  
8806

(a) Submitting audited financial statements that show a minimum equity of not less than two hundred fifty thousand dollars in cash or cash equivalents; 8807  
8808  
8809

(b) Submitting both audited annual financial statements that show positive equity and either of the following: 8810  
8811

(i) A surety bond in the amount of two hundred fifty thousand dollars in favor of this state issued by an insurer authorized to issue surety bonds in this state; 8812  
8813  
8814

(ii) An unconditional and irrevocable letter of credit, deposit of cash, or securities, in any combination, in the aggregate amount of two hundred fifty thousand dollars. 8815  
8816  
8817

~~(2) If an applicant is licensed as a viatical settlement provider in another state, the superintendent may accept as valid any similar proof of financial responsibility the applicant filed in that state.~~ 8818  
8819  
8820  
8821

~~(3) The superintendent may request proof of financial responsibility at any time the superintendent considers necessary.~~ 8822  
8823  
8824

(E) An applicant shall provide all information requested by the superintendent. The superintendent may, at any time, require an applicant to fully disclose the identity of all shareholders, partners, officers, members, and employees, and may, in the exercise of the superintendent's discretion, refuse 8825  
8826  
8827  
8828  
8829

to issue a license to an applicant that is not an individual if 8830  
the superintendent is not satisfied that each officer, employee, 8831  
shareholder, partner, or member who may materially influence the 8832  
applicant's conduct meets the standards set forth in this 8833  
chapter. 8834

(F) Except as otherwise provided in this division, a 8835  
license as a viatical settlement provider or viatical settlement 8836  
broker expires on the last day of March next after its issuance 8837  
or continuance. A license as a viatical settlement provider or 8838  
viatical settlement broker may, in the discretion of the 8839  
superintendent and the payment of an annual renewal fee 8840  
established by the superintendent by rule adopted in accordance 8841  
with Chapter 119. of the Revised Code, be continued past the 8842  
last day of March next after its issue and after the last day of 8843  
March in each succeeding year. Failure to pay the renewal fee by 8844  
the required date results in the expiration of the license. 8845

(G) Any individual licensed as a viatical settlement 8846  
broker shall complete not less than fifteen hours of continuing 8847  
education biennially. The superintendent shall approve 8848  
continuing education courses that shall be related to viatical 8849  
settlements and viatical settlement transactions. The 8850  
superintendent shall adopt rules for the enforcement of this 8851  
division. 8852

(H) The superintendent shall ~~not~~ issue a license to a 8853  
nonresident an applicant who is licensed in another state or has 8854  
satisfactory work experience, a government certification, or a 8855  
private certification as described in Chapter 4796. of the 8856  
Revised Code as a viatical settlement provider or viatical 8857  
settlement broker in a state that does not issue that license in 8858  
accordance with that chapter, ~~unless~~ if either of the following 8859

applies: 8860

(1) The applicant files and maintains a written 8861  
designation of an agent for service of process with the 8862  
superintendent. 8863

(2) The applicant has filed with the superintendent the 8864  
applicant's written irrevocable consent that any action against 8865  
the applicant may be commenced against the applicant by service 8866  
of process on the superintendent. 8867

(I) A viatical settlement provider or viatical settlement 8868  
broker shall provide to the superintendent new or revised 8869  
information regarding any change in its officers, any 8870  
shareholder owning ten per cent or more of its voting 8871  
securities, or its partners, directors, members, or designated 8872  
employees within thirty days of the change. 8873

(J) Any fee collected under this section shall be paid 8874  
into the state treasury to the credit of the department of 8875  
insurance operating fund created by section 3901.021 of the 8876  
Revised Code. 8877

**Sec. 3951.03.** (A) Before any certificate of authority 8878  
shall be issued by the superintendent of insurance there shall 8879  
be filed in ~~his~~ the superintendent's office a written 8880  
application therefor. Such application shall be in the form or 8881  
forms and supplements thereto prescribed by the superintendent 8882  
and shall set forth: 8883

~~(A)~~ (1) The name and address of the applicant, and if the 8884  
applicant be a firm, association, or partnership, the name and 8885  
address of each member thereof, and if the applicant be a 8886  
corporation, the name and address of each of its officers and 8887  
directors; 8888



~~(B)~~ (2) Whether any license or certificate of authority as 8889  
agent, broker, or public insurance adjuster has been issued 8890  
previously by the superintendent of this state or by the 8891  
insurance department of any state to the individual applicant, 8892  
and, if the applicant be an individual, whether any such 8893  
certificate has been issued previously to any firm, association, 8894  
or partnership of which ~~he~~ the individual was or is an officer 8895  
or director, and, if the applicant be a firm, association, or 8896  
partnership, whether any such certificate has been issued 8897  
previously to any member thereof, and, if the applicant be a 8898  
corporation, whether any such certificate has been issued 8899  
previously to any officer or director of such corporation; 8900

~~(C)~~ (3) The business or employment in which the applicant 8901  
has been engaged for the five years next preceding the date of 8902  
the application, and the name and address of such business and 8903  
the name or names and addresses of his employer or employers; 8904

~~(D)~~ (4) Such information as the superintendent may require 8905  
of applicants in order to determine their trustworthiness and 8906  
competency to transact the business of public insurance 8907  
adjusters, in such manner as to safeguard the interest of the 8908  
public; 8909

~~(E)~~ The (B) Except as provided in division (C) of this 8910  
section, the superintendent shall issue a public insurance 8911  
adjuster agent certificate to a person, who is a bona fide 8912  
employee of a public insurance adjuster without examination, 8913  
provided said application is made by a person, partnership, 8914  
association, or corporation engaged in the public insurance 8915  
adjusting business. The fee to be paid by the applicant for such 8916  
a license at the time the application is made, and annually 8917  
thereafter for the renewal thereof according to the standard 8918

renewal procedure of sections 4745.01 to 4745.03, inclusive, of 8919  
the Revised Code, shall be fifty dollars, and such applicant 8920  
shall be bonded in the amount of one thousand dollars as 8921  
provided for in division (D) of section 3951.06 of the Revised 8922  
Code. 8923

(C) The superintendent shall issue a public insurance 8924  
adjuster agent certificate in accordance with Chapter 4796. of 8925  
the Revised Code to an applicant if either of the following 8926  
applies: 8927

(1) The applicant holds a license or certificate in 8928  
another state. 8929

(2) The applicant has satisfactory work experience, a 8930  
government certification, or a private certification as 8931  
described in that chapter as a public insurance adjuster agent 8932  
in a state that does not issue that license or certificate. 8933

(D) An application for any certificate of authority shall 8934  
be signed and verified under oath by the applicant and, if made 8935  
by a firm, association, partnership, or corporation, by each 8936  
member or officer and director thereof to be authorized thereby 8937  
to act as a public insurance adjuster. 8938

**Sec. 3951.05.** The superintendent of insurance shall, in 8939  
order to determine the trustworthiness and competency of any 8940  
applicant for a certificate of authority to act as a public 8941  
insurance adjuster, require such applicant or in the case of a 8942  
firm, association, partnership, or corporation, such of its 8943  
employees, members, officers, or directors, who are to be 8944  
individually authorized to act under its certificate of 8945  
authority, to submit to a written examination, ~~except applicants~~ 8946  
~~who are granted a waiver of examination in accordance with~~ 8947

~~section 3951.09 of the Revised Code.~~ Examinations shall be held 8948  
in such place in this state and at such time as the 8949  
superintendent may designate. 8950

**Sec. 3951.09.** ~~The superintendent may waive the requirement~~ 8951  
~~that an applicant submit to an examination to obtain of~~ 8952  
insurance shall issue a certificate of authority under this 8953  
~~chapter, provided that the applicant is licensed as a public~~ 8954  
~~insurance adjuster in another state that required the applicant~~ 8955  
~~to submit to an examination as a condition of licensure. Prior~~ 8956  
~~to waiving the examination requirement with respect to a public~~ 8957  
~~insurance adjuster licensed in another state, the superintendent~~ 8958  
~~shall issue a notice at least sixty days prior to the effective~~ 8959  
~~date of the waiver identifying the applicant's other state of~~ 8960  
~~licensure. The notice shall be issued in a manner deemed~~ 8961  
~~appropriate by the superintendent. Once the superintendent has~~ 8962  
~~issued a notice under this section identifying an applicant's~~ 8963  
~~other state of licensure, the superintendent need not issue~~ 8964  
~~subsequent notices as to applicants licensed in the same state~~ 8965  
~~in order to waive the examination requirement for those~~ 8966  
applicants in accordance with Chapter 4796. of the Revised Code 8967  
to an applicant if either of the following applies: 8968

(A) The applicant holds a license or certificate in 8969  
another state. 8970

(B) The applicant has satisfactory work experience, a 8971  
government certification, or a private certification as 8972  
described in Chapter 4796. of the Revised Code as a public 8973  
insurance adjuster in a state that does not issue that license 8974  
or certificate. 8975

**Sec. 4104.07.** (A) ~~An~~ Except as provided in division (E) of 8976  
this section, an application for examination as an inspector of 8977

boilers and pressure vessels shall be in writing, accompanied by 8978  
a fee of one hundred fifty dollars, upon a blank to be furnished 8979  
by the superintendent of industrial compliance. Any moneys 8980  
collected under this section shall be paid into the state 8981  
treasury to the credit of the industrial compliance operating 8982  
fund created in section 121.084 of the Revised Code. 8983

(B) The superintendent shall determine if an applicant 8984  
meets all the requirements for examination in accordance with 8985  
rules adopted by the board of building standards under section 8986  
4104.02 of the Revised Code. An application shall be rejected 8987  
which contains any willful falsification, or untruthful 8988  
statements. 8989

(C) An applicant shall be examined by the superintendent, 8990  
by a written examination, prescribed by the board, dealing with 8991  
the construction, installation, operation, maintenance, and 8992  
repair of boilers and pressure vessels and their appurtenances, 8993  
and the applicant shall be accepted or rejected on the merits of 8994  
the applicant's application and examination. 8995

(D) Upon a favorable report by the superintendent of the 8996  
result of an examination, the superintendent shall immediately 8997  
issue to the successful applicant a certificate of competency to 8998  
that effect. 8999

(E) The superintendent shall issue a certificate of 9000  
competency in accordance with Chapter 4796. of the Revised Code 9001  
to an applicant if either of the following applies: 9002

(1) The applicant holds a license or certificate in 9003  
another state. 9004

(2) The applicant has satisfactory work experience, a 9005  
government certification, or a private certification as 9006

described in that chapter as an inspector of boilers and 9007  
pressure vessels in a state that does not issue that license or 9008  
certificate. 9009

**Sec. 4104.101.** (A) No person shall install or make major 9010  
repairs or modifications to any boiler without first registering 9011  
to do so with the division of industrial compliance. 9012

(B) No person shall make any installation or major repair 9013  
or modification of any boiler without first obtaining a permit 9014  
to do so from the division. The permit application form shall 9015  
provide the name and address of the owner, location of the 9016  
boiler, and type of repair or modification that will be made. 9017  
The application permit fee shall be one hundred dollars. 9018

(C) The superintendent of industrial compliance shall 9019  
require annual registration of all contractors who install, make 9020  
major repairs to, or modify any boiler. The board of building 9021  
standards shall establish a reasonable fee to cover the cost of 9022  
processing registrations. 9023

(D) Notwithstanding any provision of this section to the 9024  
contrary, the superintendent shall register a contractor to 9025  
install, make major repairs to, or modify boilers in accordance 9026  
with Chapter 4796. of the Revised Code if either of the 9027  
following applies: 9028

(1) The contractor is licensed or registered in another 9029  
state to install, make major repairs to, or modify boilers. 9030

(2) The contractor has satisfactory work experience, a 9031  
government certification, or a private certification as 9032  
described in that chapter to install, make major repairs to, or 9033  
modify boilers in a state that does not issue that license or 9034  
registration. 9035

**Sec. 4104.19.** (A) ~~Any~~ Except as provided in division (H) 9036  
of this section, any person seeking a license to operate as a 9037  
steam engineer, high pressure boiler operator, or low pressure 9038  
boiler operator shall file a written application with the 9039  
superintendent of industrial compliance on a form prescribed by 9040  
the superintendent with the appropriate application fee as set 9041  
forth in section 4104.18 of the Revised Code. The application 9042  
shall contain information satisfactory to the superintendent to 9043  
demonstrate that the applicant meets the requirements of 9044  
division (B) of this section. The application shall be filed 9045  
with the superintendent not more than sixty days and not less 9046  
than thirty days before the license examination is offered. 9047

(B) To qualify to take the examination required to obtain 9048  
a steam engineer, high pressure boiler operator, or low pressure 9049  
boiler operator license, a person shall meet both of the 9050  
following requirements: 9051

(1) Be at least eighteen years of age; 9052

(2) Have one year of experience in the operation of steam 9053  
engines, high pressure boilers, or low pressure boilers as 9054  
applicable to the type of license being sought, or a combination 9055  
of experience and education for the type of license sought as 9056  
determined to be acceptable by the superintendent. 9057

(C) No applicant shall qualify to take an examination or 9058  
to renew a license if the applicant has violated this chapter or 9059  
if the applicant has obtained or renewed a license issued under 9060  
this chapter by fraud, misrepresentation, or deception. 9061

(D) The superintendent shall issue a license to each 9062  
applicant who receives a passing score on the examination, as 9063  
determined by the superintendent, for the license for which the 9064

applicant applied. 9065

(E) The superintendent may select and contract with one or 9066  
more persons to do all of the following relative to the 9067  
examinations for a license to operate as a steam engineer, high 9068  
pressure boiler operator, or low pressure boiler operator: 9069

(1) Prepare, administer, score, and maintain the 9070  
confidentiality of the examination; 9071

(2) Maintain responsibility for all expenses required to 9072  
fulfill division (E) (1) of this section; 9073

(3) Charge each applicant a fee for administering the 9074  
examination, in an amount authorized by the superintendent; 9075

(4) Design the examination for each type of license to 9076  
determine an applicant's competence to operate the equipment for 9077  
which the applicant is seeking licensure. 9078

(F) Each license issued under this chapter expires one 9079  
year after the date of issue. Each person holding a valid, 9080  
unexpired license may renew the license, without reexamination, 9081  
by applying to the superintendent not more than ninety days 9082  
before the expiration of the license, and submitting with the 9083  
application the renewal fee established in section 4104.18 of 9084  
the Revised Code. Upon receipt of the renewal information and 9085  
fee, the superintendent shall issue the licensee a certificate 9086  
of renewal. 9087

(G) The superintendent, in accordance with Chapter 119. of 9088  
the Revised Code, may suspend or revoke any license, or may 9089  
refuse to issue a license under this chapter upon finding that a 9090  
licensee or an applicant for a license has violated or is 9091  
violating the requirements of this chapter. The superintendent 9092  
shall not refuse to issue a license to an applicant because of a 9093

disqualifying offense unless the refusal is in accordance with 9094  
section 9.79 of the Revised Code. 9095

(H) The superintendent shall issue a license in accordance 9096  
with Chapter 4796. of the Revised Code to an applicant if either 9097  
of the following applies: 9098

(1) The applicant holds a license in another state. 9099

(2) The applicant has satisfactory work experience, a 9100  
government certification, or a private certification as 9101  
described in that chapter as a steam engineer, high pressure 9102  
boiler operator, or low pressure boiler operator in a state that 9103  
does not issue that license. 9104

**Sec. 4105.02.** No person may act, either as a general 9105  
inspector or as a special inspector, of elevators, unless the 9106  
person holds a certificate of competency from the division of 9107  
industrial compliance. 9108

Application for examination as an inspector of elevators 9109  
shall be in writing, accompanied by a fee to be established as 9110  
provided in section 4105.17 of the Revised Code, and upon a 9111  
blank to be furnished by the division, stating the school 9112  
education of the applicant, a list of the applicant's employers, 9113  
the applicant's period of employment, and the position held with 9114  
each. An applicant shall also submit a letter from one or more 9115  
of the applicant's previous employers certifying as to the 9116  
applicant's character and experience. 9117

Applications shall be rejected which contain any willful 9118  
falsification or untruthful statements. An applicant, if the 9119  
division considers the applicant's history and experience 9120  
sufficient, shall be examined by the superintendent of 9121  
industrial compliance by a written examination dealing with the 9122



construction, installation, operation, maintenance, and repair 9123  
of elevators and their appurtenances, and the applicant shall be 9124  
accepted or rejected on the merits of the applicant's 9125  
application and examination. 9126

~~The~~ Except as provided in this section, the superintendent 9127  
shall issue a certificate of competency in the inspection of 9128  
elevators to any applicant found competent upon examination. A 9129  
rejected applicant shall be entitled, after the expiration of 9130  
ninety days and upon payment of an examination fee to be 9131  
established as provided in section 4105.17 of the Revised Code, 9132  
to another examination. Should an applicant fail to pass the 9133  
prescribed examination on second trial, the applicant will not 9134  
be permitted to be an applicant for another examination for a 9135  
period of one year after the second examination. 9136

The superintendent shall issue a certificate of competency 9137  
in the inspection of elevators in accordance with Chapter 4796. 9138  
of the Revised Code to an applicant if either of the following 9139  
applies: 9140

(A) The applicant holds a license or certificate in 9141  
another state. 9142

(B) The applicant has satisfactory work experience, a 9143  
government certification, or a private certification as 9144  
described in that chapter as an inspector of elevators in a 9145  
state that does not issue that license or certificate. 9146

**Sec. 4169.03.** (A) Before a passenger tramway operator may 9147  
operate any passenger tramway in the state, the operator shall 9148  
apply to the division of industrial compliance in the department 9149  
of commerce, on forms prepared by it, for registration by the 9150  
division. The application shall contain an inventory of the 9151

passenger tramways that the applicant intends to operate and 9152  
other information as the division may reasonably require and 9153  
shall be accompanied by the following annual fees: 9154

(1) Each aerial passenger tramway, five hundred dollars; 9155

(2) Each skimobile, two hundred dollars; 9156

(3) Each chair lift, two hundred dollars; 9157

(4) Each J bar, T bar, or platter pull, one hundred 9158  
dollars; 9159

(5) Each rope tow, fifty dollars; 9160

(6) Each wire rope tow, seventy-five dollars; 9161

(7) Each conveyor, one hundred dollars. 9162

When an operator operates an aerial passenger tramway, a 9163  
skimobile, or a chair lift during both a winter and summer 9164  
season, the annual fee shall be one and one-half the above 9165  
amount for the respective passenger tramway. 9166

(B) Upon payment of the appropriate annual fees in 9167  
accordance with division (A) of this section and successful 9168  
completion of the inspection described in section 4169.04 of the 9169  
Revised Code, the division shall issue a registration 9170  
certificate to the operator. Each certificate shall remain in 9171  
force until the thirtieth day of September next ensuing. The 9172  
division shall renew an operator's certificate in accordance 9173  
with the standard renewal procedure in Chapter 4745. of the 9174  
Revised Code upon payment of the appropriate annual fees. 9175

(C) Money received from the registration fees and from the 9176  
fines collected pursuant to section 4169.99 of the Revised Code 9177  
shall be paid into the state treasury to the credit of the 9178

industrial compliance operating fund created in section 121.084 9179  
of the Revised Code. 9180

(D) No person shall operate a passenger tramway in this 9181  
state unless the person has been registered by the division. 9182

(E) The division shall issue a registration certificate in 9183  
accordance with Chapter 4796. of the Revised Code to an operator 9184  
if either of the following applies: 9185

(1) The operator is licensed or registered in another 9186  
state. 9187

(2) The operator has satisfactory work experience, a 9188  
government certification, or a private certification as 9189  
described in that chapter as a passenger tramway operator in a 9190  
state that does not issue that license or registration. 9191

**Sec. 4301.10.** (A) The division of liquor control shall do 9192  
all of the following: 9193

(1) Control the traffic in beer and intoxicating liquor in 9194  
this state, including the manufacture, importation, and sale of 9195  
beer and intoxicating liquor; 9196

(2) Grant or refuse permits for the manufacture, 9197  
distribution, transportation, and sale of beer and intoxicating 9198  
liquor and the sale of alcohol, as authorized or required by 9199  
this chapter and Chapter 4303. of the Revised Code. A 9200  
certificate, signed by the superintendent of liquor control and 9201  
to which is affixed the official seal of the division, stating 9202  
that it appears from the records of the division that no permit 9203  
has been issued to the person specified in the certificate, or 9204  
that a permit, if issued, has been revoked, canceled, or 9205  
suspended, shall be received as prima-facie evidence of the 9206  
facts recited in the certificate in any court or before any 9207

officer of this state. 9208

(3) Put into operation, manage, and control a system of 9209  
state liquor stores for the sale of spirituous liquor at retail 9210  
and to holders of permits authorizing the sale of spirituous 9211  
liquor; however, the division shall not establish any drive-in 9212  
state liquor stores; and by means of those types of stores, and 9213  
any manufacturing plants, distributing and bottling plants, 9214  
warehouses, and other facilities that it considers expedient, 9215  
establish and maintain a state monopoly of the distribution of 9216  
spirituous liquor and its sale in packages or containers; and 9217  
for that purpose, manufacture, buy, import, possess, and sell 9218  
spirituous liquors as provided in this chapter and Chapter 4303. 9219  
of the Revised Code, and in the rules promulgated by the 9220  
superintendent of liquor control pursuant to those chapters; 9221  
lease or in any manner acquire the use of any land or building 9222  
required for any of those purposes; purchase any equipment that 9223  
is required; and borrow money to carry on its business, and 9224  
issue, sign, endorse, and accept notes, checks, and bills of 9225  
exchange; but all obligations of the division created under 9226  
authority of this division shall be a charge only upon the 9227  
moneys received by the division from the sale of spirituous 9228  
liquor and its other business transactions in connection with 9229  
the sale of spirituous liquor, and shall not be general 9230  
obligations of the state; 9231

(4) Enforce the administrative provisions of this chapter 9232  
and Chapter 4303. of the Revised Code, and the rules and orders 9233  
of the liquor control commission and the superintendent relating 9234  
to the manufacture, importation, transportation, distribution, 9235  
and sale of beer or intoxicating liquor. The attorney general, 9236  
any prosecuting attorney, and any prosecuting officer of a 9237  
municipal corporation or a municipal court shall, at the request 9238

of the division of liquor control or the department of public 9239  
safety, prosecute any person charged with the violation of any 9240  
provision in those chapters or of any section of the Revised 9241  
Code relating to the manufacture, importation, transportation, 9242  
distribution, and sale of beer or intoxicating liquor. 9243

(5) Determine the locations of all state liquor stores and 9244  
manufacturing, distributing, and bottling plants required in 9245  
connection with those stores, subject to this chapter and 9246  
Chapter 4303. of the Revised Code; 9247

(6) Conduct inspections of liquor permit premises to 9248  
determine compliance with the administrative provisions of this 9249  
chapter and Chapter 4303. of the Revised Code and the rules 9250  
adopted under those provisions by the liquor control commission. 9251

Except as otherwise provided in division (A) (6) of this 9252  
section, those inspections may be conducted only during those 9253  
hours in which the permit holder is open for business and only 9254  
by authorized agents or employees of the division or by any 9255  
peace officer, as defined in section 2935.01 of the Revised 9256  
Code. Inspections may be conducted at other hours only to 9257  
determine compliance with laws or commission rules that regulate 9258  
the hours of sale of beer or intoxicating liquor and only if the 9259  
investigator has reasonable cause to believe that those laws or 9260  
rules are being violated. Any inspection conducted pursuant to 9261  
division (A) (6) of this section is subject to all of the 9262  
following requirements: 9263

(a) The only property that may be confiscated is 9264  
contraband, as defined in section 2901.01 of the Revised Code, 9265  
or property that is otherwise necessary for evidentiary 9266  
purposes. 9267

(b) A complete inventory of all property confiscated from 9268  
the premises shall be given to the permit holder or the permit 9269  
holder's agent or employee by the confiscating agent or officer 9270  
at the conclusion of the inspection. At that time, the inventory 9271  
shall be signed by the confiscating agent or officer, and the 9272  
agent or officer shall give the permit holder or the permit 9273  
holder's agent or employee the opportunity to sign the 9274  
inventory. 9275

(c) Inspections conducted pursuant to division (A) (6) of 9276  
this section shall be conducted in a reasonable manner. A 9277  
finding by any court of competent jurisdiction that an 9278  
inspection was not conducted in a reasonable manner in 9279  
accordance with this section or any rules adopted by the 9280  
commission may be considered grounds for suppression of 9281  
evidence. A finding by the commission that an inspection was not 9282  
conducted in a reasonable manner in accordance with this section 9283  
or any rules adopted by it may be considered grounds for 9284  
dismissal of the commission case. 9285

If any court of competent jurisdiction finds that property 9286  
confiscated as the result of an administrative inspection is not 9287  
necessary for evidentiary purposes and is not contraband, as 9288  
defined in section 2901.01 of the Revised Code, the court shall 9289  
order the immediate return of the confiscated property, provided 9290  
that property is not otherwise subject to forfeiture, to the 9291  
permit holder. However, the return of this property is not 9292  
grounds for dismissal of the case. The commission likewise may 9293  
order the return of confiscated property if no criminal 9294  
prosecution is pending or anticipated. 9295

(7) Delegate to any of its agents or employees any power 9296  
of investigation that the division possesses with respect to the 9297

enforcement of any of the administrative laws relating to beer 9298  
or intoxicating liquor, provided that this division does not 9299  
authorize the division to designate any agent or employee to 9300  
serve as an enforcement agent. The employment and designation of 9301  
enforcement agents shall be within the exclusive authority of 9302  
the director of public safety pursuant to sections 5502.13 to 9303  
5502.19 of the Revised Code. 9304

(8) Collect the following fees: 9305

(a) A biennial fifty-dollar registration fee for each 9306  
agent, solicitor, trade marketing professional, or salesperson, 9307  
registered pursuant to section 4303.25 of the Revised Code, of a 9308  
beer or intoxicating liquor manufacturer, supplier, broker, 9309  
trade marketing company, or wholesale distributor doing business 9310  
in this state; 9311

(b) A fifty-dollar product registration fee for each new 9312  
beer or intoxicating liquor product sold in this state. The 9313  
product registration fee also applies to products sold in this 9314  
state by B-2a, S-1, and S-2 permit holders. The product 9315  
registration fee shall be accompanied by a copy of the federal 9316  
label and product approval for the new product. 9317

(c) An annual three-hundred-dollar supplier registration 9318  
fee from each manufacturer or supplier that produces and ships 9319  
into this state, or ships into this state, intoxicating liquor 9320  
or beer, in addition to an initial application fee of one 9321  
hundred dollars. A manufacturer that produces and ships beer or 9322  
wine into this state and that holds only an S-1 or S-2 permit, 9323  
as applicable, is exempt from the supplier registration fee. A 9324  
manufacturer that produces and ships beer or wine into this 9325  
state and that holds a B-2a permit shall pay an annual seventy- 9326  
six-dollar supplier registration fee. A manufacturer that 9327

produces and ships wine into this state and that does not hold 9328  
either an S-1 or a B-2a permit, but that produces less than two 9329  
hundred fifty thousand gallons of wine per year shall pay an 9330  
annual seventy-six-dollar supplier registration fee. A B-2a, S- 9331  
1, or S-2 permit holder that does not sell its wine to wholesale 9332  
distributors of wine in this state and an S-1 permit holder that 9333  
does not sell its beer to wholesale distributors of beer in this 9334  
state shall not be required to submit to the division territory 9335  
designation forms. 9336

Each supplier, agent, solicitor, trade marketing 9337  
professional, or salesperson registration issued under this 9338  
division shall authorize the person named to carry on the 9339  
activity specified in the registration. ~~Each~~The division shall 9340  
register a supplier, agent, solicitor, trade marketing 9341  
professional, or salesperson in accordance with Chapter 4796. of 9342  
the Revised Code if either of the following applies: 9343

(i) The supplier, agent, solicitor, trade marketing 9344  
professional, or salesperson is licensed or registered in 9345  
another state. 9346

(ii) The supplier, agent, solicitor, trade marketing 9347  
professional, or salesperson has satisfactory work experience, a 9348  
government certification, or a private certification as 9349  
described in that chapter as a supplier, agent, solicitor, trade 9350  
marketing professional, or salesperson in a state that does not 9351  
issue that license or registration. 9352

Each agent, solicitor, trade marketing professional, or 9353  
salesperson registration is valid for two years or for the 9354  
unexpired portion of a two-year registration period. Each 9355  
supplier registration is valid for one year or for the unexpired 9356  
portion of a one-year registration period. Registrations shall 9357



end on their respective uniform expiration date, which shall be 9358  
designated by the division, and are subject to suspension, 9359  
revocation, cancellation, or fine as authorized by this chapter 9360  
and Chapter 4303. of the Revised Code. 9361

As used in this division, "trade marketing company" and 9362  
"trade marketing professional" have the same meanings as in 9363  
section 4301.171 of the Revised Code. 9364

(9) Establish a system of electronic data interchange 9365  
within the division and regulate the electronic transfer of 9366  
information and funds among persons and governmental entities 9367  
engaged in the manufacture, distribution, and retail sale of 9368  
alcoholic beverages; 9369

(10) Notify all holders of retail permits of the forms of 9370  
permissible identification for purposes of division (A) of 9371  
section 4301.639 of the Revised Code; 9372

(11) Exercise all other powers expressly or by necessary 9373  
implication conferred upon the division by this chapter and 9374  
Chapter 4303. of the Revised Code, and all powers necessary for 9375  
the exercise or discharge of any power, duty, or function 9376  
expressly conferred or imposed upon the division by those 9377  
chapters. 9378

(B) The division may do all of the following: 9379

(1) Sue, but may be sued only in connection with the 9380  
execution of leases of real estate and the purchases and 9381  
contracts necessary for the operation of the state liquor stores 9382  
that are made under this chapter and Chapter 4303. of the 9383  
Revised Code; 9384

(2) Enter into leases and contracts of all descriptions 9385  
and acquire and transfer title to personal property with regard 9386

to the sale, distribution, and storage of spirituous liquor 9387  
within the state; 9388

(3) Terminate at will any lease entered into pursuant to 9389  
division (B) (2) of this section upon first giving ninety days' 9390  
notice in writing to the lessor of its intention to do so; 9391

(4) Fix the wholesale and retail prices at which the 9392  
various classes, varieties, and brands of spirituous liquor 9393  
shall be sold by the division. Those retail prices shall be the 9394  
same at all state liquor stores, except to the extent that a 9395  
price differential is required to collect a county sales tax 9396  
levied pursuant to section 5739.021 of the Revised Code and for 9397  
which tax the tax commissioner has authorized prepayment 9398  
pursuant to section 5739.05 of the Revised Code. In fixing 9399  
selling prices, the division shall compute an anticipated gross 9400  
profit at least sufficient to provide in each calendar year all 9401  
costs and expenses of the division and also an adequate working 9402  
capital reserve for the division. The gross profit shall not 9403  
exceed forty per cent of the retail selling price based on costs 9404  
of the division, and in addition the sum required by section 9405  
4301.12 of the Revised Code to be paid into the state treasury. 9406  
An amount equal to one and one-half per cent of that gross 9407  
profit shall be paid into the statewide treatment and prevention 9408  
fund created by section 4301.30 of the Revised Code and be 9409  
appropriated by the general assembly from the fund to the 9410  
department of mental health and addiction services as provided 9411  
in section 4301.30 of the Revised Code. 9412

On spirituous liquor manufactured in this state from the 9413  
juice of grapes or fruits grown in this state, the division 9414  
shall compute an anticipated gross profit of not to exceed ten 9415  
per cent. 9416

The wholesale prices fixed under this division shall be at 9417  
a discount of not less than six per cent of the retail selling 9418  
prices as determined by the division in accordance with this 9419  
section. 9420

(C) The division may approve the expansion or diminution 9421  
of a premises to which a liquor permit has been issued and may 9422  
adopt standards governing such an expansion or diminution. 9423

**Sec. 4508.03.** (A) No person shall establish a driver 9424  
training school or continue the operation of an existing school 9425  
unless the person applies for and obtains from the director of 9426  
public safety a license in the manner and form prescribed by the 9427  
director. 9428

The director shall adopt rules that establish the 9429  
requirements for a school license, including requirements 9430  
concerning location, equipment, courses of instruction, 9431  
instructors, previous records of the school and instructors, 9432  
financial statements, schedule of fees and charges, insurance in 9433  
the sum and with those provisions as the director considers 9434  
necessary to protect adequately the interests of the public, and 9435  
any other matters as the director may prescribe for the 9436  
protection of the public. The rules also shall require financial 9437  
responsibility information as part of the driver education 9438  
curriculum. 9439

(B) Any school that offers a driver training program for 9440  
disabled persons shall provide specially trained instructors for 9441  
the driver training of such persons. No school shall operate a 9442  
driver training program for disabled persons after June 30, 9443  
1978, unless it has been licensed for such operation by the 9444  
director. No person shall act as a specially trained instructor 9445  
in a driver training program for disabled persons operated by a 9446

school after June 30, 1978, unless that person has been licensed 9447  
by the director. 9448

(C) The director shall certify instructors to teach driver 9449  
training to disabled persons in accordance with training program 9450  
requirements established by the department of public safety. 9451

The director shall issue a certificate to teach driver 9452  
training to disabled persons in accordance with Chapter 4796. of 9453  
the Revised Code to a person if either of the following applies: 9454

(1) The person holds a license or certificate in another 9455  
state. 9456

(2) The person has satisfactory work experience, a 9457  
government certification, or a private certification as 9458  
described in that chapter teaching driver training to disabled 9459  
persons in a state that does not issue that license or 9460  
certificate. 9461

(D) No person shall operate a driver training school 9462  
unless the person has a valid license issued by the director 9463  
under this section. 9464

(E) Whoever violates division (D) of this section is 9465  
guilty of operating a driver training school without a valid 9466  
license, a misdemeanor of the second degree. On a second or 9467  
subsequent offense within two years after the first offense, the 9468  
person is guilty of a misdemeanor of the first degree. 9469

**Sec. 4508.04.** (A) No person shall act as a driver training 9470  
instructor, and no person shall act as a driver training 9471  
instructor for disabled persons, unless such person applies for 9472  
and obtains from the director of public safety a license in the 9473  
manner and form prescribed by the director. The director shall 9474  
provide by rule for instructors' license requirements including 9475

physical condition, knowledge of the courses of instruction, 9476  
motor vehicle laws and safety principles, previous personal and 9477  
employment records, and such other matters as the director may 9478  
prescribe for the protection of the public. Driver training 9479  
instructors for disabled persons shall meet such additional 9480  
requirements and receive such additional classroom and practical 9481  
instruction as the director shall prescribe by rule. 9482

(B) The director may issue a license under this section to 9483  
a person convicted of a disqualifying offense as determined in 9484  
accordance with section 9.79 of the Revised Code. 9485

(C) No person shall knowingly make a false statement on a 9486  
license application submitted under this section. 9487

(D) Upon successful completion of all requirements for an 9488  
initial instructor license, the director shall issue an 9489  
applicant a probationary license, which expires one hundred 9490  
eighty days from the date of issuance. In order to receive a 9491  
driver training instructor license, a person issued a 9492  
probationary license shall pass an assessment prescribed in 9493  
rules adopted by the director pursuant to section 4508.02 of the 9494  
Revised Code. The person shall pass the assessment prior to 9495  
expiration of the probationary license. If the person fails to 9496  
pass the assessment, or fails to meet any standards required for 9497  
a driver training instructor license, the director may extend 9498  
the expiration date of the person's probationary license. Upon 9499  
successful completion of the assessment and approval of the 9500  
director, the director shall issue to the person a driver 9501  
training instructor license. 9502

(E) ~~(1)~~ Notwithstanding the requirements for a license 9503  
issued under this section, the board shall issue a license in 9504  
accordance with Chapter 4796. of the Revised Code to a person if 9505

either of the following applies: 9506

(1) The person holds a license in another state. 9507

(2) The person has satisfactory work experience, a 9508  
government certification, or a private certification as 9509  
described in that chapter as a driver training instructor in a 9510  
state that does not issue that license. 9511

(F)(1) Whoever violates division (A) of this section is 9512  
guilty of acting as a driver training instructor without a valid 9513  
license, a misdemeanor of the first degree. 9514

(2) Whoever violates division (C) of this section may be 9515  
charged with falsification under section 2921.13 of the Revised 9516  
Code. 9517

**Sec. 4508.08.** There is hereby created in the department of 9518  
public safety the motorcycle safety and education program. The 9519  
director of public safety shall administer the program in 9520  
accordance with the following guidelines: 9521

(A) (1) The program shall include courses of instruction 9522  
conducted at vocational schools, community colleges, or other 9523  
suitable locations, by instructors who have obtained 9524  
certification in the manner and form prescribed by the director. 9525  
The courses shall meet standards established in rules adopted by 9526  
the department in accordance with Chapter 119. of the Revised 9527  
Code. The courses may include instruction for novice motorcycle 9528  
operators, instruction in motorist awareness and alcohol and 9529  
drug awareness, and any other kind of instruction the director 9530  
considers appropriate. A reasonable tuition fee, as determined 9531  
by the director, may be charged. The director may authorize 9532  
private organizations or corporations to offer courses without 9533  
tuition fee restrictions, but such entities are not eligible for 9534

reimbursement of expenses or subsidies from the motorcycle 9535  
safety and education fund created in section 4501.13 of the 9536  
Revised Code. 9537

(2) The director shall do both of the following: 9538

(a) Authorize private organizations or corporations to 9539  
offer any nationally recognized motorcycle operator training 9540  
courses or curriculum and any course established in accordance 9541  
with division (A) (1) of this section; 9542

(b) Permit an applicant for a motorcycle operator's 9543  
endorsement or a restricted license that permits only the 9544  
operation of a motorcycle who has completed any motorcycle 9545  
operator training course or curriculum as authorized in division 9546  
(A) (2) (a) of this section successfully within the preceding 9547  
sixty days to be eligible for the examination waiver as 9548  
described in division (B) (1) of section 4507.11 of the Revised 9549  
Code. 9550

(B) In addition to courses of instruction, the program may 9551  
include provisions for equipment purchases, marketing and 9552  
promotion, improving motorcycle license testing procedures, and 9553  
any other provisions the director considers appropriate. 9554

(C) The director shall evaluate the program every two 9555  
years and shall periodically inspect the facilities, equipment, 9556  
and procedures used in the courses of instruction. 9557

(D) The director shall appoint at least one training 9558  
specialist who shall oversee the operation of the program, 9559  
establish courses of instruction, and supervise instructors. The 9560  
training specialist shall be a licensed motorcycle operator and 9561  
shall obtain certification in the manner and form prescribed by 9562  
the director. 9563

(E) The director may contract with other public agencies 9564  
or with private organizations or corporations to assist in 9565  
administering the program. 9566

(F) Notwithstanding any provision of Chapter 102. of the 9567  
Revised Code, the director, in order to administer the program, 9568  
may participate in a motorcycle manufacturer's motorcycle loan 9569  
program. 9570

(G) The director shall contract with an insurance company 9571  
or companies authorized to do business in this state to purchase 9572  
a policy or policies of insurance with respect to the 9573  
establishment or administration, or any other aspect of the 9574  
operation of the program. 9575

(H) Notwithstanding the requirements for a motorcycle 9576  
instructor certificate issued under this section, the director 9577  
shall issue a certificate in accordance with Chapter 4796. of 9578  
the Revised Code to a person if either of the following applies: 9579

(1) The person holds a license or certificate in another 9580  
state. 9581

(2) The person has satisfactory work experience, a 9582  
government certification, or a private certification as 9583  
described in that chapter as a motorcycle instructor in a state 9584  
that does not issue that license or certificate. 9585

**Sec. 4511.763.** (A) No person, partnership, association, or 9586  
corporation shall transport pupils to or from school on a school 9587  
bus or enter into a contract with a board of education of any 9588  
school district for the transportation of pupils on a school 9589  
bus, without being licensed by the department of public safety. 9590

Notwithstanding the requirements for a license issued 9591  
under this division, the director shall issue a license in 9592



accordance with Chapter 4796. of the Revised Code to a person if 9593  
either of the following applies: 9594

(1) The person holds a license or certificate in another 9595  
state. 9596

(2) The person has satisfactory work experience, a 9597  
government certification, or a private certification as 9598  
described in that chapter transporting pupils on a school bus in 9599  
a state that does not issue that license or certificate. 9600

(B) Except as otherwise provided in this division, whoever 9601  
violates this section is guilty of a minor misdemeanor. If, 9602  
within one year of the offense, the offender previously has been 9603  
convicted of or pleaded guilty to one predicate motor vehicle or 9604  
traffic offense, whoever violates this section is guilty of a 9605  
misdemeanor of the fourth degree. If, within one year of the 9606  
offense, the offender previously has been convicted of two or 9607  
more predicate motor vehicle or traffic offenses, whoever 9608  
violates this section is guilty of a misdemeanor of the third 9609  
degree. 9610

**Sec. 4701.06.** (A) The accountancy board shall grant the 9611  
certificate of "certified public accountant" to any person who 9612  
satisfies the following requirements: 9613

(1) The person is a resident of this state or has a place 9614  
of business in this state or, as an employee, is regularly 9615  
employed in this state. The board may determine by rule 9616  
circumstances under which the residency requirement may be 9617  
waived. 9618

(2) The person has attained the age of eighteen years. 9619

(3) The person meets the following requirements of 9620  
education and experience: 9621

(a) Graduation with a baccalaureate or higher degree that 9622  
includes successful completion of one hundred fifty semester 9623  
hours of undergraduate or graduate education. The board by rule 9624  
shall specify graduate degrees that satisfy this requirement and 9625  
also by rule shall require any subjects that it considers 9626  
appropriate. The total educational program shall include an 9627  
accounting concentration with related courses in other areas of 9628  
business administration, as defined by board rule. 9629

(b) Acquisition of one year of experience satisfactory to 9630  
the board in any of the following: 9631

(i) A public accounting firm; 9632

(ii) Government; 9633

(iii) Business; 9634

(iv) Academia. 9635

(4) The person has passed an examination that is 9636  
administered in the manner and that covers the subjects that the 9637  
board prescribes by rule. In adopting the relevant rules, the 9638  
board shall ensure to the extent possible that the examination, 9639  
the examination process, and the examination's passing standard 9640  
are uniform with the examinations, examination processes, and 9641  
examination passing standards of all other states and may 9642  
provide for the use of all or parts of the uniform certified 9643  
public accountant examination and advisory grading service of 9644  
the American institute of certified public accountants. The 9645  
board may contract with third parties to perform administrative 9646  
services that relate to the examination and that the board 9647  
determines are appropriate in order to assist the board in 9648  
performing its duties in relation to the examination. 9649

(B) (1) The experience requirement for a candidate who does 9650

not meet the educational requirements under division (A) (3) (a) 9651  
of this section because the board has waived them under division 9652  
(B) (2) of this section is four years of the experience described 9653  
in division (A) (3) (b) of this section. 9654

(2) The board shall waive the educational requirement set 9655  
forth in division (A) (3) (a) of this section for any candidate if 9656  
the board finds that the candidate has obtained from an 9657  
accredited college or university approved by the board, either 9658  
an associate degree or a baccalaureate degree, other than a 9659  
baccalaureate degree described in division (A) (3) (a) of this 9660  
section, with a concentration in accounting that includes 9661  
related courses in other areas of business administration, and 9662  
if the board is satisfied from the results of special 9663  
examinations that the board gives the candidate to test the 9664  
candidate's educational qualification that the candidate is as 9665  
well equipped, educationally, as if the candidate met the 9666  
applicable educational requirement specified in division (A) (3) 9667  
(a) of this section. 9668

The board shall provide by rule for the general scope of 9669  
any special examinations for a waiver of the educational 9670  
requirements under division (A) (3) (a) of this section and may 9671  
obtain any advice and assistance that it considers appropriate 9672  
to assist it in preparing and grading those special 9673  
examinations. The board may use any existing examinations or may 9674  
prepare any number of new examinations to assist in determining 9675  
the equivalent training of a candidate. The board by rule shall 9676  
prescribe any special examinations for a waiver of the 9677  
educational requirements under division (A) (3) (a) of this 9678  
section and the passing score required for each examination. 9679

(C) A candidate who has graduated with a baccalaureate 9680

degree or its equivalent or a higher degree that includes 9681  
successful completion of at least one hundred twenty semester 9682  
hours of undergraduate or graduate education is eligible to take 9683  
the examination referred to in division (A) (4) of this section 9684  
without waiting until the candidate meets the education or 9685  
experience requirements, provided the candidate also meets the 9686  
requirement of division (A) (1) of this section. The board by 9687  
rule shall specify degrees that make a candidate eligible under 9688  
this division and by rule shall require any subjects that it 9689  
considers appropriate. 9690

(D) A candidate for the certificate of certified public 9691  
accountant who has successfully completed the examination under 9692  
division (A) (4) of this section has no status as a certified 9693  
public accountant, unless and until the candidate has the 9694  
requisite education and experience and has received a 9695  
certificate as a certified public accountant. The board shall 9696  
determine and charge a fee for issuing the certificate that is 9697  
adequate to cover the expense. 9698

(E) The board by rule may prescribe the terms and 9699  
conditions under which a candidate who passes part but not all 9700  
of the examination may retake the examination. It also may 9701  
provide by rule for a reasonable waiting period for a 9702  
candidate's reexamination. 9703

The applicable educational and experience requirements 9704  
under divisions (A) (3), (B), and (C) of this section shall be 9705  
those in effect on the date on which the candidate first sits 9706  
for the examination. 9707

(F) The board shall charge a candidate a reasonable fee, 9708  
to be determined by the board, that is adequate to cover all 9709  
rentals, compensation for proctors, and other administrative 9710

expenses of the board related to examination or reexamination, 9711  
including the expenses of procuring and grading the examination 9712  
provided for in division (A) (4) of this section and for any 9713  
special examinations for a waiver of the educational 9714  
requirements under division (A) (3) (a) of this section. Fees for 9715  
reexamination under division (E) of this section shall be 9716  
charged by the board in amounts determined by it. The applicable 9717  
fees shall be paid by the candidate at the time the candidate 9718  
applies for examination or reexamination. 9719

(G) Any person who has received from the board a 9720  
certificate as a certified public accountant and who holds an 9721  
Ohio permit shall be styled and known as a "certified public 9722  
accountant" and also may use the abbreviation "CPA." The board 9723  
shall maintain a list of certified public accountants. Any 9724  
certified public accountant also may be known as a "public 9725  
accountant." 9726

(H) Persons who, on the effective date of an amendment of 9727  
this section, held certified public accountant certificates 9728  
previously issued under the laws of this state shall not be 9729  
required to obtain additional certificates under this section 9730  
but shall otherwise be subject to all provisions of this 9731  
section, and those previously issued certificates, for all 9732  
purposes, shall be considered certificates issued under this 9733  
section and subject to its provisions. 9734

(I) The board may waive the examination under division (A) 9735  
(4) of this section and, upon payment of a fee determined by it, 9736  
may issue a certificate as a "certified public accountant" to 9737  
any person who possesses the qualifications specified in 9738  
divisions (A) (1) and (2) of this section and what the board 9739  
determines to be substantially the equivalent of the applicable 9740

qualifications under division (A) (3) of this section and who ~~is~~ 9741  
~~the holder of a certificate as a certified public accountant,~~ 9742  
~~then in full force and effect, issued under the laws of any~~ 9743  
~~state, or~~ is the holder of a certificate, license, or degree in 9744  
a foreign country that constitutes a recognized qualification 9745  
for the practice of public accounting in that country, that is 9746  
comparable to that of a certified public accountant of this 9747  
state, and that is then in full force and effect. 9748

(J) The board shall issue a certificate as a "certified 9749  
public accountant" in accordance with Chapter 4796. of the 9750  
Revised Code to a person if either of the following applies: 9751

(1) The person holds a certificate as a certified public 9752  
accountant in another state. 9753

(2) The person has satisfactory work experience, a 9754  
government certification, or a private certification as 9755  
described in that chapter as a certified public accountant in a 9756  
state that does not issue that certificate. 9757

**Sec. 4701.07.** The accountancy board shall register as a 9758  
public accountant any person who meets all the following 9759  
requirements: 9760

(A) The person is a resident of this state or has a place 9761  
of business in this state. 9762

(B) The person has attained the age of eighteen years. 9763

(C) The person holds a baccalaureate or higher degree 9764  
conferred by a college or university recognized by the board, 9765  
with a concentration in accounting, or with what the board 9766  
determines to be substantially the equivalent of the foregoing; 9767  
or with a nonaccounting concentration supplemented by what the 9768  
board determines to be substantially the equivalent of an 9769

accounting concentration, including related courses in other 9770  
areas of business administration. 9771

The board may waive the educational requirement for any 9772  
candidate if it finds that the candidate has attained the 9773  
equivalent education by attendance at a business school or two- 9774  
year college, by self-study, or otherwise, and if it is 9775  
satisfied from the result of a special written examination that 9776  
the board gives the candidate to test the candidate's 9777  
educational qualifications that the candidate is as well 9778  
equipped, educationally, as if the candidate met the applicable 9779  
educational requirement specified in this division. The board 9780  
may provide by rule for the general scope of these examinations 9781  
and may obtain any advice and assistance that it considers 9782  
appropriate to assist it in preparing and grading the special 9783  
examinations. The board may use any existing examinations or may 9784  
prepare any number of new examinations to assist it in 9785  
determining the equivalent training of a candidate. The board by 9786  
rule may prescribe the special examinations and the passing 9787  
score required for each examination. 9788

(D) The person has completed two years of public 9789  
accounting experience, satisfactory to the board, in any state 9790  
in practice as a public accountant or in any state in employment 9791  
as a staff accountant by anyone practicing public accounting, or 9792  
other experience in private or governmental accounting that, in 9793  
the opinion of the board, will be the equivalent of that public 9794  
accounting practice, or any combination of those types of 9795  
experience, except that the experience requirement is only one 9796  
year of the experience described in this division for any 9797  
candidate holding a master's degree in accounting or business 9798  
administration from a college or university recognized by the 9799  
board, if the candidate has satisfactorily completed the number 9800

of credit hours in accounting, business administration, 9801  
economics, and any related subjects that the board determines to 9802  
be appropriate and if either of the following applies: 9803

(1) The person has passed the uniform national society of 9804  
public accountants examination or a comparable examination 9805  
approved by the public accountant members of the accountancy 9806  
board. 9807

(2) The person has passed the accounting practice and 9808  
auditing sections of the uniform CPA examination. 9809

The examination described in division (D) (1) of this 9810  
section shall be held by the board and shall take place as often 9811  
as the board determines but shall not be held less frequently 9812  
than once each year. The board shall charge a candidate an 9813  
application fee, to be determined by the board, that is adequate 9814  
to cover all rentals, compensation for proctors, and other 9815  
expenses of the board related to examination or reexamination 9816  
except the expenses of procuring and grading the examination. In 9817  
addition, the board shall charge the candidate an examination 9818  
fee to be determined by the board, that is adequate to cover the 9819  
expense of procuring and grading the examination. Fees for 9820  
reexamination under division (D) of this section also shall be 9821  
charged by the board in amounts determined by it to be adequate 9822  
to cover the expenses of procuring and grading the examinations. 9823  
The applicable fees shall be paid by the candidate at the time 9824  
the candidate applies for examination or reexamination. 9825

(E) The person applied, on or before April 16, 1993, for 9826  
registration as a public accountant. 9827

The board shall determine and charge a fee for 9828  
registration under this section that is adequate to cover the 9829



expense. 9830

The board in each case shall determine whether the 9831  
applicant is eligible for registration. Any individual who is so 9832  
registered and who holds an Ohio permit shall be styled and 9833  
known as a "public accountant" and may use the abbreviation 9834  
"PA." 9835

A person who, on the effective date of an amendment of 9836  
this section, holds a valid registration as a public accountant 9837  
issued under the laws of this state shall not be required to 9838  
obtain additional registration under this section but shall 9839  
otherwise be subject to all provisions of this section. That 9840  
registration, for all purposes, shall be considered a 9841  
registration issued under this section and subject to its 9842  
provisions. 9843

Chapter 4796. of the Revised Code does not apply to public 9844  
accountant registrations issued under this section. 9845

**Sec. 4701.10.** (A) The accountancy board, upon application, 9846  
shall issue Ohio permits to practice public accounting to 9847  
holders of the CPA certificate or the PA registration. Subject 9848  
to division (H)(1) of this section, there shall be a triennial 9849  
Ohio permit fee in an amount to be determined by the board not 9850  
to exceed one hundred fifty dollars. All Ohio permits shall 9851  
expire on the last day of December of the year assigned by the 9852  
board and, subject to division (H)(1) of this section, shall be 9853  
renewed triennially for a period of three years by certificate 9854  
holders and registrants in good standing upon payment of a 9855  
triennial renewal fee not to exceed one hundred fifty dollars. 9856

(B) The accountancy board may issue Ohio registrations to 9857  
holders of the CPA certificate and the PA registration who are 9858

not engaged in the practice of public accounting. Such persons 9859  
shall not convey to the general public that they are actively 9860  
engaged in the practice of public accounting in this state. 9861  
Subject to division (H) (1) of this section, there shall be a 9862  
triennial Ohio registration fee in an amount to be determined by 9863  
the board but not exceeding fifty-five dollars. All Ohio 9864  
registrations shall expire on the last day of December of the 9865  
year assigned by the board and, subject to division (H) (1) of 9866  
this section, shall be renewed triennially for a period of three 9867  
years upon payment by certificate holders and registrants in 9868  
good standing of a renewal fee not to exceed fifty-five dollars. 9869

(C) Any person who receives a CPA certificate and who 9870  
applies for an initial Ohio permit or Ohio registration more 9871  
than sixty days after issuance of the CPA certificate may, at 9872  
the board's discretion, be subject to a late filing fee not 9873  
exceeding one hundred dollars. 9874

(D) Any person to whom the board has issued an Ohio permit 9875  
who is engaged in the practice of public accounting and who 9876  
fails to renew the permit by the expiration date shall be 9877  
subject to a late filing fee not exceeding one hundred dollars 9878  
for each full month or part of a month after the expiration date 9879  
in which such person did not possess a permit, up to a maximum 9880  
of one thousand two hundred dollars. The board may waive or 9881  
reduce the late filing fee for just cause upon receipt of a 9882  
written request from such person. 9883

(E) Any person to whom the board has issued an Ohio permit 9884  
or Ohio registration who is not engaged in the practice of 9885  
public accounting and who fails to renew the permit or 9886  
registration by the expiration date shall be subject to a late 9887  
filing fee not exceeding fifty dollars for each full month or 9888

part of a month after the expiration date in which such person 9889  
did not possess a permit or registration, up to a maximum of 9890  
three hundred dollars. The board may waive or reduce the late 9891  
filing fee for just cause upon receipt of a written request from 9892  
such person. 9893

(F) Failure of a CPA certificate holder or PA registration 9894  
holder to apply for either an Ohio permit or an Ohio 9895  
registration within one year from the expiration date of the 9896  
Ohio permit or Ohio registration last obtained or renewed, or 9897  
one year from the date upon which the CPA certificate holder was 9898  
granted a CPA certificate, shall result in suspension of the CPA 9899  
certificate or PA registration until all fees required under 9900  
divisions (D) and (E) of this section have been paid, unless the 9901  
board determines the failure to have been due to excusable 9902  
neglect. In that case, the fee for the issuance or renewal of 9903  
the Ohio permit or Ohio registration, as the case may be, shall 9904  
be the amount that the board shall determine, but not in excess 9905  
of fifty dollars plus the fee for each triennial period or part 9906  
of a period the certificate holder or registrant did not have 9907  
either an Ohio permit or an Ohio registration. 9908

(G) The board by rule may exempt persons from the 9909  
requirement of holding an Ohio permit or Ohio registration for 9910  
specified reasons, including, but not limited to, retirement, 9911  
health reasons, military service, foreign residency, or other 9912  
just cause. 9913

(H) (1) The board by rule: 9914

(a) May provide for the issuance of Ohio permits and Ohio 9915  
registrations for less than three years' duration at prorated 9916  
fees; 9917

(b) Shall add a surcharge to the Ohio permit and Ohio 9918  
registration fee imposed pursuant to this section of at least 9919  
fifteen dollars but no more than thirty dollars for a three-year 9920  
Ohio permit or Ohio registration, at least ten dollars but no 9921  
more than twenty dollars for a two-year Ohio permit or Ohio 9922  
registration, and at least five dollars but no more than ten 9923  
dollars for a one-year Ohio permit or Ohio registration. 9924

(2) Each quarter, the board, for the purpose provided in 9925  
section 4743.05 of the Revised Code, shall certify to the 9926  
director of budget and management the number of Ohio permits and 9927  
Ohio registrations issued or renewed under this chapter during 9928  
the preceding quarter and the amount equal to that number times 9929  
the amount of the surcharge added to each Ohio permit and Ohio 9930  
registration fee by the board under division (H) (1) of this 9931  
section. 9932

(I) Chapter 4796. of the Revised Code does not apply to 9933  
Ohio permits or Ohio registrations issued under this section. 9934

**Sec. 4703.08.** The architects board shall adopt rules to 9935  
certify and register an applicant for a certificate of 9936  
qualification to practice architecture who is licensed or 9937  
registered as an architect in another ~~state or jurisdiction~~ 9938  
country, holds a current certificate in good standing issued by 9939  
the national council of architectural registration boards, and 9940  
wishes to be registered in this state. 9941

**Sec. 4703.10.** If the applicant passes the examination 9942  
under section 4703.09 of the Revised Code or in lieu of the 9943  
examination is, in the opinion of the architects board, eligible 9944  
to register as an architect pursuant to rules adopted under 9945  
section 4703.08 of the Revised Code, the applicant is eligible 9946  
to receive from the board a certificate of qualification to 9947

practice architecture. The certificate shall be signed by the 9948  
president and secretary of the board and shall bear the name of 9949  
the successful applicant, the serial number of the certificate, 9950  
the seal of the board, and the words, "admitted to practice 9951  
architecture in the state of Ohio, the \_\_\_\_ day of \_\_\_\_\_, 9952  
\_\_\_\_\_" 9953

If the applicant fails the examination under section 9954  
4703.09 of the Revised Code, the board may refuse to issue a 9955  
certificate of qualification to practice architecture. 9956

The board shall certify and register an applicant in 9957  
accordance with Chapter 4796. of the Revised Code for a 9958  
certificate of qualification to practice architecture if either 9959  
of the following applies: 9960

(A) The applicant holds a certification, registration, or 9961  
license to practice architecture in another state. 9962

(B) The applicant has satisfactory work experience, a 9963  
government certification, or a private certification as 9964  
described in that chapter as an architect in a state that does 9965  
not issue that certificate, registration, or license. 9966

**Sec. 4703.33.** (A) The Ohio landscape architects board, in 9967  
accordance with Chapter 119. of the Revised Code, may adopt, 9968  
amend, and enforce rules governing the standards for education, 9969  
experience, services, conduct, and practice to be followed in 9970  
the practice of the profession of landscape architecture and 9971  
rules pertaining to the satisfactory completion of continuing 9972  
education requirements. If the board adopts rules pertaining to 9973  
continuing education requirements, the board shall, in general, 9974  
follow model continuing education recommendations established by 9975  
the council of landscape architectural registration boards or a 9976

similar successor organization. 9977

(B) The board, or the board's designee, shall hold 9978  
examinations not less than once annually and shall register as a 9979  
landscape architect each applicant who demonstrates to the 9980  
satisfaction of the board that the applicant has met all the 9981  
requirements of section 4703.34 of the Revised Code. 9982

(C) The board shall issue to each individual registered 9983  
pursuant to this section a certificate of qualification. 9984

Chapter 4796. of the Revised Code does not apply to a 9985  
certificate of qualification issued under this division. 9986

(D) The board shall appoint at least one of its members as 9987  
a delegate to each regional and annual meeting of the council of 9988  
landscape architectural registration boards. 9989

**Sec. 4703.35.** (A) The Ohio landscape architects board 9990  
shall register as a landscape architect any individual who is at 9991  
least eighteen years of age and who provides evidence 9992  
satisfactory to the board that the individual is a registered or 9993  
licensed landscape architect in another ~~state or~~ country in 9994  
which the qualifications, at the time of licensure, were 9995  
substantially equal, in the opinion of the board, to the 9996  
requirements for registration as a landscape architect in this 9997  
state. The board may require that an applicant for registration 9998  
under this ~~section~~ division hold a current council record or 9999  
certificate in good standing issued by the council of landscape 10000  
architectural registration boards. 10001

(B) The board shall register as a landscape architect in 10002  
accordance with Chapter 4796. of the Revised Code an individual 10003  
if either of the following applies: 10004

(1) The individual holds a registration or license as a 10005

<u>landscape architect in another state.</u>	10006
<u>(2) The individual has satisfactory work experience, a</u>	10007
<u>government certification, or a private certification as</u>	10008
<u>described in that chapter as a landscape architect in a state</u>	10009
<u>that does not issue that registration or license.</u>	10010
<b>Sec. 4703.37.</b> (A) The Ohio landscape architects board	10011
shall establish an application fee for obtaining registration	10012
under section 4703.34 of the Revised Code and a fee for	10013
obtaining registration under <u>division (A) of section 4703.35</u> of	10014
the Revised Code.	10015
(B) The fee to restore an expired certificate of	10016
qualification is the renewal fee for the current certification	10017
period, plus the renewal fee for each previous renewal period in	10018
which the certificate was not renewed, plus a penalty of twenty-	10019
five per cent of the total renewal fees for each renewal period	10020
or part thereof in which the certificate was not renewed, on the	10021
condition that the maximum fee shall not exceed an amount	10022
established by the board.	10023
(C) The board also shall establish the following fees:	10024
(1) The fee for a certificate of qualification or	10025
duplicate thereof, as issued to a landscape architect registered	10026
under sections 4703.33 to 4703.38 of the Revised Code.	10027
(2) The fee for the biennial renewal of the certificate of	10028
qualification and the fee for a duplicate renewal card.	10029
(3) The fee to be charged an examinee for administering an	10030
examination to the examinee on behalf of another jurisdiction.	10031
(4) The fee for a certificate of authorization issued	10032
under division (F) of section 4703.331 of the Revised Code, the	10033

fee for annual renewal of a certificate of authorization, and	10034
the fee for a duplicate certificate of authorization.	10035
(5) The fee to cover costs for checks or other instruments	10036
returned to the board by financial institutions due to	10037
insufficient funds.	10038
<b>Sec. 4707.07.</b> (A) The department of agriculture may grant	10039
auctioneer's licenses to those individuals who are determined to	10040
be qualified by the department. Each individual who applies for	10041
an auctioneer's license shall furnish to the department, on	10042
forms provided by the department, satisfactory proof that the	10043
applicant:	10044
(1) Has attained the age of at least eighteen years;	10045
(2) Has <del>done one of the following:</del>	10046
<del>(a) Met <u>met</u> the apprenticeship requirements set forth in</del>	10047
section 4707.09 of the Revised Code;	10048
<del>(b) Met the requirements of section 4707.12 of the Revised</del>	10049
<del>Code.</del>	10050
(3) Has a general knowledge of the following:	10051
(a) The requirements of the Revised Code relative to	10052
auctioneers;	10053
(b) The auction profession;	10054
(c) The principles involved in conducting an auction;	10055
(d) Any local and federal laws regarding the profession of	10056
auctioneering.	10057
(4) Has satisfied the financial responsibility	10058
requirements established under section 4707.11 of the Revised	10059
Code if applicable.	10060



(B) Auctioneers who served apprenticeships and who hold licenses issued before May 1, 1991, and who seek renewal of their licenses, are not subject to the additional apprenticeship requirements imposed by section 4707.09 of the Revised Code.

(C) A licensee may do business under more than one registered name, but not to exceed three registered names, provided that the names have been approved by the department. The department may reject the application of any person seeking licensure under this chapter if the name or names to be used by the applicant are likely to mislead the public, or if the name or names do not distinguish the applicant from the name or names of any existing person licensed under this chapter. If an applicant applies to the department to do business under three names, the department may charge a fee of ten dollars for the third name.

~~(D) The department, in its discretion, may waive the schooling and apprenticeship requirements for a resident of this state, provided that the resident shall issue an auctioneer's license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:~~

~~(1) The applicant holds a valid an auctioneer's license that was issued by a state with which the department has entered into a reciprocal licensing agreement and the resident is in good standing with that in another state.~~

~~(2) The applicant shall provide proof that is has satisfactory to the department that the applicant has had two years of work experience, a government certification, or a private certification as described in that chapter as an auctioneer immediately preceding the date of application that includes at a minimum twelve auctions in which the applicant was~~

~~a bid caller in the reciprocal in a state that does not issue  
that license.~~ 10091  
10092

**Sec. 4707.072.** The department of agriculture may grant 10093  
one-auction licenses to any nonresident individual who is 10094  
determined to be qualified by the department. ~~Any Chapter 4796.~~ 10095  
of the Revised Code does not apply to one-auction licenses 10096  
issued under this section. 10097

Any individual who applies for a one-auction license shall 10098  
attest, on forms provided by the department, and furnish to the 10099  
department, satisfactory proof that the license applicant meets 10100  
the following requirements: 10101

(A) Has a good reputation; 10102

(B) Is of trustworthy character; 10103

(C) Has attained the age of at least eighteen years; 10104

(D) Has a general knowledge of the requirements of the 10105  
Revised Code relative to auctioneers, the auction profession, 10106  
and the principles involved in conducting an auction; 10107

(E) Has two years of professional auctioneering experience 10108  
immediately preceding the date of application that includes the 10109  
personal conduct by the applicant of at least twelve auction 10110  
sales in any state, ~~or has met the requirements of section~~ 10111  
~~4707.12 of the Revised Code;~~ 10112

(F) Has paid a fee of five hundred dollars; 10113

(G) Has not applied for or previously obtained a license 10114  
under this section; 10115

(H) Has provided proof of financial responsibility in the 10116  
form of either an irrevocable letter of credit or a cash bond or 10117

a surety bond in the amount of fifty thousand dollars. If the 10118  
applicant gives a surety bond, the bond shall be executed by a 10119  
surety company authorized to do business in this state. A bond 10120  
shall be made to the department and shall be conditioned that 10121  
the applicant shall comply with this chapter and rules adopted 10122  
under it, including refraining from conduct described in section 10123  
4707.15 of the Revised Code. All bonds shall be on a form 10124  
approved by the director of agriculture. 10125

**Sec. 4707.09.** The department of agriculture may grant 10126  
apprentice auctioneers' licenses to those persons that are 10127  
determined to be qualified by the department. Every applicant 10128  
for an apprentice auctioneer's license shall pass an examination 10129  
relating to the skills, knowledge, and statutes and rules 10130  
governing auctioneers. Every applicant for an apprentice 10131  
auctioneer's license shall furnish to the department, on forms 10132  
provided by the department, satisfactory proof that the 10133  
applicant: 10134

(A) Has attained the age of at least eighteen years; 10135

(B) Has obtained a written promise of a licensed 10136  
auctioneer to sponsor the applicant during the applicant's 10137  
apprenticeship; 10138

(C) Has satisfied the financial responsibility 10139  
requirements established under section 4707.11 of the Revised 10140  
Code if applicable; 10141

(D) Has successfully completed a course of study in 10142  
auctioneering at an institution that is approved by the state 10143  
auctioneers commission. 10144

Before an apprentice may take the auctioneer's license 10145  
examination, the apprentice shall serve an apprenticeship of at 10146

least twelve months and participate as a bid caller in at least 10147  
twelve auction sales under the direct supervision of the 10148  
sponsoring licensed auctioneer, which auctions shall be 10149  
certified by the licensed auctioneer on the apprentice's 10150  
application for an auctioneer's license. No apprentice 10151  
auctioneer shall be under the sponsorship of more than one 10152  
licensed auctioneer at one time. 10153

If an auctioneer intends to terminate sponsorship of an 10154  
apprentice auctioneer, the sponsoring auctioneer shall notify 10155  
the apprentice auctioneer of the sponsoring auctioneer's 10156  
intention by certified mail, return receipt requested, at least 10157  
ten days prior to the effective date of termination and, at the 10158  
same time, shall deliver or mail by certified mail to the 10159  
department a copy of the termination notice and the license of 10160  
the apprentice auctioneer. No apprentice auctioneer shall 10161  
perform any acts under authority of the apprentice's license 10162  
after the effective date of the termination until the apprentice 10163  
receives a new license. No more than one license shall be issued 10164  
to any apprentice auctioneer for the same period of time. 10165

No licensed auctioneer shall have under the licensed 10166  
auctioneer's sponsorship more than two apprentice auctioneers at 10167  
one time. No auctioneer shall sponsor an apprentice auctioneer 10168  
if the auctioneer has not been licensed and in good standing for 10169  
a period of at least two years immediately before sponsoring the 10170  
apprentice auctioneer. A sponsoring auctioneer whose license is 10171  
suspended or revoked shall send to the department the apprentice 10172  
auctioneer's license not later than fourteen days after the 10173  
suspension or revocation. If a sponsoring auctioneer's license 10174  
is suspended or revoked, the apprentice auctioneer shall obtain 10175  
a written promise of sponsorship from another licensed 10176  
auctioneer before performing any acts under the authority of an 10177

apprentice auctioneer's license. The apprentice auctioneer shall 10178  
send a copy of the written promise of sponsorship of another 10179  
auctioneer to the department. If the department receives a copy 10180  
of such a written promise of sponsorship and the apprentice pays 10181  
the fee established by the department, the department shall 10182  
issue a new license to the apprentice. 10183

An apprentice auctioneer may terminate the apprentice's 10184  
sponsorship with an auctioneer by notifying the auctioneer of 10185  
the apprentice's intention by certified mail, return receipt 10186  
requested, at least ten days prior to the effective date of 10187  
termination. At the same time, the apprentice shall deliver or 10188  
mail by certified mail to the department a copy of the 10189  
termination notice. Upon receiving the termination notice, the 10190  
sponsoring auctioneer shall promptly deliver or mail by 10191  
certified mail to the department the license of the apprentice 10192  
auctioneer. 10193

The termination of a sponsorship, regardless of who 10194  
initiates the termination, shall not be cause for an apprentice 10195  
auctioneer to lose credit for any certified auctions in which 10196  
the apprentice participated as a bid caller or apprenticeship 10197  
time the apprentice served under the direct supervision of the 10198  
former sponsor. 10199

The department shall issue an apprentice auctioneer's 10200  
license in accordance with Chapter 4796. of the Revised Code to 10201  
an applicant if either of the following applies: 10202

(1) The applicant holds an apprentice auctioneer's license 10203  
in another state, provided that the applicant meets the 10204  
requirement of division (D) of this section. 10205

(2) The applicant has satisfactory work experience, a 10206

government certification, or a private certification as 10207  
described in that chapter as an apprentice auctioneer in a state 10208  
that does not issue that license, provided that the applicant 10209  
meets the requirement of division (D) of this section. 10210

**Sec. 4709.07.** (A) Each person who desires to obtain an 10211  
initial license to practice barbering shall apply to the state 10212  
cosmetology and barber board, on forms provided by the board. 10213  
The application form shall include the name of the person 10214  
applying for the license and evidence that the applicant meets 10215  
all of the requirements of division (B) of this section. The 10216  
application shall be accompanied by two signed current 10217  
photographs of the applicant, in the size determined by the 10218  
board, that show only the head and shoulders of the applicant, 10219  
and the examination application fee. 10220

(B) In order to take the required barber examination and 10221  
to qualify for licensure as a barber, an applicant must 10222  
demonstrate that the applicant meets all of the following: 10223

(1) Is at least eighteen years of age; 10224

(2) Has an eighth grade education or an equivalent 10225  
education as determined by the state board of education in the 10226  
state where the applicant resides; 10227

(3) Has graduated with at least one thousand eight hundred 10228  
hours of training from a board-approved barber school or has 10229  
graduated with at least one thousand hours of training from a 10230  
board-approved barber school in this state and has a current 10231  
cosmetology or hair designer license issued pursuant to Chapter 10232  
4713. of the Revised Code. No hours of instruction earned by an 10233  
applicant five or more years prior to the examination apply to 10234  
the hours of study required by this division. 10235

(C) Any applicant who meets all of the requirements of 10236  
divisions (A) and (B) of this section may take the barber 10237  
examination at the time and place specified by the board. If the 10238  
applicant fails to attain at least a seventy-five per cent pass 10239  
rate on each part of the examination, the applicant is 10240  
ineligible for licensure; however, the applicant may reapply for 10241  
examination within ninety days after the date of the release of 10242  
the examination scores by paying the required reexamination fee. 10243  
An applicant is only required to take that part or parts of the 10244  
examination on which the applicant did not receive a score of 10245  
seventy-five per cent or higher. If the applicant fails to 10246  
reapply for examination within ninety days or fails the second 10247  
examination, in order to reapply for examination for licensure 10248  
the applicant shall complete an additional course of study of 10249  
not less than two hundred hours, in a board-approved barber 10250  
school. The board shall provide to an applicant, upon request, a 10251  
report which explains the reasons for the applicant's failure to 10252  
pass the examination. 10253

(D) The board shall issue a license to practice barbering 10254  
to any applicant who, to the satisfaction of the board, meets 10255  
the requirements of divisions (A) and (B) of this section, who 10256  
passes the required examination, and pays the initial licensure 10257  
fee. Every licensed barber shall display the certificate of 10258  
licensure in a conspicuous place adjacent to or near the 10259  
licensed barber's work chair, along with a signed current 10260  
photograph, in the size determined by the board, showing head 10261  
and shoulders only. 10262

(E) The board shall issue a license to practice barbering 10263  
in accordance with Chapter 4796. of the Revised Code to an 10264  
applicant if either of the following applies: 10265

(1) The applicant holds a license to practice barbering in another state. 10266  
10267

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a barber in a state that does not issue that license. 10268  
10269  
10270  
10271

**Sec. 4709.08.** Any person who holds a current license or registration to practice as a barber in any other ~~state or~~ ~~district of the United States or~~ country whose requirements for licensure or registration of barbers are substantially equivalent to the requirements of this chapter and rules adopted under it and that extends similar reciprocity to persons licensed as barbers in this state may apply to the state cosmetology and barber board for a barber license. The board shall, without examination, unless the board determines to require an examination, issue a license to practice as a licensed barber in this state if the person meets the requirements of this section, is at least eighteen years of age, and pays the required fees. The board may waive any of the requirements of this section. 10272  
10273  
10274  
10275  
10276  
10277  
10278  
10279  
10280  
10281  
10282  
10283  
10284  
10285

**Sec. 4709.10.** (A) Each person who desires to obtain a license to operate a barber school shall apply to the state cosmetology and barber board, on forms provided by the board. The board shall issue a barber school license to a person if the board determines that the person meets and will comply with all of the requirements of division (B) of this section and pays the required licensure and inspection fees. 10286  
10287  
10288  
10289  
10290  
10291  
10292

(B) In order for a person to qualify for a license to operate a barber school, the barber school to be operated by the person must meet all of the following requirements: 10293  
10294  
10295



- (1) Have a training facility sufficient to meet the 10296  
required educational curriculum established by the board, 10297  
including enough space to accommodate all the facilities and 10298  
equipment required by rule by the board; 10299
- (2) Provide sufficient licensed teaching personnel to meet 10300  
the minimum pupil-teacher ratio established by rule of the 10301  
board; 10302
- (3) Have established and provide to the board proof that 10303  
it has met all of the board requirements to operate a barber 10304  
school, as adopted by rule of the board; 10305
- (4) File with the board a program of its curriculum, 10306  
accounting for not less than one thousand eight hundred hours of 10307  
instruction in the courses of theory and practical demonstration 10308  
required by rule of the board; 10309
- (5) File with the board a surety bond in the amount of ten 10310  
thousand dollars issued by a bonding company licensed to do 10311  
business in this state. The bond shall be in the form prescribed 10312  
by the board and conditioned upon the barber school's continued 10313  
instruction in the theory and practice of barbering. The bond 10314  
shall continue in effect until notice of its termination is 10315  
provided to the board. In no event, however, shall the bond be 10316  
terminated while the barber school is in operation. Any student 10317  
who is injured or damaged by reason of a barber school's failure 10318  
to continue instruction in the theory and practice of barbering 10319  
may maintain an action on the bond against the barber school or 10320  
the surety, or both, for the recovery of any money or tuition 10321  
paid in advance for instruction in the theory and practice of 10322  
barbering which was not received. The aggregate liability of the 10323  
surety to all students shall not exceed the sum of the bond. 10324

(6) Maintain adequate record keeping to ensure that it has met the requirements for records of student progress as required by board rule;

(7) Establish minimum standards for acceptance of student applicants for admission to the barber school. The barber school may establish entrance requirements which are more stringent than those prescribed by the board, but the requirements must at a minimum require the applicant to meet all of the following:

(a) Be at least seventeen years of age;

(b) Have an eighth grade education, or an equivalent education as determined by the state board of education;

(c) Submit two signed current photographs of the applicant, in the size determined by the board.

(8) Have a procedure to submit every student applicant's admission application to the board for the board's review and approval prior to the applicant's admission to the barber school;

(9) Operate in a manner which reflects credit upon the barbering profession;

(10) Offer a curriculum of study which covers all aspects of the scientific fundamentals of barbering as specified by rule of the board;

(11) Employ no more than two licensed assistant barber teachers for each licensed barber teacher employed or fewer than two licensed teachers or one licensed teacher and one licensed assistant teacher at each facility.

(C) Each person who desires to obtain a barber teacher or assistant barber teacher license shall apply to the board, on

forms provided by the board. ~~The Except as provided in division~~ 10353  
~~(D) of this section, the~~ board shall only issue a barber teacher 10354  
license to a person who meets all of the following requirements: 10355

(1) Holds a current barber license issued pursuant to this 10356  
chapter and has at least eighteen months of work experience in a 10357  
licensed barber shop or has been employed as an assistant barber 10358  
teacher under the supervision of a licensed barber teacher for 10359  
at least one year, unless, for good cause, the board waives this 10360  
requirement; 10361

(2) Meets such other requirements as adopted by rule by 10362  
the board; 10363

(3) Passes the required examination; and 10364

(4) Pays the required fees. 10365

~~The Except as provided in division (D) of this section,~~ 10366  
~~the~~ board shall only issue an assistant barber teacher license 10367  
to a person who holds a current barber license issued pursuant 10368  
to this chapter and pays the required fees. 10369

(D) The board shall issue a barber teacher or assistant 10370  
barber teacher license in accordance with Chapter 4796. of the 10371  
Revised Code to an applicant if either of the following applies: 10372

(1) The applicant holds a barber teacher or assistant 10373  
barber teacher license, as applicable, in another state. 10374

(2) The applicant has satisfactory work experience, a 10375  
government certification, or a private certification as 10376  
described in that chapter as a barber teacher or assistant 10377  
barber teacher, as applicable, in a state that does not issue 10378  
the applicable license. 10379

(E) Any person who meets the qualifications of an 10380

assistant teacher pursuant to division (C) or (D) of this 10381  
section, may be employed as an assistant teacher, provided that 10382  
within five days after the commencement of the employment the 10383  
barber school submits to the board, on forms provided by the 10384  
board, the applicant's qualifications. 10385

**Sec. 4712.02.** (A) (1) A credit services organization shall 10386  
file a registration application with, and receive a certificate 10387  
of registration from, the division of financial institutions 10388  
before conducting business in this state. ~~The~~ Except as provided 10389  
in division (A) (2) of this section, the registration application 10390  
shall be accompanied by a one-hundred-dollar fee and shall 10391  
contain all of the following information: 10392

~~(1)~~ (a) The name and address of the credit services 10393  
organization; 10394

~~(2)~~ (b) The name and address of any person that directly 10395  
or indirectly owns or controls ten per cent or more of the 10396  
outstanding shares of stock in the organization; 10397

~~(3)~~ (c) Either of the following: 10398

~~(a)~~ (i) A full and complete disclosure of any litigation 10399  
commenced against the organization or unresolved complaint that 10400  
relates to the operation of the organization and that is filed 10401  
with the attorney general, the secretary of state, or any other 10402  
governmental authority of the United States, this state, or any 10403  
other state of the United States; 10404

~~(b)~~ (ii) A notarized statement stating that no litigation 10405  
has been commenced and no unresolved complaint relating to the 10406  
operation of the organization has been filed with the attorney 10407  
general, the secretary of state, or any other governmental 10408  
authority of the United States, this state, or any other state 10409

of the United States. 10410

~~(4)~~ (d) Any other information required at any time by the 10411  
division. 10412

(2) The division shall issue a certificate of registration 10413  
in accordance with Chapter 4796. of the Revised Code to an 10414  
applicant if either of the following applies: 10415

(a) The applicant holds a license or certificate as a 10416  
credit services organization in another state. 10417

(b) The applicant has satisfactory work experience, a 10418  
government certification, or a private certification as 10419  
described in that chapter as a credit services organization in a 10420  
state that does not issue that license or certificate. 10421

(B) (1) Except as ~~otherwise~~ provided in division (B) (2) of 10422  
this section, each credit services organization shall notify the 10423  
division in writing within thirty days after the date of a 10424  
change in the information required by division (A) of this 10425  
section. 10426

(2) Each organization shall notify the division in writing 10427  
no later than thirty days prior to any change in the information 10428  
required by division (A) (1) or (2) of this section and shall 10429  
receive approval from the division before making any such 10430  
change. 10431

(C) (1) A credit services organization shall attach both of 10432  
the following to the registration application submitted pursuant 10433  
to division (A) of this section: 10434

(a) A copy of the contract that the organization intends 10435  
to execute with its customers; 10436

(b) Evidence of the bond required under section 4712.06 of 10437

the Revised Code. 10438

(2) Any modification made to the contract described in 10439  
division (C)(1)(a) of this section shall be filed with the 10440  
division prior to its use by the organization. 10441

(D) Each credit services organization registering under 10442  
this section shall maintain a copy of the registration 10443  
application in its files. The organization shall allow a buyer 10444  
to inspect the registration application upon request. 10445

(E) Each nonresident credit services organization 10446  
registering under this section shall designate and maintain a 10447  
resident of this state as the organization's statutory agent for 10448  
purposes of receipt of service of process. 10449

(F) If, in order to issue a certificate of registration to 10450  
a credit services organization, investigation by the division 10451  
outside this state is necessary, the division may require the 10452  
organization to advance sufficient funds to pay the actual 10453  
expenses of the investigation. 10454

(G) Each credit services organization registering under 10455  
this section shall use no more than one fictitious or trade 10456  
name. 10457

(H) (1) A certificate of registration issued by the 10458  
division pursuant to this section shall expire annually on the 10459  
thirtieth day of April, or annually on a different date 10460  
established by the superintendent pursuant to section 1181.23 of 10461  
the Revised Code. 10462

(2) A credit services organization may renew its 10463  
certificate of registration by filing with the division a 10464  
renewal application accompanied by a one-hundred-dollar renewal 10465  
fee. 10466

(I) All money collected by the division pursuant to this section shall be deposited by it in the state treasury to the credit of the consumer finance fund.

(J) (1) No credit services organization shall fail to comply with division (A) of this section.

(2) No credit services organization shall fail to comply with division (B), (D), (E), (F), or (G) of this section.

**Sec. 4713.10.** (A) The state cosmetology and barber board shall charge and collect the following fees:

(1) For a temporary pre-examination work permit under section 4713.22 of the Revised Code, not more than fifteen dollars;

(2) For initial application to take an examination under section 4713.24 of the Revised Code, not more than forty dollars;

(3) For application to take an examination under section 4713.24 of the Revised Code by an applicant who has previously applied to take, but failed to appear for, the examination, not more than fifty-five dollars;

(4) For application to re-take an examination under section 4713.24 of the Revised Code by an applicant who has previously appeared for, but failed to pass, the examination, not more than forty dollars;

(5) For the issuance of a license by examination under section 4713.28, 4713.30, or 4713.31 of the Revised Code, not more than seventy-five dollars;

(6) For the issuance of a license under section 4713.34 of the Revised Code, not more than seventy dollars;

(7) For renewal of a license issued under section 4713.28,	10495
4713.30, 4713.31, or 4713.34 of the Revised Code, not more than	10496
seventy dollars;	10497
(8) For the issuance or renewal of a cosmetology school	10498
license, not more than two hundred fifty dollars;	10499
(9) For the issuance of a new salon license or the change	10500
of name or ownership of a salon license under section 4713.41 of	10501
the Revised Code, not more than one hundred dollars;	10502
(10) For the renewal of a salon license under section	10503
4713.41 of the Revised Code, not more than ninety dollars;	10504
(11) For the restoration of an expired license that may be	10505
restored pursuant to section 4713.63 of the Revised Code, an	10506
amount equal to the sum of the current license renewal fee and a	10507
lapsed renewal fee of not more than forty-five dollars per	10508
license renewal period that has elapsed since the license was	10509
last issued or renewed;	10510
(12) For the issuance of a duplicate of any license, not	10511
more than thirty dollars;	10512
(13) For the preparation and mailing of a licensee's	10513
records to another state for a reciprocity license, not more	10514
than fifty dollars;	10515
(14) For the processing of any fees related to a check	10516
from a licensee returned to the board for insufficient funds, an	10517
additional thirty dollars.	10518
(B) The board shall adjust the fees biennially, by rule,	10519
within the limits established by division (A) of this section,	10520
to provide sufficient revenues to meet its expenses.	10521
(C) The board may establish an installment plan for the	10522



payment of fines and fees and may reduce fees as considered 10523  
appropriate by the board. 10524

(D) At the request of a person who is temporarily unable 10525  
to pay a fee imposed under division (A) of this section, or on 10526  
its own motion, the board may extend the date payment is due by 10527  
up to ninety days. If the fee remains unpaid after the date 10528  
payment is due, the amount of the fee shall be certified to the 10529  
attorney general for collection in the form and manner 10530  
prescribed by the attorney general. The attorney general may 10531  
assess the collection cost to the amount certified in such a 10532  
manner and amount as prescribed by the attorney general. 10533

**Sec. 4713.28.** (A) The state cosmetology and barber board 10534  
shall issue a practicing license to an applicant who satisfies 10535  
all of the following applicable conditions: 10536

(1) Is at least sixteen years of age; 10537

(2) Has the equivalent of an Ohio public school tenth 10538  
grade education; 10539

(3) Has submitted a written application on a form 10540  
furnished by the board that contains all of the following: 10541

(a) The name of the individual and any other identifying 10542  
information required by the board; 10543

(b) A recent photograph of the individual that meets the 10544  
specifications established by the board; 10545

(c) A photocopy of the individual's current driver's 10546  
license or other proof of legal residence; 10547

(d) Proof that the individual is qualified to take the 10548  
applicable examination as required by section 4713.20 of the 10549  
Revised Code; 10550

(e) An oath verifying that the information in the application is true;	10551 10552
(f) The applicable application fee.	10553
(4) Passes an examination conducted under division (A) of section 4713.24 of the Revised Code for the branch of cosmetology the applicant seeks to practice;	10554 10555 10556
(5) Pays to the board the applicable license fee;	10557
(6) In the case of an applicant for an initial cosmetologist license, has successfully completed at least one thousand five hundred hours of board-approved cosmetology training in a school of cosmetology licensed in this state, except that only one thousand hours of board-approved cosmetology training in a school of cosmetology licensed in this state is required of an individual licensed as a barber under Chapter 4709. of the Revised Code;	10558 10559 10560 10561 10562 10563 10564 10565
(7) In the case of an applicant for an initial esthetician license, has successfully completed at least six hundred hours of board-approved esthetics training in a school of cosmetology licensed in this state;	10566 10567 10568 10569
(8) In the case of an applicant for an initial hair designer license, has successfully completed at least one thousand two hundred hours of board-approved hair designer training in a school of cosmetology licensed in this state, except that only one thousand hours of board-approved hair designer training in a school of cosmetology licensed in this state is required of an individual licensed as a barber under Chapter 4709. of the Revised Code;	10570 10571 10572 10573 10574 10575 10576 10577
(9) In the case of an applicant for an initial manicurist license, has successfully completed at least two hundred hours	10578 10579

of board-approved manicurist training in a school of cosmetology 10580  
licensed in this state; 10581

(10) In the case of an applicant for an initial natural 10582  
hair stylist license, has successfully completed at least four 10583  
hundred fifty hours of instruction in subjects relating to 10584  
sanitation, scalp care, anatomy, hair styling, communication 10585  
skills, and laws and rules governing the practice of 10586  
cosmetology. 10587

(B) The board shall not deny a license to any applicant 10588  
based on prior incarceration or conviction for any crime. If the 10589  
board denies an individual a license or license renewal, the 10590  
reasons for such denial shall be put in writing. 10591

(C) The board shall issue a practicing license in a branch 10592  
of cosmetology in accordance with Chapter 4796. of the Revised 10593  
Code to an applicant if either of the following applies: 10594

(1) The applicant holds a license in that branch of 10595  
cosmetology in another state. 10596

(2) The applicant has satisfactory work experience, a 10597  
government certification, or a private certification as 10598  
described in that chapter in that branch of cosmetology in a 10599  
state that does not issue that license. 10600

**Sec. 4713.30.** ~~The~~ (A) Except as provided in division (B) 10601  
of this section, the state cosmetology and barber board shall 10602  
issue an advanced license to an applicant who satisfies all of 10603  
the following applicable conditions: 10604

~~(A)~~ (1) Is at least sixteen years of age; 10605

~~(B)~~ (2) Has the equivalent of an Ohio public school tenth 10606  
grade education; 10607

<del>(C)</del> <u>(3)</u> Pays to the board the applicable fee;	10608
<del>(D)</del> <u>(4)</u> Passes the appropriate advanced license examination;	10609 10610
<del>(E)</del> <u>(5)</u> In the case of an applicant for an initial advanced cosmetologist license, does either of the following:	10611 10612
<del>(1)</del> <u>(a)</u> Has a licensed advanced cosmetologist or owner of a licensed beauty salon located in this or another state certify to the board that the applicant has practiced as a cosmetologist for at least one thousand eight hundred hours in a licensed beauty salon;	10613 10614 10615 10616 10617
<del>(2)</del> <u>(b)</u> Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as a cosmetologist, at least three hundred hours of board-approved advanced cosmetologist training.	10618 10619 10620 10621 10622
<del>(F)</del> <u>(6)</u> In the case of an applicant for an initial advanced esthetician license, does either of the following:	10623 10624
<del>(1)</del> <u>(a)</u> Has the licensed advanced esthetician, licensed advanced cosmetologist, or owner of a licensed esthetics salon or licensed beauty salon located in this or another state certify to the board that the applicant has practiced esthetics for at least one thousand eight hundred hours as an esthetician in a licensed esthetics salon or as a cosmetologist in a licensed beauty salon;	10625 10626 10627 10628 10629 10630 10631
<del>(2)</del> <u>(b)</u> Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as an esthetician or cosmetologist, at least one hundred fifty hours of board-approved advanced esthetician training.	10632 10633 10634 10635 10636

~~(G)~~ (7) In the case of an applicant for an initial advanced hair designer license, does either of the following:

~~(1)~~ (a) Has the licensed advanced hair designer, licensed advanced cosmetologist, or owner of a licensed hair design salon or licensed beauty salon located in this or another state certify to the board that the applicant has practiced hair design for at least one thousand eight hundred hours as a hair designer in a licensed hair design salon or as a cosmetologist in a licensed beauty salon;

~~(2)~~ (b) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as a hair designer or cosmetologist, at least two hundred forty hours of board-approved advanced hair designer training.

~~(H)~~ (8) In the case of an applicant for an initial advanced manicurist license, does either of the following:

~~(1)~~ (a) Has the licensed advanced manicurist, licensed advanced cosmetologist, or owner of a licensed nail salon, licensed beauty salon, or licensed barber shop located in this or another state certify to the board that the applicant has practiced manicuring for at least one thousand eight hundred hours as a manicurist in a licensed nail salon or licensed barber shop or as a cosmetologist in a licensed beauty salon or licensed barber shop;

~~(2)~~ (b) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as a manicurist or cosmetologist, at least one hundred hours of board-approved advanced manicurist training.

~~(I)~~ ~~(9)~~ In the case of an applicant for an initial advanced natural hair stylist license, does either of the following:

~~(1)~~ ~~(a)~~ Has the licensed advanced natural hair stylist, licensed advanced cosmetologist, or owner of a licensed natural hair style salon or licensed beauty salon located in this or another state certify to the board that the applicant has practiced natural hair styling for at least one thousand eight hundred hours as a natural hair stylist in a licensed natural hair style salon or as a cosmetologist in a licensed beauty salon;

~~(2)~~ ~~(b)~~ Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as natural hair stylist or cosmetologist, at least one hundred fifty hours of board-approved advanced natural hair stylist training.

(B) The board shall issue an advanced license in a branch of cosmetology in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds an advanced license in that branch of cosmetology in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in that branch of cosmetology in a state that does not issue that license.

**Sec. 4713.31.** (A) The state cosmetology and barber board shall issue an instructor license to an applicant who satisfies all of the following applicable conditions:

<del>(A)</del> <u>(1)</u> Is at least eighteen years of age;	10695
<del>(B)</del> <u>(2)</u> Has the equivalent of an Ohio public school twelfth grade education;	10696 10697
<del>(C)</del> <u>(3)</u> Pays to the board the applicable fee;	10698
<del>(D)</del> <u>(4)</u> In the case of an applicant for an initial cosmetology instructor license, holds a current, valid advanced cosmetologist license issued in this state and does either of the following:	10699 10700 10701 10702
<del>(1)</del> <u>(a)</u> Has the licensed advanced cosmetologist or owner of the licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;	10703 10704 10705 10706 10707
<del>(2)</del> <u>(b)</u> Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed one thousand hours of board-approved cosmetology instructor training as an apprentice instructor.	10708 10709 10710 10711
<del>(E)</del> <u>(5)</u> In the case of an applicant for an initial esthetics instructor license, holds a current, valid advanced esthetician or advanced cosmetologist license issued in this state and does either of the following:	10712 10713 10714 10715
<del>(1)</del> <u>(a)</u> Has the licensed advanced esthetician, licensed advanced cosmetologist, or owner of the licensed esthetics salon or licensed beauty salon in which the applicant has been employed certify to the board that the applicant has engaged in the practice of esthetics in a licensed esthetics salon or practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;	10716 10717 10718 10719 10720 10721 10722

~~(2)~~ (b) Has a school of cosmetology licensed in this state 10723  
certify to the board that the applicant has successfully 10724  
completed at least five hundred hours of board-approved 10725  
esthetics instructor training as an apprentice instructor. 10726

~~(F)~~ (6) In the case of an applicant for an initial hair 10727  
design instructor license, holds a current, valid advanced hair 10728  
designer or advanced cosmetologist license and does either of 10729  
the following: 10730

~~(1)~~ (a) Has the licensed advanced hair designer, licensed 10731  
advanced cosmetologist, or owner of the licensed hair design 10732  
salon or licensed beauty salon in which the applicant has been 10733  
employed certify to the board that the applicant has engaged in 10734  
the practice of hair design in a licensed hair design salon or 10735  
practice of cosmetology in a licensed beauty salon for at least 10736  
one thousand eight hundred hours; 10737

~~(2)~~ (b) Has a school of cosmetology licensed in this state 10738  
certify to the board that the applicant has successfully 10739  
completed at least eight hundred hours of board-approved hair 10740  
design instructor's training as an apprentice instructor. 10741

~~(G)~~ (7) In the case of an applicant for an initial 10742  
manicurist instructor license, holds a current, valid advanced 10743  
manicurist or advanced cosmetologist license and does either of 10744  
the following: 10745

~~(1)~~ (a) Has the licensed advanced manicurist, licensed 10746  
advanced cosmetologist, or owner of the licensed nail salon or 10747  
licensed beauty salon in which the applicant has been employed 10748  
certify to the board that the applicant has engaged in the 10749  
practice of manicuring in a licensed nail salon or practice of 10750  
cosmetology in a licensed beauty salon for at least one thousand 10751



eight hundred hours; 10752

~~(2)~~ (b) Has a school of cosmetology licensed in this state 10753  
certify to the board that the applicant has successfully 10754  
completed at least three hundred hours of board-approved 10755  
manicurist instructor training as an apprentice instructor. 10756

~~(H)~~ (8) In the case of an applicant for an initial natural 10757  
hair style instructor license, holds a current, valid advanced 10758  
natural hair stylist or advanced cosmetologist license and does 10759  
either of the following: 10760

~~(1)~~ (a) Has the licensed advanced natural hair stylist, 10761  
licensed advanced cosmetologist, or owner of the licensed 10762  
natural hair style salon or licensed beauty salon in which the 10763  
applicant has been employed certify to the board that the 10764  
applicant has engaged in the practice of natural hair styling in 10765  
a licensed natural hair style salon or practice of cosmetology 10766  
in a licensed beauty salon for at least one thousand eight 10767  
hundred hours; 10768

~~(2)~~ (b) Has a school of cosmetology licensed in this state 10769  
certify to the board that the applicant has successfully 10770  
completed at least four hundred hours of board-approved natural 10771  
hair style instructor training as an apprentice instructor. 10772

~~(I)~~ (9) In the case of all applicants, passes an 10773  
examination conducted under division (B) of section 4713.24 of 10774  
the Revised Code for the branch of cosmetology the applicant 10775  
seeks to instruct. 10776

(B) The board shall issue an instructor license for a 10777  
branch of cosmetology in accordance with Chapter 4796. of the 10778  
Revised Code to an applicant if either of the following applies: 10779

(1) The applicant holds an instructor license in that 10780

branch of cosmetology in another state. 10781

(2) The applicant has satisfactory work experience, a 10782  
government certification, or a private certification as 10783  
described in that chapter as an instructor in that branch of 10784  
cosmetology in a state that does not issue that license. 10785

**Sec. 4713.34.** The state cosmetology and barber board shall 10786  
issue a license to practice a branch of cosmetology or 10787  
instructor license to an applicant who is licensed or registered 10788  
in another ~~state or~~ country to practice that branch of 10789  
cosmetology or teach the theory and practice of that branch of 10790  
cosmetology, as appropriate, if all of the following conditions 10791  
are satisfied: 10792

(A) The applicant satisfies all of the following 10793  
conditions: 10794

(1) Is not less than eighteen years of age; 10795

(2) In the case of an applicant for a practicing license, 10796  
passes an examination conducted under section 4713.24 of the 10797  
Revised Code for the license the applicant seeks, unless the 10798  
applicant satisfies conditions specified in rules adopted under 10799  
section 4713.08 of the Revised Code for the board to issue the 10800  
applicant a license without taking the examination; 10801

(3) Pays the applicable fee. 10802

(B) At the time the applicant obtained the license or 10803  
registration in the other ~~state or~~ country, the requirements in 10804  
this state for obtaining the license the applicant seeks were 10805  
substantially equal to the other ~~state or~~ country's 10806  
requirements. 10807

(C) The jurisdiction that issued the applicant's license 10808

or registration extends similar reciprocity to individuals 10809  
holding a license issued by the board. 10810

**Sec. 4713.37.** (A) The state cosmetology and barber board 10811  
may issue a temporary special occasion work permit to ~~an a~~ 10812  
nonresident individual who satisfies all of the following 10813  
conditions: 10814

(1) Has been licensed or registered in another state or 10815  
country to practice a branch of cosmetology or teach the theory 10816  
and practice of a branch of cosmetology for at least five years; 10817

(2) Is a recognized expert in the practice or teaching of 10818  
the branch of cosmetology the individual practices or teaches; 10819

(3) Is to practice that branch of cosmetology or teach the 10820  
theory and practice of that branch of cosmetology in this state 10821  
as part of a promotional or instructional program for not more 10822  
than the amount of time a temporary special occasion work permit 10823  
is effective; 10824

(4) Satisfies all other conditions for a temporary special 10825  
occasion work permit established by rules adopted under section 10826  
4713.08 of the Revised Code; 10827

(5) Pays the fee established by rules adopted under 10828  
section 4713.08 of the Revised Code. 10829

(B) An individual issued a temporary special occasion work 10830  
permit may practice the branch of cosmetology the individual 10831  
practices in another state or country, or teach the theory and 10832  
practice of the branch of cosmetology the individual teaches in 10833  
another state or country, until the expiration date of the 10834  
permit. A temporary special occasion work permit is valid for 10835  
the period of time specified in rules adopted under section 10836  
4713.08 of the Revised Code. 10837

(C) Chapter 4796. of the Revised Code does not apply to a 10838  
temporary special occasion work permit issued under this 10839  
section. 10840

**Sec. 4713.69.** (A) The Except as provided in division (D) 10841  
of this section, the state cosmetology and barber board shall 10842  
issue a boutique services registration to an applicant who 10843  
satisfies all of the following applicable conditions: 10844

(1) Is at least sixteen years of age; 10845

(2) Has the equivalent of an Ohio public school tenth 10846  
grade education; 10847

(3) Has submitted a written application on a form 10848  
prescribed by the board containing all of the following: 10849

(a) The applicant's name and home address; 10850

(b) The applicant's home telephone number and cellular 10851  
telephone number, if any; 10852

(c) The applicant's electronic mail address, if any; 10853

(d) The applicant's date of birth; 10854

(e) The address and telephone number where boutique 10855  
services will be performed. The address shall not contain a post 10856  
office box number. 10857

(f) Whether the applicant has an occupational license, 10858  
certification, or registration to provide beauty services in 10859  
another state, and if so, what type of license and in what 10860  
state; 10861

(g) Whether the applicant has ever had an occupational 10862  
license, certification, or registration suspended, revoked, or 10863  
denied in any state; 10864

(h) An affidavit or certificate providing proof of formal training or apprenticeship under an individual providing such services. 10865  
10866  
10867

(B) The place of business where boutique services are performed must comply with the safety and sanitation requirements for licensed salon facilities as described in section 4713.41 of the Revised Code. 10868  
10869  
10870  
10871

(C) The board shall specify the manner by which boutique services registrants shall fulfill the continuing education requirements set forth in section 4713.09 of the Revised Code. 10872  
10873  
10874

(D) The board shall issue a boutique services registration in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 10875  
10876  
10877

(1) The applicant holds a license or registration in providing boutique services in another state. 10878  
10879

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in providing boutique services in a state that does not issue that license or registration. 10880  
10881  
10882  
10883

**Sec. 4715.03.** (A) The state dental board shall organize by electing from its members a president, secretary, and vice-secretary. The secretary and vice-secretary shall be elected from the members of the board who are dentists. It shall hold meetings monthly at least eight months a year at such times and places as the board designates. A majority of the members of the board shall constitute a quorum. The board shall make such reasonable rules as it determines necessary pursuant to Chapter 119. of the Revised Code. 10884  
10885  
10886  
10887  
10888  
10889  
10890  
10891  
10892

(B) A concurrence of a majority of the members of the 10893

board shall be required to do any of the following:	10894
(1) Grant, refuse, suspend, place on probationary status,	10895
revoke, refuse to renew, or refuse to reinstate a license or	10896
censure a license holder or take any other action authorized	10897
under section 4715.30 of the Revised Code;	10898
(2) Seek an injunction under section 4715.05 of the	10899
Revised Code;	10900
(3) Enter into a consent agreement with a license holder;	10901
(4) If the board develops and implements the quality	10902
intervention program under section 4715.031 of the Revised Code,	10903
refer a license holder to the program;	10904
(5) Terminate an investigation conducted under division	10905
(D) of this section;	10906
(6) Dismiss any complaint filed with the board.	10907
(C) (1) The board shall adopt rules in accordance with	10908
Chapter 119. of the Revised Code to do both of the following:	10909
(a) Establish standards for the safe practice of dentistry	10910
and dental hygiene by qualified practitioners and shall, through	10911
its policies and activities, promote such practice;	10912
(b) Establish universal blood and body fluid precautions	10913
that shall be used by each person licensed under this chapter	10914
who performs exposure prone invasive procedures.	10915
(2) The rules adopted under division (C) (1) (b) of this	10916
section shall define and establish requirements for universal	10917
blood and body fluid precautions that include the following:	10918
(a) Appropriate use of hand washing;	10919
(b) Disinfection and sterilization of equipment;	10920

(c) Handling and disposal of needles and other sharp instruments; 10921  
10922

(d) Wearing and disposal of gloves and other protective garments and devices. 10923  
10924

(D) The board shall administer and enforce the provisions of this chapter. The board shall, in accordance with sections 4715.032 to 4715.035 of the Revised Code, investigate evidence which appears to show that any person has violated any provision of this chapter. Any person may report to the board under oath any information such person may have appearing to show a violation of any provision of this chapter. In the absence of bad faith, any person who reports such information or who testifies before the board in any disciplinary proceeding conducted pursuant to Chapter 119. of the Revised Code is not liable for civil damages as a result of making the report or providing testimony. If after investigation and reviewing the recommendation of the supervisory investigative panel issued pursuant to section 4715.034 of the Revised Code the board determines that there are reasonable grounds to believe that a violation of this chapter has occurred, the board shall, except as provided in this chapter, conduct disciplinary proceedings pursuant to Chapter 119. of the Revised Code, seek an injunction under section 4715.05 of the Revised Code, enter into a consent agreement with a license holder, or provide for a license holder to participate in the quality intervention program established under section 4715.031 of the Revised Code if the board develops and implements that program. 10925  
10926  
10927  
10928  
10929  
10930  
10931  
10932  
10933  
10934  
10935  
10936  
10937  
10938  
10939  
10940  
10941  
10942  
10943  
10944  
10945  
10946  
10947

For the purpose of any disciplinary proceeding or any investigation conducted under this division, the board may administer oaths, order the taking of depositions, issue 10948  
10949  
10950

subpoenas in accordance with section 4715.033 of the Revised Code, compel the attendance and testimony of persons at depositions, and compel the production of books, accounts, papers, documents, or other tangible things. The hearings and investigations of the board shall be considered civil actions for the purposes of section 2305.252 of the Revised Code. Notwithstanding section 121.22 of the Revised Code and except as provided in section 4715.036 of the Revised Code, proceedings of the board relative to the investigation of a complaint or the determination whether there are reasonable grounds to believe that a violation of this chapter has occurred are confidential and are not subject to discovery in any civil action.

(E) (1) The board shall examine or cause to be examined eligible applicants to practice dental hygiene. The board may distinguish by rule different classes of qualified personnel according to skill levels and require all or only certain of these classes of qualified personnel to be examined and certified by the board.

(2) The board shall administer a written jurisprudence examination to each applicant for a license to practice dentistry. The examination shall cover only the statutes and administrative rules governing the practice of dentistry in this state.

(F) (1) In accordance with Chapter 119. of the Revised Code, subject to division (F) (2) of this section the board shall adopt, and may amend or rescind, rules establishing the eligibility criteria, the application and permit renewal procedures, and safety standards applicable to a dentist licensed under this chapter who applies for a permit to employ or use conscious sedation. These rules shall include all of the



following: 10981

~~(1)~~ (a) The eligibility requirements and application 10982  
procedures for an eligible dentist to obtain a conscious 10983  
sedation permit; 10984

~~(2)~~ (b) The minimum educational and clinical training 10985  
standards required of applicants, which shall include 10986  
satisfactory completion of an advanced cardiac life support 10987  
course; 10988

~~(3)~~ (c) The facility equipment and inspection 10989  
requirements; 10990

~~(4)~~ (d) Safety standards; 10991

~~(5)~~ (e) Requirements for reporting adverse occurrences. 10992

(2) The board shall issue a permit to employ or use 10993  
conscious sedation in accordance with Chapter 4796. of the 10994  
Revised Code to a dentist licensed under this chapter if either 10995  
of the following applies: 10996

(a) The dentist holds a license or permit to employ or use 10997  
conscious sedation in another state. 10998

(b) The dentist has satisfactory work experience, a 10999  
government certification, or a private certification as 11000  
described in Chapter 4796. of the Revised Code in employing or 11001  
using conscious sedation in a state that does not issue that 11002  
license. 11003

(G) (1) In accordance with Chapter 119. of the Revised 11004  
Code, subject to division (G) (2) of this section the board shall 11005  
adopt rules establishing eligibility criteria, application and 11006  
permit renewal procedures, and safety standards applicable to a 11007  
dentist licensed under this chapter who applies for a general 11008

anesthesia permit. 11009

(2) The board shall issue a general anesthesia permit in accordance with Chapter 4796. of the Revised Code to a dentist licensed under this chapter if either of the following applies: 11010  
11011  
11012

(a) The dentist holds a general anesthesia license or permit in another state. 11013  
11014

(b) The dentist has satisfactory work experience, a government certification, or a private certification as described in Chapter 4796. of the Revised Code utilizing general anesthesia in a state that does not issue that license or permit. 11015  
11016  
11017  
11018  
11019

**Sec. 4715.09.** (A) No person shall practice dentistry without a current license from the state dental board. No person shall practice dentistry while the person's license is under suspension by the state dental board. 11020  
11021  
11022  
11023

(B) No dentist shall use the services of any person not licensed to practice dentistry in this state, or the services of any partnership, corporation, or association, to construct, alter, repair, or duplicate any denture, plate, bridge, splint, or orthodontic or prosthetic appliance, without first furnishing the unlicensed person, partnership, corporation, or association with a written work authorization on forms prescribed by the state dental board. 11024  
11025  
11026  
11027  
11028  
11029  
11030  
11031

The unlicensed person, partnership, corporation, or association shall retain the original work authorization, and the dentist shall retain a duplicate copy of the work authorization, for two years from its date. Work authorizations required by this section shall be open for inspection during the two-year period by the state dental board, its authorized agent, 11032  
11033  
11034  
11035  
11036  
11037

or the prosecuting attorney of a county or the director of law 11038  
of a municipal corporation wherein the work authorizations are 11039  
located. 11040

(C) If the person, partnership, association, or 11041  
corporation receiving a written authorization from a licensed 11042  
dentist engages another person, firm, or corporation, referred 11043  
to in this division as "subcontractor," to perform some of the 11044  
services relative to the work authorization, the person shall 11045  
furnish a written sub-work authorization with respect thereto on 11046  
forms prescribed by the state dental board. 11047

The subcontractor shall retain the sub-work authorization 11048  
and the issuer thereof shall retain a duplicate copy, attached 11049  
to the work authorization received from the licensed dentist, 11050  
for inspection by the state dental board or its duly authorized 11051  
agents, for a period of two years in both cases. 11052

(D) No unlicensed person, partnership, association, or 11053  
corporation shall perform any service described in division (B) 11054  
of this section without a written work authorization from a 11055  
licensed dentist. Provided, that if a written work authorization 11056  
is demanded from a licensed dentist who fails or refuses to 11057  
furnish it for any reason, the unlicensed person, partnership, 11058  
association, or corporation shall not, in such event, be subject 11059  
to the enforcement provisions of section 4715.05 or the penal 11060  
provisions of section 4715.99 of the Revised Code. 11061

(E) No dentist shall employ or use conscious sedation 11062  
unless the dentist possesses a valid permit issued by the state 11063  
dental board authorizing the dentist to do so. 11064

(F) No dentist shall employ or use general anesthesia 11065  
unless the dentist possesses a valid permit issued by the state 11066

dental board authorizing the dentist to do so. 11067

(G) Division (A) of this section does not apply to a 11068  
nonresident person who meets both of the following conditions: 11069

(1) The person holds a license in good standing to 11070  
practice dentistry issued by another state. 11071

(2) The person is practicing as a volunteer without 11072  
remuneration during a charitable event that lasts not more than 11073  
seven days. 11074

When a nonresident person meets the conditions of this 11075  
division, the person shall be deemed to hold, for the course of 11076  
the charitable event, a license to practice dentistry from the 11077  
state dental board and shall be subject to the provisions of 11078  
this chapter authorizing the board to take disciplinary action 11079  
against a license holder. Not less than seven calendar days 11080  
before the first day of the charitable event, the person or the 11081  
event's organizer shall notify the board of the person's intent 11082  
to engage in the practice of dentistry at the event. During the 11083  
course of the charitable event, the person's scope of practice 11084  
is limited to the procedures that a dentist licensed under this 11085  
chapter is authorized to perform unless the person's scope of 11086  
practice in the other state is more restrictive than in this 11087  
state. If the latter is the case, the person's scope of practice 11088  
is limited to the procedures that a dentist in the other state 11089  
may perform. Chapter 4796. of the Revised Code does not apply to 11090  
this division. 11091

**Sec. 4715.10.** (A) As used in this section, "accredited 11092  
dental college" means a dental college accredited by the 11093  
commission on dental accreditation or a dental college that has 11094  
educational standards recognized by the commission on dental 11095

accreditation and is approved by the state dental board. 11096

(B) Each person who desires to practice dentistry in this 11097  
state shall file a written application for a license with the 11098  
secretary of the state dental board. ~~The~~ Except as provided in 11099  
division (F) of this section, each application shall be on a 11100  
form prescribed by the board and verified by oath. Each 11101  
applicant shall furnish satisfactory proof to the board that the 11102  
applicant has met the requirements of divisions (C) and (D) of 11103  
this section, and if the applicant is a graduate of an 11104  
unaccredited dental college located outside the United States, 11105  
division (E) of this section. 11106

(C) To be granted a license to practice dentistry, an 11107  
applicant must meet all of the following requirements: 11108

(1) Be at least eighteen years of age; 11109

(2) Be a graduate of an accredited dental college or of a 11110  
dental college located outside the United States who meets the 11111  
standards adopted under section 4715.11 of the Revised Code; 11112

(3) Have passed parts I and II of the examination given by 11113  
the national board of dental examiners; 11114

(4) Have passed a written jurisprudence examination 11115  
administered by the state dental board under division (E) (2) of 11116  
section 4715.03 of the Revised Code; 11117

(5) Pay the fee required by division (A) (1) of section 11118  
4715.13 of the Revised Code. 11119

(D) To be granted a license to practice dentistry, an 11120  
applicant must meet any one of the following requirements: 11121

(1) Have taken an examination administered by any of the 11122  
following regional testing agencies and received a passing score 11123

on the examination as determined by the administering agency: 11124  
the central regional dental testing service, inc., northeast 11125  
regional board of dental examiners, inc., the commission on 11126  
dental competency assessments, the southern regional dental 11127  
testing agency, inc., the council of interstate testing 11128  
agencies, inc., or the western regional examining board; 11129

(2) Have taken an examination administered by the state 11130  
dental board and received a passing score as established by the 11131  
board; 11132

~~(3) Possess a license in good standing from another state 11133  
and have actively engaged in the legal and reputable practice of 11134  
dentistry in another state or in the armed forces of the United 11135  
States, the United States public health service, or the United 11136  
States department of veterans' affairs for five years 11137  
immediately preceding application; 11138~~

~~(4) Have completed a dental residency program accredited 11139  
or approved by the commission on dental accreditation and 11140  
administered by an accredited dental college or hospital. 11141~~

(E) To be granted a license to practice dentistry, a 11142  
graduate of an unaccredited dental college located outside the 11143  
United States must meet both of the following requirements: 11144

(1) Have taken a basic science and laboratory examination 11145  
consistent with rules adopted under section 4715.11 of the 11146  
Revised Code and received a passing score as established by the 11147  
board; 11148

(2) Have had sufficient clinical training in an accredited 11149  
institution to reasonably assure a level of competency equal to 11150  
that of graduates of accredited dental colleges, as determined 11151  
by the board. 11152

(F) The board shall grant a license to practice dentistry 11153  
in accordance with Chapter 4796. of the Revised Code to an 11154  
applicant if either of the following applies: 11155

(1) The applicant holds a license to practice dentistry in 11156  
another state. 11157

(2) The applicant has satisfactory work experience, a 11158  
government certification, or a private certification as 11159  
described in that chapter in the practice of dentistry in a 11160  
state that does not issue that license. 11161

**Sec. 4715.16.** (A) Upon payment of a fee of thirteen 11162  
dollars, the state dental board may without examination issue a 11163  
limited resident's license to any person who is a graduate of a 11164  
dental college, is authorized to practice in another ~~state or~~ 11165  
country or qualified to take the regular licensing examination 11166  
in this state, and furnishes the board satisfactory proof of 11167  
having been appointed a dental resident at an accredited dental 11168  
college in this state or at an accredited program of a hospital 11169  
in this state, but has not yet been licensed as a dentist by the 11170  
board. Any person receiving a limited resident's license may 11171  
practice dentistry only in connection with programs operated by 11172  
the dental college or hospital at which the person is appointed 11173  
as a resident as designated on the person's limited resident's 11174  
license, and only under the direction of a licensed dentist who 11175  
is a member of the dental staff of the college or hospital or a 11176  
dentist holding a current limited teaching license issued under 11177  
division (B) of this section, and only on bona fide patients of 11178  
such programs. The holder of a limited resident's license may be 11179  
disciplined by the board pursuant to section 4715.30 of the 11180  
Revised Code. The board shall issue a limited resident's license 11181  
in accordance with Chapter 4796. of the Revised Code to an 11182

applicant if either of the following applies: 11183

(1) The applicant holds a license to practice dentistry in another state. 11184  
11185

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in the practice of dentistry in a state that does not issue that license. 11186  
11187  
11188  
11189

(B) Upon payment of one hundred twenty-seven dollars and upon application endorsed by an accredited dental college in this state, the board may without examination issue a limited teaching license to a dentist who is a resident of a state other than Ohio and who is a graduate of a dental college, is authorized to practice dentistry in another state or country, and has full-time appointment to the faculty of the endorsing dental college. A limited teaching license is subject to annual renewal in accordance with the standard renewal procedure of Chapter 4745. of the Revised Code, and automatically expires upon termination of the full-time faculty appointment. A person holding a limited teaching license may practice dentistry only in connection with programs operated by the endorsing dental college. The board may discipline the holder of a limited teaching license pursuant to section 4715.30 of the Revised Code. 11190  
11191  
11192  
11193  
11194  
11195  
11196  
11197  
11198  
11199  
11200  
11201  
11202  
11203  
11204  
11205

Chapter 4796. of the Revised Code does not apply to a limited teaching license issued under this division. 11206  
11207

(C) (1) As used in this division: 11208

(a) "Continuing dental education practicum" or "practicum" means a course of instruction, approved by the American dental association, Ohio dental association, or academy of general 11209  
11210  
11211



dentistry, that is designed to improve the clinical skills of a 11212  
dentist by requiring the dentist to participate in clinical 11213  
exercises on patients. 11214

(b) "Director" means the person responsible for the 11215  
operation of a practicum. 11216

(2) Upon payment of one hundred twenty-seven dollars and 11217  
application endorsed by the director of a continuing dental 11218  
education practicum, the board shall, without examination, issue 11219  
a temporary limited continuing education license to a resident 11220  
of a state other than Ohio who is licensed to practice dentistry 11221  
in such state and is in good standing, is a graduate of an 11222  
accredited dental college, and is registered to participate in 11223  
the endorsing practicum. The determination of whether a dentist 11224  
is in good standing shall be made by the board. 11225

A dentist holding a temporary limited continuing education 11226  
license may practice dentistry only on residents of the state in 11227  
which the dentist is permanently licensed or on patients 11228  
referred by a dentist licensed pursuant to section 4715.12 of 11229  
the Revised Code to an instructing dentist licensed pursuant to 11230  
that section, and only while participating in a required 11231  
clinical exercise of the endorsing practicum on the premises of 11232  
the facility where the practicum is being conducted. 11233

Practice under a temporary limited continuing education 11234  
license shall be under the direct supervision and full 11235  
professional responsibility of an instructing dentist licensed 11236  
pursuant to section 4715.12 of the Revised Code, shall be 11237  
limited to the performance of those procedures necessary to 11238  
complete the endorsing practicum, and shall not exceed thirty 11239  
days of actual patient treatment in any year. 11240

(3) A director of a continuing dental education practicum 11241  
who endorses an application for a temporary limited continuing 11242  
education license shall, prior to making the endorsement, notify 11243  
the state dental board in writing of the identity of the 11244  
sponsors and the faculty of the practicum and the dates and 11245  
locations at which it will be offered. The notice shall also 11246  
include a brief description of the course of instruction. The 11247  
board may prohibit a continuing dental education practicum from 11248  
endorsing applications for temporary limited continuing 11249  
education licenses if the board determines that the practicum is 11250  
engaged in activities that constitute a threat to public health 11251  
and safety or do not constitute bona fide continuing dental 11252  
education, or that the practicum permits activities which 11253  
otherwise violate this chapter. Any continuing dental education 11254  
practicum prohibited from endorsing applications may request an 11255  
adjudication pursuant to Chapter 119. of the Revised Code. 11256

A temporary limited continuing education license shall be 11257  
valid only when the dentist is participating in the endorsing 11258  
continuing dental education practicum and shall expire at the 11259  
end of one year. If the dentist fails to complete the endorsing 11260  
practicum in one year, the board may, upon the dentist's 11261  
application and payment of a fee of ninety-four dollars, renew 11262  
the temporary limited continuing education license for a 11263  
consecutive one-year period. Only two renewals may be granted. 11264  
The holder of a temporary limited continuing education license 11265  
may be disciplined by the board pursuant to section 4715.30 of 11266  
the Revised Code. 11267

Chapter 4796. of the Revised Code does not apply to a 11268  
temporary limited continuing education license issued under this 11269  
division. 11270

(D) The board shall act either to approve or to deny any application for a limited license pursuant to division (A), (B), or (C) of this section not later than sixty days of the date the board receives the application.

**Sec. 4715.27.** ~~The~~ (A) (1) Except as provided in division (A) (2) of this section, the state dental board may issue a license to an applicant who furnishes satisfactory proof of being at least eighteen years of age and who demonstrates, to the satisfaction of the board, knowledge of the laws, regulations, and rules governing the practice of a dental hygienist; who proves, to the satisfaction of the board, intent to practice as a dental hygienist in this state; who is a graduate from an accredited school of dental hygiene and who holds a license by examination from a similar dental board, and who passes an examination as prescribed by the board relating to dental hygiene.

(2) The board shall issue a license to practice as a dental hygienist in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(a) The applicant holds a license to practice as a dental hygienist in another state.

(b) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in the practice of a dental hygienist in a state that does not issue that license.

(B) Upon payment of seventy-three dollars and upon application endorsed by an accredited dental hygiene school in this state, the state dental board may without examination issue a teacher's certificate to a dental hygienist, authorized to

practice in another state or country. A teacher's certificate 11300  
shall be subject to annual renewal in accordance with the 11301  
standard renewal procedure of sections 4745.01 to 4745.03 of the 11302  
Revised Code, and shall not be construed as authorizing anything 11303  
other than teaching or demonstrating the skills of a dental 11304  
hygienist in the educational programs of the accredited dental 11305  
hygiene school which endorsed the application. 11306

Chapter 4796. of the Revised Code does not apply to a 11307  
teacher's certificate issued under this division. 11308

**Sec. 4715.362.** A dentist who desires to participate in the 11309  
oral health access supervision program shall apply to the state 11310  
dental board for an oral health access supervision permit. The 11311  
application shall be under oath, on a form prescribed by the 11312  
board in rules adopted under section 4715.372 of the Revised 11313  
Code, and accompanied by an application fee of twenty-five 11314  
dollars. To be eligible to receive the permit, an applicant 11315  
shall meet the requirements established by the board in rules 11316  
adopted under section 4715.372 of the Revised Code. 11317

The state dental board shall issue an oral health access 11318  
supervision permit to a dentist who is in good standing with the 11319  
board and satisfies all of the requirements of this section. 11320

Chapter 4796. of the Revised Code does not apply to a 11321  
permit issued under this section. 11322

**Sec. 4715.363.** (A) A dental hygienist who desires to 11323  
participate in the oral health access supervision program shall 11324  
apply to the state dental board for a permit to practice under 11325  
the oral health access supervision of a dentist. The application 11326  
shall be under oath, on a form prescribed by the board in rules 11327  
adopted under section 4715.372 of the Revised Code, and 11328

accompanied by an application fee of twenty-five dollars, which 11329  
may be paid by credit card. 11330

(B) The applicant shall provide evidence satisfactory to 11331  
the board that the applicant has done all of the following: 11332

(1) Completed at least one year and attained a minimum of 11333  
one thousand five hundred hours of experience in the practice of 11334  
dental hygiene; 11335

(2) Completed at least twenty-four hours of continuing 11336  
dental hygiene education during the two years prior to 11337  
submission of the application; 11338

(3) Completed a course pertaining to the practice of 11339  
dental hygiene under the oral health access supervision of a 11340  
dentist that meets standards established in rules adopted under 11341  
section 4715.372 of the Revised Code; 11342

(4) Completed, during the two years prior to submission of 11343  
the application, a course pertaining to the identification and 11344  
prevention of potential medical emergencies that is the same as 11345  
the course described in division (C) (2) of section 4715.22 of 11346  
the Revised Code. 11347

(C) The state dental board shall issue a permit to 11348  
practice under the oral health access supervision of a dentist 11349  
to a dental hygienist who is in good standing with the board and 11350  
meets all of the requirements of divisions (A) and (B) of this 11351  
section. 11352

(D) Chapter 4796. of the Revised Code does not apply to a 11353  
permit issued under this section. 11354

**Sec. 4715.39.** (A) The state dental board may define the 11355  
duties that may be performed by dental assistants and other 11356

individuals designated by the board as qualified personnel. If 11357  
defined, the duties shall be defined in rules adopted in 11358  
accordance with Chapter 119. of the Revised Code. The rules may 11359  
include training and practice standards for dental assistants 11360  
and other qualified personnel. The standards may include 11361  
examination and issuance of a certificate. If the board issues a 11362  
certificate, the recipient shall display the certificate in a 11363  
conspicuous location in any office in which the recipient is 11364  
employed to perform the duties authorized by the certificate. 11365

(B) A dental assistant may polish the clinical crowns of 11366  
teeth if all of the following requirements are met: 11367

(1) The dental assistant's polishing activities are 11368  
limited to the use of a rubber cup attached to a slow-speed 11369  
rotary dental hand piece to remove soft deposits that build up 11370  
over time on the crowns of teeth. 11371

(2) The polishing is performed only after a dentist has 11372  
evaluated the patient and any calculus detected on the teeth to 11373  
be polished has been removed by a dentist or dental hygienist. 11374

(3) The dentist supervising the assistant supervises not 11375  
more than two dental assistants engaging in polishing activities 11376  
at any given time. 11377

(4) The dental assistant is certified by the dental 11378  
assisting national board, the Ohio commission on dental 11379  
assistant certification, or the American medical technologists. 11380

(5) The dental assistant receives a certificate from the 11381  
board authorizing the assistant to engage in the polishing 11382  
activities. The board shall issue the certificate if the 11383  
individual has successfully completed training in the polishing 11384  
of clinical crowns through a program accredited by the American 11385

dental association commission on dental accreditation or 11386  
equivalent training approved by the board. The training shall 11387  
include courses in basic dental anatomy and infection control, 11388  
followed by a course in coronal polishing that includes 11389  
didactic, preclinical, and clinical training; any other training 11390  
required by the board; and a skills assessment that includes 11391  
successful completion of standardized testing. The board shall 11392  
adopt rules pursuant to division (A) of this section 11393  
establishing standards for approval of this training. 11394

The board shall issue a certificate to engage in polishing 11395  
activities in accordance with Chapter 4796. of the Revised Code 11396  
to a dental assistant if either of the following applies: 11397

(a) The applicant holds a license or certificate to engage 11398  
in polishing activities in another state. 11399

(b) The applicant has satisfactory work experience, a 11400  
government certification, or a private certification as 11401  
described in that chapter in polishing activities in a state 11402  
that does not issue that license or certificate. 11403

(C) A dental assistant may apply pit and fissure sealants 11404  
if all of the following requirements are met: 11405

(1) A dentist evaluates the patient and designates the 11406  
teeth and surfaces that will benefit from the application of 11407  
sealant on the day the application is to be performed. 11408

(2) The dental assistant is certified by the dental 11409  
assisting national board, the Ohio commission on dental 11410  
assistant certification, or the American medical technologists. 11411

(3) The dental assistant has successfully completed a 11412  
course in the application of sealants consisting of at least two 11413  
hours of didactic instruction and six hours of clinical 11414

instruction through a program provided by an institution 11415  
accredited by the American dental association commission on 11416  
dental accreditation or a program provided by a sponsor of 11417  
continuing education approved by the board. 11418

(4) The dentist supervising the assistant has observed the 11419  
assistant successfully apply at least six sealants. 11420

(5) Except as provided in division (D) or (E) of this 11421  
section, the dentist supervising the assistant checks and 11422  
approves the application of all sealants placed by the assistant 11423  
before the patient leaves the location where the sealant 11424  
application procedure is performed. 11425

(D) (1) A dental assistant who is certified by the dental 11426  
assisting national board, the Ohio commission on dental 11427  
assistant certification, or the American medical technologists 11428  
may provide, for not more than fifteen consecutive business 11429  
days, all of the following services to a patient when the 11430  
supervising dentist is not physically present at the location 11431  
where the services are provided if the conditions specified in 11432  
division (D) (2) of this section have been satisfied: 11433

(a) Recementation of temporary crowns or recementation of 11434  
crowns with temporary cement; 11435

(b) Application of fluoride varnish; 11436

(c) Application of disclosing solutions; 11437

(d) Application of desensitizing agents, excluding silver 11438  
diamine fluoride; 11439

(e) Caries susceptibility testing; 11440

(f) Instruction on oral hygiene home care, including the 11441  
use of toothbrushes and dental floss. 11442



(2) The conditions that must be satisfied before a dental assistant may provide the services specified in division (D) (1) of this section are all of the following: 11443  
11444  
11445

(a) The dental assistant has at least one year and a minimum of one thousand five hundred hours of experience practicing as a dental assistant. 11446  
11447  
11448

(b) The dental assistant has successfully completed a course approved by the state dental board in the identification and prevention of potential medical emergencies. 11449  
11450  
11451

(c) The supervising dentist has evaluated the dental assistant's skills. 11452  
11453

(d) The supervising dentist has established written protocols or written standing orders for the dental assistant to follow during and in the absence of an emergency. 11454  
11455  
11456

(e) The supervising dentist completed and evaluated a medical and dental history of the patient not more than one year prior to the date that the dental assistant provides services to the patient, and the supervising dentist determines that the patient is in a medically stable condition. 11457  
11458  
11459  
11460  
11461

(f) The patient is notified, in advance of the appointment for services, that the supervising dentist will be absent from the location and that the dental assistant cannot diagnose the patient's dental health care status. 11462  
11463  
11464  
11465

(g) The dental assistant is employed by, or under contract with, the supervising dentist, a dentist licensed under this chapter who meets one of the criteria specified in division (C) (10) (b) of section 4715.22 of the Revised Code, or a government entity that employs the dental assistant to provide services in a public school or in connection with other programs the 11466  
11467  
11468  
11469  
11470  
11471

government entity administers. 11472

(3) A dental assistant who is certified by the dental 11473  
assisting national board, the Ohio commission on dental 11474  
assistant certification, or the American medical technologists 11475  
may apply, for not more than fifteen business days, pit and 11476  
fissure sealants when the supervising dentist is not physically 11477  
present at the location where the sealants are to be applied if 11478  
the dental assistant meets the requirements in divisions (C) (3) 11479  
and (4) of this section and all of the conditions specified in 11480  
division (D) (2) of this section have been satisfied. 11481

(E) A dental assistant who is certified by the dental 11482  
assisting national board, the Ohio commission on dental 11483  
assistant certification, or the American medical technologists 11484  
may apply pit and fissure sealants prior to a dentist examining 11485  
the patient and rendering a diagnosis, and when a dentist is not 11486  
physically present at the location where the service is 11487  
provided, if all of the following are the case: 11488

(1) The dental assistant meets the requirements in 11489  
divisions (C) (3) and (4) of this section. 11490

(2) The conditions specified in divisions (D) (2) (a), (b), 11491  
(c), (d), (f), and (g) of this section have been satisfied. 11492

(3) The dental assistant is providing the service as part 11493  
of a program operated through any of the following: a school 11494  
district board of education or the governing board of an 11495  
educational service center; the board of health of a city or 11496  
general health district or the authority having the duties of a 11497  
board of health under section 3709.05 of the Revised Code; a 11498  
national, state, district, or local dental association; or any 11499  
other public or private entity recognized by the state dental 11500

board. 11501

(4) A supervising dentist for the program described in 11502  
division (E)(3) of this section meets both of the following 11503  
conditions: 11504

(a) Is employed by or a volunteer for, and the patients 11505  
are referred by, the entity through which the program is 11506  
operated; 11507

(b) Is available for consultation by telephone, 11508  
videoconferencing, or other means of electronic communication. 11509

(5) The application of pit and fissure sealants is limited 11510  
to erupted permanent posterior teeth without suspicion of 11511  
dentinal cavitation. 11512

(6) If the patient is a minor, a parent, guardian, or 11513  
other person responsible for the patient has been notified that 11514  
a dentist will not be present at the location and that the 11515  
dental assistant is not trained to diagnose or treat other 11516  
serious dental concerns that could exist. 11517

(F) Subject to this section and the applicable rules of 11518  
the board, licensed dentists may assign to dental assistants and 11519  
other qualified personnel dental procedures that do not require 11520  
the professional competence or skill of the licensed dentist, a 11521  
dental hygienist, or an expanded function dental auxiliary as 11522  
this section or the board by rule authorizes dental assistants 11523  
and other qualified personnel to perform. Except as provided in 11524  
division (D) or (E) of this section, the performance of dental 11525  
procedures by dental assistants and other qualified personnel 11526  
shall be under direct supervision and full responsibility of the 11527  
licensed dentist. 11528

(G) Nothing in this section shall be construed by rule of 11529

the state dental board or otherwise to do the following: 11530

(1) Authorize dental assistants or other qualified 11531  
personnel to engage in the practice of dental hygiene as defined 11532  
by sections 4715.22 and 4715.23 of the Revised Code or to 11533  
perform the duties of a dental hygienist, including the removal 11534  
of calcarious deposits, dental cement, or accretions on the 11535  
crowns and roots of teeth other than as authorized pursuant to 11536  
this section; 11537

(2) Authorize dental assistants or other qualified 11538  
personnel to engage in the practice of an expanded function 11539  
dental auxiliary as specified in section 4715.64 of the Revised 11540  
Code or to perform the duties of an expanded function dental 11541  
auxiliary other than as authorized pursuant to this section. 11542

(3) Authorize the assignment of any of the following: 11543

(a) Diagnosis; 11544

(b) Treatment planning and prescription, including 11545  
prescription for drugs and medicaments or authorization for 11546  
restorative, prosthodontic, or orthodontic appliances; 11547

(c) Surgical procedures on hard or soft tissue of the oral 11548  
cavity, or any other intraoral procedure that contributes to or 11549  
results in an irremediable alteration of the oral anatomy; 11550

(d) The making of final impressions from which casts are 11551  
made to construct any dental restoration. 11552

(H) No dentist shall assign any dental assistant or other 11553  
individual acting in the capacity of qualified personnel to 11554  
perform any dental procedure that the assistant or other 11555  
individual is not authorized by this section or by board rule to 11556  
perform. No dental assistant or other individual acting in the 11557

capacity of qualified personnel shall perform any dental 11558  
procedure other than in accordance with this section and any 11559  
applicable board rule or any dental procedure that the assistant 11560  
or other individual is not authorized by this section or by 11561  
board rule to perform. 11562

**Sec. 4715.42.** (A) (1) As used in this section: 11563

(a) "Free clinic" has the same meaning as in section 11564  
3701.071 of the Revised Code. 11565

(b) "Indigent and uninsured person" and "operation" have 11566  
the same meanings as in section 2305.234 of the Revised Code. 11567

(2) For the purposes of this section, a person shall be 11568  
considered retired from practice if the person's license has 11569  
been surrendered or allowed to expire with the intention of 11570  
ceasing to practice as a dentist or dental hygienist for 11571  
remuneration. 11572

(B) Within thirty days after receiving an application for 11573  
a volunteer's certificate that includes all of the items listed 11574  
in divisions (C) (1), (2), and (3) of this section, the state 11575  
dental board shall issue, without examination, a volunteer's 11576  
certificate to a person who is retired from practice so that the 11577  
person may provide dental services to indigent and uninsured 11578  
persons at any location, including a free clinic. 11579

(C) An application for a volunteer's certificate shall 11580  
include all of the following: 11581

(1) A copy of the applicant's degree from dental college 11582  
or dental hygiene school. 11583

(2) One of the following, as applicable: 11584

(a) A copy of the applicant's most recent license to 11585

practice dentistry or dental hygiene issued by a jurisdiction in 11586  
the United States that licenses persons to practice dentistry or 11587  
dental hygiene. 11588

(b) A copy of the applicant's most recent license 11589  
equivalent to a license to practice dentistry or dental hygiene 11590  
in one or more branches of the United States armed services that 11591  
the United States government issued. 11592

(3) Evidence of one of the following, as applicable: 11593

(a) The applicant has maintained for at least ten years 11594  
prior to retirement full licensure in good standing in any 11595  
jurisdiction in the United States that licenses persons to 11596  
practice dentistry or dental hygiene. 11597

(b) The applicant has practiced as a dentist or dental 11598  
hygienist in good standing for at least ten years prior to 11599  
retirement in one or more branches of the United States armed 11600  
services. 11601

(D) The holder of a volunteer's certificate may provide 11602  
dental services only to indigent and uninsured persons, but may 11603  
do so at any location, including a free clinic. The holder shall 11604  
not accept any form of remuneration for providing dental 11605  
services while in possession of the certificate. Except in a 11606  
dental emergency, the holder shall not perform any operation. 11607  
The board may revoke a volunteer's certificate on receiving 11608  
proof satisfactory to the board that the holder has engaged in 11609  
practice in this state outside the scope of the holder's 11610  
certificate or that there are grounds for action against the 11611  
person under section 4715.30 of the Revised Code. 11612

(E) (1) A volunteer's certificate shall be valid for a 11613  
period of three years, and may be renewed upon the application 11614

of the holder, unless the certificate was previously revoked 11615  
under division (D) of this section. The board shall maintain a 11616  
register of all persons who hold volunteer's certificates. The 11617  
board shall not charge a fee for issuing or renewing a 11618  
certificate pursuant to this section. 11619

(2) To be eligible for renewal of a volunteer's 11620  
certificate, the holder of the certificate shall certify to the 11621  
board completion of sixty hours of continuing dental education 11622  
that meets the requirements of section 4715.141 of the Revised 11623  
Code and the rules adopted under that section, or completion of 11624  
eighteen hours of continuing dental hygiene education that meets 11625  
the requirements of section 4715.25 of the Revised Code and the 11626  
rules adopted under that section, as the case may be. The board 11627  
may not renew a certificate if the holder has not complied with 11628  
the appropriate continuing education requirements. Any entity 11629  
for which the holder provides dental services may pay for or 11630  
reimburse the holder for any costs incurred in obtaining the 11631  
required continuing education credits. 11632

(3) The board shall issue to each person who qualifies 11633  
under this section for a volunteer's certificate a wallet 11634  
certificate and a wall certificate that state that the 11635  
certificate holder is authorized to provide dental services 11636  
pursuant to the laws of this state. The holder shall keep the 11637  
wallet certificate on the holder's person while providing dental 11638  
services and shall display the wall certificate prominently at 11639  
the location where the holder primarily practices. 11640

(4) The holder of a volunteer's certificate issued 11641  
pursuant to this section is subject to the immunity provisions 11642  
regarding the provision of services to indigent and uninsured 11643  
persons in section 2305.234 of the Revised Code. 11644

(F) The board shall adopt rules in accordance with Chapter 119. of the Revised Code to administer and enforce this section. 11645  
11646

(G) The state dental board shall make available through 11647  
the board's web site the application form for a volunteer's 11648  
certificate under this section, a description of the application 11649  
process, and a list of all items that are required by division 11650  
(C) of this section to be submitted with the application. 11651

(H) Chapter 4796. of the Revised Code does not apply to a 11652  
license issued under this section. 11653

**Sec. 4715.421.** (A) As used in this section: 11654

(1) "Accredited dental college" has the same meaning as in 11655  
section 4715.10 of the Revised Code. 11656

(2) "Accredited dental hygiene school" has the same 11657  
meaning as in section 4715.36 of the Revised Code. 11658

(3) "Operation" has the same meaning as in section 11659  
2305.234 of the Revised Code. 11660

(B) Within thirty days after receiving an application for 11661  
a temporary volunteer's certificate that includes all of the 11662  
items listed in divisions (C)(1) and (2) of this section, the 11663  
state dental board shall issue, without examination, a temporary 11664  
volunteer's certificate to a person not licensed under this 11665  
chapter so that the person may provide dental services in this 11666  
state as a volunteer. 11667

(C) An application for a temporary volunteer's certificate 11668  
shall include both of the following: 11669

(1) A copy of the applicant's degree from an accredited 11670  
dental college or accredited dental hygiene school; 11671



(2) One of the following, as applicable:	11672
(a) Evidence satisfactory to the board that the applicant holds a valid, unrestricted license to practice dentistry or dental hygiene issued by a jurisdiction in the United States that licenses persons to practice dentistry or dental hygiene;	11673 11674 11675 11676
(b) Evidence satisfactory to the board that the applicant is practicing dentistry or dental hygiene in one or more branches of the United States armed services.	11677 11678 11679
(D) The holder of a temporary volunteer's certificate shall not accept any form of remuneration for providing dental services pursuant to the certificate. Except in a dental emergency, the holder shall not perform any operation. The board may revoke a temporary volunteer's certificate on receiving proof satisfactory to the board that the holder has engaged in practice in this state outside the scope of the holder's certificate or that there are grounds for action against the person under section 4715.30 of the Revised Code.	11680 11681 11682 11683 11684 11685 11686 11687 11688
(E) (1) A temporary volunteer's certificate shall be valid for a period of seven days, and may be renewed upon the application of the holder, unless the certificate was previously revoked under division (D) of this section. The board shall maintain a register of all persons who hold a temporary volunteer's certificate. The board may charge a fee not to exceed twenty-five dollars for issuing or renewing a certificate pursuant to this section.	11689 11690 11691 11692 11693 11694 11695 11696
(2) The board shall issue to each person who qualifies under this section for a temporary volunteer's certificate a wallet certificate that states that the certificate holder is authorized to provide dental services pursuant to the laws of	11697 11698 11699 11700

this state. The holder shall keep the wallet certificate on the holder's person while providing dental services. 11701  
11702

(3) The holder of a temporary volunteer's certificate issued pursuant to this section is subject to the immunity provisions in section 2305.234 of the Revised Code. 11703  
11704  
11705

(F) The board shall adopt rules in accordance with Chapter 119. of the Revised Code to administer and enforce this section. 11706  
11707

(G) Not later than ninety days after ~~the effective date of this section~~ March 23, 2015, the state dental board shall make available through the board's internet web site the application form for a temporary volunteer's certificate under this section, a description of the application process, and a list of all items that are required by division (C) of this section to be submitted with the application. 11708  
11709  
11710  
11711  
11712  
11713  
11714

(H) Chapter 4796. of the Revised Code does not apply to a temporary volunteer's certificate issued under this section. 11715  
11716

**Sec. 4715.53.** (A) Each individual seeking a certificate to practice as a dental x-ray machine operator shall apply to the state dental board on a form the board shall prescribe and provide. ~~The~~ Except as provided in division (C) of this section, the application shall be accompanied by an application fee of thirty-two dollars. 11717  
11718  
11719  
11720  
11721  
11722

(B) The board shall review all applications received and, except as provided in division (C) of this section, issue a dental x-ray machine operator certificate to each applicant who submits evidence satisfactory to the board of one of the following: 11723  
11724  
11725  
11726  
11727

(1) The applicant holds certification from the dental assisting national board, the Ohio commission on dental 11728  
11729

assistant certification, or the American medical technologists. 11730

~~(2) The applicant holds a license, certificate, permit, registration, or other credential issued by another state that the board determines uses standards for dental x-ray machine operators that are at least equal to those established under this chapter.~~ 11731  
11732  
11733  
11734  
11735

~~(3) The applicant has successfully completed an educational program consisting of at least seven hours of instruction in dental x-ray machine operation that meets either of the following requirements:~~ 11736  
11737  
11738  
11739

~~(a) Has been approved by the board in accordance with section 4715.57 of the Revised Code;~~ 11740  
11741

~~(b) Is conducted by an institution accredited by the American dental association commission on dental accreditation.~~ 11742  
11743

~~(c) The board shall issue a certificate in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:~~ 11744  
11745  
11746

~~(1) The applicant holds a license or certificate in another state.~~ 11747  
11748

~~(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a dental x-ray machine operator in a state that does not issue that license or certificate.~~ 11749  
11750  
11751  
11752

~~(D) A certificate issued under this section expires two years after it is issued and may be renewed if the certificate holder does both of the following:~~ 11753  
11754  
11755

~~(1) Certifies to the board that the certificate holder has completed at least two hours of instruction in dental x-ray~~ 11756  
11757

machine operation approved by the board in accordance with 11758  
section 4715.57 of the Revised Code during the two-year period 11759  
preceding the date the renewal application is received by the 11760  
board. 11761

(2) Submits a renewal fee of thirty-two dollars to the 11762  
board. 11763

Renewals shall be made in accordance with the standard 11764  
renewal procedure established under Chapter 4745. of the Revised 11765  
Code. 11766

**Sec. 4715.62.** (A) Each individual seeking to register with 11767  
the state dental board as an expanded function dental auxiliary 11768  
shall file with the secretary of the board a written application 11769  
for registration, under oath, on a form the board shall 11770  
prescribe and provide. ~~An~~ Except as provided in division (C) of 11771  
this section, an applicant shall include with the completed 11772  
application all of the following: 11773

(1) An application fee of twenty-five dollars; 11774

(2) Proof satisfactory to the board that the applicant has 11775  
successfully completed, at an educational institution accredited 11776  
by the commission on dental accreditation of the American dental 11777  
association or the higher learning commission of the north 11778  
central association of colleges and schools, the education or 11779  
training specified by the board in rules adopted under section 11780  
4715.66 of the Revised Code as the education or training that is 11781  
necessary to obtain registration under this chapter to practice 11782  
as an expanded function dental auxiliary, as evidenced by a 11783  
diploma or other certificate of graduation or completion that 11784  
has been signed by an appropriate official of the accredited 11785  
institution that provided education or training; 11786

(3) Proof satisfactory to the board that the applicant has passed an examination that meets the standards established by the board in rules adopted under section 4715.66 of the Revised Code to be accepted by the board as an examination of competency to practice as an expanded function dental auxiliary;

(4) Proof that the applicant holds current certification to perform basic life-support procedures, evidenced by documentation showing the successful completion of a basic life-support training course certified by the American red cross, the American heart association, or the American safety and health institute.

(B) If an applicant complies with division (A) of this section, the board shall register the applicant as an expanded function dental auxiliary.

(C) The board shall register an applicant in accordance with Chapter 4796. of the Revised Code if either of the following applies:

(1) The applicant is licensed or registered as an expanded function dental auxiliary in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as an expanded function dental auxiliary in a state that does not issue that license or registration.

**Sec. 4717.05.** (A) Any person who desires to be licensed as an embalmer shall apply to the board of embalmers and funeral directors on a form provided by the board. The applicant shall include with the application an initial license fee as set forth in section 4717.07 of the Revised Code and evidence, verified by

oath and satisfactory to the board, that the applicant meets all 11816  
of the following requirements: 11817

(1) The applicant is at least eighteen years of age. 11818

(2) The applicant holds at least a bachelor's degree from 11819  
a college or university authorized to confer degrees by the 11820  
department of higher education or the comparable legal agency of 11821  
another state in which the college or university is located and 11822  
submits an official transcript from that college or university 11823  
with the application. 11824

(3) The applicant has satisfactorily completed at least 11825  
twelve months of instruction in a prescribed course in mortuary 11826  
science as approved by the board and has presented to the board 11827  
a certificate showing successful completion of the course. The 11828  
course of mortuary science college training may be completed 11829  
either before or after the completion of the educational 11830  
standard set forth in division (A) (2) of this section. 11831

(4) The applicant has been certified by the board prior to 11832  
beginning an embalmer apprenticeship. 11833

(5) The applicant has satisfactorily completed at least 11834  
one year of apprenticeship under an embalmer licensed in this 11835  
state and has participated in embalming at least twenty-five 11836  
dead human bodies. 11837

(6) The applicant, upon meeting the educational standards 11838  
provided for in divisions (A) (2) and (3) of this section and 11839  
completing the apprenticeship required in division (A) (5) of 11840  
this section, has completed the examination for an embalmer's 11841  
license required by the board. 11842

(B) Upon receiving satisfactory evidence verified by oath 11843  
that the applicant meets all the requirements of division (A) of 11844

this section, the board shall issue the applicant an embalmer's license. 11845  
11846

(C) Any person who desires to be licensed as a funeral director shall apply to the board on a form prescribed by the board. The application shall include an initial license fee as set forth in section 4717.07 of the Revised Code and evidence, verified by oath and satisfactory to the board, that the applicant meets all of the following requirements: 11847  
11848  
11849  
11850  
11851  
11852

(1) Except as otherwise provided in division (D) of this section, the applicant has satisfactorily met all the requirements for an embalmer's license as described in divisions (A) (1) to (3) of this section. 11853  
11854  
11855  
11856

(2) The applicant has been certified by the board prior to beginning a funeral director apprenticeship. 11857  
11858

(3) The applicant, following mortuary science college training described in division (A) (3) of this section, has satisfactorily completed a one-year apprenticeship under a licensed funeral director in this state and has participated in directing at least twenty-five funerals. 11859  
11860  
11861  
11862  
11863

(4) The applicant has satisfactorily completed the examination for a funeral director's license as required by the board. 11864  
11865  
11866

(D) In lieu of mortuary science college training required for a funeral director's license under division (C) (1) of this section, the applicant may substitute a satisfactorily completed two-year apprenticeship under a licensed funeral director in this state assisting that person in directing at least fifty funerals. 11867  
11868  
11869  
11870  
11871  
11872

(E) Upon receiving satisfactory evidence that the 11873

applicant meets all the requirements of division (C) of this 11874  
section, the board shall issue to the applicant a funeral 11875  
director's license. 11876

(F) The board shall issue an embalmer or funeral director 11877  
apprentice card in accordance with Chapter 4796. of the Revised 11878  
Code to an applicant if either of the following applies: 11879

(1) The applicant holds a license or card in another 11880  
state. 11881

(2) The applicant has satisfactory work experience, a 11882  
government certification, or a private certification as 11883  
described in that chapter as an embalmer or funeral director 11884  
apprentice in a state that does not issue that license or card. 11885

(G) A funeral director or embalmer may request the funeral 11886  
director's or embalmer's license be placed on inactive status by 11887  
submitting to the board a form prescribed by the board and such 11888  
other information as the board may request. A funeral director 11889  
or embalmer may not place the funeral director's or embalmer's 11890  
license on inactive status unless the funeral director or 11891  
embalmer is in good standing with the board and is in compliance 11892  
with applicable continuing education requirements. A funeral 11893  
director or embalmer who is granted inactive status is 11894  
prohibited from participating in any activity for which a 11895  
funeral director's or embalmer's license is required in this 11896  
state. A funeral director or embalmer who has been granted 11897  
inactive status is exempt from the continuing education 11898  
requirements under section 4717.09 of the Revised Code during 11899  
the period of the inactive status. 11900

~~(G)~~ (H) A funeral director or embalmer who has been 11901  
granted inactive status may not return to active status for at 11902



least two years following the date that the inactive status was 11903  
granted. Following a period of at least two years of inactive 11904  
status, the funeral director or embalmer may apply to return to 11905  
active status upon completion of all of the following 11906  
conditions: 11907

(1) The funeral director or embalmer files with the board 11908  
a form prescribed by the board seeking active status and 11909  
provides any other information as the board may request; 11910

(2) The funeral director or embalmer takes and passes the 11911  
Ohio laws examination for each license being activated; 11912

(3) The funeral director or embalmer pays a reactivation 11913  
fee to the board in the amount of one hundred forty dollars for 11914  
each license being reactivated. 11915

**Sec. 4717.051.** (A) ~~Any~~ Except as provided in division (D) 11916  
of this section, any person who desires to obtain a permit as a 11917  
crematory operator shall apply to the board of embalmers and 11918  
funeral directors on a form prescribed by the board. The 11919  
applicant shall include with the application the initial permit 11920  
fee set forth in section 4717.07 of the Revised Code and 11921  
evidence, verified under oath and satisfactory to the board, 11922  
that the applicant satisfies both of the following requirements: 11923

(1) The applicant is at least eighteen years of age. 11924

(2) The applicant has satisfactorily completed a crematory 11925  
operation certification program approved by the board and has 11926  
presented to the board a certificate showing completion of the 11927  
program. 11928

(B) If the board of embalmers and funeral directors, upon 11929  
receiving satisfactory evidence, determines that the applicant 11930  
satisfies all of the requirements of division (A) of this 11931

section, the board shall issue to the applicant a permit as a crematory operator. 11932  
11933

(C) The board of embalmers and funeral directors may 11934  
revoke or suspend a crematory operator permit or subject a 11935  
crematory operator permit holder to discipline in accordance 11936  
with the laws, rules, and procedures applicable to licensees 11937  
under this chapter. 11938

(D) The board shall issue a crematory operator permit in 11939  
accordance with Chapter 4796. of the Revised Code to an 11940  
applicant if either of the following applies: 11941

(1) The applicant holds a license or permit in another 11942  
state. 11943

(2) The applicant has satisfactory work experience, a 11944  
government certification, or a private certification as 11945  
described in that chapter as a crematory operator in a state 11946  
that does not issue that license or permit. 11947

**Sec. 4717.10.** (A) The board of embalmers and funeral 11948  
~~directors may recognize licenses issued to embalmers and funeral~~ 11949  
~~directors by other states, and upon presentation of such~~ 11950  
~~licenses, may shall issue to the holder an embalmer's or funeral~~ 11951  
~~director's license under this chapter in accordance with Chapter~~ 11952  
4796. of the Revised Code to an applicant who holds a license in 11953  
another state or who has satisfactory work experience, a 11954  
government certification, or a private certification as 11955  
described in that chapter as an embalmer or funeral director in 11956  
a state that does not issue that license. The board shall charge 11957  
the same fee as prescribed in section 4717.07 of the Revised 11958  
Code to issue or renew such an embalmer's or funeral director's 11959  
license. Such licenses shall be renewed biennially as provided 11960

in section 4717.08 of the Revised Code. ~~The board shall not~~ 11961  
~~issue a license to any person under division (A) of this section~~ 11962  
~~unless the applicant proves that the applicant, in the state in~~ 11963  
~~which the applicant is licensed, has complied with requirements~~ 11964  
~~substantially equal to those established in section 4717.05 of~~ 11965  
~~the Revised Code.~~ 11966

(B) (1) The board of embalmers and funeral directors may 11967  
issue courtesy card permits to nonresident funeral directors 11968  
licensed in a state that borders this state. A courtesy card 11969  
permit holder shall be authorized to undertake both the 11970  
following acts in this state: 11971

~~(1)~~ (a) Prepare and complete those sections of a death 11972  
certificate and other permits needed for disposition of deceased 11973  
human remains in this state and sign and file such death 11974  
certificates and permits; 11975

~~(2)~~ (b) Supervise and conduct funeral ceremonies, 11976  
interments, and entombments in this state. 11977

(2) Chapter 4796. of the Revised Code does not apply to a 11978  
courtesy card permit issued under this division. 11979

(C) The board of embalmers and funeral directors may 11980  
determine under what conditions a courtesy card permit may be 11981  
issued to funeral directors in bordering states after taking 11982  
into account whether and under what conditions and fees such 11983  
border states issue similar courtesy card permits to funeral 11984  
directors licensed in this state. A courtesy card permit holder 11985  
shall comply with all applicable laws and rules of this state 11986  
while engaged in any acts of funeral directing in this state. 11987  
The board may revoke or suspend a courtesy card permit or 11988  
subject a courtesy card permit holder to discipline in 11989

accordance with the laws, rules, and procedures applicable to 11990  
funeral directors under this chapter. Applicants for courtesy 11991  
card permits shall apply on forms prescribed by the board, pay a 11992  
biennial fee set by the board for initial applications and 11993  
renewals, and adhere to such other requirements imposed by the 11994  
board on courtesy card permit holders. 11995

(D) No courtesy card permit holder shall be authorized to 11996  
undertake any of the following activities in this state: 11997

(1) Arranging funerals or disposition services with 11998  
members of the public in this state; 11999

(2) Be employed by or under contract to a funeral home 12000  
licensed in this state to perform funeral services in this 12001  
state; 12002

(3) Advertise funeral or disposition services in this 12003  
state; 12004

(4) Enter into or execute funeral or disposition contracts 12005  
in this state; 12006

(5) Prepare or embalm deceased human remains in this 12007  
state; 12008

(6) Arrange for or carry out the disinterment of human 12009  
remains in this state. 12010

(E) As used in this section, "courtesy card permit" means 12011  
a special permit that may be issued to a nonresident funeral 12012  
director licensed in a state that borders this state and who 12013  
does not hold a funeral director's license under this chapter. 12014

**Sec. 4723.08.** (A) The board of nursing may impose fees not 12015  
to exceed the following limits: 12016

(1) For application for licensure by examination or endorsement to practice nursing as a registered nurse or as a licensed practical nurse <u>submitted under division (A) or (B) of section 4723.09 of the Revised Code</u> , seventy-five dollars;	12017 12018 12019 12020
(2) For application for licensure to practice nursing as an advanced practice registered nurse <u>submitted under division (A) or (B) (2) of section 4723.41 of the Revised Code</u> , one hundred fifty dollars;	12021 12022 12023 12024
(3) For application for a dialysis technician intern certificate, the amount specified in rules adopted under section 4723.79 of the Revised Code;	12025 12026 12027
(4) For application for a dialysis technician certificate, the amount specified in rules adopted under section 4723.79 of the Revised Code;	12028 12029 12030
(5) For providing, pursuant to division (B) of section 4723.271 of the Revised Code, written verification of a nursing license, dialysis technician certificate, medication aide certificate, or community health worker certificate to another jurisdiction, fifteen dollars;	12031 12032 12033 12034 12035
(6) For providing, pursuant to division (A) of section 4723.271 of the Revised Code, a replacement copy of a wall certificate suitable for framing as described in that division, twenty-five dollars;	12036 12037 12038 12039
(7) For renewal of a license to practice as a registered nurse or licensed practical nurse, sixty-five dollars;	12040 12041
(8) For renewal of a license to practice as an advanced practice registered nurse, one hundred thirty-five dollars;	12042 12043
(9) For renewal of a dialysis technician certificate, the	12044

amount specified in rules adopted under section 4723.79 of the Revised Code;	12045 12046
(10) For processing a late application for renewal of a nursing license or dialysis technician certificate, fifty dollars;	12047 12048 12049
(11) For application for authorization to approve continuing education programs and courses from an applicant accredited by a national accreditation system for nursing, five hundred dollars;	12050 12051 12052 12053
(12) For application for authorization to approve continuing education programs and courses from an applicant not accredited by a national accreditation system for nursing, one thousand dollars;	12054 12055 12056 12057
(13) For each year for which authorization to approve continuing education programs and courses is renewed, one hundred fifty dollars;	12058 12059 12060
(14) For application for approval to operate a dialysis training program, the amount specified in rules adopted under section 4723.79 of the Revised Code;	12061 12062 12063
(15) For reinstatement of a lapsed license or certificate issued under this chapter, one hundred dollars except as provided in section 5903.10 of the Revised Code;	12064 12065 12066
(16) For processing a check returned to the board by a financial institution, twenty-five dollars;	12067 12068
(17) The amounts specified in rules adopted under section 4723.88 of the Revised Code pertaining to the issuance of certificates to community health workers, including fees for application for a certificate, renewal of a certificate,	12069 12070 12071 12072

processing a late application for renewal of a certificate, 12073  
reinstatement of a lapsed certificate, application for approval 12074  
of a community health worker training program for community 12075  
health workers, and renewal of the approval of a training 12076  
program for community health workers. 12077

(B) Each quarter, for purposes of transferring funds under 12078  
section 4743.05 of the Revised Code to the nurse education 12079  
assistance fund created in section 3333.28 of the Revised Code, 12080  
the board of nursing shall certify to the director of budget and 12081  
management the number of licenses renewed under this chapter 12082  
during the preceding quarter and the amount equal to that number 12083  
times five dollars. 12084

(C) The board may charge a participant in a board- 12085  
sponsored continuing education activity an amount not exceeding 12086  
fifteen dollars for each activity. 12087

(D) The board may contract for services pertaining to the 12088  
process of providing written verification of a license or 12089  
certificate when the verification is performed for purposes 12090  
other than providing verification to another jurisdiction. The 12091  
contract may include provisions pertaining to the collection of 12092  
the fee charged for providing the written verification. As part 12093  
of these provisions, the board may permit the contractor to 12094  
retain a portion of the fees as compensation, before any amounts 12095  
are deposited into the state treasury. 12096

**Sec. 4723.09.** (A) (1) An application for licensure by 12097  
examination to practice as a registered nurse or as a licensed 12098  
practical nurse shall be submitted to the board of nursing in 12099  
the form prescribed by rules of the board. The application shall 12100  
include all of the following: 12101

(a) Evidence that the applicant has met the educational requirements described in division (C) of this section;	12102 12103
(b) Any other information required by rules of the board;	12104
(c) The application fee required by section 4723.08 of the Revised Code.	12105 12106
(2) The board shall grant a license to practice nursing as a registered nurse or as a licensed practical nurse if the following conditions are met:	12107 12108 12109
(a) The applicant passes the examination accepted by the board under section 4723.10 of the Revised Code.	12110 12111
(b) In the case of an applicant who entered a prelicensure nursing education program on or after June 1, 2003, the results of a criminal records check conducted in accordance with section 4723.091 of the Revised Code demonstrate that the applicant is not ineligible for licensure in accordance with section 4723.092 of the Revised Code.	12112 12113 12114 12115 12116 12117
(c) The board determines that the applicant has not committed any act that is grounds for disciplinary action under section 3123.47 or 4723.28 of the Revised Code or determines that an applicant who has committed any act that is grounds for disciplinary action under either section has made restitution or has been rehabilitated, or both.	12118 12119 12120 12121 12122 12123
(3) The board is not required to afford an adjudication to an individual to whom it has refused to grant a license because of that individual's failure to pass the examination.	12124 12125 12126
(B) (1) An application for licensure by endorsement to practice nursing as a registered nurse or as a licensed practical nurse shall be submitted to the board in the form	12127 12128 12129



prescribed by rules of the board. The application shall include 12130  
all of the following: 12131

(a) Evidence that the applicant holds a current, valid, 12132  
and unrestricted license or equivalent authorization from 12133  
another jurisdiction other than another state granted after 12134  
passing an examination approved by the board of that 12135  
jurisdiction that is equivalent to the examination requirements 12136  
under this chapter for a license to practice nursing as a 12137  
registered nurse or licensed practical nurse; 12138

(b) Any other information required by rules of the board; 12139

(c) The application fee required by section 4723.08 of the 12140  
Revised Code. 12141

(2) The board shall grant a license by endorsement to 12142  
practice nursing as a registered nurse or as a licensed 12143  
practical nurse to an applicant who applied under division (B) 12144  
(1) of this section if the following conditions are met: 12145

(a) The applicant provides evidence satisfactory to the 12146  
board that the applicant has met the educational requirements 12147  
described in division (C) of this section. 12148

(b) The examination, at the time it is successfully 12149  
completed, is equivalent to the examination requirements in 12150  
effect at that time for applicants who were licensed by 12151  
examination in this state. 12152

(c) The board determines there is sufficient evidence that 12153  
the applicant completed two contact hours of continuing 12154  
education directly related to this chapter or the rules adopted 12155  
under it. 12156

(d) The results of a criminal records check conducted in 12157

accordance with section 4723.091 of the Revised Code demonstrate 12158  
that the applicant is not ineligible for licensure in accordance 12159  
with section 4723.092 of the Revised Code. 12160

(e) The applicant has not committed any act that is 12161  
grounds for disciplinary action under section 3123.47 or 4723.28 12162  
of the Revised Code, or the board determines that an applicant 12163  
who has committed any act that is grounds for disciplinary 12164  
action under either of those sections has made restitution or 12165  
has been rehabilitated, or both. 12166

(C) (1) To be eligible for licensure by examination or 12167  
endorsement under division (A) or (B) of this section, an 12168  
applicant seeking a license to practice nursing as a registered 12169  
nurse must successfully complete either of the following: 12170

(a) A nursing education program approved by the board 12171  
under division (A) of section 4723.06 of the Revised Code; 12172

(b) A nursing education program approved by a board of 12173  
another jurisdiction that is a member of the national council of 12174  
state boards of nursing. 12175

(2) To be eligible for licensure by examination or 12176  
endorsement, an applicant seeking a license to practice nursing 12177  
as a licensed practical nurse must successfully complete one of 12178  
the following: 12179

(a) A nursing education program approved by the board 12180  
under division (A) of section 4723.06 of the Revised Code; 12181

(b) A nursing education program approved by a board of 12182  
another jurisdiction that is a member of the national council of 12183  
state boards of nursing; 12184

(c) A practical nurse course offered or approved by the 12185

United States army;	12186
(d) A practical nurse education program approved by the	12187
United States air force as either of the following:	12188
(i) The community college of the air force associate	12189
degree in practical nursing technology;	12190
(ii) The allied health program, for students who graduated	12191
that program prior to 2016.	12192
(D) <u>The board shall grant a license to practice nursing as</u>	12193
<u>a registered nurse or as a licensed practical nurse in</u>	12194
<u>accordance with Chapter 4796. of the Revised Code to an</u>	12195
<u>applicant if either of the following applies:</u>	12196
(1) <u>The applicant holds a license in another state.</u>	12197
(2) <u>The applicant has satisfactory work experience, a</u>	12198
<u>government certification, or a private certification as</u>	12199
<u>described in that chapter as a registered nurse or licensed</u>	12200
<u>practical nurse in a state that does not issue that license.</u>	12201
(E) <u>The board may grant a nonrenewable temporary permit to</u>	12202
<u>practice nursing as a registered nurse or as a licensed</u>	12203
<u>practical nurse to an applicant for a license <del>by endorsement</del></u>	12204
<u>under division (B) or (D) of this section if the board is</u>	12205
<u>satisfied by the evidence that the applicant holds a current,</u>	12206
<u>valid, and unrestricted license or equivalent authorization from</u>	12207
<u>another jurisdiction. Chapter 4796. of the Revised Code does not</u>	12208
<u>apply for a temporary permit issued under this division. Subject</u>	12209
<u>to earlier automatic termination as described in this paragraph,</u>	12210
<u>the temporary permit shall expire at the earlier of one hundred</u>	12211
<u>eighty days after issuance or upon the issuance of a license <del>by</del></u>	12212
<u><del>endorsement</del> under division (B) or (D) of this section. The</u>	12213
<u>temporary permit shall terminate automatically if the criminal</u>	12214

records check completed by the bureau of criminal identification 12215  
and investigation as described in section 4723.091 of the 12216  
Revised Code regarding the applicant indicates that the 12217  
applicant is ineligible for licensure in accordance with section 12218  
4723.092 of the Revised Code. An applicant whose temporary 12219  
permit is automatically terminated is permanently prohibited 12220  
from obtaining a license to practice nursing in this state as a 12221  
registered nurse or as a licensed practical nurse. 12222

**Sec. 4723.26.** (A) (1) As used in this section: 12223

(a) "Free clinic" has the same meaning as in section 12224  
3701.071 of the Revised Code. 12225

(b) "Indigent and uninsured person" and "operation" have 12226  
the same meanings as in section 2305.234 of the Revised Code. 12227

(2) For the purposes of this section, a person shall be 12228  
considered retired from practice if the person's license has 12229  
expired with the intention of ceasing to practice nursing as a 12230  
registered nurse, licensed practical nurse, or advanced practice 12231  
registered nurse for remuneration. 12232

(B) The board of nursing may issue, without examination, a 12233  
volunteer's certificate to a qualified person who is retired 12234  
from practice so that the person may provide nursing services to 12235  
indigent and uninsured persons at any location, including a free 12236  
clinic. 12237

(C) Except as provided in division (D) of this section, an 12238  
application for a volunteer's certificate shall include all of 12239  
the following: 12240

(1) A copy or other evidence of the applicant's degree 12241  
from a school of registered nursing, practical nursing, or 12242  
advanced practice registered nursing; 12243

(2) One of the following, as applicable:	12244
(a) A copy or other evidence of the applicant's most recent license to practice nursing as a registered nurse, licensed practical nurse, or advanced practice registered nurse issued by a jurisdiction in the United States that licenses persons to practice nursing as a registered nurse, licensed practical nurse, or advanced practice registered nurse;	12245 12246 12247 12248 12249 12250
(b) A copy or other evidence of the applicant's most recent license equivalent to a license to practice nursing as a registered nurse, licensed practical nurse, or advanced practice registered nurse in one or more branches of the United States armed services that the United States government issued.	12251 12252 12253 12254 12255
(3) Evidence of one of the following, as applicable:	12256
(a) The applicant has maintained for at least ten years prior to retirement a valid, unrestricted license in any jurisdiction in the United States that licenses persons to practice nursing as a registered nurse, licensed practical nurse, or advanced practice registered nurse.	12257 12258 12259 12260 12261
(b) The applicant has practiced nursing as a registered nurse, licensed practical nurse, or advanced practice registered nurse under a valid, unrestricted license for at least ten years prior to retirement in one or more branches of the United States armed services.	12262 12263 12264 12265 12266
(D) For an applicant retired from practice for at least ten years, the applicant shall do both of the following:	12267 12268
(1) Certify to the board completion of continuing nursing education that meets the requirements of section 4723.24 of the Revised Code and the rules adopted under that section;	12269 12270 12271

(2) Submit a request to the bureau of criminal 12272  
identification and investigation for a criminal records check 12273  
and check of federal bureau of investigation records pursuant to 12274  
section 4723.091 of the Revised Code. 12275

(E) Chapter 4796. of the Revised Code does not apply to a 12276  
certificate issued under this section. 12277

(F) The holder of a volunteer's certificate may provide 12278  
nursing services only to indigent and uninsured persons, but may 12279  
do so at any location, including a free clinic. The holder shall 12280  
not accept any form of remuneration for providing nursing 12281  
services while in possession of the certificate. The board may 12282  
suspend or revoke a volunteer's certificate on receiving proof 12283  
satisfactory to the board that the holder has engaged in 12284  
practice in this state outside the scope of the holder's 12285  
certificate or that there are grounds for action against the 12286  
person under section 4723.28 of the Revised Code. In revoking a 12287  
certificate, the board may specify that the revocation is 12288  
permanent. 12289

~~(F)~~ (G) (1) A volunteer's certificate shall be valid for a 12290  
period of two years, and may be renewed upon the application of 12291  
the holder, unless the certificate is suspended or revoked under 12292  
division ~~(E)~~ (F) of this section. The board shall maintain a 12293  
record of all persons who hold volunteer's certificates. The 12294  
board shall not charge a fee for issuing or renewing a 12295  
certificate pursuant to this section. 12296

(2) To be eligible for renewal of a volunteer's 12297  
certificate, the holder of the certificate shall certify to the 12298  
board completion of continuing nursing education that meets the 12299  
requirements of section 4723.24 of the Revised Code and the 12300  
rules adopted under that section. The board may not renew a 12301

certificate if the holder has not complied with the appropriate 12302  
continuing education requirements. Any entity for which the 12303  
holder provides nursing services may pay for or reimburse the 12304  
holder for any costs incurred in obtaining the required 12305  
continuing education hours. 12306

(3) The holder of a volunteer's certificate issued 12307  
pursuant to this section is subject to the immunity provisions 12308  
regarding the provision of services to indigent and uninsured 12309  
persons in section 2305.234 of the Revised Code. 12310

~~(G)~~(H) The board shall adopt rules in accordance with 12311  
Chapter 119. of the Revised Code to administer and enforce this 12312  
section. 12313

**Sec. 4723.32.** This chapter does not prohibit any of the 12314  
following: 12315

(A) The practice of nursing by a student currently 12316  
enrolled in and actively pursuing completion of a prelicensure 12317  
nursing education program, if all of the following are the case: 12318

(1) The student is participating in a program located in 12319  
this state and approved by the board of nursing or participating 12320  
in this state in a component of a program located in another 12321  
jurisdiction and approved by a board that is a member of the 12322  
national council of state boards of nursing; 12323

(2) The student's practice is under the auspices of the 12324  
program; 12325

(3) The student acts under the supervision of a registered 12326  
nurse serving for the program as a faculty member or teaching 12327  
assistant. 12328

(B) The rendering of medical assistance to a licensed 12329

physician, licensed dentist, or licensed podiatrist by a person 12330  
under the direction, supervision, and control of such licensed 12331  
physician, dentist, or podiatrist; 12332

(C) The activities of persons employed as nursing aides, 12333  
attendants, orderlies, or other auxiliary workers in patient 12334  
homes, nurseries, nursing homes, hospitals, home health 12335  
agencies, or other similar institutions; 12336

(D) The provision of nursing services to family members or 12337  
in emergency situations; 12338

(E) The care of the sick when done in connection with the 12339  
practice of religious tenets of any church and by or for its 12340  
members; 12341

(F) The practice of nursing as an advanced practice 12342  
registered nurse by a student currently enrolled in and actively 12343  
pursuing completion of a program of study leading to initial 12344  
authorization by the board of nursing to practice nursing as an 12345  
advanced practice registered nurse in a designated specialty, if 12346  
all of the following are the case: 12347

(1) The program qualifies the student to sit for the 12348  
examination of a national certifying organization approved by 12349  
the board under section 4723.46 of the Revised Code or the 12350  
program prepares the student to receive a master's or doctoral 12351  
degree in accordance with division (A) (2) of section 4723.41 of 12352  
the Revised Code; 12353

(2) The student's practice is under the auspices of the 12354  
program; 12355

(3) The student acts under the supervision of an advanced 12356  
practice registered nurse serving for the program as a faculty 12357  
member, teaching assistant, or preceptor. 12358



(G) The activities of an individual who is a resident of a state other than this state and who currently holds a license to practice nursing or equivalent authorization from another jurisdiction, but only if the individual's activities are limited to those activities that the same type of nurse may engage in pursuant to a license issued under this chapter, the individual's authority to practice has not been revoked, the individual is not currently under suspension or on probation, the individual does not represent the individual as being licensed under this chapter, and one of the following is the case:

(1) The individual is engaging in the practice of nursing by discharging official duties while employed by or under contract with the United States government or any agency thereof;

(2) The individual is engaging in the practice of nursing as an employee of an individual, agency, or corporation located in the other jurisdiction in a position with employment responsibilities that include transporting patients into, out of, or through this state, as long as each trip in this state does not exceed seventy-two hours;

(3) The individual is consulting with an individual licensed in this state to practice any health-related profession;

(4) The individual is engaging in activities associated with teaching in this state as a guest lecturer at or for a nursing education program, continuing nursing education program, or in-service presentation;

(5) The individual is conducting evaluations of nursing

care that are undertaken on behalf of an accrediting 12388  
organization, including the national league for nursing 12389  
accrediting committee, the joint commission (formerly known as 12390  
the joint commission on accreditation of healthcare 12391  
organizations), or any other nationally recognized accrediting 12392  
organization; 12393

(6) The individual is providing nursing care to an 12394  
individual who is in this state on a temporary basis, not to 12395  
exceed six months in any one calendar year, if the nurse is 12396  
directly employed by or under contract with the individual or a 12397  
guardian or other person acting on the individual's behalf; 12398

(7) The individual is providing nursing care during any 12399  
disaster, natural or otherwise, that has been officially 12400  
declared to be a disaster by a public announcement issued by an 12401  
appropriate federal, state, county, or municipal official; 12402

(8) The individual is providing nursing care at a free-of- 12403  
charge camp accredited by the SeriousFun children's network that 12404  
specializes in providing therapeutic recreation, as defined in 12405  
section 2305.231 of the Revised Code, for individuals with 12406  
chronic diseases, if all of the following are the case: 12407

(a) The individual provides documentation to the medical 12408  
director of the camp that the individual holds a current, valid 12409  
license to practice nursing or equivalent authorization from 12410  
another jurisdiction. 12411

(b) The individual provides nursing care only at the camp 12412  
or in connection with camp events or activities that occur off 12413  
the grounds of the camp. 12414

(c) The individual is not compensated for the individual's 12415  
services. 12416

(d) The individual provides nursing care within this state	12417
for not more than thirty days per calendar year.	12418
(e) The camp has a medical director who holds an	12419
unrestricted license to practice medicine issued in accordance	12420
with Chapter 4731. of the Revised Code.	12421
(9) The individual is providing nursing care as a	12422
volunteer without remuneration during a charitable event that	12423
lasts not more than seven days if both of the following are the	12424
case:	12425
(a) The individual, or the charitable event's organizer,	12426
notifies the board of nursing not less than seven calendar days	12427
before the first day of the charitable event of the individual's	12428
intent to engage in the practice of nursing as a registered	12429
nurse, advanced practice registered nurse, or licensed practical	12430
nurse at the event;	12431
(b) If the individual's scope of practice in the other	12432
jurisdiction is more restrictive than in this state, the	12433
individual is limited to performing only those procedures that a	12434
registered nurse, advanced practice registered nurse, or	12435
licensed practical nurse in the other jurisdiction may perform.	12436
(H) The administration of medication by an individual who	12437
holds a valid medication aide certificate issued under this	12438
chapter, if the medication is administered to a resident of a	12439
nursing home, residential care facility, or ICF/IID authorized	12440
by section 4723.64 of the Revised Code to use a certified	12441
medication aide and the medication is administered in accordance	12442
with section 4723.67 of the Revised Code.	12443
<u>(I) An individual who is a resident of a state other than</u>	12444
<u>this state and who holds a license to practice nursing or</u>	12445

equivalent authorization from another jurisdiction is not 12446  
required to obtain a license in accordance with Chapter 4796. of 12447  
the Revised Code to perform the activities described under 12448  
division (G) of this section. 12449

**Sec. 4723.41.** (A) Each person who desires to practice 12450  
nursing as a certified nurse-midwife and has not been authorized 12451  
to practice midwifery prior to December 1, 1967, and each person 12452  
who desires to practice nursing as a certified registered nurse 12453  
anesthetist, clinical nurse specialist, or certified nurse 12454  
practitioner shall file with the board of nursing a written 12455  
application for a license to practice nursing as an advanced 12456  
practice registered nurse and designation in the desired 12457  
specialty. The application must be filed, under oath, on a form 12458  
prescribed by the board accompanied by the application fee 12459  
required by section 4723.08 of the Revised Code. 12460

Except as provided in division (B), (C), or (D) of this 12461  
section, at the time of making application, the applicant shall 12462  
meet all of the following requirements: 12463

(1) Be a registered nurse; 12464

(2) Submit documentation satisfactory to the board that 12465  
the applicant has earned a master's or doctoral degree with a 12466  
major in a nursing specialty or in a related field that 12467  
qualifies the applicant to sit for the certification examination 12468  
of a national certifying organization approved by the board 12469  
under section 4723.46 of the Revised Code; 12470

(3) Submit documentation satisfactory to the board of 12471  
having passed the certification examination of a national 12472  
certifying organization approved by the board under section 12473  
4723.46 of the Revised Code to examine and certify, as 12474

applicable, nurse-midwives, registered nurse anesthetists, 12475  
clinical nurse specialists, or nurse practitioners; 12476

(4) Submit an affidavit with the application that states 12477  
all of the following: 12478

(a) That the applicant is the person named in the 12479  
documents submitted under this section and is the lawful 12480  
possessor thereof; 12481

(b) The applicant's age, residence, the school at which 12482  
the applicant obtained education in the applicant's nursing 12483  
specialty, and any other facts that the board requires; 12484

(c) The specialty in which the applicant seeks 12485  
designation. 12486

(B) (1) A certified registered nurse anesthetist, clinical 12487  
nurse specialist, certified nurse-midwife, or certified nurse 12488  
practitioner who is practicing or has practiced as such in 12489  
another jurisdiction other than another state may apply for a 12490  
license by endorsement to practice nursing as an advanced 12491  
practice registered nurse and designation as a certified 12492  
registered nurse anesthetist, clinical nurse specialist, 12493  
certified nurse-midwife, or certified nurse practitioner in this 12494  
state if the nurse meets the requirements set forth in division 12495  
(A) of this section or division (B) (2) of this section. 12496

(2) If an applicant who is practicing or has practiced in 12497  
another jurisdiction other than another state applies for 12498  
designation under division (B) (2) of this section, the 12499  
application shall be submitted to the board in the form 12500  
prescribed by rules of the board and be accompanied by the 12501  
application fee required by section 4723.08 of the Revised Code. 12502  
The application shall include evidence that the applicant meets 12503

the requirements of division (B) (2) of this section, holds 12504  
authority to practice nursing and is in good standing in another 12505  
jurisdiction other than another state granted after meeting 12506  
requirements approved by the entity of that jurisdiction that 12507  
regulates nurses, and other information required by rules of the 12508  
board of nursing. 12509

With respect to the educational requirements and national 12510  
certification requirements that an applicant under division (B) 12511  
(2) of this section must meet, both of the following apply: 12512

(a) If the applicant is a certified registered nurse 12513  
anesthetist, certified nurse-midwife, or certified nurse 12514  
practitioner who, on or before December 31, 2000, obtained 12515  
certification in the applicant's nursing specialty with a 12516  
national certifying organization listed in division (A) (3) of 12517  
section 4723.41 of the Revised Code as that division existed 12518  
prior to March 20, 2013, or that was at that time approved by 12519  
the board under section 4723.46 of the Revised Code, the 12520  
applicant must have maintained the certification. The applicant 12521  
is not required to have earned a master's or doctoral degree 12522  
with a major in a nursing specialty or in a related field that 12523  
qualifies the applicant to sit for the certification 12524  
examination. 12525

(b) If the applicant is a clinical nurse specialist, one 12526  
of the following must apply to the applicant: 12527

(i) On or before December 31, 2000, the applicant obtained 12528  
a master's or doctoral degree with a major in a clinical area of 12529  
nursing from an educational institution accredited by a national 12530  
or regional accrediting organization. The applicant is not 12531  
required to have passed a certification examination. 12532

(ii) On or before December 31, 2000, the applicant 12533  
obtained a master's or doctoral degree in nursing or a related 12534  
field and was certified as a clinical nurse specialist by the 12535  
American nurses credentialing center or another national 12536  
certifying organization that was at that time approved by the 12537  
board under section 4723.46 of the Revised Code. 12538

(3) The board shall grant a license to practice nursing as 12539  
an advanced practice registered nurse in accordance with Chapter 12540  
4796. of the Revised Code to an applicant if either of the 12541  
following applies: 12542

(a) The applicant holds a license in another state. 12543

(b) The applicant has satisfactory work experience, a 12544  
government certification, or a private certification as 12545  
described in that chapter as an advanced practice registered 12546  
nurse in a state that does not issue that license. 12547

(4) The board may grant a nonrenewable temporary permit to 12548  
practice nursing as an advanced practice registered nurse to an 12549  
applicant for licensure ~~by endorsement under division (B) (2) or~~ 12550  
(3) of this section if the board is satisfied by the evidence 12551  
that the applicant holds a valid, unrestricted license in or 12552  
equivalent authorization from another jurisdiction. Chapter 12553  
4796. of the Revised Code does not apply to a temporary permit 12554  
issued under this division. The temporary permit shall expire at 12555  
the earlier of one hundred eighty days after issuance or upon 12556  
the issuance of a license ~~by endorsement under division (B) (2)~~ 12557  
or (3) of this section. 12558

(C) An applicant who desires to practice nursing as a 12559  
certified registered nurse anesthetist, certified nurse-midwife, 12560  
or certified nurse practitioner is exempt from the educational 12561

requirements in division (A) (2) of this section if all of the 12562  
following are the case: 12563

(1) Before January 1, 2001, the board issued to the 12564  
applicant a certificate of authority to practice as a certified 12565  
registered nurse anesthetist, certified nurse-midwife, or 12566  
certified nurse practitioner; 12567

(2) The applicant submits documentation satisfactory to 12568  
the board that the applicant obtained certification in the 12569  
applicant's nursing specialty with a national certifying 12570  
organization listed in division (A) (3) of section 4723.41 of the 12571  
Revised Code as that division existed prior to March 20, 2013, 12572  
or that was at that time approved by the board under section 12573  
4723.46 of the Revised Code; 12574

(3) The applicant submits documentation satisfactory to 12575  
the board that the applicant has maintained the certification 12576  
described in division (C) (2) of this section. 12577

(D) An applicant who desires to practice as a clinical 12578  
nurse specialist is exempt from the examination requirement in 12579  
division (A) (3) of this section if both of the following are the 12580  
case: 12581

(1) Before January 1, 2001, the board issued to the 12582  
applicant a certificate of authority to practice as a clinical 12583  
nurse specialist; 12584

(2) The applicant submits documentation satisfactory to 12585  
the board that the applicant earned either of the following: 12586

(a) A master's or doctoral degree with a major in a 12587  
clinical area of nursing from an educational institution 12588  
accredited by a national or regional accrediting organization; 12589



(b) A master's or doctoral degree in nursing or a related field and was certified as a clinical nurse specialist by the American nurses credentialing center or another national certifying organization that was at that time approved by the board under section 4723.46 of the Revised Code.

**Sec. 4723.651.** (A) To be eligible to receive a medication aide certificate, an applicant shall meet all of the following conditions:

(1) Be at least eighteen years of age;

(2) Have a high school diploma or a certificate of high school equivalence as defined in section 5107.40 of the Revised Code;

(3) If the applicant is to practice as a medication aide in a nursing home, be a nurse aide who satisfies the requirements of division (A) (1), (2), (3), (4), (5), (6), or (8) of section 3721.32 of the Revised Code;

(4) If the applicant is to practice as a medication aide in a residential care facility, be a nurse aide who satisfies the requirements of division (A) (1), (2), (3), (4), (5), (6), or (8) of section 3721.32 of the Revised Code or an individual who has at least one year of direct care experience in a residential care facility;

(5) If the applicant is to practice as a medication aide in an ICF/IID, be a nurse aide who satisfies the requirements of division (A) (1), (2), (3), (4), (5), (6), or (8) of section 3721.32 of the Revised Code or an individual who has at least one year of direct care experience in an ICF/IID;

(6) Successfully complete the course of instruction provided by a training program approved under section 4723.66 of

the Revised Code; 12619

(7) Not be ineligible for licensure or certification in 12620  
accordance with section 4723.092 of the Revised Code; 12621

(8) Have not committed any act that is grounds for 12622  
disciplinary action under section 3123.47 or 4723.28 of the 12623  
Revised Code or be determined by the board to have made 12624  
restitution, been rehabilitated, or both; 12625

(9) Meet all other requirements for a medication aide 12626  
certificate established in rules adopted under section 4723.69 12627  
of the Revised Code. 12628

(B) ~~If Except as provided in division (C) of this section,~~ 12629  
if an applicant meets the requirements specified in division (A) 12630  
of this section, the board of nursing shall issue a medication 12631  
aide certificate to the applicant. If a medication aide 12632  
certificate is issued to an individual on the basis of having at 12633  
least one year of direct care experience working in a 12634  
residential care facility, as provided in division (A)(4) of 12635  
this section, the certificate is valid for use only in a 12636  
residential care facility. If a medication aide certificate is 12637  
issued to an individual on the basis of having at least one year 12638  
of direct care experience working in an ICF/IID, as provided in 12639  
division (A)(5) of this section, the certificate is valid for 12640  
use only in an ICF/IID. The board shall state the limitation on 12641  
the certificate issued to the individual. 12642

(C) The board shall issue a medication aide certificate in 12643  
accordance with Chapter 4796. of the Revised Code to an 12644  
applicant if either of the following applies: 12645

(1) The applicant holds a certificate or license in 12646  
another state. 12647

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a medication aide in a state that does not issue that certificate or license. 12648  
12649  
12650  
12651

(D) A medication aide certificate is valid for two years, unless earlier suspended or revoked. The certificate may be renewed in accordance with procedures specified by the board in rules adopted under section 4723.69 of the Revised Code. To be eligible for renewal, an applicant shall pay the renewal fee established in the rules and meet all renewal qualifications specified in the rules. 12652  
12653  
12654  
12655  
12656  
12657  
12658

**Sec. 4723.75.** (A) The—Except as provided in division (D) of this section, the board of nursing shall issue a certificate to practice as a dialysis technician to an applicant if the following conditions are met: 12659  
12660  
12661  
12662

(1) The application is submitted to the board in accordance with rules adopted under section 4723.79 of the Revised Code and includes both of the following: 12663  
12664  
12665

(a) The fee established in rules adopted under section 4723.79 of the Revised Code; 12666  
12667

(b) The name and address of each approved dialysis training program in which the applicant has enrolled and the dates during which the applicant was enrolled in each program. 12668  
12669  
12670

(2) The applicant meets the requirements established by the board's rules. 12671  
12672

(3) The applicant demonstrates competency to practice as a dialysis technician, as specified in division (B) of this section. 12673  
12674  
12675

(4) In the case of an applicant who entered a dialysis training program on or after June 1, 2003, the results of a criminal records check conducted in accordance with section 4723.091 of the Revised Code demonstrate that the applicant is not ineligible for certification in accordance with section 4723.092 of the Revised Code.

(B) For an applicant to demonstrate competence to practice as a dialysis technician, one of the following must apply:

(1) The applicant has successfully completed a dialysis training program approved by the board under section 4723.74 of the Revised Code and meets both of the following requirements:

(a) Has performed dialysis care for a dialysis provider for not less than six months immediately prior to the date of application;

(b) Has passed a certification examination demonstrating competence to perform dialysis care not later than eighteen months after successfully completing a dialysis training program approved by the board under section 4723.74 of the Revised Code.

(2) The applicant does all of the following:

(a) Has a testing organization approved by the board submit evidence satisfactory to the board that the applicant passed an examination, in another jurisdiction, that demonstrates the applicant's competence to provide dialysis care;

(b) Submits evidence satisfactory to the board that the applicant has been employed to perform dialysis care in another jurisdiction for not less than six months immediately prior to the date of application for certification under this section;

(c) Submits evidence satisfactory to the board that the applicant completed at least two hours of education directly related to this chapter and the rules adopted under it.

(C) An applicant who does not pass the certification examination described in division (B) (1) (b) of this section within the time period prescribed in that division may continue to pursue certification by repeating the entire training and application process, including doing all of the following:

(1) Enrolling in and successfully completing a dialysis training program approved by the board;

(2) Submitting a request to the bureau of criminal identification and investigation for a criminal records check and check of federal bureau of investigation records pursuant to section 4723.091 of the Revised Code;

(3) Submitting an application for a dialysis technician intern certificate in accordance with section 4723.76 of the Revised Code;

(4) Demonstrating competence to perform dialysis care in accordance with division (B) of this section.

(D) The board shall issue a certificate to practice as a dialysis technician in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a certificate or license in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a dialysis technician in a state that does not issue that certificate or license.

**Sec. 4723.76.** (A) ~~The~~ Except as provided in division (D) 12732  
of this section, the board of nursing shall issue a certificate 12733  
to practice as a dialysis technician intern to an applicant who 12734  
has not passed the dialysis technician certification examination 12735  
required by section 4723.751 of the Revised Code, but who 12736  
satisfies all of the following requirements: 12737

(1) Applies to the board in accordance with rules adopted 12738  
under section 4723.79 of the Revised Code and includes with the 12739  
application both of the following: 12740

(a) The fee established in rules adopted under section 12741  
4723.79 of the Revised Code; 12742

(b) The name and address of all dialysis training programs 12743  
approved by the board in which the applicant has been enrolled 12744  
and the dates of enrollment in each program. 12745

(2) Provides documentation from the applicant's employer 12746  
attesting that the applicant is competent to perform dialysis 12747  
care; 12748

(3) Has successfully completed a dialysis training program 12749  
approved by the board of nursing under section 4723.74 of the 12750  
Revised Code. 12751

(B) A dialysis technician intern certificate issued to an 12752  
applicant who meets the requirements in division (A) of this 12753  
section is valid for a period of time that is eighteen months 12754  
from the date on which the applicant successfully completed a 12755  
dialysis training program approved by the board under section 12756  
4723.74 of the Revised Code, minus the time the applicant was 12757  
enrolled in one or more dialysis training programs approved by 12758  
the board. 12759

(C) A dialysis technician intern certificate issued under 12760

this section may not be renewed. 12761

(D) (1) The board shall issue a certificate to practice as 12762  
a dialysis technician intern in accordance with Chapter 4796. of 12763  
the Revised Code to an applicant if either of the following 12764  
applies: 12765

(a) The applicant holds a certificate or license in 12766  
another state. 12767

(b) The applicant has satisfactory work experience, a 12768  
government certification, or a private certification as 12769  
described in that chapter as a dialysis technician intern in a 12770  
state that does not issue that certificate or license. 12771

(2) A certificate issued under Chapter 4796. of the 12772  
Revised Code is valid for the same time period as described in 12773  
division (B) of this section. 12774

**Sec. 4723.85.** (A) The board of nursing shall review all 12775  
applications received under section 4723.83 of the Revised Code. 12776  
If an applicant meets the requirements of section 4723.84 of the 12777  
Revised Code, the board shall issue a community health worker 12778  
certificate to the applicant. 12779

(B) Notwithstanding the requirements specified in section 12780  
4723.84 of the Revised Code, the board shall issue a community 12781  
health worker certificate in accordance with Chapter 4796. of 12782  
the Revised Code to an applicant if either of the following 12783  
applies: 12784

(1) The applicant holds a certificate or license in 12785  
another state. 12786

(2) The applicant has satisfactory work experience, a 12787  
government certification, or a private certification as 12788

described in that chapter as a community health worker in a 12789  
state that does not issue that certificate or license. 12790

(C) A community health worker certificate issued under 12791  
division (A) or (B) of this section expires biennially and may 12792  
be renewed in accordance with the schedule and procedures 12793  
established by the board in rules adopted under section 4723.88 12794  
of the Revised Code. To be eligible for renewal, an individual 12795  
must complete the continuing education requirements established 12796  
by the board in rules adopted under section 4723.88 of the 12797  
Revised Code and meet all other requirements for renewal, as 12798  
specified in the board's rules adopted under that section. If an 12799  
applicant for renewal has successfully completed the continuing 12800  
education requirements and meets all other requirements for 12801  
renewal, the board shall issue a renewed community health worker 12802  
certificate to the applicant. 12803

**Sec. 4725.13.** (A) The state vision professionals board, by 12804  
an affirmative vote of a majority of its members, shall issue 12805  
certificates under its seal as follows: 12806

(1) Every applicant who, prior to May 19, 1992, passed the 12807  
licensing examination then in effect, and who otherwise complies 12808  
with sections 4725.01 to 4725.34 of the Revised Code shall 12809  
receive from the board a certificate of licensure authorizing 12810  
the holder to engage in the practice of optometry as provided in 12811  
division (A)(1) of section 4725.01 of the Revised Code. 12812

(2) Every applicant who, prior to May 19, 1992, passed the 12813  
general and ocular pharmacology examination then in effect, and 12814  
who otherwise complies with sections 4725.01 to 4725.34 of the 12815  
Revised Code, shall receive from the board a separate topical 12816  
ocular pharmaceutical agents certificate authorizing the holder 12817  
to administer topical ocular pharmaceutical agents as provided 12818



in division (A) (2) of section 4725.01 of the Revised Code and in 12819  
accordance with sections 4725.01 to 4725.34 of the Revised Code. 12820

(3) Every applicant who holds a valid certificate of 12821  
licensure issued prior to May 19, 1992, and meets the 12822  
requirements of section 4725.14 of the Revised Code shall 12823  
receive from the board a separate therapeutic pharmaceutical 12824  
agents certificate authorizing the holder to engage in the 12825  
practice of optometry as provided in division (A) (3) of section 12826  
4725.01 of the Revised Code. 12827

(4) Every applicant who, on or after May 19, 1992, passes 12828  
all parts of the licensing examination accepted by the board 12829  
under section 4725.11 of the Revised Code and otherwise complies 12830  
with the requirements of sections 4725.01 to 4725.34 of the 12831  
Revised Code shall receive from the board a certificate of 12832  
licensure authorizing the holder to engage in the practice of 12833  
optometry as provided in division (A) (1) of section 4725.01 of 12834  
the Revised Code and a separate therapeutic pharmaceutical 12835  
agents certificate authorizing the holder to engage in the 12836  
practice of optometry as provided in division (A) (3) of that 12837  
section. 12838

(B) Each person to whom a certificate is issued pursuant 12839  
to this section by the board shall keep the certificate 12840  
displayed in a conspicuous place in the location at which that 12841  
person practices optometry and shall whenever required exhibit 12842  
the certificate to any member or agent of the board. If an 12843  
optometrist practices outside of or away from the location at 12844  
which the optometrist's certificate of licensure is displayed, 12845  
the optometrist shall deliver to each person examined or fitted 12846  
with optical accessories by the optometrist, a receipt signed by 12847  
the optometrist in which the optometrist shall set forth the 12848

amounts charged, the optometrist's post-office address, and the 12849  
number assigned to the optometrist's certificate of licensure. 12850  
The information may be provided as part of a prescription given 12851  
to the person. 12852

(C) A person who, on May 19, 1992, holds a valid 12853  
certificate of licensure or topical ocular pharmaceutical agents 12854  
certificate issued by the board may continue to engage in the 12855  
practice of optometry as provided by the certificate of 12856  
licensure or topical ocular pharmaceutical agents certificate if 12857  
the person continues to comply with sections 4725.01 to 4725.34 12858  
of the Revised Code as required by the certificate of licensure 12859  
or topical ocular pharmaceutical agents certificate. 12860

(D) Chapter 4796. of the Revised Code does not apply to 12861  
certificates issued under division (A) (2) or (3) of this 12862  
section. 12863

**Sec. 4725.18.** (A) The state vision professionals board may 12864  
issue a certificate of licensure and therapeutic pharmaceutical 12865  
agents certificate by endorsement to an individual licensed as 12866  
an optometrist by ~~another state or~~ a Canadian province if the 12867  
board determines that the ~~other state or~~ province has standards 12868  
for the practice of optometry that are at least as stringent as 12869  
the standards established under sections 4725.01 to 4725.34 of 12870  
the Revised Code and the individual meets the conditions 12871  
specified in division (B) of this section. The certificates may 12872  
be issued only by an affirmative vote of a majority of the 12873  
board's members. 12874

(B) An individual seeking a certificate of licensure and 12875  
therapeutic pharmaceutical agents certificate pursuant to 12876  
division (A) of this section shall submit an application to the 12877  
board. To receive the certificates, an applicant must meet all 12878

of the following conditions:	12879
(1) Meet the same qualifications that an individual must	12880
meet under divisions (B) (1) to (3) of section 4725.12 of the	12881
Revised Code to receive a certificate of licensure and	12882
therapeutic pharmaceutical agents certificate under that	12883
section;	12884
(2) Be licensed to practice optometry by a <del>state or</del>	12885
<u>Canadian</u> province that requires passage of a written, entry-	12886
level examination at the time of initial licensure;	12887
(3) Be licensed in good standing by the optometry	12888
licensing agency of the <del>other state or</del> province, evidenced by	12889
submission of a letter from the licensing agency of the <del>other</del>	12890
<del>state or</del> province attesting to the applicant's good standing;	12891
(4) Provide the board with certified reports from the	12892
optometry licensing agencies of all <del>states and</del> provinces in	12893
which the applicant is licensed or has been licensed to practice	12894
optometry describing all past and pending actions taken by those	12895
agencies with respect to the applicant's authority to practice	12896
optometry in those jurisdictions, including such actions as	12897
investigations, entering into consent agreements, suspensions,	12898
revocations, and refusals to issue or renew a license;	12899
(5) Have been actively engaged in the practice of	12900
optometry, including the use of therapeutic pharmaceutical	12901
agents, for at least three years immediately preceding making	12902
application under this section;	12903
(6) Pay the nonrefundable application fees established	12904
under section 4725.34 of the Revised Code for a certificate of	12905
licensure and therapeutic pharmaceutical agents certificate;	12906
(7) Submit all transcripts, reports, or other information	12907

the board requires; 12908

(8) Participate in a two-hour instruction session provided 12909  
by the board on the optometry statutes and rules of this state 12910  
or pass an Ohio optometry jurisprudence test administered by the 12911  
board; 12912

(9) Pass all or part of the licensing examination accepted 12913  
by the board under section 4725.11 of the Revised Code, if the 12914  
board determines that testing is necessary to determine whether 12915  
the applicant's qualifications are sufficient for issuance of a 12916  
certificate of licensure and therapeutic pharmaceutical agents 12917  
certificate under this section; 12918

(10) Not have been previously denied issuance of a 12919  
certificate by the board. 12920

(C) The board shall issue a certificate of licensure and 12921  
therapeutic pharmaceutical agents certificate in accordance with 12922  
Chapter 4796. of the Revised Code to an applicant if either of 12923  
the following applies: 12924

(1) The applicant holds a certificate or license in 12925  
another state. 12926

(2) The applicant has satisfactory work experience, a 12927  
government certification, or a private certification as 12928  
described in that chapter in the practice of optometry using 12929  
therapeutic pharmaceutical agents in a state that does not issue 12930  
that license or certificate. 12931

**Sec. 4725.26.** Division (A) of section 4725.02 of the 12932  
Revised Code does not apply to the following: 12933

(A) Physicians authorized to practice medicine and surgery 12934  
or osteopathic medicine and surgery under Chapter 4731. of the 12935

Revised Code;	12936
(B) Persons who sell optical accessories but do not assume to adapt them to the eye, and neither practice nor profess to practice optometry;	12937 12938 12939
(C) <del>An</del> <u>A nonresident</u> instructor in a school of optometry that is located in this state and approved by the state vision professionals board under section 4725.10 of the Revised Code who holds a valid current license to practice optometry from a licensing body in another jurisdiction and limits the practice of optometry to the instruction of students enrolled in the school. <u>The state vision professionals board shall not require a nonresident instructor who holds a license in another state to obtain a license in accordance with Chapter 4796. of the Revised Code to practice optometry in the manner described under this division.</u>	12940 12941 12942 12943 12944 12945 12946 12947 12948 12949 12950
(D) A student enrolled in a school of optometry, located in this or another state and approved by the board under section 4725.10 of the Revised Code, while the student is participating in this state in an optometry training program provided or sponsored by the school, if the student acts under the direct, personal supervision and control of an optometrist licensed by the board or authorized to practice pursuant to division (C) of this section.	12951 12952 12953 12954 12955 12956 12957 12958
(E) An individual who is licensed or otherwise specifically authorized by the Revised Code to engage in an activity that is included in the practice of optometry.	12959 12960 12961
(F) An individual who is not licensed or otherwise specifically authorized by the Revised Code to engage in an activity that is included in the practice of optometry, but is	12962 12963 12964

acting pursuant to the rules for delegation of optometric tasks 12965  
adopted under section 4725.09 of the Revised Code. 12966

(G) ~~An~~A nonresident individual who holds in good standing 12967  
a valid license to practice optometry from a licensing body in 12968  
another jurisdiction and is practicing as a volunteer without 12969  
remuneration during a charitable event that lasts not more than 12970  
seven days. 12971

When an individual meets the conditions of this division, 12972  
the individual shall be deemed to hold, during the course of the 12973  
charitable event, a license to practice optometry from the state 12974  
vision professionals board and shall be subject to the 12975  
provisions of this chapter authorizing the board to take 12976  
disciplinary action against a license holder. Not less than 12977  
seven calendar days before the first day of the charitable 12978  
event, the individual or the event's organizer shall notify the 12979  
board of the individual's intent to engage in the practice of 12980  
optometry at the event. During the course of the charitable 12981  
event, the individual's scope of practice is limited to the 12982  
procedures that an optometrist licensed under this chapter is 12983  
authorized to perform unless the individual's scope of practice 12984  
in the other jurisdiction is more restrictive than in this 12985  
state. If the latter is the case, the individual's scope of 12986  
practice is limited to the procedures that an optometrist in the 12987  
other jurisdiction may perform. 12988

The board shall not require a nonresident individual who 12989  
holds a license in another state to obtain a license in 12990  
accordance with Chapter 4796. of the Revised Code to practice 12991  
optometry as a volunteer in the manner described under this 12992  
division. 12993

**Sec. 4725.48.** (A) Any person who desires to engage in 12994

optical dispensing shall file a properly completed application 12995  
for an examination with the state vision professionals board or 12996  
with the testing service the board has contracted with pursuant 12997  
to section 4725.49 of the Revised Code. The application for 12998  
examination shall be made using a form provided by the board and 12999  
shall be accompanied by an examination fee the board shall 13000  
establish by rule. 13001

(B) Any person who desires to engage in optical dispensing 13002  
shall file a properly completed application for a license with 13003  
the board with a licensure application fee of fifty dollars. 13004

No person shall be eligible to apply for a license under 13005  
this division, unless the person is at least eighteen years of 13006  
age, is free of contagious or infectious disease, has received a 13007  
passing score, as determined by the board, on the examination 13008  
administered under division (A) of this section, is a graduate 13009  
of an accredited high school of any state, or has received an 13010  
equivalent education and has successfully completed either of 13011  
the following: 13012

(1) Two years of supervised experience under a licensed 13013  
dispensing optician, optometrist, or physician engaged in the 13014  
practice of ophthalmology, up to one year of which may be 13015  
continuous experience of not less than thirty hours a week in an 13016  
optical laboratory; 13017

(2) A two-year college level program in optical dispensing 13018  
that has been approved by the board and that includes, but is 13019  
not limited to, courses of study in mathematics, science, 13020  
English, anatomy and physiology of the eye, applied optics, 13021  
ophthalmic optics, measurement and inspection of lenses, lens 13022  
grinding and edging, ophthalmic lens design, keratometry, and 13023  
the fitting and adjusting of spectacle lenses and frames and 13024

contact lenses, including methods of fitting contact lenses and 13025  
post-fitting care. 13026

(C) (1) Any person who desires to obtain a license to 13027  
practice as an ocularist shall file a properly completed 13028  
application with the board accompanied by the appropriate fee 13029  
and proof that the applicant has met the requirements for 13030  
licensure. The board shall establish, by rule, the application 13031  
fee and the minimum requirements for licensure, including 13032  
education, examination, or experience standards recognized by 13033  
the board as national standards for ocularists. The board shall 13034  
issue a license to practice as an ocularist to an applicant who 13035  
satisfies the requirements of this division and rules adopted 13036  
pursuant to this division. 13037

(2) The board shall issue a license to practice as an 13038  
ocularist in accordance with Chapter 4796. of the Revised Code 13039  
to an applicant if either of the following applies: 13040

(a) The applicant holds a license in another state. 13041

(b) The applicant has satisfactory work experience, a 13042  
government certification, or a private certification as 13043  
described in that chapter as an ocularist in a state that does 13044  
not issue that license. 13045

(D) (1) Subject to divisions (D) (3) and (4) of this 13046  
section, the board shall not adopt, maintain, renew, or enforce 13047  
any rule that precludes an individual from renewing a license as 13048  
a dispensing optician issued under sections 4725.40 to 4725.59 13049  
of the Revised Code due to any past criminal activity or 13050  
interpretation of moral character, unless the individual has 13051  
committed a crime of moral turpitude or a disqualifying offense 13052  
as those terms are defined in section 4776.10 of the Revised 13053



Code. 13054

If the board denies an individual a license or license renewal, the reasons for such denial shall be put in writing. 13055  
13056

(2) The board may refuse to issue a license to an applicant because of a conviction of or plea of guilty to an offense if the refusal is in accordance with section 9.79 of the Revised Code. 13057  
13058  
13059  
13060

(3) In considering a renewal of an individual's license, the board shall not consider any conviction or plea of guilty prior to the initial licensing. However, the board may consider a conviction or plea of guilty if it occurred after the individual was initially licensed, or after the most recent license renewal. 13061  
13062  
13063  
13064  
13065  
13066

(4) The board may grant an individual a conditional license that lasts for one year. After the one-year period has expired, the license is no longer considered conditional, and the individual shall be considered fully licensed. 13067  
13068  
13069  
13070

(E) The board, subject to the approval of the controlling board, may establish examination fees in excess of the amount established by rule pursuant to this section, provided that such fees do not exceed those amounts established in rule by more than fifty per cent. 13071  
13072  
13073  
13074  
13075

**Sec. 4725.52.** Any licensed dispensing optician may supervise a maximum of three apprentices who shall be permitted to engage in optical dispensing only under the supervision of the licensed dispensing optician. 13076  
13077  
13078  
13079

To serve as an apprentice, a person shall register with the state vision professionals board on a form provided by the board and in the form of a statement giving the name and address 13080  
13081  
13082

of the supervising licensed dispensing optician, the location at 13083  
which the apprentice will be employed, and any other information 13084  
required by the board. For the duration of the apprenticeship, 13085  
the apprentice shall register annually on the form provided by 13086  
the board and in the form of a statement. 13087

Each apprentice shall pay an initial registration fee of 13088  
twenty dollars. For each registration renewal thereafter, each 13089  
apprentice shall pay a registration renewal fee of twenty 13090  
dollars. 13091

The board shall grant registration as an apprentice under 13092  
this section in accordance with Chapter 4796. of the Revised 13093  
Code to an applicant if the applicant holds a registration or 13094  
license in another state or has satisfactory work experience, a 13095  
government certification, or a private certification as 13096  
described in that chapter as an apprentice permitted to engage 13097  
in supervised optical dispensing in a state that does not grant 13098  
that registration or license. 13099

The board shall not deny registration as an apprentice 13100  
under this section to any individual based on the individual's 13101  
past criminal history or an interpretation of moral character 13102  
unless the denial is for a disqualifying offense in accordance 13103  
with section 9.79 of the Revised Code. In considering a renewal 13104  
of an individual's registration, the board shall not consider 13105  
any conviction or plea of guilty prior to the initial 13106  
registration. However, the board may consider a conviction or 13107  
plea of guilty if it occurred after the individual was initially 13108  
registered, or after the most recent registration renewal. If 13109  
the board denies an individual for a registration or 13110  
registration renewal, the reasons for such denial shall be put 13111  
in writing. Additionally, the board may grant an individual a 13112

conditional registration that lasts for one year. After the one- 13113  
year period has expired, the registration is no longer 13114  
considered conditional, and the individual shall be considered 13115  
fully registered. 13116

A person who is gaining experience under the supervision 13117  
of a licensed optometrist or ophthalmologist that would qualify 13118  
the person under division (B) (1) of section 4725.48 of the 13119  
Revised Code to take the examination for optical dispensing is 13120  
not required to register with the board. 13121

~~Sec. 4725.57. An applicant for licensure as a licensed- 13122  
dispensing optician who is licensed or registered in another- 13123  
state shall be accorded the full privileges of practice within- 13124  
this state, upon the payment of a fifty-dollar fee and the- 13125  
submission of a certified copy of the license or certificate- 13126  
issued by such other state, without the necessity of- 13127  
examination, if the The state vision professionals board 13128  
determines that the shall issue a license to engage in optical 13129  
dispensing in accordance with Chapter 4796. of the Revised Code 13130  
to an applicant meets the remaining requirements of division (B)- 13131  
of section 4725.48 of the Revised Code. The board may require- 13132  
that the applicant have received a passing score, as determined- 13133  
by the board, on an examination that is substantially the same- 13134  
as the examination described in division (A) of section 4725.48- 13135  
of the Revised Code if either of the following applies: 13136~~

(A) The applicant holds a license or registration in 13137  
another state. 13138

(B) The applicant has satisfactory work experience, a 13139  
government certification, or a private certification as 13140  
described in that chapter as a dispensing optician in a state 13141  
that does not issue that license or registration. 13142

**Sec. 4725.591.** Section 4725.41 of the Revised Code does 13143  
not apply to a nonresident person who holds in good standing a 13144  
valid license from another state to engage in optical dispensing 13145  
and is engaging in optical dispensing as a volunteer without 13146  
remuneration during a charitable event that lasts not more than 13147  
seven days. 13148

When a person meets the conditions of this section, the 13149  
person shall be deemed to hold, during the course of the 13150  
charitable event, a license to engage in optical dispensing from 13151  
the state vision professionals board and shall be subject to the 13152  
provisions of this chapter authorizing the board to take 13153  
disciplinary action against a license holder. Not less than 13154  
seven calendar days before the first day of the charitable 13155  
event, the person or the event's organizer shall notify the 13156  
board of the person's intent to engage in optical dispensing at 13157  
the event. During the course of the charitable event, the 13158  
person's scope of practice is limited to the procedures that a 13159  
dispensing optician licensed under this chapter is authorized to 13160  
perform unless the person's scope of practice in the other state 13161  
is more restrictive than in this state. If the latter is the 13162  
case, the person's scope of practice is limited to the 13163  
procedures that a dispensing optician in the other state may 13164  
perform. 13165

The state vision professionals board shall not require a 13166  
nonresident person who holds a license in another state to 13167  
obtain a license in accordance with Chapter 4796. of the Revised 13168  
Code to practice optometry as a volunteer in the manner 13169  
described under this section. 13170

**Sec. 4727.03.** (A) As used in this section, "experience in 13171  
the capacity involved" means that the applicant for a 13172

pawnbroker's license demonstrates sufficient financial 13173  
responsibility and experience in the pawnbroker business, or in 13174  
a related business, to act as a pawnbroker in compliance with 13175  
this chapter. "Experience in the capacity involved" shall be 13176  
determined by: 13177

(1) Prior or current ownership or management of, or 13178  
employment in, a pawnshop; 13179

(2) Demonstration to the satisfaction of the 13180  
superintendent of financial institutions of a thorough working 13181  
knowledge of all pawnbroker laws and rules as they relate to the 13182  
actual operation of a pawnshop. 13183

A demonstration shall include a demonstration of an 13184  
ability to properly complete forms, knowledge of how to properly 13185  
calculate interest and storage charges, and knowledge of legal 13186  
notice and forfeiture procedures. The final determination of 13187  
whether an applicant's demonstration is adequate rests with the 13188  
superintendent. 13189

(3) A submission by the applicant and any stockholders, 13190  
owners, managers, directors, or officers of the pawnshop, and 13191  
employees of the applicant to a police record check; and 13192

(4) Liquid assets in a minimum amount of one hundred 13193  
twenty-five thousand dollars at the time of applying for initial 13194  
licensure and demonstration of the ability to maintain the 13195  
liquid assets at a minimum amount of seventy-five thousand 13196  
dollars for the duration of holding a valid pawnbroker's 13197  
license. If an applicant holds a pawnbroker's license at the 13198  
time of application or is applying for more than one license, 13199  
this requirement shall be met separately for each license. 13200

~~(B) The~~ (1) Except as provided in division (B) (2) of this 13201

section, the superintendent may grant a license to act as a 13202  
pawnbroker to any person having experience in the capacity 13203  
involved to engage in the business of pawnbroking upon the 13204  
payment to the superintendent of a license fee determined by the 13205  
superintendent pursuant to section 1321.20 of the Revised Code. 13206  
A license is not transferable or assignable. 13207

(2) The superintendent shall grant a license to act as a 13208  
pawnbroker in accordance with Chapter 4796. of the Revised Code 13209  
to a person if either of the following applies: 13210

(a) The person holds a license in another state. 13211

(b) The person has satisfactory work experience, a 13212  
government certification, or a private certification as 13213  
described in that chapter as a pawnbroker in a state that does 13214  
not issue that license. 13215

(C) The superintendent may consider an application 13216  
withdrawn and may retain the investigation fee required under 13217  
division (D) of this section if both of the following are true: 13218

(1) An application for a license does not contain all of 13219  
the information required under division (B) of this section. 13220

(2) The information is not submitted to the superintendent 13221  
within ninety days after the superintendent requests the 13222  
information from the applicant in writing. 13223

(D) The superintendent shall require an applicant for a 13224  
pawnbroker's license to pay to the superintendent a 13225  
nonrefundable initial investigation fee of two hundred dollars, 13226  
which is for the exclusive use of the state. 13227

(E) (1) Except as otherwise provided in division (E) (2) of 13228  
this section, a pawnbroker's license issued by the 13229

superintendent expires on the thirtieth day of June next 13230  
following the date of its issuance, or on a different date set 13231  
by the superintendent pursuant to section 1181.23 of the Revised 13232  
Code, and may be renewed annually in accordance with the 13233  
standard renewal procedure set forth in Chapter 4745. of the 13234  
Revised Code. Fifty per cent of the annual license fee shall be 13235  
for the use of the state, and fifty per cent shall be paid by 13236  
the state to the municipal corporation, or if outside the limits 13237  
of any municipal corporation, to the county, in which the office 13238  
of the licensee is located. All such fees payable to municipal 13239  
corporations or counties shall be paid annually. 13240

(2) A pawnbroker's license issued or renewed by the 13241  
superintendent on or after January 1, 2006, expires on the 13242  
thirtieth day of June in the even-numbered year next following 13243  
the date of its issuance or renewal, as applicable, and may be 13244  
renewed biennially by the thirtieth day of June in accordance 13245  
with the standard renewal procedure set forth in Chapter 4745. 13246  
of the Revised Code. Fifty per cent of the biennial license fee 13247  
shall be for the use of the state, and fifty per cent shall be 13248  
paid by the state to the municipal corporation, or if outside 13249  
the limits of any municipal corporation, to the county, in which 13250  
the office of the licensee is located. All such fees payable to 13251  
municipal corporations or counties shall be paid biennially. If 13252  
deemed necessary for participation, the superintendent may reset 13253  
the renewal date and require annual registration pursuant to 13254  
section 1181.23 of the Revised Code. 13255

(F) The fee for renewal of a license shall be equivalent 13256  
to the fee for an initial license established by the 13257  
superintendent pursuant to section 1321.20 of the Revised Code. 13258  
Any licensee who wishes to renew the pawnbroker's license but 13259  
who fails to do so on or before the date the license expires 13260

shall reapply for licensure in the same manner and pursuant to 13261  
the same requirements as for initial licensure, unless the 13262  
licensee pays to the superintendent on or before the thirty- 13263  
first day of August of the year the license expires, a late 13264  
renewal penalty of one hundred dollars in addition to the 13265  
regular renewal fee. Any licensee who fails to renew the license 13266  
on or before the date the license expires is prohibited from 13267  
acting as a pawnbroker until the license is renewed or a new 13268  
license is issued under this section. Any licensee who renews a 13269  
license between the first day of July and the thirty-first day 13270  
of August of the year the license expires is not relieved from 13271  
complying with this division. The superintendent may refuse to 13272  
issue to or renew the license of any licensee who violates this 13273  
division. 13274

(G) No license shall be granted to any person not a 13275  
resident of or the principal office of which is not located in 13276  
the municipal corporation or county designated in such license 13277  
unless that applicant, in writing and in due form approved by 13278  
and filed with the superintendent, first appoints an agent, a 13279  
resident of the state, and city or county where the office is to 13280  
be located, upon whom all judicial and other process, or legal 13281  
notice, directed to the applicant may be served. In case of the 13282  
death, removal from the state, or any legal disability or any 13283  
disqualification of any such agent, service of such process or 13284  
notice may be made upon the superintendent. 13285

The superintendent may, upon notice to the licensee and 13286  
reasonable opportunity to be heard, suspend or revoke any 13287  
license or assess a penalty against the licensee if the 13288  
licensee, or the licensee's officers, agents, or employees, has 13289  
violated this chapter. Any penalty shall be appropriate to the 13290  
violation but in no case shall the penalty be less than two 13291



hundred nor more than two thousand dollars. Whenever, for any 13292  
cause, a license is suspended or revoked, the superintendent 13293  
shall not issue another license to the licensee nor to the legal 13294  
spouse of the licensee, nor to any business entity of which the 13295  
licensee is an officer or member or partner, nor to any person 13296  
employed by the licensee, until the expiration of at least two 13297  
years from the date of revocation or suspension of the license. 13298  
The superintendent shall deposit all penalties allocated 13299  
pursuant to this section into the state treasury to the credit 13300  
of the consumer finance fund. 13301

Any proceedings for the revocation or suspension of a 13302  
license or to assess a penalty against a licensee are subject to 13303  
Chapter 119. of the Revised Code. 13304

(H) If a licensee surrenders or chooses not to renew the 13305  
pawnbroker's license, the licensee shall notify the 13306  
superintendent thirty days prior to the date on which the 13307  
licensee intends to close the licensee's business as a 13308  
pawnbroker. Prior to the date, the licensee shall do either of 13309  
the following with respect to all active loans: 13310

(1) Dispose of an active loan by selling the loan to 13311  
another person holding a valid pawnbroker's license issued under 13312  
this section; 13313

(2) Reduce the rate of interest on pledged articles held 13314  
as security for a loan to eight per cent per annum or less 13315  
effective on the date that the pawnbroker's license is no longer 13316  
valid. 13317

**Sec. 4728.03.** (A) As used in this section, "experience in 13318  
the capacity involved" means that the applicant for a precious 13319  
metals dealer's license has had sufficient financial 13320

responsibility and experience in the business of precious metals dealer, or a related business, to act as a precious metals dealer in compliance with this chapter.

(B) (1) ~~The~~ Except as provided in division (B) (3) of this section, the division of financial institutions in the department of commerce may grant a precious metals dealer's license to any person having experience in the capacity involved, who demonstrates a net worth of at least ten thousand dollars and the ability to maintain that net worth during the licensure period. The superintendent of financial institutions shall compute the applicant's net worth according to generally accepted accounting principles.

(2) In place of the demonstration of net worth required by division (B) (1) of this section, an applicant may obtain a surety bond issued by a surety company authorized to do business in this state if all of the following conditions are met:

(a) A copy of the surety bond is filed with the division;

(b) The bond is in favor of any person, and of the state for the benefit of any person, injured by any violation of this chapter;

(c) The bond is in the amount of not less than ten thousand dollars.

(3) The division shall grant a precious metals dealer's license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(a) The applicant holds a license in another state.

(b) The applicant has satisfactory work experience, a government certification, or a private certification as

described in that chapter as a precious metals dealer in a state 13349  
that does not issue that license. 13350

(4) Before granting a license under this division, the 13351  
division shall determine that the applicant meets the 13352  
requirements of division (B) (1) ~~or~~, (2), or (3) of this section. 13353

(C) ~~The~~ Except for a license issued under division (B) (3) 13354  
of this section, the division shall require an applicant for a 13355  
precious metals dealer's license to pay to the division a 13356  
nonrefundable, initial investigation fee of two hundred dollars 13357  
which shall be for the exclusive use of the state. The license 13358  
fee for a precious metals dealer's license and the renewal fee 13359  
shall be determined by the superintendent, provided that the fee 13360  
may not exceed three hundred dollars. A license issued by the 13361  
division shall expire on the last day of June next following the 13362  
date of its issuance or annually on a different date set by the 13363  
superintendent pursuant to section 1181.23 of the Revised Code. 13364  
Fifty per cent of license fees shall be for the use of the 13365  
state, and fifty per cent shall be paid to the municipal 13366  
corporation, or if outside the limits of any municipal 13367  
corporation, to the county in which the office of the licensee 13368  
is located. All portions of license fees payable to municipal 13369  
corporations or counties shall be paid as they accrue, by the 13370  
treasurer of state, on vouchers issued by the director of budget 13371  
and management. 13372

(D) Every such license shall be renewed annually by the 13373  
last day of June, or annually on a different date set by the 13374  
superintendent pursuant to section 1181.23 of the Revised Code, 13375  
according to the standard renewal procedure of Chapter 4745. of 13376  
the Revised Code. No license shall be granted to any person not 13377  
a resident of or the principal office of which is not located in 13378

the municipal corporation or county designated in such license, 13379  
unless, and until such applicant shall, in writing and in due 13380  
form, to be first approved by and filed with the division, 13381  
appoint an agent, a resident of the state, and city or county 13382  
where the office is to be located, upon whom all judicial and 13383  
other process, or legal notice, directed to the applicant may be 13384  
served; and in case of the death, removal from the state, or any 13385  
legal disability or any disqualification of any agent, service 13386  
of process or notice may be made upon the superintendent. 13387

(E) The division may, pursuant to Chapter 119. of the 13388  
Revised Code, upon notice to the licensee and after giving the 13389  
licensee reasonable opportunity to be heard, revoke or suspend 13390  
any license, if the licensee or the licensee's officers, agents, 13391  
or employees violate this chapter. Whenever, for any cause, the 13392  
license is revoked or suspended, the division shall not issue 13393  
another license to the licensee nor to the husband or wife of 13394  
the licensee, nor to any copartnership or corporation of which 13395  
the licensee is an officer, nor to any person employed by the 13396  
licensee, until the expiration of at least one year from the 13397  
date of revocation of the license. 13398

(F) In conducting an investigation to determine whether an 13399  
applicant satisfies the requirements for licensure under this 13400  
section, the superintendent may request that the superintendent 13401  
of the bureau of criminal identification and investigation 13402  
investigate and determine whether the bureau has procured any 13403  
information pursuant to section 109.57 of the Revised Code 13404  
pertaining to the applicant. 13405

If the superintendent of financial institutions determines 13406  
that conducting an investigation to determine whether an 13407  
applicant satisfies the requirements for licensure under this 13408

section will require procuring information outside the state, 13409  
then, in addition to the fee established under division (C) of 13410  
this section, the superintendent may require the applicant to 13411  
pay any of the actual expenses incurred by the division to 13412  
conduct such an investigation, provided that the superintendent 13413  
shall assess the applicant a total no greater than one thousand 13414  
dollars for such expenses. The superintendent may require the 13415  
applicant to pay in advance of the investigation, sufficient 13416  
funds to cover the estimated cost of the actual expenses. If the 13417  
superintendent requires the applicant to pay investigation 13418  
expenses, the superintendent shall provide to the applicant an 13419  
itemized statement of the actual expenses incurred by the 13420  
division to conduct the investigation. 13421

(G) (1) Except as otherwise provided in division (G) (2) of 13422  
this section a precious metals dealer licensed under this 13423  
section shall maintain a net worth of at least ten thousand 13424  
dollars, computed as required under division (B) (1) of this 13425  
section, for as long as the licensee holds a valid precious 13426  
metals dealer's license issued pursuant to this section. 13427

(2) A licensee who obtains a surety bond under division 13428  
(B) (2) of this section is exempt from the requirement of 13429  
division (G) (1) of this section, but shall maintain the bond for 13430  
at least two years after the date on which the licensee ceases 13431  
to conduct business in this state. 13432

**Sec. 4729.09.** The state board of pharmacy ~~may shall issue~~ 13433  
~~a license an individual as a pharmacist without examination if~~ 13434  
~~the individual:~~ 13435

~~(A) Holds a license in good standing to practice pharmacy~~ 13436  
~~under the laws of~~ in accordance with Chapter 4796. of the 13437  
Revised Code to an applicant if either of the following applies: 13438

~~(A) The applicant holds a license in another state, has successfully completed an examination for licensure in the other state, and in the opinion of the board, the examination was at least as thorough as that required by the board at the time the individual took the examination;.~~ 13439  
13440  
13441  
13442  
13443

~~(B) Has filed with the licensing body of the other state at least the credentials or the equivalent that were required by this state at the time the other state licensed the individual as a pharmacist.~~ 13444  
13445  
13446  
13447

~~The board shall not issue a license to practice pharmacy to an individual licensed in another state if the state in which the individual is licensed does not reciprocate by granting licenses to practice pharmacy to individuals holding valid licenses received through examination by the state board of pharmacy. The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a pharmacist in a state that does not issue that license.~~ 13448  
13449  
13450  
13451  
13452  
13453  
13454  
13455  
13456

**Sec. 4729.11.** The state board of pharmacy shall establish a pharmacy internship program for the purpose of providing the practical experience necessary to practice as a pharmacist. Any individual who desires to become a pharmacy intern shall apply for licensure to the board. An application filed under this section may not be withdrawn without the approval of the board. 13457  
13458  
13459  
13460  
13461  
13462

Each applicant shall be issued a license as a pharmacy intern if the board determines that the applicant is actively pursuing an educational program in preparation for licensure as a pharmacist and meets the other requirements as determined by the board. The board shall issue a pharmacy intern license in accordance with Chapter 4796. of the Revised Code to an 13463  
13464  
13465  
13466  
13467  
13468

applicant who holds a license in another state or has 13469  
satisfactory work experience, a government certification, or a 13470  
private certification as described in that chapter as a pharmacy 13471  
intern in a state that does not issue that license. A license 13472  
shall be valid until the next renewal date and shall be renewed 13473  
only if the intern is meeting the requirements and rules of the 13474  
board. 13475

**Sec. 4729.15.** (A) Except as provided in division (B) of 13476  
this section, the state board of pharmacy shall charge the 13477  
following fees: 13478

(1) For applying for a license to practice as a 13479  
pharmacist, an amount adequate to cover all expenses of the 13480  
board related to examination except the expenses of procuring 13481  
and grading the examination, which fee shall not be returned if 13482  
the applicant fails to pass the examination; 13483

(2) For the examination of an applicant for licensure as a 13484  
pharmacist, an amount adequate to cover any expenses to the 13485  
board of procuring and grading the examination or any part 13486  
thereof, which fee shall not be returned if the applicant fails 13487  
to pass the examination; 13488

(3) For issuing a license to an individual who passes the 13489  
examination described in section 4729.07 of the Revised Code, an 13490  
amount that is adequate to cover the expense; 13491

(4) For a pharmacist applying for renewal of a license 13492  
before the expiration date, two hundred fifty dollars, which fee 13493  
shall not be returned if the applicant fails to qualify for 13494  
renewal; 13495

(5) For a pharmacist applying for renewal of a license 13496  
that has been expired for less than three years, the renewal fee 13497

identified in division (A) (4) of this section plus a penalty of 13498  
thirty-seven dollars and fifty cents, which fee shall not be 13499  
returned if the applicant fails to qualify for renewal; 13500

(6) For a pharmacist applying for renewal of a license 13501  
that has been expired for more than three years, three hundred 13502  
thirty-seven dollars and fifty cents, which fee shall not be 13503  
returned if the applicant fails to qualify for renewal; 13504

(7) For a pharmacist applying for a license on 13505  
presentation of a pharmacist license granted by another state, 13506  
~~three hundred thirty-seven dollars and fifty cents~~the fee 13507  
specified in Chapter 4796. of the Revised Code, which fee shall 13508  
not be returned if the applicant fails to qualify for licensure. 13509

(8) For a license to practice as a pharmacy intern, forty- 13510  
five dollars, which fee shall not be returned if the applicant 13511  
fails to qualify for licensure; 13512

(9) For the renewal of a pharmacy intern license, forty- 13513  
five dollars, which fee shall not be returned if the applicant 13514  
fails to qualify for renewal; 13515

(10) For certifying licensure and grades for reciprocal 13516  
licensure, thirty-five dollars; 13517

(11) For making copies of any application, affidavit, or 13518  
other document filed in the state board of pharmacy office, an 13519  
amount fixed by the board that is adequate to cover the expense, 13520  
except that for copies required by federal or state agencies or 13521  
law enforcement officers for official purposes, no charge need 13522  
be made; 13523

(12) For certifying and affixing the seal of the board, an 13524  
amount fixed by the board that is adequate to cover the expense, 13525  
except that for certifying and affixing the seal of the board to 13526



a document required by federal or state agencies or law 13527  
enforcement officers for official purposes, no charge need be 13528  
made; 13529

(13) For each copy of a book or pamphlet that includes 13530  
laws administered by the state board of pharmacy, rules adopted 13531  
by the board, and chapters of the Revised Code with which the 13532  
board is required to comply, an amount fixed by the board that 13533  
is adequate to cover the expense of publishing and furnishing 13534  
the book or pamphlet. 13535

(B) (1) Subject to division (B) (2) of this section, the 13536  
fees described in divisions (A) (1) to (10) of this section do 13537  
not apply to an individual who is on active duty in the armed 13538  
forces of the United States, as defined in section 5903.01 of 13539  
the Revised Code, to the spouse of an individual who is on 13540  
active duty in the armed forces of the United States, or to an 13541  
individual who served in the armed forces of the United States 13542  
and presents documentation that the individual has been 13543  
discharged under honorable conditions from the armed forces or 13544  
has been transferred to the reserve with evidence of 13545  
satisfactory service. 13546

(2) The state board of pharmacy may establish limits with 13547  
respect to the individuals for whom fees are not applicable 13548  
under division (B) (1) of this section. 13549

**Sec. 4729.901.** (A) An applicant for registration under 13550  
section 4729.90 of the Revised Code shall file with the state 13551  
board of pharmacy an application in the form and manner 13552  
prescribed in rules adopted under section 4729.94 of the Revised 13553  
Code. The application shall be accompanied by an application fee 13554  
of fifty dollars, which shall not be returned if the applicant 13555  
fails to qualify for registration. 13556

(B) If the board is satisfied that the applicant meets the requirements of section 4729.90 of the Revised Code and any additional requirements established by the board and determines that the results of a criminal records check do not make the applicant ineligible, the board shall register the applicant as a registered pharmacy technician or certified pharmacy technician, as applicable.

(C) The board shall register as a registered pharmacy technician or certified pharmacy technician, as applicable, in accordance with Chapter 4796. of the Revised Code an applicant if either of the following applies:

(1) The applicant holds a license or is registered in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a pharmacy technician in a state that does not issue that license or registration.

(D) Registration under division (B) or (C) of this section is valid for the period specified by the board in rules adopted under section 4729.94 of the Revised Code. The period shall not exceed twenty-four months unless the board extends the period in the rules to adjust license renewal schedules.

**Sec. 4729.921.** An applicant for registration as a pharmacy technician trainee shall file with the state board of pharmacy an application in the form and manner prescribed in rules adopted under section 4729.94 of the Revised Code. The application shall be accompanied by an application fee of twenty-five dollars, which shall not be returned if the applicant fails to qualify for registration.

If the board is satisfied that an applicant meets the requirements of section 4729.92 of the Revised Code and any additional requirements established by the board and determines that the results of a criminal records check do not make the applicant ineligible, the board shall register the applicant as a pharmacy technician trainee.

The board shall register as a pharmacy technician trainee in accordance with Chapter 4796. of the Revised Code an applicant who either holds a license or is registered in another state or has satisfactory work experience, a government certification, or a private certification as described in that chapter as a pharmacy technician trainee in a state that does not issue that license or registration.

The board may register as a pharmacy technician trainee an applicant who is seventeen years of age and does not possess a high school diploma or certificate of high school equivalence if the applicant is enrolled in a career-technical school program that is approved by the board and conducted by a city, exempted village, local, or joint vocational school district.

The board shall not refuse to register an applicant as a pharmacy technician trainee because of a conviction for an offense unless the refusal is in accordance with section 9.79 of the Revised Code~~an applicant who either holds a license or is registered in another state or has satisfactory work experience, a government certification, or a private certification as described in that section as a pharmacy technician trainee in a state that does not issue that license or registration.~~

Registration is valid for one year from the date of registration, except that the board may extend the time period for which registration is valid. Registration is not renewable,

but an individual may reapply for registration if the 13616  
individual's previous registration has lapsed for more than five 13617  
years or the board grants its approval. 13618

**Sec. 4730.10.** (A) ~~An~~ Except as provided in division (C) of 13619  
this section, an individual seeking a license to practice as a 13620  
physician assistant shall file with the state medical board a 13621  
written application on a form prescribed and supplied by the 13622  
board. The application shall include all of the following: 13623

(1) The applicant's name, residential address, business 13624  
address, if any, and social security number; 13625

(2) Satisfactory proof that the applicant meets the age 13626  
requirement specified in division (A) (1) of section 4730.11 of 13627  
the Revised Code; 13628

(3) Satisfactory proof that the applicant meets either the 13629  
educational requirements specified in division (B) (1) or (2) of 13630  
section 4730.11 of the Revised Code or the educational or other 13631  
applicable requirements specified in division (C) (1), (2), or 13632  
(3) of that section; 13633

(4) Any other information the board requires. 13634

(B) At the time of making application for a license to 13635  
practice, the applicant shall pay the board a fee of four 13636  
hundred dollars, no part of which shall be returned. The fees 13637  
shall be deposited in accordance with section 4731.24 of the 13638  
Revised Code. 13639

(C) The board shall issue a license to practice as a 13640  
physician assistant in accordance with Chapter 4796. of the 13641  
Revised Code to an applicant if either of the following applies: 13642

(1) The applicant holds a license in another state. 13643

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a physician assistant in a state that does not issue that license.

**Sec. 4731.151.** (A) Naprapaths who received a certificate to practice from the state medical board prior to March 2, 1992, may continue to practice naprapathy, as defined in rules adopted by the board. Such naprapaths shall practice in accordance with rules adopted by the board.

(B) (1) As used in this division:

(a) "Mechanotherapy" means all of the following:

(i) Examining patients by verbal inquiry;

(ii) Examination of the musculoskeletal system by hand;

(iii) Visual inspection and observation;

(iv) Diagnosing a patient's condition only as to whether the patient has a disorder of the musculoskeletal system;

(v) In the treatment of patients, employing the techniques of advised or supervised exercise; electrical neuromuscular stimulation; massage or manipulation; or air, water, heat, cold, sound, or infrared ray therapy only to those disorders of the musculoskeletal system that are amenable to treatment by such techniques and that are identifiable by examination performed in accordance with division (B) (1) (a) (i) of this section and diagnosable in accordance with division (B) (1) (a) (ii) of this section.

(b) "Educational requirements" means the completion of a course of study appropriate for certification to practice mechanotherapy on or before November 3, 1985, as determined by

rules adopted under this chapter. 13672

(2) Mechanotherapists who received a certificate to 13673  
practice from the board prior to March 2, 1992, may continue to 13674  
practice mechanotherapy, as defined in rules adopted by the 13675  
board. Such mechanotherapists shall practice in accordance with 13676  
rules adopted by the board. 13677

A person authorized by this division to practice as a 13678  
mechanotherapist may examine, diagnose, and assume 13679  
responsibility for the care of patients with due regard for 13680  
first aid and the hygienic and nutritional care of the patients. 13681  
Roentgen rays shall be used by a mechanotherapist only for 13682  
diagnostic purposes. 13683

(3) A person who holds a certificate to practice 13684  
mechanotherapy and completed educational requirements in 13685  
mechanotherapy on or before November 3, 1985, is entitled to use 13686  
the title "doctor of mechanotherapy" and is a "physician" who 13687  
performs "medical services" for the purposes of Chapters 4121. 13688  
and 4123. of the Revised Code and the medicaid program, and 13689  
shall receive payment or reimbursement as provided under those 13690  
chapters and that program. 13691

(C) Chapter 4796. of the Revised Code does not apply to a 13692  
certificate to practice naprapathy or mechanotherapy issued 13693  
under this section. 13694

**Sec. 4731.19.** (A) A-Except as provided in division (E) of 13695  
this section, a person seeking a license to practice a limited 13696  
branch of medicine shall file with the state medical board an 13697  
application in a manner prescribed by the board. The application 13698  
shall include or be accompanied by all of the following: 13699

(1) Evidence that the applicant is at least eighteen years 13700

of age;	13701
(2) Evidence that the applicant has attained high school graduation or its equivalent;	13702 13703
(3) Evidence that the applicant holds one of the following:	13704 13705
(a) A diploma or certificate from a school, college, or institution in good standing as determined by the board, showing the completion of the following required courses of instruction:	13706 13707 13708
(i) Two hundred seventy-five hours in anatomy and physiology and pathology;	13709 13710
(ii) Two hundred seventy-five hours in massage theory and practical, including hygiene;	13711 13712
(iii) Twenty-five hours in ethics;	13713
(iv) Twenty-five hours in business and law.	13714
(b) A diploma or certificate from a school, college, or institution in another state or jurisdiction showing completion of a course of instruction that meets the requirements of division (A) (3) (a) of this section and any other course requirements determined by the board through rules adopted under section 4731.05 of the Revised Code;	13715 13716 13717 13718 13719 13720
<del>(c) During the five-year period immediately preceding the date of application, a current license, registration, or certificate in good standing in another state for massage therapy.</del>	13721 13722 13723 13724
(4) Evidence that the applicant has successfully passed an examination, prescribed in rules described in section 4731.16 of the Revised Code, to determine competency to practice the	13725 13726 13727

applicable limited branch of medicine;	13728
(5) An attestation that the information submitted under this section is accurate and truthful and that the applicant consents to release of information;	13729 13730 13731
(6) Any other information the board requires.	13732
(B) An applicant for a license to practice a limited branch of medicine shall comply with the requirements of section 4731.171 of the Revised Code.	13733 13734 13735
(C) At the time of making application for a license to practice a limited branch of medicine, the applicant shall pay to the board a fee of one hundred fifty dollars, no part of which shall be returned. No application shall be considered filed until the board receives the appropriate fee.	13736 13737 13738 13739 13740
(D) The board may investigate the application materials received under this section and contact any agency or organization for recommendations or other information about the applicant.	13741 13742 13743 13744
<u>(E) The board shall issue a certificate to practice a limited branch of medicine in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:</u>	13745 13746 13747 13748
<u>(1) The applicant holds a license or certificate in another state.</u>	13749 13750
<u>(2) As described in that chapter, the applicant has satisfactory work experience in practicing, or a government certification or private certification to practice, a limited branch of medicine in a state that does not issue that license or certificate.</u>	13751 13752 13753 13754 13755



**Sec. 4731.293.** (A) The state medical board shall issue, 13756  
without examination, a clinical research faculty certificate to 13757  
practice medicine and surgery, osteopathic medicine and surgery, 13758  
or podiatric medicine and surgery to any person who applies for 13759  
the certificate and provides to the board satisfactory evidence 13760  
of both of the following: 13761

(1) That the applicant holds a current, unrestricted 13762  
license to practice medicine and surgery, osteopathic medicine 13763  
and surgery, or podiatric medicine and surgery issued by another 13764  
state or country; 13765

(2) That the applicant has been appointed to serve in this 13766  
state on the academic staff of a medical school accredited by 13767  
the liaison committee on medical education, an osteopathic 13768  
medical school accredited by the American osteopathic 13769  
association, or a college of podiatric medicine and surgery in 13770  
good standing with the board. 13771

(B) The holder of a clinical research faculty certificate 13772  
may do one of the following, as applicable: 13773

(1) Practice medicine and surgery or osteopathic medicine 13774  
and surgery only as is incidental to the certificate holder's 13775  
teaching or research duties at the medical school or a teaching 13776  
hospital affiliated with the school; 13777

(2) Practice podiatric medicine and surgery only as is 13778  
incidental to the certificate holder's teaching or research 13779  
duties at the college of podiatric medicine and surgery or a 13780  
teaching hospital affiliated with the college. 13781

(C) The board may revoke a certificate on receiving proof 13782  
satisfactory to the board that the certificate holder has 13783  
engaged in practice in this state outside the scope of the 13784

certificate or that there are grounds for action against the 13785  
certificate holder under section 4731.22 of the Revised Code. 13786

(D) A clinical research faculty certificate is valid for 13787  
three years, except that the certificate ceases to be valid if 13788  
the holder's academic staff appointment described in division 13789  
(A) (2) of this section is no longer valid or the certificate is 13790  
revoked pursuant to division (C) of this section. 13791

(E) (1) The board shall provide a renewal notice to the 13792  
certificate holder at least one month before the certificate 13793  
expires. Failure of a certificate holder to receive a notice of 13794  
renewal from the board shall not excuse the certificate holder 13795  
from the requirements contained in this section. The notice 13796  
shall inform the certificate holder of the renewal procedure. 13797  
The notice also shall inform the certificate holder of the 13798  
reporting requirement established by division (H) of section 13799  
3701.79 of the Revised Code. At the discretion of the board, the 13800  
information may be included on the application for renewal or on 13801  
an accompanying page. 13802

(2) A clinical research faculty certificate may be renewed 13803  
for an additional three-year period. There is no limit on the 13804  
number of times a certificate may be renewed. A person seeking 13805  
renewal of a certificate shall apply to the board. The board 13806  
shall provide the application for renewal in a form determined 13807  
by the board. 13808

(3) An applicant is eligible for renewal if the applicant 13809  
does all of the following: 13810

(a) Reports any criminal offense to which the applicant 13811  
has pleaded guilty, of which the applicant has been found 13812  
guilty, or for which the applicant has been found eligible for 13813

intervention in lieu of conviction, since last filing an application for a clinical research faculty certificate; 13814  
13815

(b) Provides evidence satisfactory to the board of both of the following: 13816  
13817

(i) That the applicant continues to maintain a current, unrestricted license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery issued by another state or country; 13818  
13819  
13820  
13821

(ii) That the applicant's initial appointment to serve in this state on the academic staff of a school or college is still valid or has been renewed. 13822  
13823  
13824

(4) Regardless of whether the certificate has expired, a person who was granted a visiting medical faculty certificate under this section as it existed immediately prior to June 6, 2012, may apply for a clinical research faculty certificate as a renewal. The board may issue the clinical research faculty certificate if the applicant meets the requirements of division (E) (3) of this section. The board may not issue a clinical research faculty certificate if the visiting medical faculty certificate was revoked. 13825  
13826  
13827  
13828  
13829  
13830  
13831  
13832  
13833

(F) A person holding a clinical research faculty certificate issued under this section shall not be required to obtain a certificate under Chapter 4796. of the Revised Code. 13834  
13835  
13836

(G) The board may adopt any rules it considers necessary to implement this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code. 13837  
13838  
13839

**Sec. 4731.294.** (A) The state medical board may issue, without examination, a special activity certificate to any nonresident person seeking to practice medicine and surgery or 13840  
13841  
13842

osteopathic medicine and surgery in conjunction with a special 13843  
activity, program, or event taking place in this state. 13844

(B) An applicant for a special activity certificate shall 13845  
submit evidence satisfactory to the board of all of the 13846  
following: 13847

(1) The applicant holds a current, unrestricted license to 13848  
practice medicine and surgery or osteopathic medicine and 13849  
surgery issued by another state or country and that within the 13850  
two-year period immediately preceding application, the applicant 13851  
has done one of the following: 13852

(a) Actively practiced medicine and surgery or osteopathic 13853  
medicine and surgery in the United States; 13854

(b) Participated in a graduate medical education program 13855  
accredited by either the accreditation council for graduate 13856  
medical education of the American medical association or the 13857  
American osteopathic association; 13858

(c) Successfully passed the federation licensing 13859  
examination established by the federation of state medical 13860  
boards, a special examination established by the federation of 13861  
state medical boards, or all parts of a standard medical 13862  
licensing examination established for purposes of determining 13863  
the competence of individuals to practice medicine and surgery 13864  
or osteopathic medicine and surgery in the United States. 13865

(2) The applicant meets the same educational requirements 13866  
that individuals must meet under sections 4731.09 and 4731.14 of 13867  
the Revised Code. 13868

(3) The applicant's practice in conjunction with the 13869  
special activity, program, or event will be in the public 13870  
interest. 13871

(C) The applicant shall pay a fee of one hundred twenty-five dollars. 13872  
13873

(D) The holder of a special activity certificate may 13874  
practice medicine and surgery or osteopathic medicine and 13875  
surgery only in conjunction with the special activity, event, or 13876  
program for which the certificate is issued. The board may 13877  
revoke a certificate on receiving proof satisfactory to the 13878  
board that the holder of the certificate has engaged in practice 13879  
in this state outside the scope of the certificate or that there 13880  
are grounds for action against the certificate holder under 13881  
section 4731.22 of the Revised Code. 13882

(E) A special activity certificate is valid for the 13883  
shorter of thirty days or the duration of the special activity, 13884  
program, or event. The certificate may not be renewed. 13885

(F) The board shall not require a person holding a special 13886  
activity certificate issued under this section to obtain a 13887  
certificate under Chapter 4796. of the Revised Code. 13888

(G) The state medical board shall adopt rules in 13889  
accordance with Chapter 119. of the Revised Code that specify 13890  
how often an applicant may be granted a certificate under this 13891  
section. 13892

**Sec. 4731.295.** (A) (1) As used in this section: 13893

(a) "Free clinic" has the same meaning as in section 13894  
3701.071 of the Revised Code. 13895

(b) "Indigent and uninsured person" and "operation" have 13896  
the same meanings as in section 2305.234 of the Revised Code. 13897

(2) For the purposes of this section, a person shall be 13898  
considered retired from practice if the person's license has 13899

expired with the person's intention of ceasing to practice 13900  
medicine and surgery or osteopathic medicine and surgery for 13901  
remuneration. 13902

(B) The state medical board may issue, without 13903  
examination, a volunteer's certificate to a person who is 13904  
retired from practice so that the person may provide medical 13905  
services to indigent and uninsured persons at any location, 13906  
including a free clinic. The board shall deny issuance of a 13907  
volunteer's certificate to a person who is not qualified under 13908  
this section to hold a volunteer's certificate. 13909

(C) An application for a volunteer's certificate shall 13910  
include all of the following: 13911

(1) A copy of the applicant's degree of medicine or 13912  
osteopathic medicine. 13913

(2) One of the following, as applicable: 13914

(a) A copy of the applicant's most recent license 13915  
authorizing the practice of medicine and surgery or osteopathic 13916  
medicine and surgery issued by a jurisdiction in the United 13917  
States that licenses persons to practice medicine and surgery or 13918  
osteopathic medicine and surgery-. 13919

(b) A copy of the applicant's most recent license 13920  
equivalent to a license to practice medicine and surgery or 13921  
osteopathic medicine and surgery in one or more branches of the 13922  
United States armed services that the United States government 13923  
issued. 13924

(3) Evidence of one of the following, as applicable: 13925

(a) That the applicant has maintained for at least ten 13926  
years prior to retirement full licensure in good standing in any 13927

jurisdiction in the United States that licenses persons to 13928  
practice medicine and surgery or osteopathic medicine and 13929  
surgery. 13930

(b) That the applicant has practiced for at least ten 13931  
years prior to retirement in good standing as a doctor of 13932  
medicine and surgery or osteopathic medicine and surgery in one 13933  
or more of the branches of the United States armed services. 13934

(4) An attestation that the applicant will not accept any 13935  
form of remuneration for any medical services rendered while in 13936  
possession of a volunteer's certificate. 13937

(D) The holder of a volunteer's certificate may provide 13938  
medical services only to indigent and uninsured persons, but may 13939  
do so at any location, including a free clinic. The holder shall 13940  
not accept any form of remuneration for providing medical 13941  
services while in possession of the certificate. Except in a 13942  
medical emergency, the holder shall not perform any operation or 13943  
deliver babies. The board may revoke a volunteer's certificate 13944  
on receiving proof satisfactory to the board that the holder has 13945  
engaged in practice in this state outside the scope of the 13946  
certificate. 13947

(E) (1) A volunteer's certificate shall be valid for a 13948  
period of three years, unless earlier revoked under division (D) 13949  
of this section or pursuant to section 4731.22 of the Revised 13950  
Code. A volunteer's certificate may be renewed upon the 13951  
application of the holder. The board shall maintain a register 13952  
of all persons who hold volunteer's certificates. The board 13953  
shall not charge a fee for issuing or renewing a certificate 13954  
pursuant to this section. 13955

(2) To be eligible for renewal of a volunteer's 13956

certificate the holder of the certificate shall certify to the board completion of one hundred fifty hours of continuing medical education that meets the requirements of section 4731.282 of the Revised Code regarding certification by private associations and approval by the board. The board may not renew a certificate if the holder has not complied with the continuing medical education requirements. Any entity for which the holder provides medical services may pay for or reimburse the holder for any costs incurred in obtaining the required continuing medical education credits.

(3) The board shall issue a volunteer's certificate to each person who qualifies under this section for the certificate. The certificate shall state that the certificate holder is authorized to provide medical services pursuant to the laws of this state. The holder shall display the certificate prominently at the location where the holder primarily practices.

(4) The holder of a volunteer's certificate issued pursuant to this section is subject to the immunity provisions regarding the provision of services to indigent and uninsured persons in section 2305.234 of the Revised Code.

(F) The holder of a volunteer's certificate issued under this section is not required to obtain a license under Chapter 4796. of the Revised Code.

(G) The board shall adopt rules in accordance with Chapter 119. of the Revised Code to administer and enforce this section.

**Sec. 4731.297.** (A) As used in this section:

(1) "Academic medical center" means a medical school and its affiliated teaching hospitals and clinics partnering to do



all of the following:	13986
(a) Provide the highest quality of patient care from expert physicians;	13987 13988
(b) Conduct groundbreaking research leading to medical advancements for current and future patients;	13989 13990
(c) Provide medical education and graduate medical education to educate and train physicians.	13991 13992
(2) "Affiliated physician group practice" means a medical practice that consists of one or more physicians authorized under this chapter to practice medicine and surgery or osteopathic medicine and surgery and that is affiliated with an academic medical center to further the objectives described in divisions (A) (1) (a) to (c) of this section.	13993 13994 13995 13996 13997 13998
(B) The state medical board shall issue, without examination, to an applicant who meets the requirements of this section a certificate of conceded eminence authorizing the practice of medicine and surgery or osteopathic medicine and surgery as part of the applicant's employment with an academic medical center in this state or affiliated physician group practice in this state.	13999 14000 14001 14002 14003 14004 14005
(C) To be eligible for a certificate of conceded eminence, an applicant shall provide to the board all of the following:	14006 14007
(1) Evidence satisfactory to the board of all of the following:	14008 14009
(a) That the applicant is an international medical graduate who holds a medical degree from an educational institution listed in the international medical education directory;	14010 14011 14012 14013

(b) That the applicant has been appointed to serve in this state as a full-time faculty member of a medical school accredited by the liaison committee on medical education or an osteopathic medical school accredited by the American osteopathic association;

(c) That the applicant has accepted an offer of employment with an academic medical center in this state or affiliated physician group practice in this state;

(d) That the applicant holds a license in good standing in another state or country authorizing the practice of medicine and surgery or osteopathic medicine and surgery;

(e) That the applicant has unique talents and extraordinary abilities not generally found within the applicant's specialty, as demonstrated by satisfying at least four of the following:

(i) The applicant has achieved educational qualifications beyond those that are required for entry into the applicant's specialty, including advanced degrees, special certifications, or other academic credentials.

(ii) The applicant has written multiple articles in journals listed in the index medicus or an equivalent scholarly publication acceptable to the board.

(iii) The applicant has a sustained record of excellence in original research, at least some of which involves serving as the principal investigator or co-principal investigator for a research project.

(iv) The applicant has received nationally or internationally recognized prizes or awards for excellence.

(v) The applicant has participated in peer review in a field of specialization that is the same as or similar to the applicant's specialty.	14042 14043 14044
(vi) The applicant has developed new procedures or treatments for complex medical problems that are recognized by peers as a significant advancement in the applicable field of medicine.	14045 14046 14047 14048
(vii) The applicant has held previous academic appointments with or been employed by a health care organization that has a distinguished national or international reputation.	14049 14050 14051
(viii) The applicant has been the recipient of a national institutes of health or other competitive grant award.	14052 14053
(f) That the applicant has received staff membership or professional privileges from the academic medical center pursuant to standards adopted under section 3701.351 of the Revised Code on a basis that requires the applicant's medical education and graduate medical education to be at least equivalent to that of a physician educated and trained in the United States;	14054 14055 14056 14057 14058 14059 14060
(g) That the applicant has sufficient written and oral English skills to communicate effectively and reliably with patients, their families, and other medical professionals;	14061 14062 14063
(h) That the applicant will have professional liability insurance through the applicant's employment with the academic medical center or affiliated physician group practice.	14064 14065 14066
(2) An attestation that the applicant agrees to practice only within the clinical setting of the academic medical center or for the affiliated physician group practice;	14067 14068 14069

(3) Three letters of reference from distinguished experts 14070  
in the applicant's specialty attesting to the unique 14071  
capabilities of the applicant, at least one of which must be 14072  
from outside the academic medical center or affiliated physician 14073  
group practice; 14074

(4) An affidavit from the dean of the medical school where 14075  
the applicant has been appointed to serve as a faculty member 14076  
stating that the applicant meets all of the requirements of 14077  
division (C) (1) of this section and that the letters of 14078  
reference submitted under division (C) (3) of this section are 14079  
from distinguished experts in the applicant's specialty, and 14080  
documentation to support the affidavit; 14081

(5) A fee of one thousand dollars for the certificate. 14082

(D) (1) The holder of a certificate of conceded eminence 14083  
may practice medicine and surgery or osteopathic medicine and 14084  
surgery only within the clinical setting of the academic medical 14085  
center with which the certificate holder is employed or for the 14086  
affiliated physician group practice with which the certificate 14087  
holder is employed. 14088

(2) A certificate holder may supervise medical students, 14089  
physicians participating in graduate medical education, advanced 14090  
practice nurses, and physician assistants when performing 14091  
clinical services in the certificate holder's area of specialty. 14092

(E) The board may revoke a certificate issued under this 14093  
section on receiving proof satisfactory to the board that the 14094  
certificate holder has engaged in practice in this state outside 14095  
the scope of the certificate or that there are grounds for 14096  
action against the certificate holder under section 4731.22 of 14097  
the Revised Code. 14098

(F) A certificate of conceded eminence is valid for the 14099  
shorter of two years or the duration of the certificate holder's 14100  
employment with the academic medical center or affiliated 14101  
physician group practice. The certificate ceases to be valid if 14102  
the holder resigns or is otherwise terminated from the academic 14103  
medical center or affiliated physician group practice. 14104

(G) A certificate of conceded eminence may be renewed for 14105  
an additional two-year period. There is no limit on the number 14106  
of times a certificate may be renewed. A person seeking renewal 14107  
of a certificate shall apply to the board and is eligible for 14108  
renewal if the applicant does all of the following: 14109

(1) Pays the renewal fee of one thousand dollars; 14110

(2) Provides to the board an affidavit and supporting 14111  
documentation from the academic medical center or affiliated 14112  
physician group practice of all of the following: 14113

(a) That the applicant's initial appointment to the 14114  
medical faculty is still valid or has been renewed; 14115

(b) That the applicant's clinical practice is consistent 14116  
with the established standards in the field; 14117

(c) That the applicant has demonstrated continued 14118  
scholarly achievement; 14119

(d) That the applicant has demonstrated continued 14120  
professional achievement consistent with the academic medical 14121  
center's requirements, established pursuant to standards adopted 14122  
under section 3701.351 of the Revised Code, for physicians with 14123  
staff membership or professional privileges with the academic 14124  
medical center. 14125

(3) Satisfies the same continuing medical education 14126

requirements set forth in section 4731.282 of the Revised Code 14127  
that apply to a person who holds a certificate to practice 14128  
medicine and surgery or osteopathic medicine and surgery issued 14129  
under this chapter. 14130

(4) Complies with any other requirements established by 14131  
the board. 14132

(H) The board shall not require a person to obtain a 14133  
certificate under Chapter 4796. of the Revised Code to practice 14134  
medicine and surgery or osteopathic medicine and surgery if the 14135  
person holds a certificate of conceded eminence issued under 14136  
this section. 14137

(I) The board may adopt any rules it considers necessary 14138  
to implement this section. The rules shall be adopted in 14139  
accordance with Chapter 119. of the Revised Code. 14140

**Sec. 4731.299.** (A) The Except as provided in division (I) 14141  
of this section, the state medical board may issue, without 14142  
examination, to an applicant who meets all of the requirements 14143  
of this section an expedited license to practice medicine and 14144  
surgery or osteopathic medicine and surgery by endorsement. 14145

(B) An individual who seeks an expedited license by 14146  
endorsement shall file with the board a written application on a 14147  
form prescribed and supplied by the board. The application shall 14148  
include all of the information the board considers necessary to 14149  
process it. 14150

(C) ~~To~~ Except as provided in division (I) of this section, 14151  
to be eligible to receive an expedited license by endorsement, 14152  
an applicant shall do both of the following: 14153

(1) Provide evidence satisfactory to the board that the 14154  
applicant meets all of the following requirements: 14155

(a) Has passed one of the following:	14156
(i) Steps one, two, and three of the United States medical licensing examination;	14157 14158
(ii) Levels one, two, and three of the comprehensive osteopathic medical licensing examination of the United States;	14159 14160
(iii) Any other medical licensing examination recognized by the board.	14161 14162
(b) During the five-year period immediately preceding the date of application, has held a current, unrestricted license to practice medicine and surgery or osteopathic medicine and surgery issued by the licensing authority of <del>another state or a</del> Canadian province;	14163 14164 14165 14166 14167
(c) For at least two years immediately preceding the date of application, has actively practiced medicine and surgery or osteopathic medicine and surgery in a clinical setting;	14168 14169 14170
(d) Is in compliance with the medical education and training requirements in sections 4731.09 and 4731.14 of the Revised Code.	14171 14172 14173
(2) Certify to the board that all of the following are the case:	14174 14175
(a) Not more than two malpractice claims, which resulted in a finding of liability or in payment, have been filed against the applicant during the ten-year period immediately preceding the date of application and no malpractice claim against the applicant during that ten-year period has resulted in total payment of more than five hundred thousand dollars.	14176 14177 14178 14179 14180 14181
(b) The applicant does not have a medical condition that could affect the applicant's ability to practice according to	14182 14183

acceptable and prevailing standards of care. 14184

(c) No adverse action has been taken against the applicant 14185  
by a health care institution. 14186

(d) To the applicant's knowledge, no federal agency, 14187  
medical society, medical association, or branch of the United 14188  
States military has investigated or taken action against the 14189  
applicant. 14190

(e) No professional licensing or regulatory authority has 14191  
filed a complaint against, investigated, or taken action against 14192  
the applicant and the applicant has not withdrawn a professional 14193  
license application. 14194

(f) The applicant has not been suspended or expelled from 14195  
any institution of higher education or school, including a 14196  
medical school. 14197

(D) An applicant for an expedited license by endorsement 14198  
shall comply with section 4731.08 of the Revised Code. 14199

(E) ~~At~~ Except as provided in division (I) of this section, 14200  
at the time of application, the applicant shall pay to the board 14201  
a fee of one thousand dollars, no part of which shall be 14202  
returned. No application shall be considered filed until the 14203  
board receives the fee. 14204

(F) The secretary and supervising member of the board 14205  
shall review all applications received under this section. 14206

If the secretary and supervising member determine that an 14207  
applicant meets the requirements for an expedited license by 14208  
endorsement, the board shall issue the license to the applicant. 14209

If the secretary and supervising member determine that an 14210  
applicant does not meet the requirements for an expedited 14211



license by endorsement, the application shall be treated as an 14212  
application under section 4731.09 of the Revised Code. 14213

(G) Each license issued by the board under this section 14214  
shall be signed by the president and secretary of the board and 14215  
attested by the board's seal. 14216

(H) Within sixty days after September 29, 2013, the board 14217  
shall approve acceptable means of demonstrating compliance with 14218  
sections 4731.09 and 4731.14 of the Revised Code as required by 14219  
division (C) (1) (d) of this section. 14220

(I) The board shall issue a license to practice medicine 14221  
and surgery or osteopathic medicine and surgery in accordance 14222  
with Chapter 4796. of the Revised Code to an applicant if either 14223  
of the following applies: 14224

(1) The applicant holds a license in another state. 14225

(2) The applicant has satisfactory work experience, a 14226  
government certification, or a private certification as 14227  
described in that chapter as a physician in a state that does 14228  
not issue that license. 14229

**Sec. 4731.52.** (A) A-Except as provided in division (E) of 14230  
this section, a person seeking a license to practice podiatric 14231  
medicine and surgery shall file with the state medical board an 14232  
application in the form and manner prescribed by the board. The 14233  
application must include all of the following: 14234

(1) Evidence satisfactory to the board to demonstrate that 14235  
the applicant meets all of the following requirements: 14236

(a) Is at least eighteen years of age; 14237

(b) Possesses a high school diploma or a certificate of 14238  
high school equivalence or has obtained the equivalent of such 14239

education as determined by the board;	14240
(c) Has completed at least two years of undergraduate work	14241
in a college of arts and sciences or the equivalent of such	14242
education as determined by the board;	14243
(d) Holds a degree from a college of podiatric medicine	14244
and surgery that was in good standing with the board at the time	14245
the degree was granted, as determined by the board;	14246
(e) Has completed one year of postgraduate training in a	14247
podiatric internship, residency, or clinical fellowship program	14248
accredited by the council on podiatric medicine or the American	14249
podiatric medical association or its equivalent as determined by	14250
the board;	14251
(f) Has successfully passed an examination prescribed in	14252
rules adopted by the board to determine competency to practice	14253
podiatric medicine and surgery;	14254
(g) Has complied with section 4731.531 of the Revised	14255
Code.	14256
(2) An attestation that the information submitted under	14257
this section is accurate and truthful;	14258
(3) Consent to the release of the applicant's information;	14259
(4) Any other information the board requires.	14260
(B) <del>An</del> Except as provided in division (E) of this section, <u>an</u>	14261
applicant for a license to practice podiatric medicine and	14262
surgery shall include with the application a fee of three	14263
hundred five dollars, no part of which may be returned. An	14264
application is not considered submitted until the board receives	14265
the fee.	14266

(C) The board may conduct an investigation related to the application materials received pursuant to this section and may contact any individual, agency, or organization for recommendations or other information about the applicant.

(D) The board shall conclude any investigation of an applicant conducted under section 4731.22 of the Revised Code not later than ninety days after receipt of a complete application unless the applicant agrees in writing to an extension or the board determines that there is a substantial question of a violation of this chapter or the rules adopted under it and notifies the applicant in writing of the reasons for continuation of the investigation. If the board determines that the applicant is not in violation of this chapter or the rules adopted under it, the board shall issue a license not later than forty-five days after making that determination.

(E) The board shall issue a license to practice podiatric medicine and surgery in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a podiatrist in a state that does not issue that license.

**Sec. 4731.572.** (A) The state medical board shall issue, without examination, a visiting podiatric faculty certificate to any nonresident person who holds a current, unrestricted license to practice podiatric medicine and surgery issued by another state or country and has been appointed to serve in this state on the academic staff of an approved college of podiatric

medicine and surgery in good standing, as determined by the 14296  
board. The board shall not require a nonresident person who 14297  
holds a license in another state to obtain a license under 14298  
Chapter 4796. of the Revised Code. 14299

(B) An applicant for a visiting podiatric faculty 14300  
certificate shall submit evidence satisfactory to the board that 14301  
the applicant meets the requirements of division (A) of this 14302  
section. 14303

(C) The holder of a visiting podiatric faculty certificate 14304  
may practice podiatric medicine and surgery only as is 14305  
incidental to the certificate holder's teaching duties at the 14306  
college or the teaching hospitals affiliated with the college. 14307  
The board may revoke a certificate on receiving proof 14308  
satisfactory to the board that the holder of the certificate has 14309  
engaged in practice in this state outside the scope of the 14310  
certificate or that there are grounds for action against the 14311  
certificate holder under section 4731.22 of the Revised Code. 14312

(D) A visiting podiatric faculty certificate is valid for 14313  
the shorter of one year or the duration of the holder's 14314  
appointment to the academic staff of the college. The 14315  
certificate may not be renewed. 14316

**Sec. 4732.10.** (A) The state board of psychology shall 14317  
appoint an entrance examiner who shall determine the sufficiency 14318  
of an applicant's qualifications for admission to the 14319  
appropriate examination. A member of the board or the executive 14320  
director may be appointed as the entrance examiner. 14321

(B) Requirements for admission to examination for a 14322  
psychologist license shall be that the applicant: 14323

(1) Is at least twenty-one years of age; 14324

(2) Meets one of the following requirements:	14325
(a) Received an earned doctoral degree from an institution accredited or recognized by a national or regional accrediting agency and a program accredited by any of the following:	14326
(i) The American psychological association, office of program consultation and accreditation;	14327
(ii) The accreditation office of the Canadian psychological association;	14328
(iii) A program listed by the association of state and provincial psychology boards/national register designation committee;	14329
(iv) The national association of school psychologists.	14330
(b) Received an earned doctoral degree in psychology or school psychology from an institution accredited or recognized by a national or regional accrediting agency but the program does not meet the program accreditation requirements of division (B) (2) (a) of this section;	14331
(c) Received from an academic institution outside of the United States or Canada a degree determined, under rules adopted by the board under division (E) of this section, to be equivalent to a doctoral degree in psychology from a program described in division (B) (2) (a) of this section;	14332
(d) Held a psychologist license, certificate, or registration required for practice in <del>another United States or a</del> Canadian jurisdiction for a minimum of ten years and meets educational, experience, and professional requirements established under rules adopted by the board.	14333
(3) Has had at least two years of supervised professional	14334
	14335
	14336
	14337
	14338
	14339
	14340
	14341
	14342
	14343
	14344
	14345
	14346
	14347
	14348
	14349
	14350
	14351
	14352

experience in psychological work of a type satisfactory to the 14353  
board, at least one year of which must be a predoctoral 14354  
internship. The board shall adopt guidelines for the kind of 14355  
supervised professional experience that fulfill this 14356  
requirement. 14357

(4) If applying under division (B) (2) (b) or (c) of this 14358  
section, has had at least two years of supervised professional 14359  
experience in psychological work of a type satisfactory to the 14360  
board, at least one year of which must be postdoctoral. The 14361  
board shall adopt guidelines for the kind of supervised 14362  
professional experience that fulfill this requirement. 14363

(C) Requirements for admission to examination for a school 14364  
psychologist license shall be that the applicant: 14365

(1) Has received from an educational institution 14366  
accredited or recognized by national or regional accrediting 14367  
agencies as maintaining satisfactory standards, including those 14368  
approved by the state board of education for the training of 14369  
school psychologists, at least a master's degree in school 14370  
psychology, or a degree considered equivalent by the board; 14371

(2) Is at least twenty-one years of age; 14372

(3) Has completed at least sixty quarter hours, or the 14373  
semester hours equivalent, at the graduate level, of accredited 14374  
study in course work relevant to the study of school psychology; 14375

(4) Has completed an internship in an educational 14376  
institution approved by the Ohio department of education for 14377  
school psychology supervised experience or one year of other 14378  
training experience acceptable to the board, such as supervised 14379  
professional experience under the direction of a licensed 14380  
psychologist or licensed school psychologist; 14381

(5) Furnishes proof of at least twenty-seven months, 14382  
exclusive of internship, of full-time experience as a 14383  
certificated school psychologist employed by a board of 14384  
education or a private school meeting the standards prescribed 14385  
by the state board of education, or of experience that the board 14386  
deems equivalent. 14387

(D) If the entrance examiner finds that the applicant 14388  
meets the requirements set forth in this section, the applicant 14389  
shall be admitted to the appropriate examination. 14390

(E) The board shall adopt under Chapter 119. of the 14391  
Revised Code rules for determining for the purposes of division 14392  
(B) (2) (b) of this section whether a degree is equivalent to a 14393  
degree in psychology from an institution in the United States. 14394

**Sec. 4732.12.** If an applicant for a license issued by the 14395  
state board of psychology to practice as a psychologist or 14396  
school psychologist receives a score acceptable to the board on 14397  
the appropriate examination required by section 4732.11 of the 14398  
Revised Code and has paid the fee required by section 4732.15 of 14399  
the Revised Code, the board shall issue the appropriate license. 14400

The board shall issue a license to practice as a 14401  
psychologist or school psychologist, as appropriate, in 14402  
accordance with Chapter 4796. of the Revised Code to an 14403  
applicant who holds a license in another state or has 14404  
satisfactory work experience, a government certification, or a 14405  
private certification as described in that chapter as a 14406  
psychologist or school psychologist in a state that does not 14407  
issue that license. 14408

**Sec. 4732.22.** (A) The following persons are exempted from 14409  
the licensing requirements of this chapter: 14410

(1) A person who holds a license or certificate issued by the state board of education authorizing the practice of school psychology, while practicing school psychology within the scope of employment by a board of education or by a private school meeting the standards prescribed by the state board of education under division (D) of section 3301.07 of the Revised Code, or while acting as a school psychologist within the scope of employment in a program for children with disabilities established under Chapter 3323. or 5126. of the Revised Code. A person exempted under this division shall not offer psychological services to any other individual, organization, or group for remuneration, monetary or otherwise, unless the person is licensed by the state board of psychology.

(2) Any nonresident temporarily employed in this state to render psychological services for not more than thirty days a year, who, in the opinion of the board, meets the standards for entrance in division (B) of section 4732.10 of the Revised Code, who has paid the required fee and submitted an application prescribed by the board, and who holds whatever license or certificate, if any, is required for such practice in the person's home state or home country. The state board of psychology shall not require a nonresident temporarily employed in this state who holds a license or certificate in another state to obtain a license in accordance with Chapter 4796. of the Revised Code to practice or render psychological services in the manner described under this division.

(3) Any person working under the supervision of a psychologist or school psychologist licensed under this chapter, while carrying out specific tasks, under the license holder's supervision, as an extension of the license holder's legal and ethical authority as specified under this chapter if the person



is registered under division (B) of this section. All fees shall 14442  
be billed under the name of the license holder. The person 14443  
working under the license holder's supervision shall not 14444  
represent self to the public as a psychologist or school 14445  
psychologist, although supervised persons and persons in 14446  
training may be ascribed such titles as "psychology trainee," 14447  
"psychology assistant," "psychology intern," or other 14448  
appropriate term that clearly implies their supervised or 14449  
training status. 14450

(4) Any student in an accredited educational institution, 14451  
while carrying out activities that are part of the student's 14452  
prescribed course of study, provided such activities are 14453  
supervised by a professional person who is qualified to perform 14454  
such activities and is licensed under this chapter or is a 14455  
qualified supervisor pursuant to rules of the board; 14456

(5) Recognized religious officials, including ministers, 14457  
priests, rabbis, imams, Christian science practitioners, and 14458  
other persons recognized by the board, conducting counseling 14459  
when the counseling activities are within the scope of the 14460  
performance of their regular duties and are performed under the 14461  
auspices or sponsorship of an established and legally cognizable 14462  
religious denomination or sect, as defined in current federal 14463  
tax regulations, and when the religious official does not refer 14464  
to the official's self as a psychologist and remains accountable 14465  
to the established authority of the religious denomination or 14466  
sect; 14467

(6) Persons in the employ of the federal government 14468  
insofar as their activities are a part of the duties of their 14469  
positions; 14470

(7) Persons licensed, certified, or registered under any 14471

other provision of the Revised Code who are practicing those 14472  
arts and utilizing psychological procedures that are allowed and 14473  
within the standards and ethics of their profession or within 14474  
new areas of practice that represent appropriate extensions of 14475  
their profession, provided that they do not hold themselves out 14476  
to the public by the title of psychologist; 14477

(8) Persons using the term "social psychologist," 14478  
"experimental psychologist," "developmental psychologist," 14479  
"research psychologist," "cognitive psychologist," and other 14480  
terms used by those in academic and research settings who 14481  
possess a doctoral degree in psychology from an educational 14482  
institution accredited or recognized by national or regional 14483  
accrediting agencies as maintaining satisfactory standards and 14484  
who do not use such a term in the solicitation or rendering of 14485  
professional psychological services. 14486

(B) The license holder who is supervising a person 14487  
described in division (A) (3) of this section shall register the 14488  
person with the board. The board shall adopt rules regarding the 14489  
registration process and the supervisory relationship. 14490

**Sec. 4733.18.** (A) The state board of registration for 14491  
professional engineers and surveyors ~~may shall~~ authorize a 14492  
temporary registration for an individual who has filed with the 14493  
board an application for a temporary registration and has paid 14494  
the required fee in accordance with Chapter 4796. of the Revised 14495  
Code. The temporary registration continues only for the time the 14496  
board requires for consideration of the application for 14497  
registration, ~~provided a person is legally qualified to practice~~ 14498  
~~that profession in the person's own state in which the~~ 14499  
~~requirements and qualifications of registration are not lower~~ 14500  
~~than those specified in this chapter.~~ 14501

(B) (1) The following persons are exempt from this chapter:	14502
(a) An employee or a subordinate of a person registered	14503
under this chapter or an employee of a person holding temporary	14504
registration under division (A) of this section, provided the	14505
employee's or subordinate's duties do not include responsible	14506
charge of engineering or surveying work;	14507
(b) Officers and employees of the government of the United	14508
States while engaged within this state in the practice of	14509
engineering or surveying, for that government;	14510
(c) An engineer engaged solely as an officer of a	14511
privately owned public utility.	14512
(2) This chapter does not require registration for the	14513
purpose of practicing professional engineering, or professional	14514
surveying by an individual, firm, or corporation on property	14515
owned or leased by that individual, firm, or corporation unless	14516
the same involves the public welfare or the safeguarding of	14517
life, health, or property, or for the performance of engineering	14518
or surveying which relates solely to the design or fabrication	14519
of manufactured products.	14520
(C) Nothing in this chapter prevents persons other than	14521
engineers from preparing plans, drawings, specifications, or	14522
data, from filing applications for building permits, or from	14523
obtaining those permits for residential buildings, as defined by	14524
section 3781.06 of the Revised Code, or buildings that are	14525
erected as one-, two-, or three-family units or structures	14526
within the meaning of the term "industrialized unit" as provided	14527
in section 3781.06 of the Revised Code.	14528
(D) Nothing in this chapter prevents persons other than	14529
engineers from preparing drawings or data, from filing	14530

applications for building permits, or from obtaining those 14531  
permits for the installation of replacement equipment or systems 14532  
that are similar in type or capacity to the equipment or systems 14533  
being replaced, and for any improvement, alteration, repair, 14534  
painting, decorating, or other modification of any buildings or 14535  
structures subject to sections 3781.06 to 3781.18 and 3791.04 of 14536  
the Revised Code where the building official determines that no 14537  
plans or specifications are required for approval. 14538

**Sec. 4733.19.** ~~A~~ With respect to a person registered or 14539  
licensed to engage in the practice of engineering or surveying 14540  
by a proper authority of a ~~another~~ state, territory, or 14541  
possession of the United States, or the District of Columbia, 14542  
~~who, in the opinion of or who has a government certification or~~ 14543  
private certification as an engineer or surveyor in another 14544  
state, territory, or possession of the United States, or the 14545  
District of Columbia that does not issue that registration or 14546  
license, the state board of registration for professional 14547  
engineers and surveyors, ~~meets the requirements of this chapter,~~ 14548  
~~based on verified evidence, may, upon application and payment of~~ 14549  
~~the established fee, be registered~~ shall register the person as 14550  
a professional engineer or surveyor in accordance with Chapter 14551  
4796. of the Revised Code. Notwithstanding section 4796.05 of 14552  
the Revised Code, the board shall register a person who has 14553  
satisfactory work experience as a professional engineer or 14554  
surveyor in accordance with Chapter 4796. of the Revised Code if 14555  
the person satisfies a minimum education requirement and passes 14556  
an examination. 14557

~~Any person who seeks registration as a professional~~ 14558  
~~surveyor under this section must pass a two-hour professional~~ 14559  
~~practice examination, devoted to the laws and practices of this~~ 14560  
~~state prior to receiving such registration.~~ 14561

Sec. 4734.23. (A) A person licensed by another ~~state or~~ 14562  
country in the practice of chiropractic may apply under this 14563  
section for a license to practice chiropractic in this state in 14564  
lieu of applying under section 4734.20 of the Revised Code. The 14565  
fee for applying under this ~~section~~ division shall be five 14566  
hundred dollars. 14567

(B) The state chiropractic board may, for good cause, 14568  
waive all or part of the educational and testing requirements 14569  
specified under section 4734.20 of the Revised Code and issue a 14570  
license to an applicant under division (A) of this section, if 14571  
the applicant presents satisfactory proof of being licensed to 14572  
practice chiropractic in another ~~state or~~ country where the 14573  
requirements for receipt of the license, on the date the license 14574  
was issued, are considered by the board to be substantially 14575  
equivalent to those of this chapter. The applicant must meet the 14576  
same age requirement that must be met under section 4734.20 of 14577  
the Revised Code. If the board does not waive all of the 14578  
educational and testing requirements, the board may require that 14579  
the applicant complete and receive a score specified by the 14580  
board on one or more tests administered by the board or by the 14581  
national board of chiropractic examiners or another testing 14582  
entity. 14583

(C) The board shall issue a license to practice 14584  
chiropractic in accordance with Chapter 4796. of the Revised 14585  
Code to an applicant if either of the following applies: 14586

(1) The applicant holds a license to practice chiropractic 14587  
in another state. 14588

(2) The applicant has satisfactory work experience, a 14589  
government certification, or a private certification as 14590  
described in that chapter as a chiropractor in a state that does 14591

not issue that license. 14592

**Sec. 4734.27.** (A) To the extent it is in the public 14593  
interest, the state chiropractic board may issue, without 14594  
examination, a special limited license to practice chiropractic 14595  
as follows: 14596

(1) To a person who is seeking to participate in an 14597  
internship, residency, preceptorship, or clinical fellowship in 14598  
this state in preparation for the practice of chiropractic; 14599

(2) To a nonresident person who plans to provide 14600  
chiropractic services in connection with a special activity, 14601  
program, or event conducted in this state, if the person holds a 14602  
current, valid, and unrestricted license to practice 14603  
chiropractic in another state or country; 14604

(3) To a person who previously held an unrestricted 14605  
license to practice chiropractic in this state who plans to 14606  
offer gratuitous chiropractic services as a voluntary public 14607  
service; 14608

(4) To any other person for any other reason specified as 14609  
good cause by the board in rules adopted under this section. 14610

(B) An applicant for a special limited license shall 14611  
submit to the board a complete application on a form prescribed 14612  
by the board, pay an application fee of seventy-five dollars, 14613  
and furnish proof satisfactory to the board of being at least 14614  
twenty-one years of age and of either holding the degree of 14615  
doctor of chiropractic or being enrolled in a program leading to 14616  
the degree. The institution from which the applicant received 14617  
the degree or in which the applicant is enrolled must be a 14618  
school or college that is approved by the board under section 14619  
4734.21 of the Revised Code. 14620

(C) The provisions of this chapter that apply to applicants for and holders of licenses to practice chiropractic shall apply to applicants for and holders of special limited licenses to the extent the board considers appropriate, including the board's authority to conduct any investigation it considers appropriate to verify an applicant's credentials and fitness to receive a license and the board's authority to take actions under section 4734.31 of the Revised Code.

(D) The board shall adopt any rules it considers necessary to implement this section. All rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code.

(E) (1) The board shall issue a special limited license to practice chiropractic under division (A) (1) of this section in accordance with Chapter 4796. of the Revised Code to a person if either of the following applies:

(a) The person holds a limited license to practice chiropractic in another state.

(b) The person has satisfactory work experience, a government certification, or a private certification as described in that chapter as a chiropractor in a state that does not issue that limited license.

(2) A nonresident person who holds a special limited license to practice chiropractic under division (A) (2) of this section is not required to obtain a license under Chapter 4796. of the Revised Code to practice under the special limited license.

(3) Chapter 4796. of the Revised Code does not apply to a special limited license issued under division (A) (3) or (4) of

this section. 14650

**Sec. 4734.283.** If the state chiropractic board determines 14651  
under section 4734.282 of the Revised Code that an applicant 14652  
meets the requirements for a certificate to practice 14653  
acupuncture, the executive director of the board shall issue to 14654  
the applicant a certificate to practice acupuncture. 14655

A certificate to practice acupuncture expires biennially 14656  
in accordance with a schedule the board shall establish. The 14657  
certificate may be renewed in accordance with section 4734.284 14658  
of the Revised Code. 14659

Notwithstanding the requirements for a certificate under 14660  
this chapter, the executive director shall issue a certificate 14661  
to practice acupuncture in accordance with Chapter 4796. of the 14662  
Revised Code to a chiropractor who holds a license or 14663  
certificate to practice acupuncture in another state or has 14664  
satisfactory work experience, a government certification, or a 14665  
private certification as described in that chapter as an 14666  
acupuncturist in a state that does not issue that license or 14667  
certificate. 14668

**Sec. 4735.023.** (A) An oil and gas land professional who is 14669  
not otherwise permitted to engage in the activities described in 14670  
division (A) of section 4735.01 of the Revised Code may perform 14671  
such activities, if the oil and gas land professional does all 14672  
of the following: 14673

(1) (a) Registers on an annual basis as an oil and gas land 14674  
professional with the superintendent of real estate by such date 14675  
specified and on a form approved by the superintendent, which 14676  
form includes both of the following: 14677

(i) The name and address of the oil and gas land 14678



professional; 14679

(ii) Evidence of the oil and gas land professional's 14680  
membership in good standing in a national, state, or local 14681  
professional organization that has been in existence for at 14682  
least three years and has, as part of its mission, developed a 14683  
set of standards of performance and ethics for oil and gas land 14684  
professionals. 14685

(b) Pays an annual fee, established by the superintendent 14686  
in an amount not to exceed one hundred dollars, which shall 14687  
accompany the registration. 14688

(2) At or prior to first contacting any landowner or other 14689  
person with an interest in real estate for the purpose of 14690  
engaging in the activities of an oil and gas land professional, 14691  
and on a form approved by the superintendent, discloses to the 14692  
landowner or other person all of the following: 14693

(a) The oil and gas land professional's name and address 14694  
as registered with the superintendent; 14695

(b) That the oil and gas land professional is registered 14696  
as such with the superintendent and is a member in good standing 14697  
in a national, state, or local professional organization that 14698  
has been in existence for at least three years and has, as part 14699  
of its mission, developed a set of standards of performance and 14700  
ethics for oil and gas land professionals; 14701

(c) That the oil and gas land professional is not a 14702  
licensed real estate broker or real estate salesperson under 14703  
Chapter 4735. of the Revised Code; 14704

(d) That the landowner or other person with an interest in 14705  
real estate may seek legal counsel in connection with any 14706  
transaction with the oil and gas land professional; 14707

(e) That the oil and gas land professional is not 14708  
representing the landowner or other person with an interest in 14709  
real estate. 14710

(3) At or prior to entering into any agreements for the 14711  
purpose of exploring for, transporting, producing, or developing 14712  
oil and gas mineral interests including, but not limited to, oil 14713  
and gas leases and pipeline easements with any landowner or 14714  
other person with an interest in real estate, and on a form 14715  
approved by the superintendent, discloses to the landowner or 14716  
other person with an interest in real estate all of the 14717  
following: 14718

(a) The oil and gas land professional's name and address 14719  
as registered with the superintendent; 14720

(b) That the oil and gas land professional is registered 14721  
as such with the superintendent and a member in good standing in 14722  
a national, state, or local professional organization that has 14723  
been in existence for at least three years and has, as part of 14724  
its mission, developed a set of standards of performance and 14725  
ethics for oil and gas land professionals; 14726

(c) That the oil and gas land professional is not a 14727  
licensed real estate broker or real estate salesperson under 14728  
Chapter 4735. of the Revised Code; 14729

(d) That the landowner or other person may seek legal 14730  
counsel in connection with any transaction with the oil and gas 14731  
land professional; 14732

(e) That the oil and gas land professional is not 14733  
representing the landowner or other person with an interest in 14734  
real estate. 14735

(B) Any oil and gas land professional who must be 14736

registered as such with the superintendent pursuant to this 14737  
section who ceases to be a member in good standing of an 14738  
organization described in division (A) (1) (a) (ii) of this section 14739  
shall report the change in membership status to the 14740  
superintendent within thirty days of that change. Failure to 14741  
report such change in membership status shall result in the 14742  
automatic suspension of registration status and subject the 14743  
registrant to the penalties for unlicensed activity as found in 14744  
section 4735.052 of the Revised Code. 14745

(C) Any oil and gas land professional who fails to 14746  
register with the superintendent pursuant to this section is 14747  
subject to the penalties for unlicensed activity as found in 14748  
section 4735.052 of the Revised Code. 14749

(D) Notwithstanding any provision of this section to the 14750  
contrary, the superintendent shall register in accordance with 14751  
Chapter 4796. of the Revised Code as an oil and gas land 14752  
professional a person if either of the following applies: 14753

(1) The person is licensed or registered as an oil and gas 14754  
land professional in another state. 14755

(2) The person has satisfactory work experience, a 14756  
government certification, or a private certification as 14757  
described in that chapter as an oil and gas land professional in 14758  
a state that does not issue that license or registration. 14759

**Sec. 4735.07.** (A) The superintendent of real estate, with 14760  
the consent of the Ohio real estate commission, may enter into 14761  
agreements with recognized national testing services to 14762  
administer the real estate broker's examination under the 14763  
superintendent's supervision and control, consistent with the 14764  
requirements of this chapter as to the contents of such 14765

examination.	14766
(B) No applicant for a real estate broker's license shall	14767
take the broker's examination who has not established to the	14768
satisfaction of the superintendent that the applicant:	14769
(1) Is honest and truthful;	14770
(2) (a) Has not been convicted of a disqualifying offense	14771
as determined in accordance with section 9.79 of the Revised	14772
Code;	14773
(b) Has not been finally adjudged by a court to have	14774
violated any municipal, state, or federal civil rights laws	14775
relevant to the protection of purchasers or sellers of real	14776
estate or, if the applicant has been so adjudged, at least two	14777
years have passed since the court decision and the	14778
superintendent has disregarded the adjudication because the	14779
applicant has proven, by a preponderance of the evidence, that	14780
the applicant's activities and employment record since the	14781
adjudication show that the applicant is honest and truthful, and	14782
there is no basis in fact for believing that the applicant will	14783
again violate the laws involved.	14784
(3) Has not, during any period in which the applicant was	14785
licensed under this chapter, violated any provision of, or any	14786
rule adopted pursuant to, this chapter, or, if the applicant has	14787
violated any such provision or rule, has established to the	14788
satisfaction of the superintendent that the applicant will not	14789
again violate such provision or rule;	14790
(4) Is at least eighteen years of age;	14791
(5) Has been a licensed real estate broker or salesperson	14792
for at least two years; during at least two of the five years	14793
preceding the person's application, has worked as a licensed	14794

real estate broker or salesperson for an average of at least	14795
thirty hours per week; and has completed one of the following:	14796
(a) At least twenty real estate transactions, in which	14797
property was sold for another by the applicant while acting in	14798
the capacity of a real estate broker or salesperson;	14799
(b) Such equivalent experience as is defined by rules	14800
adopted by the commission.	14801
(6) (a) If licensed as a real estate salesperson prior to	14802
August 1, 2001, successfully has completed at an institution of	14803
higher education all of the following credit-eligible courses by	14804
either classroom instruction or distance education:	14805
(i) Thirty hours of instruction in real estate practice;	14806
(ii) Thirty hours of instruction that includes the	14807
subjects of Ohio real estate law, municipal, state, and federal	14808
civil rights law, new case law on housing discrimination,	14809
desegregation issues, and methods of eliminating the effects of	14810
prior discrimination. If feasible, the instruction in Ohio real	14811
estate law shall be taught by a member of the faculty of an	14812
accredited law school. If feasible, the instruction in	14813
municipal, state, and federal civil rights law, new case law on	14814
housing discrimination, desegregation issues, and methods of	14815
eliminating the effects of prior discrimination shall be taught	14816
by a staff member of the Ohio civil rights commission who is	14817
knowledgeable with respect to those subjects. The requirements	14818
of this division do not apply to an applicant who is admitted to	14819
practice before the supreme court.	14820
(iii) Thirty hours of instruction in real estate	14821
appraisal;	14822
(iv) Thirty hours of instruction in real estate finance;	14823

(v) Three quarter hours, or its equivalent in semester hours, in financial management;	14824 14825
(vi) Three quarter hours, or its equivalent in semester hours, in human resource or personnel management;	14826 14827
(vii) Three quarter hours, or its equivalent in semester hours, in applied business economics;	14828 14829
(viii) Three quarter hours, or its equivalent in semester hours, in business law.	14830 14831
(b) If licensed as a real estate salesperson on or after August 1, 2001, successfully has completed at an institution of higher education all of the following credit-eligible courses by either classroom instruction or distance education:	14832 14833 14834 14835
(i) Forty hours of instruction in real estate practice;	14836
(ii) Forty hours of instruction that includes the subjects of Ohio real estate law, municipal, state, and federal civil rights law, new case law on housing discrimination, desegregation issues, and methods of eliminating the effects of prior discrimination. If feasible, the instruction in Ohio real estate law shall be taught by a member of the faculty of an accredited law school. If feasible, the instruction in municipal, state, and federal civil rights law, new case law on housing discrimination, desegregation issues, and methods of eliminating the effects of prior discrimination shall be taught by a staff member of the Ohio civil rights commission who is knowledgeable with respect to those subjects. The requirements of this division do not apply to an applicant who is admitted to practice before the supreme court.	14837 14838 14839 14840 14841 14842 14843 14844 14845 14846 14847 14848 14849 14850
(iii) Twenty hours of instruction in real estate appraisal;	14851 14852

(iv) Twenty hours of instruction in real estate finance;	14853
(v) The training in the amount of hours specified under	14854
divisions (B) (6) (a) (v), (vi), (vii), and (viii) of this section.	14855
(c) Division (B) (6) (a) or (b) of this section does not	14856
apply to any applicant who holds a valid real estate	14857
salesperson's license issued prior to January 2, 1972. Divisions	14858
(B) (6) (a) (v), (vi), (vii), and (viii) or division (B) (6) (b) (v)	14859
of this section do not apply to any applicant who holds a valid	14860
real estate salesperson's license issued prior to January 3,	14861
1984.	14862
(d) Divisions (B) (6) (a) (iii) and (B) (6) (b) (iii) of this	14863
section do not apply to any new applicant who holds a valid Ohio	14864
real estate appraiser license or certificate issued prior to the	14865
date of application for a real estate broker's license.	14866
(e) Successful completion of the instruction required by	14867
division (B) (6) (a) or (b) of this section shall be determined by	14868
the law in effect on the date the instruction was completed.	14869
(7) If licensed as a real estate salesperson on or after	14870
January 3, 1984, satisfactorily has completed a minimum of two	14871
years of post-secondary education, or its equivalent in semester	14872
or quarter hours, at an institution of higher education, and has	14873
fulfilled the requirements of division (B) (6) (a) or (b) of this	14874
section. The requirements of division (B) (6) (a) or (b) of this	14875
section may be included in the two years of post-secondary	14876
education, or its equivalent in semester or quarter hours, that	14877
is required by this division. The post-secondary education	14878
requirement may be satisfied by completing the credit-eligible	14879
courses using either classroom instruction or distance	14880
education. Successful completion of any course required by this	14881

section shall be determined by the law in effect on the date the course was completed. 14882  
14883

(C) Each applicant for a broker's license shall be 14884  
examined in the principles of real estate practice, Ohio real 14885  
estate law, and financing and appraisal, and as to the duties of 14886  
real estate brokers and real estate salespersons, the 14887  
applicant's knowledge of real estate transactions and 14888  
instruments relating to them, and the canons of business ethics 14889  
pertaining to them. The commission from time to time shall 14890  
promulgate such canons and cause them to be published in printed 14891  
form. 14892

(D) Examinations shall be administered with reasonable 14893  
accommodations in accordance with the requirements of the 14894  
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 14895  
U.S.C. 12101. The contents of an examination shall be consistent 14896  
with the requirements of division (B) (6) of this section and 14897  
with the other specific requirements of this section. An 14898  
applicant who has completed the requirements of division (B) (6) 14899  
of this section at the time of application shall be examined no 14900  
later than twelve months after the applicant is notified of 14901  
admission to the examination. 14902

~~(E) The superintendent may waive one or more of the~~ 14903  
~~requirements of this section in the case of an application from~~ 14904  
~~a nonresident real estate broker pursuant to a reciprocity~~ 14905  
~~agreement with the licensing authority of the state from which~~ 14906  
~~the nonresident applicant holds a valid real estate broker~~ 14907  
~~license. Notwithstanding any provision of this chapter to the~~ 14908  
~~contrary, the superintendent shall issue a real estate broker's~~ 14909  
~~license in accordance with Chapter 4796. of the Revised Code to~~ 14910  
~~an applicant if either of the following applies:~~ 14911



<u>(1) The applicant holds a license in another state.</u>	14912
<u>(2) The applicant has satisfactory work experience, a</u>	14913
<u>government certification, or a private certification as</u>	14914
<u>described in Chapter 4796. of the Revised Code as a real estate</u>	14915
<u>broker in a state that does not issue that license.</u>	14916
(F) There shall be no limit placed on the number of times	14917
an applicant may retake the examination.	14918
(G) (1) Not earlier than the date of issue of a real estate	14919
broker's license to a licensee, but not later than twelve months	14920
after the date of issue of a real estate broker's license to a	14921
licensee, the licensee shall submit proof satisfactory to the	14922
superintendent, on forms made available by the superintendent,	14923
of the completion of ten hours of instruction that shall be	14924
completed in schools, seminars, and educational institutions	14925
that are approved by the commission. Approval of the curriculum	14926
and providers shall be granted according to rules adopted	14927
pursuant to section 4735.10 of the Revised Code and may be taken	14928
through classroom instruction or distance education.	14929
If the required proof of completion is not submitted to	14930
the superintendent within twelve months of the date a license is	14931
issued under this section, the license of the real estate broker	14932
is suspended automatically without the taking of any action by	14933
the superintendent. The broker's license shall not be	14934
reactivated by the superintendent until it is established, to	14935
the satisfaction of the superintendent, that the requirements of	14936
this division have been met and that the licensee is in	14937
compliance with this chapter. A licensee's license is revoked	14938
automatically without the taking of any action by the	14939
superintendent if the licensee fails to submit proof of	14940
completion of the education requirements specified under	14941

division (G) (1) of this section within twelve months of the date 14942  
the license is suspended. 14943

(2) If the license of a real estate broker is suspended 14944  
pursuant to division (G) (1) of this section, the license of a 14945  
real estate salesperson associated with that broker 14946  
correspondingly is suspended pursuant to division (H) of section 14947  
4735.20 of the Revised Code. However, the suspended license of 14948  
the associated real estate salesperson shall be reactivated and 14949  
no fee shall be charged or collected for that reactivation if 14950  
all of the following occur: 14951

(a) That broker subsequently submits satisfactory proof to 14952  
the superintendent that the broker has complied with the 14953  
requirements of division (G) (1) of this section and requests 14954  
that the broker's license as a real estate broker be 14955  
reactivated; 14956

(b) The superintendent then reactivates the broker's 14957  
license as a real estate broker; 14958

(c) The associated real estate salesperson intends to 14959  
continue to be associated with that broker and otherwise is in 14960  
compliance with this chapter. 14961

**Sec. 4735.08.** The superintendent of real estate shall 14962  
issue a real estate broker's license when the superintendent is 14963  
satisfied that: 14964

(A) An applicant who is not a partnership, association, 14965  
limited liability company, limited liability partnership, or 14966  
corporation ~~satisfies one of the following:~~ 14967

~~(1) Has has received a passing score on each portion of~~ 14968  
the real estate broker's examination as determined by rule by 14969  
the real estate commission; 14970

~~(2) Is qualified to be licensed without examination as a nonresident real estate broker, under division (E) of section 4735.07 of the Revised Code.~~ 14971  
14972  
14973

(B) All the members or officers who are authorized to perform the functions of a real estate broker as the agents of an applicant that is a partnership, association, limited liability company, limited liability partnership, or corporation, are licensed themselves as real estate brokers under this chapter. 14974  
14975  
14976  
14977  
14978  
14979

**Sec. 4735.09.** (A) Application for a license as a real estate salesperson shall be made to the superintendent of real estate on forms furnished by the superintendent and signed by the applicant. The application shall be in the form prescribed by the superintendent and shall contain such information as is required by this chapter and the rules of the Ohio real estate commission. The application shall be accompanied by the recommendation of the real estate broker with whom the applicant is associated or with whom the applicant intends to be associated, certifying that the applicant is honest and truthful, and has not been finally adjudged by a court to have violated any municipal, state, or federal civil rights laws relevant to the protection of purchasers or sellers of real estate, which conviction or adjudication the applicant has not disclosed to the superintendent, and recommending that the applicant be admitted to the real estate salesperson examination. 14980  
14981  
14982  
14983  
14984  
14985  
14986  
14987  
14988  
14989  
14990  
14991  
14992  
14993  
14994  
14995  
14996

(B) A fee of eighty-one dollars shall accompany the application, which fee includes the fee for the initial year of the licensing period, if a license is issued. The initial year of the licensing period commences at the time the license is 14997  
14998  
14999  
15000

issued and ends on the applicant's first birthday thereafter. 15001  
The application fee shall be nonrefundable. A fee of eighty-one 15002  
dollars shall be charged by the superintendent for each 15003  
successive application made by the applicant. One dollar of each 15004  
application fee shall be credited to the real estate education 15005  
and research fund. 15006

(C) There shall be no limit placed on the number of times 15007  
an applicant may retake the examination. 15008

(D) The superintendent, with the consent of the 15009  
commission, may enter into an agreement with a recognized 15010  
national testing service to administer the real estate 15011  
salesperson's examination under the superintendent's supervision 15012  
and control, consistent with the requirements of this chapter as 15013  
to the contents of the examination. 15014

If the superintendent, with the consent of the commission, 15015  
enters into an agreement with a national testing service to 15016  
administer the real estate salesperson's examination, the 15017  
superintendent may require an applicant to pay the testing 15018  
service's examination fee directly to the testing service. If 15019  
the superintendent requires the payment of the examination fee 15020  
directly to the testing service, each applicant shall submit to 15021  
the superintendent a processing fee in an amount determined by 15022  
the Ohio real estate commission pursuant to division (A)(1) of 15023  
section 4735.10 of the Revised Code. 15024

(E) The superintendent shall issue a real estate 15025  
salesperson's license when satisfied that the applicant has 15026  
received a passing score on each portion of the salesperson's 15027  
examination as determined by rule by the real estate commission, ~~7-~~ 15028  
~~except that the superintendent may waive one or more of the~~ 15029  
~~requirements of this section in the case of an applicant who is-~~ 15030

~~a licensed real estate salesperson in another state pursuant to~~ 15031  
~~a reciprocity agreement with the licensing authority of the~~ 15032  
~~state from which the applicant holds a valid real estate~~ 15033  
~~salesperson's license.~~ 15034

(F) No applicant for a salesperson's license shall take 15035  
the salesperson's examination who has not established to the 15036  
satisfaction of the superintendent that the applicant: 15037

(1) Is honest and truthful; 15038

(2) (a) Has not been convicted of a disqualifying offense 15039  
as determined in accordance with section 9.79 of the Revised 15040  
Code; 15041

(b) Has not been finally adjudged by a court to have 15042  
violated any municipal, state, or federal civil rights laws 15043  
relevant to the protection of purchasers or sellers of real 15044  
estate or, if the applicant has been so adjudged, at least two 15045  
years have passed since the court decision and the 15046  
superintendent has disregarded the adjudication because the 15047  
applicant has proven, by a preponderance of the evidence, that 15048  
the applicant is honest and truthful, and there is no basis in 15049  
fact for believing that the applicant again will violate the 15050  
laws involved. 15051

(3) Has not, during any period in which the applicant was 15052  
licensed under this chapter, violated any provision of, or any 15053  
rule adopted pursuant to this chapter, or, if the applicant has 15054  
violated such provision or rule, has established to the 15055  
satisfaction of the superintendent that the applicant will not 15056  
again violate such provision or rule; 15057

(4) Is at least eighteen years of age; 15058

(5) If born after the year 1950, has a high school diploma 15059

or a certificate of high school equivalence issued by the 15060  
department of education; 15061

(6) Has successfully completed at an institution of higher 15062  
education all of the following credit-eligible courses by either 15063  
classroom instruction or distance education: 15064

(a) Forty hours of instruction in real estate practice; 15065

(b) Forty hours of instruction that includes the subjects 15066  
of Ohio real estate law, municipal, state, and federal civil 15067  
rights law, new case law on housing discrimination, 15068  
desegregation issues, and methods of eliminating the effects of 15069  
prior discrimination. If feasible, the instruction in Ohio real 15070  
estate law shall be taught by a member of the faculty of an 15071  
accredited law school. If feasible, the instruction in 15072  
municipal, state, and federal civil rights law, new case law on 15073  
housing discrimination, desegregation issues, and methods of 15074  
eliminating the effects of prior discrimination shall be taught 15075  
by a staff member of the Ohio civil rights commission who is 15076  
knowledgeable with respect to those subjects. The requirements 15077  
of this division do not apply to an applicant who is admitted to 15078  
practice before the supreme court. 15079

(c) Twenty hours of instruction in real estate appraisal; 15080

(d) Twenty hours of instruction in real estate finance. 15081

(G) (1) Successful completion of the instruction required 15082  
by division (F) (6) of this section shall be determined by the 15083  
law in effect on the date the instruction was completed. 15084

(2) Division (F) (6) (c) of this section does not apply to 15085  
any new applicant who holds a valid Ohio real estate appraiser 15086  
license or certificate issued prior to the date of application 15087  
for a real estate salesperson's license. 15088

(H) Only for noncredit course offerings, an institution of higher education shall obtain approval from the appropriate state authorizing entity prior to offering a real estate course that is designed and marketed as satisfying the salesperson license education requirements of division (F)(6) of this section. The state authorizing entity may consult with the superintendent in reviewing the course for compliance with this section.

(I) Any person who has not been licensed as a real estate salesperson or broker within a four-year period immediately preceding the person's current application for the salesperson's examination shall have successfully completed the prelicensure instruction required by division (F)(6) of this section within a ten-year period immediately preceding the person's current application for the salesperson's examination.

(J) Not earlier than the date of issue of a real estate salesperson's license to a licensee, but not later than twelve months after the date of issue of a real estate salesperson license to a licensee, the licensee shall submit proof satisfactory to the superintendent, on forms made available by the superintendent, of the completion of twenty hours of instruction that shall be completed in schools, seminars, and educational institutions approved by the commission. The instruction shall include, but is not limited to, current practices relating to commercial real estate, property management, short sales, and land contracts; contract law; federal and state programs; economic conditions; and fiduciary responsibility. Approval of the curriculum and providers shall be granted according to rules adopted pursuant to section 4735.10 of the Revised Code and may be taken through classroom instruction or distance education.

If proof of completion of the required instruction is not 15120  
submitted within twelve months of the date a license is issued 15121  
under this section, the licensee's license is suspended 15122  
automatically without the taking of any action by the 15123  
superintendent. The superintendent immediately shall notify the 15124  
broker with whom such salesperson is associated of the 15125  
suspension of the salesperson's license. A salesperson whose 15126  
license has been suspended under this division shall have twelve 15127  
months after the date of the suspension of the salesperson's 15128  
license to submit proof of successful completion of the 15129  
instruction required under this division. No such license shall 15130  
be reactivated by the superintendent until it is established, to 15131  
the satisfaction of the superintendent, that the requirements of 15132  
this division have been met and that the licensee is in 15133  
compliance with this chapter. A licensee's license is revoked 15134  
automatically without the taking of any action by the 15135  
superintendent when the licensee fails to submit the required 15136  
proof of completion of the education requirements under division 15137  
(I) of this section within twelve months of the date the license 15138  
is suspended. 15139

(K) Examinations shall be administered with reasonable 15140  
accommodations in accordance with the requirements of the 15141  
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 15142  
U.S.C. 12189. The contents of an examination shall be consistent 15143  
with the classroom instructional requirements of division (F) (6) 15144  
of this section. An applicant who has completed the classroom 15145  
instructional requirements of division (F) (6) of this section at 15146  
the time of application shall be examined no later than twelve 15147  
months after the applicant is notified of the applicant's 15148  
admission to the examination. 15149

(L) Notwithstanding any provision of this chapter to the 15150



contrary, the superintendent shall issue a real estate 15151  
salesperson's license in accordance with Chapter 4796. of the 15152  
Revised Code to an applicant if either of the following applies: 15153

(1) The applicant holds a license in another state. 15154

(2) The applicant has satisfactory work experience, a 15155  
government certification, or a private certification as 15156  
described in Chapter 4796. of the Revised Code as a real estate 15157  
salesperson in a state that does not issue that license. 15158

**Sec. 4735.10.** (A) (1) The Ohio real estate commission may 15159  
adopt reasonable rules in accordance with Chapter 119. of the 15160  
Revised Code, necessary for implementing the provisions of this 15161  
chapter relating, but not limited to, the following: 15162

(a) The form and manner of filing applications for 15163  
licensure; 15164

(b) Times and form of examination for license; 15165

(c) Placing an existing broker's license on deposit or a 15166  
salesperson's license on an inactive status for an indefinite 15167  
period; 15168

(d) Specifying the process by which a licensee may resign 15169  
the licensee's license; 15170

(e) Defining any additional license status that the 15171  
commission determines is necessary and that is not otherwise 15172  
defined in this chapter and establishing the process by which a 15173  
licensee places the licensee's license in a status defined by 15174  
the commission in the rules the commission adopts; 15175

(f) Clarification of the activities that require a license 15176  
under this chapter; 15177

(g) Permitting a broker to act as principal broker for more than one brokerage.	15178 15179
(2) The commission shall adopt reasonable rules in accordance with Chapter 119. of the Revised Code, for implementing the provisions of this chapter relating to the following:	15180 15181 15182 15183
(a) The issuance, renewal, suspension, and revocation of licenses, other sanctions that may be imposed for violations of this chapter, the conduct of hearings related to these actions, and the process of reactivating a license;	15184 15185 15186 15187
(b) A three-year license and a three-year license renewal system;	15188 15189
(c) Standards for the approval of the postlicensure courses as required by division (G) of section 4735.07 and division (J) of section 4735.09 of the Revised Code, courses of study required for licenses, courses offered in preparation for license examinations, or courses required as continuing education for licenses.	15190 15191 15192 15193 15194 15195
(d) Guidelines to ensure that continuing education classes are open to all persons licensed under this chapter. The rules shall specify that an organization that sponsors a continuing education class may offer its members a reasonable reduction in the fees charged for the class.	15196 15197 15198 15199 15200
(e) Requirements for trust accounts and property management accounts. The rules shall specify that:	15201 15202
(i) Brokerages engaged in the management of property for another may, pursuant to a written contract with the property owner, exercise signatory authority for withdrawals from property management accounts maintained in the name of the	15203 15204 15205 15206

property owner. The exercise of authority for withdrawals does 15207  
not constitute a violation of any provision of division (A) of 15208  
section 4735.18 of the Revised Code. 15209

(ii) The interest earned on property management trust 15210  
accounts maintained in the name of the property owner or the 15211  
broker shall be payable to the property owner unless otherwise 15212  
specified in a written contract. 15213

(f) Notice of renewal forms and filing deadlines; 15214

(g) Special assessments under division (A) of section 15215  
4735.12 of the Revised Code. 15216

(B) The commission may adopt rules in accordance with 15217  
Chapter 119. of the Revised Code establishing standards and 15218  
guidelines with which the superintendent of real estate shall 15219  
comply in the exercise of the following powers: 15220

(1) Appointment and recommendation of ancillary trustees 15221  
under section 4735.05 of the Revised Code; 15222

(2) Rejection of names proposed to be used by 15223  
partnerships, associations, limited liability companies, limited 15224  
liability partnerships, and corporations, under division (B) of 15225  
section 4735.06 of the Revised Code, including procedures for 15226  
the application and approval of more than one trade name for a 15227  
brokerage; 15228

(3) Acceptance and rejection of applications to take the 15229  
broker and salesperson examinations and licensure, ~~with~~ 15230  
~~appropriate waivers pursuant to division (E) of section 4735.07~~ 15231  
~~and section 4735.09 of the Revised Code;~~ 15232

(4) Approval of applications of brokers to place their 15233  
licenses in an inactive status and to become salespersons under 15234

section 4735.13 of the Revised Code;	15235
(5) Appointment of hearing examiners under section 119.09 of the Revised Code;	15236 15237
(6) Acceptance and rejection of applications to take the foreign real estate dealer and salesperson examinations and licensure, with waiver of examination, under sections 4735.27 and 4735.28 of the Revised Code;	15238 15239 15240 15241
(7) Qualification of foreign real estate under section 4735.25 of the Revised Code.	15242 15243
If at any time there is no rule in effect establishing a guideline or standard required by this division, the superintendent may adopt a rule in accordance with Chapter 119. of the Revised Code for such purpose.	15244 15245 15246 15247
(C) The commission or superintendent may hear testimony in matters relating to the duties imposed upon them, and the president of the commission and superintendent may administer oaths. The commission or superintendent may require other proof of the honesty and truthfulness of any person named in an application for a real estate broker's or real estate salesperson's license before admitting the applicant to the examination or issuing a license.	15248 15249 15250 15251 15252 15253 15254 15255
<b>Sec. 4735.27.</b> (A) An application to act as a foreign real estate dealer shall be in writing and filed with the superintendent of real estate. It shall be in the form the superintendent prescribes and shall contain the following information:	15256 15257 15258 15259 15260
(1) The name and address of the applicant;	15261
(2) A description of the applicant, including, if the	15262

applicant is a partnership, unincorporated association, or any similar form of business organization, the names and the residence and business addresses of all partners, officers, directors, trustees, or managers of the organization, and the limitation of the liability of any partner or member; and if the applicant is a corporation, a list of its officers and directors, and the residence and business addresses of each, and, if it is a foreign corporation, a copy of its articles of incorporation in addition;

(3) The location and addresses of the principal office and all other offices of the applicant;

(4) A general description of the business of the applicant prior to the application, including a list of states in which the applicant is a licensed foreign real estate dealer;

(5) The names and addresses of all salespersons of the applicant at the date of the application;

(6) The nature of the business of the applicant, and its places of business, for the ten-year period preceding the date of application.

(B) Every nonresident applicant shall name a person within this state upon whom process against the applicant may be served and shall give the complete residence and business address of the person designated. Every applicant shall file an irrevocable written consent, executed and acknowledged by an individual duly authorized to give such consent, that actions growing out of a fraud committed by the applicant in connection with the sale in this state of foreign real estate may be commenced against it, in the proper court of any county in this state in which a cause of action for such fraud may arise or in which the plaintiff in

such action may reside, by serving on the secretary of state any 15292  
proper process or pleading authorized by the laws of this state, 15293  
in the event that the applicant if a resident of this state, or 15294  
the person designated by the nonresident applicant, cannot be 15295  
found at the address given. The consent shall stipulate that the 15296  
service of process on the secretary of state shall be taken in 15297  
all courts to be as valid and binding as if service had been 15298  
made upon the foreign real estate dealer. If the applicant is a 15299  
corporation or an unincorporated association, the consent shall 15300  
be accompanied by a certified copy of the resolution of the 15301  
board of directors, trustees, or managers of the corporation or 15302  
association, authorizing such individual to execute the consent. 15303

(C) The superintendent may investigate any applicant for a 15304  
dealer's license, and may require any additional information the 15305  
superintendent considers necessary to determine the 15306  
qualifications of the applicant to act as a foreign real estate 15307  
dealer. If the application for a dealer's license involves 15308  
investigation outside this state, the superintendent may require 15309  
the applicant to advance sufficient funds to pay any of the 15310  
actual expenses of the investigation, and an itemized statement 15311  
of such expense shall be furnished to the applicant. 15312

(D) Every applicant shall take a written examination, 15313  
prescribed and conducted by the superintendent, which covers the 15314  
applicant's knowledge of the principles of real estate practice, 15315  
real estate law, financing and appraisal, real estate 15316  
transactions and instruments relating to them, canons of 15317  
business ethics relating to real estate transactions, and the 15318  
duties of foreign real estate dealers and salespersons. The fee 15319  
for the examination, when administered by the superintendent, is 15320  
one hundred one dollars. If the applicant does not appear for 15321  
the examination, the fee shall be forfeited and a new 15322

application and fee shall be filed, unless good cause for the 15323  
failure to appear is shown to the superintendent. ~~The~~ 15324  
~~requirement of an examination may be waived in whole or in part~~ 15325  
~~by the superintendent if an applicant is licensed as a real~~ 15326  
~~estate broker by any state.~~ 15327

Any applicant who fails the examination twice shall wait 15328  
six months before applying to retake the examination. 15329

(E) No person shall take the foreign real estate dealer's 15330  
examination who has not established to the satisfaction of the 15331  
superintendent that the person: 15332

(1) Has not been convicted of a disqualifying offense as 15333  
determined in accordance with section 9.79 of the Revised Code; 15334

(2) Has not been finally adjudged by a court to have 15335  
violated any municipal, state, or federal civil rights laws 15336  
relevant to the protection of purchasers or sellers of real 15337  
estate or, if the applicant has been so adjudged, at least two 15338  
years have passed since the court decision and the 15339  
superintendent has disregarded the adjudication because the 15340  
applicant has proven, by a preponderance of the evidence, that 15341  
the applicant's activities and employment record since the 15342  
adjudication show that the applicant is honest and truthful, and 15343  
there is no basis in fact for believing that the applicant again 15344  
will violate the laws involved; 15345

(3) Has not, during any period for which the applicant was 15346  
licensed under this chapter or any former section of the Revised 15347  
Code applicable to licensed foreign real estate dealers or 15348  
salespersons, violated any provision of, or any rule adopted 15349  
pursuant to, this chapter or that section, or, if the applicant 15350  
has violated any such provision or rule, has established to the 15351

satisfaction of the superintendent that the applicant will not 15352  
again violate the provision or rule. 15353

(F) ~~If Except as provided in division (H) of this section,~~ 15354  
~~if~~ the superintendent finds that an applicant for a license as a 15355  
foreign real estate dealer, or each named member, manager, or 15356  
officer of a partnership, association, or corporate applicant is 15357  
at least eighteen years of age, has passed the examination 15358  
required under this section ~~or has had the requirement of an~~ 15359  
~~examination waived~~, and appears otherwise qualified, the 15360  
superintendent shall issue a license to the applicant to engage 15361  
in business in this state as a foreign real estate dealer. 15362  
Dealers licensed pursuant to this section shall employ as 15363  
salespersons of foreign real estate only persons licensed 15364  
pursuant to section 4735.28 of the Revised Code. If at any time 15365  
such salespersons resign or are discharged or new salespersons 15366  
are added, the dealer forthwith shall notify the superintendent 15367  
and shall file with the division of real estate the names and 15368  
addresses of new salespersons. 15369

(G) If the applicant merely is renewing the applicant's 15370  
license for the previous year, the application need contain only 15371  
the information required by divisions (A) (2), (3), and (6) of 15372  
this section. 15373

(H) The superintendent shall issue a license to engage in 15374  
business in this state as a foreign real estate dealer in 15375  
accordance with Chapter 4796. of the Revised Code to an 15376  
applicant if either of the following applies: 15377

(1) The applicant holds a license in another state. 15378

(2) The applicant has satisfactory work experience, a 15379  
government certification, or a private certification as 15380



described in that chapter as a foreign real estate dealer in a 15381  
state that does not issue that license. 15382

**Sec. 4735.28.** (A) An application to act as a foreign real 15383  
estate salesperson shall be in writing and filed with the 15384  
superintendent of real estate. It shall be in the form the 15385  
superintendent prescribes and shall contain the following 15386  
information: 15387

(1) The name and complete residence and business addresses 15388  
of the applicant; 15389

(2) The name of the foreign real estate dealer who is 15390  
employing the applicant or who intends to employ the applicant; 15391

(3) The age and education of the applicant, and the 15392  
applicant's experience in the sale of foreign real estate; 15393  
whether the applicant has ever been licensed by the 15394  
superintendent, and if so, when; whether the applicant has ever 15395  
been refused a license by the superintendent; and whether the 15396  
applicant has ever been licensed or refused a license or any 15397  
similar permit by any division or superintendent of real estate, 15398  
by whatsoever name known or designated, anywhere; 15399

(4) The nature of the employment, and the names and 15400  
addresses of the employers, of the applicant for the period of 15401  
ten years immediately preceding the date of the application. 15402

(B) Every applicant shall take a written examination, 15403  
prescribed and conducted by the superintendent, which covers the 15404  
applicant's knowledge of the principles of real estate practice, 15405  
real estate law, financing and appraisal, real estate 15406  
transactions and instruments relating to them, canons of 15407  
business ethics relating to real estate transactions, and the 15408  
duties of foreign real estate salespersons. The fee for the 15409

examination, when administered by the superintendent, is sixty- 15410  
eight dollars. If the applicant does not appear for the 15411  
examination, the fee shall be forfeited and a new application 15412  
and fee shall be filed, unless good cause for the failure to 15413  
appear is shown to the superintendent. ~~The requirement of an~~ 15414  
~~examination may be waived in whole or in part by the~~ 15415  
~~superintendent if an applicant is licensed as a real estate~~ 15416  
~~broker or salesperson by any state.~~ 15417

Any applicant who fails the examination twice shall wait 15418  
six months before applying to retake the examination. 15419

(C) No person shall take the foreign real estate 15420  
salesperson's examination who has not established to the 15421  
satisfaction of the superintendent that the person: 15422

(1) Has not been convicted of a disqualifying offense as 15423  
determined in accordance with section 9.79 of the Revised Code; 15424

(2) Has not been finally adjudged by a court to have 15425  
violated any municipal, state, or federal civil rights laws 15426  
relevant to the protection of purchasers or sellers of real 15427  
estate or, if the applicant has been so adjudged, at least two 15428  
years have passed since the court decision and the 15429  
superintendent has disregarded the adjudication because the 15430  
applicant has proven, by a preponderance of the evidence, that 15431  
the applicant's activities and employment record since the 15432  
adjudication show that the applicant is honest and truthful, and 15433  
there is no basis in fact for believing that the applicant will 15434  
again violate the laws; 15435

(3) Has not, during any period for which the applicant was 15436  
licensed under this chapter or any former section of the Revised 15437  
Code applicable to licensed foreign real estate dealers or 15438

salespersons, violated any provision of, or any rule adopted 15439  
pursuant to, this chapter or that section, or, if the applicant 15440  
has violated any such provision or rule, has established to the 15441  
satisfaction of the superintendent that the applicant will not 15442  
again violate the provision or rule. 15443

(D) Every salesperson of foreign real estate shall be 15444  
licensed by the superintendent of real estate and shall be 15445  
employed only by the licensed foreign real estate dealer 15446  
specified on the salesperson's license. 15447

(E) If the superintendent finds that the applicant appears 15448  
to be qualified to act as a foreign real estate salesperson, and 15449  
has fully complied with the provisions of this chapter, and that 15450  
the dealer in the application is a licensed foreign real estate 15451  
dealer, the superintendent, upon payment of the fees prescribed 15452  
by section 4735.15 of the Revised Code, shall issue a license to 15453  
the applicant authorizing the applicant to act as a salesperson 15454  
for the dealer named in the application. 15455

(F) The superintendent shall issue a license to act as a 15456  
salesperson of foreign real estate in accordance with Chapter 15457  
4796. of the Revised Code to an applicant if either of the 15458  
following applies: 15459

(1) The applicant holds a license in another state. 15460

(2) The applicant has satisfactory work experience, a 15461  
government certification, or a private certification as 15462  
described in that chapter as acting as a salesperson of foreign 15463  
real estate in a state that does not issue that license. 15464

**Sec. 4736.10.** Any (A) Except as provided in division (B) 15465  
of this section, any person who meets the educational 15466  
qualifications of division (A), (B), or (C) of section 4736.08 15467

of the Revised Code, but does not meet the experience 15468  
requirement of such division may make application to the 15469  
director of health on a form prescribed by the director for 15470  
registration as an environmental health specialist in training. 15471  
The director shall register the person as an environmental 15472  
health specialist in training upon payment of the fee required 15473  
by section 4736.12 of the Revised Code. 15474

(B) The director shall issue an environmental health 15475  
specialist in training registration in accordance with Chapter 15476  
4796. of the Revised Code to an applicant if either of the 15477  
following applies: 15478

(1) The applicant holds a license or registration in 15479  
another state. 15480

(2) The applicant has satisfactory work experience, a 15481  
government certification, or a private certification as 15482  
described in that chapter as an environmental health specialist 15483  
in training in a state that does not issue that license or 15484  
registration. 15485

(C) An environmental health specialist in training shall 15486  
apply for registration as an environmental health specialist 15487  
within three years after registration as an environmental health 15488  
specialist in training. The director may extend the registration 15489  
of any environmental health specialist in training who 15490  
furnishes, in writing, sufficient cause for not applying for 15491  
registration as an environmental health specialist within the 15492  
three-year period. However, the director shall not extend the 15493  
registration more than an additional two years beyond the three- 15494  
year period. 15495

**Sec. 4736.14.** The director of health ~~may, upon application~~ 15496

~~and proof of valid registration, shall~~ issue a certificate of 15497  
registration in accordance with Chapter 4796. of the Revised 15498  
Code to any a person who if either of the following applies: 15499

(A) The person is or has been registered as an 15500  
environmental health specialist by any other state, ~~if the~~ 15501  
~~requirements of that state at the time of such registration are~~ 15502  
~~determined by the director to be at least equivalent to the~~ 15503  
~~requirements of this chapter.~~ 15504

(B) The person has satisfactory work experience, a 15505  
government certification, or a private certification as 15506  
described in that chapter as an environmental health specialist 15507  
in a state that does not issue that certificate of registration. 15508

**Sec. 4740.05.** Each specialty section of the Ohio 15509  
construction industry licensing board, other than the 15510  
administrative section, shall do all of the following: 15511

(A) Adopt rules in accordance with Chapter 119. of the 15512  
Revised Code that are limited to the following: 15513

(1) Criteria for the section to use in evaluating the 15514  
qualifications of an individual; 15515

(2) Criteria for the section to use in deciding whether to 15516  
issue, renew, suspend, revoke, or refuse to issue or renew a 15517  
license; 15518

~~(3) The determinations and approvals the section makes~~ 15519  
~~under the reciprocity provision of section 4740.08 of the~~ 15520  
~~Revised Code;~~ 15521

~~(4) Criteria for continuing education courses conducted~~ 15522  
pursuant to this chapter; 15523

~~(5)~~ (4) A requirement that any training agency seeking 15524

approval to provide continuing education courses submit the 15525  
required information to the appropriate specialty section of the 15526  
board at least thirty days, but not more than one year, prior to 15527  
the date on which the course is proposed to be offered; 15528

~~(6)~~ (5) A prohibition against any training agency 15529  
providing a continuing education course unless the 15530  
administrative section of the board approved that training 15531  
agency not more than one year prior to the date the course is 15532  
offered; 15533

~~(7)~~ (6) A list of disqualifying offenses pursuant to 15534  
sections 9.79, 4740.06, 4740.10, and 4776.10 of the Revised 15535  
Code. 15536

(B) Investigate allegations in reference to violations of 15537  
this chapter and the rules adopted pursuant to it that pertain 15538  
to the specialty section and determine by rule a procedure to 15539  
conduct investigations and hearings on these allegations; 15540

(C) Maintain a record of its proceedings; 15541

(D) Grant approval to a training agency to offer 15542  
continuing education courses pursuant to rules the board adopts; 15543

(E) As required, do all things necessary to carry out this 15544  
chapter; 15545

(F) Establish or approve a continuing education curriculum 15546  
for license renewal for each class of contractors for which the 15547  
section has primary responsibility. No curriculum may require 15548  
more than five hours per year in specific course requirements. 15549  
No contractor may be required to take more than ten hours per 15550  
year in continuing education courses. The ten hours shall be the 15551  
aggregate of hours of continuing education for all licenses the 15552  
contractor holds. 15553

(G) Design the examination for the type of contractor the specialty section licenses to determine an applicant's competence to perform that type of contracting.

**Sec. 4740.06.** (A) Any individual who applies for a license shall file a written application with the appropriate specialty section of the Ohio construction industry licensing board, accompanied with the application fee as determined pursuant to section 4740.09 of the Revised Code. The application shall be on the form the section prescribes and verified by the applicant's oath. The applicant shall provide information satisfactory to the section showing that the applicant meets the requirements of division (B), (C), or (D) of this section.

(B) To qualify to take an examination, an individual shall:

(1) Be at least eighteen years of age;

(2) Be a United States citizen or legal alien who produces valid documentation to demonstrate the individual is a legal resident of the United States;

(3) Either have been a tradesperson in the type of licensed trade for which the application is filed for not less than five years immediately prior to the date the application is filed, be a currently registered engineer in this state with three years of business experience in the construction industry in the trade for which the engineer is applying to take an examination, or have other experience acceptable to the appropriate specialty section of the board;

(4) Maintain contractor's liability insurance in an amount the appropriate specialty section of the board determines and only in one contracting company name;

(5) Not have done any of the following:	15583
(a) Violated this chapter or any rule adopted pursuant to it;	15584 15585
(b) Obtained or renewed a license issued pursuant to this chapter, or any order, ruling, or authorization of the board or a section of the board by fraud, misrepresentation, or deception;	15586 15587 15588 15589
(c) Engaged in fraud, misrepresentation, or deception in the conduct of business.	15590 15591
(C) <u>For an individual who holds an out-of-state occupational license, as defined in section 4796.01 of the Revised Code, that is substantially similar to the license for which the individual is applying under this chapter, to qualify to take an examination, an individual shall:</u>	15592 15593 15594 15595 15596
<u>(1) Provide proof that the individual was issued at least five authorizations for construction, erection, equipment, alteration, or addition of any building by an authority with responsibility for enforcing building regulations in the jurisdiction where the individual holds the out-of-state occupational license;</u>	15597 15598 15599 15600 15601 15602
<u>(2) Provide at least one tax return that reflects income earned for services provided under the individual's out-of-state occupational license;</u>	15603 15604 15605
<u>(3) Provide proof that the contracting company with whom the individual is employed in the jurisdiction where the individual holds the out-of-state occupational license is either of the following:</u>	15606 15607 15608 15609
<u>(a) Licensed as a foreign corporation under section</u>	15610



1703.04 of the Revised Code and has designated an agent in this 15611  
state in accordance with section 1703.041 of the Revised Code; 15612

(b) Registered as a foreign limited liability company 15613  
under section 1706.511 of the Revised Code and has designated an 15614  
agent in this state in accordance with section 1706.09 of the 15615  
Revised Code. 15616

(4) Meet the requirements described in divisions (B) (1), 15617  
(2), (4), and (5) of this section. 15618

(D) (1) For an individual who has been actively engaged in 15619  
activities in the service of the uniformed services, as defined 15620  
in section 4796.01 of the Revised Code, that are substantially 15621  
similar to the activities for which the license the individual 15622  
is applying under this chapter is required, to qualify to take 15623  
an examination, an individual shall: 15624

(a) Provide proof that the individual was actively engaged 15625  
in the activities in the service of the uniformed services for 15626  
at least three of the five years immediately preceding the date 15627  
the application is submitted; 15628

(b) Meet the requirements described in divisions (B) (1), 15629  
(2), (4), and (5) of this section. 15630

(2) Each specialty section of the board may adopt a rule 15631  
in accordance with Chapter 119. of the Revised Code to waive the 15632  
requirement that an applicant under division (D) (1) (a) of this 15633  
section has been actively engaged in the activity for three of 15634  
the five years immediately preceding the date the application is 15635  
submitted. 15636

(E) The board secretary, or the secretary's designee, 15637  
shall approve an application for examination submitted under 15638  
division (C) or (D) of this section within thirty days after 15639

receiving a complete application that meets the requirements of 15640  
that division. 15641

(E) When an applicant for licensure as a contractor in a 15642  
licensed trade meets the qualifications set forth in division 15643  
(B), (C), or (D) of this section and passes the required 15644  
examination, the appropriate specialty section of the board, 15645  
within ninety days after the application was filed, shall 15646  
authorize the administrative section of the board to license the 15647  
applicant for the type of contractor's license for which the 15648  
applicant qualifies. A specialty section of the board may 15649  
withdraw its authorization to the administrative section for 15650  
issuance of a license for good cause shown, on the condition 15651  
that notice of that withdrawal is given prior to the 15652  
administrative section's issuance of the license. 15653

~~(D)(1)~~ (G)(1) Except as provided in division ~~(D)(2)~~ (G)(2) 15654  
of this section, if an applicant does not pass the required 15655  
examination, the applicant may retake the examination not less 15656  
than sixty days after the applicant's most recent examination. 15657

(2) An applicant who does not pass the required 15658  
examination after taking the examination five times under this 15659  
section shall reapply for a license under division (A) of this 15660  
section before retaking the required examination any subsequent 15661  
time. 15662

~~(E)~~ (H) All licenses a contractor holds pursuant to this 15663  
chapter shall expire annually on the same date, which shall be 15664  
the expiration date of the original license the contractor 15665  
holds. An individual holding a valid, unexpired license may 15666  
renew the license, without reexamination, by submitting an 15667  
application to the appropriate specialty section of the board 15668  
not more than ninety calendar days before the expiration of the 15669

license, along with the renewal fee the specialty section 15670  
requires and proof of compliance with the applicable continuing 15671  
education requirements. The applicant shall provide information 15672  
in the renewal application satisfactory to demonstrate to the 15673  
appropriate specialty section that the applicant continues to 15674  
meet the requirements of ~~division (B)~~divisions (B) (2), (4), and 15675  
(5) of this section. 15676

Upon application and within one calendar year after a 15677  
license has expired, a section may waive any of the requirements 15678  
for renewal of a license upon finding that an applicant 15679  
substantially meets the renewal requirements or that failure to 15680  
timely apply for renewal is due to excusable neglect. A section 15681  
that waives requirements for renewal of a license may impose 15682  
conditions upon the licensee and assess a late filing fee of not 15683  
more than double the usual renewal fee. An applicant shall 15684  
satisfy any condition the section imposes before a license is 15685  
reissued. 15686

~~(F)~~(I) An individual holding a valid license may request 15687  
the section of the board that authorized that license to place 15688  
the license in inactive status under conditions, and for a 15689  
period of time, as that section determines. 15690

~~(G)~~(J) Except for the ninety-day extension provided for a 15691  
license assigned to a contracting company under division (D) of 15692  
section 4740.07 of the Revised Code, a license held by an 15693  
individual immediately terminates upon the death of the 15694  
individual. 15695

~~(H)~~(K) Nothing in any license issued by the Ohio 15696  
construction industry licensing board shall be construed to 15697  
limit or eliminate any requirement of or any license issued by 15698  
the Ohio fire marshal. 15699

~~(I)~~ ~~(1)~~ (L) (1) Subject to division ~~(I)~~ ~~(3)~~ (L) (3) of this 15700  
section, no specialty section of the board shall adopt, 15701  
maintain, renew, or enforce any rule, or otherwise preclude in 15702  
any way, an individual from renewing a license under this 15703  
chapter due to any past criminal activity or interpretation of 15704  
moral character. If the specialty section denies an individual a 15705  
license renewal, the reasons for such denial shall be put in 15706  
writing. 15707

(2) The section may refuse to issue a license to an 15708  
applicant because of a conviction of or plea of guilty to an 15709  
offense if the refusal is in accordance with section 9.79 of the 15710  
Revised Code. 15711

(3) In considering a renewal of an individual's license, 15712  
the section shall not consider any conviction or plea of guilty 15713  
prior to the initial licensing. However, the board may consider 15714  
a conviction or plea of guilty if it occurred after the 15715  
individual was initially licensed, or after the most recent 15716  
license renewal. 15717

(4) The section may grant an individual a conditional 15718  
license that lasts for one year. After the one-year period has 15719  
expired, the license is no longer considered conditional, and 15720  
the individual shall be considered fully licensed. 15721

~~(J)~~ (M) Notwithstanding divisions ~~(E)~~ ~~(H)~~ and ~~(I)~~ ~~(L)~~ of 15722  
this section and sections 4740.04 and 4740.05 of the Revised 15723  
Code, the board may establish rules that amend the continuing 15724  
education requirements and license renewal schedule for 15725  
licensees as provided in or adopted pursuant to those sections 15726  
for the purpose of establishing a compliance incentive program. 15727  
These rules may include provisions for the creation of the 15728  
program and the qualifications, continuing education 15729

requirements, and renewal schedule for the program. 15730

**Sec. 4741.12.** (A) The state veterinary medical licensing board shall issue a license to practice veterinary medicine in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 15731  
15732  
15733  
15734

(1) The applicant holds a license in another state. 15735

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in the practice of veterinary medicine in a state that does not issue that license. 15736  
15737  
15738  
15739

(B) The board may issue a license to practice veterinary medicine without the examination required pursuant to section 4741.11 of the Revised Code to an applicant from another ~~state, territory, country, or the District of Columbia~~ who furnishes satisfactory proof to the board that the applicant meets all of the following criteria: 15740  
15741  
15742  
15743  
15744  
15745

~~(A)~~ (1) The applicant is a graduate of a veterinary college accredited by the American veterinary medical association or holds a certificate issued, on or after May 1, 1987, by the education commission for foreign veterinary graduates of the American veterinary medical association or issued by any other nationally recognized certification program the board approves by rule. 15746  
15747  
15748  
15749  
15750  
15751  
15752

~~(B)~~ (2) The applicant holds a license, which is not under suspension, revocation, or other disciplinary action, issued by an agency similar to this board of another ~~state, territory, country, or the District of Columbia,~~ having requirements equivalent to those of this state, provided the laws of such ~~state, territory, country, or district~~ accord equal rights to 15753  
15754  
15755  
15756  
15757  
15758

the holder of a license to practice in this state who removes to 15759  
such ~~state, territory, country, or district.~~ 15760

~~(C)~~ (3) The applicant is not under investigation for an 15761  
act which would constitute a violation of this chapter that 15762  
would require the revocation of or refusal to renew a license. 15763

~~(D)~~ (4) The applicant has a thorough knowledge of the laws 15764  
and rules governing the practice of veterinary medicine in this 15765  
state, as determined by the board. 15766

**Sec. 4741.13.** The state veterinary medical licensing board 15767  
may issue a limited license to practice veterinary medicine to 15768  
~~an a nonresident~~ individual whose sole professional capacity is 15769  
with a veterinary academic institution or veterinary technology 15770  
institution recognized by the board in accordance with rules the 15771  
board adopts or with a government diagnostic laboratory. A 15772  
person holding a limited license is authorized to engage in the 15773  
practice of veterinary medicine only to the extent necessary to 15774  
fulfill the person's employment or educational obligations as an 15775  
instructor, researcher, diagnostician, intern, resident in a 15776  
veterinary specialty, or graduate student. 15777

The board may issue a limited license to ~~an a nonresident~~ 15778  
applicant who submits a completed application on a form 15779  
prescribed by the board, pays the applicable fee prescribed in 15780  
section 4741.17 of the Revised Code, and meets the criteria 15781  
established by the board. The board shall not require an 15782  
individual issued a limited license under this section to obtain 15783  
a license under Chapter 4796. of the Revised Code. 15784

**Sec. 4741.14.** The state veterinary medical licensing board 15785  
may issue, without the examination required pursuant to section 15786  
4741.11 of the Revised Code, a temporary permit to practice 15787

veterinary medicine to a nonresident veterinarian holding a 15788  
license which is not revoked, suspended, expired, or under any 15789  
restrictions and is otherwise in good standing from another 15790  
state, territory, or the District of Columbia, provided that a 15791  
veterinarian who holds a current license in this state applies 15792  
for the temporary permit for the veterinarian. The board shall 15793  
not require a veterinarian issued a temporary permit under this 15794  
section to obtain a license under Chapter 4796. of the Revised 15795  
Code. 15796

A temporary permit issued pursuant to this section only 15797  
authorizes the permit holder to act as a veterinary consultant 15798  
or to provide veterinary medical services in this state for a 15799  
specific animal or animals. When using the services of a 15800  
veterinary consultant, the responsibility for the care and 15801  
treatment of the patient remains with the veterinarian who holds 15802  
a current license in this state and who is providing treatment, 15803  
or consultation as to treatment, to the patient. The board shall 15804  
determine by rule the specific purposes for which it may issue a 15805  
temporary permit and the duration of the permit, not to exceed 15806  
six months, under rules it adopts pursuant to Chapter 119. of 15807  
the Revised Code. No more than two temporary permits may be 15808  
issued pursuant to this section to any one applicant. Any 15809  
subsequent applications shall be made pursuant to section 15810  
4741.12 of the Revised Code. 15811

**Sec. 4741.15.** (A) A person who has done both of the 15812  
following may submit an application to the state veterinary 15813  
medical licensing board for a provisional veterinary graduate 15814  
license: 15815

(1) Graduated from a veterinary college approved by the 15816  
board; 15817

(2) Applied for and is waiting to take a nationally 15818  
recognized examination approved by the board for a license to 15819  
practice veterinary medicine. 15820

The application shall be on a form that the board 15821  
prescribes and shall contain any information that the board 15822  
requires together with a letter or letters of recommendation 15823  
from a licensed veterinarian or veterinarians who will be 15824  
directly supervising and responsible for the applicant as 15825  
provided in division (C) of this section. The applicant shall 15826  
include with the application the fee established in section 15827  
4741.17 of the Revised Code. 15828

(B) The board may issue a provisional veterinary graduate 15829  
license to an applicant who has satisfied the requirements 15830  
established in division (A) of this section. The board shall 15831  
issue a provisional veterinary graduate license in accordance 15832  
with Chapter 4796. of the Revised Code to an applicant if the 15833  
applicant holds a license in another state or has satisfactory 15834  
work experience, a government certification, or a private 15835  
certification as described in that chapter in performing or 15836  
assisting in medical treatments, diagnoses, and surgeries under 15837  
veterinary supervision in a state that does not issue that 15838  
license. A provisional veterinary graduate license is valid for 15839  
six months following the date of its issuance and is not 15840  
renewable. 15841

(C) A person who holds a provisional veterinary graduate 15842  
license may perform or assist in medical treatments, diagnosis, 15843  
and surgery on a patient only under the direct veterinary 15844  
supervision of the veterinarian or veterinarians who provided 15845  
the letter or letters of recommendation accompanying the 15846  
person's application under division (A) of this section and may 15847



engage in other duties related to the practice of veterinary 15848  
medicine only under veterinary supervision. 15849

(D) No person who holds a provisional veterinary graduate 15850  
license shall be represented, explicitly or implicitly, as being 15851  
a licensed veterinarian. 15852

(E) The board may revoke a provisional veterinary graduate 15853  
license if the person who holds the license violates division 15854  
(C) or (D) of this section. 15855

**Sec. 4741.19.** (A) Unless exempted under this chapter, no 15856  
person shall practice veterinary medicine, or any of its 15857  
branches, without a license or limited license issued by the 15858  
state veterinary medical licensing board pursuant to sections 15859  
4741.11 to 4741.13 of the Revised Code, a temporary permit 15860  
issued pursuant to section 4741.14 of the Revised Code, or a 15861  
registration certificate issued pursuant to division (C) of this 15862  
section, or with an inactive, expired, suspended, terminated, or 15863  
revoked license, temporary permit, or registration. 15864

(B) No veterinary student shall: 15865

(1) Perform or assist surgery unless under direct 15866  
veterinary supervision and unless the student has had the 15867  
minimum education and experience prescribed by rule of the 15868  
board; 15869

(2) Engage in any other work related to the practice of 15870  
veterinary medicine unless under veterinary supervision; 15871

(3) Participate in the operation of a branch office, 15872  
clinic, or allied establishment unless a licensed veterinarian 15873  
is present on the establishment premises. 15874

(C) No person shall act as a registered veterinary 15875

technician unless the person is registered with the board on a 15876  
biennial basis and pays the biennial registration fee. A 15877  
registered veterinary technician registration expires biennially 15878  
on the first day of March in the odd-numbered years and may be 15879  
renewed in accordance with the standard renewal procedures 15880  
contained in Chapter 4745. of the Revised Code upon payment of 15881  
the biennial registration fee and fulfillment of ten continuing 15882  
education hours during the two years immediately preceding 15883  
renewal for registration. Each registered veterinary technician 15884  
shall notify in writing the executive director of the board of 15885  
any change in the registered veterinary technician's office 15886  
address or employment within ninety days after the change has 15887  
taken place. 15888

(1) A registered veterinary technician operating under 15889  
veterinary supervision may perform the following duties: 15890

(a) Prepare or supervise the preparation of patients, 15891  
instruments, equipment, and medications for surgery; 15892

(b) Collect or supervise the collection of specimens and 15893  
perform laboratory procedures as required by the supervising 15894  
veterinarian; 15895

(c) Apply wound dressings, casts, or splints as required 15896  
by the supervising veterinarian; 15897

(d) Assist a veterinarian in immunologic, diagnostic, 15898  
medical, and surgical procedures; 15899

(e) Suture skin incisions; 15900

(f) Administer or supervise the administration of topical, 15901  
oral, or parenteral medication under the direction of the 15902  
supervising veterinarian; 15903

(g) Other ancillary veterinary technician functions that 15904  
are performed pursuant to the order and control and under the 15905  
full responsibility of a licensed veterinarian. 15906

(h) Any additional duties as established by the board in 15907  
rule. 15908

(2) A registered veterinary technician operating under 15909  
direct veterinary supervision may perform all of the following: 15910

(a) Induce and monitor general anesthesia according to 15911  
medically recognized and appropriate methods; 15912

(b) Dental prophylaxis, periodontal care, and extraction 15913  
not involving sectioning of teeth or resection of bone or both 15914  
of these; 15915

(c) Equine dental procedures, including the floating of 15916  
molars, premolars, and canine teeth; removal of deciduous teeth; 15917  
and the extraction of first premolars or wolf teeth. 15918

The degree of supervision by a licensed veterinarian over 15919  
the functions performed by the registered veterinary technician 15920  
shall be consistent with the standards of generally accepted 15921  
veterinary medical practices. 15922

(3) The board shall issue a registration to be a 15923  
veterinary technician in accordance with Chapter 4796. of the 15924  
Revised Code to an applicant if either of the following applies: 15925

(a) The applicant holds a similar registration or license 15926  
in another state. 15927

(b) The applicant has satisfactory work experience, a 15928  
government certification, or a private certification as 15929  
described in that chapter as a veterinary technician in a state 15930  
that does not issue that registration or license. 15931

(D) A veterinarian licensed to practice in this state 15932  
shall not present the person's self as or state a claim that the 15933  
person is a specialist unless the veterinarian has previously 15934  
met the requirements for certification by a specialty 15935  
organization recognized by the American board of veterinary 15936  
specialties for a specialty or such other requirements set by 15937  
rule of the board and has paid the fee required by division (A) 15938  
(10) of section 4741.17 of the Revised Code. 15939

The board shall issue a certification as a veterinary 15940  
specialist in accordance with Chapter 4796. of the Revised Code 15941  
to an applicant if the applicant holds a certification as a 15942  
specialist in another state or has satisfactory work experience, 15943  
a government certification, or a private certification as 15944  
described in that chapter as a veterinary specialist in a state 15945  
that does not issue that certification. 15946

(E) Notwithstanding division (A) of this section, any 15947  
animal owner or the owner's designee may engage in the practice 15948  
of embryo transfer on the owner's animal if a licensed 15949  
veterinarian directly supervises the owner or the owner's 15950  
designee and the means used to perform the embryo transfer are 15951  
nonsurgical. 15952

(F) Allied medical support may assist a licensed 15953  
veterinarian to the extent to which the law that governs the 15954  
individual providing the support permits, if all of the 15955  
following apply: 15956

(1) A valid veterinary-client-patient-relationship exists. 15957

(2) The individual acts under direct veterinary 15958  
supervision. 15959

(3) The allied medical support individual receives 15960

informed, written, client consent. 15961

(4) The veterinarian maintains responsibility for the 15962  
patient and keeps the patient's medical records. 15963

The board may inspect the facilities of an allied medical 15964  
support individual in connection with an investigation based on 15965  
a complaint received in accordance with section 4741.26 of the 15966  
Revised Code involving that individual. 15967

**Sec. 4743.04.** (A) The renewal of a license or other 15968  
authorization to practice a trade or profession issued under 15969  
Title XLVII of the Revised Code is subject to the provisions of 15970  
section 5903.10 of the Revised Code relating to service in the 15971  
armed forces. 15972

(B) Continuing education requirements applicable to the 15973  
licensees under Title XLVII of the Revised Code are subject to 15974  
the provisions of section 5903.12 of the Revised Code relating 15975  
to active duty military service. 15976

(C) ~~A department, agency, or office of any political~~ 15977  
~~subdivision of this state that issues a license or certificate~~ 15978  
~~to practice a trade or profession may, pursuant to rules adopted~~ 15979  
~~by the department, agency, or office, issue a temporary license~~ 15980  
~~or certificate to practice the trade or profession to a person~~ 15981  
~~whose spouse is on active military duty in this state.~~ 15982

~~(D)~~ A department, agency, or office of this state that 15983  
issues a license or certificate to practice a trade or 15984  
profession shall issue a temporary license or certificate to 15985  
practice the trade or profession as provided in section 4743.041 15986  
of the Revised Code. 15987

~~(E)~~ (D) The issuance of a license or other authorization 15988  
to practice a trade or profession issued under Title XLVII of 15989

the Revised Code is subject to the provisions of section 5903.03 15990  
of the Revised Code relating to service in the armed forces. 15991

**Sec. 4743.041.** (A) As used in this section: 15992

"Active guard and reserve" has the meaning defined in 10 15993  
U.S.C. 101. 15994

"Military duty" includes service in the uniformed services 15995  
on active duty, in the active guard and reserve, and as a 15996  
military technician dual status under 10 U.S.C. 10216. 15997

"Uniformed services" has the meaning defined in 10 U.S.C. 15998  
101. 15999

(B) Pursuant to division ~~(D)~~ (C) of section 4743.04 of the 16000  
Revised Code, a department, agency, or office of this state 16001  
shall issue a temporary license or certificate to practice a 16002  
trade or profession to an individual, provided that all of the 16003  
following qualifications are met: 16004

(1) The individual holds a valid license or certificate to 16005  
practice the trade or profession issued by any other state or 16006  
jurisdiction; 16007

(2) The individual is in good standing in the state or 16008  
jurisdiction of licensure or certification; 16009

(3) The individual presents adequate proof to the 16010  
department, agency, or office of this state that the individual 16011  
or the individual's spouse is on military duty in this state; 16012  
and 16013

(4) The individual complies with sections 4776.01 to 16014  
4776.04 of the Revised Code if a department, agency, or office 16015  
of this state requires an applicant under the law governing the 16016  
applicable trade or profession to submit to a criminal records 16017

check to receive a license or certificate. 16018

(C) A department, agency, or office of this state may, 16019  
under this section, issue a regular license or certificate in 16020  
lieu of issuing a temporary license or certificate, provided 16021  
that the applicant meets the requirements of this section, and 16022  
provided that the regular license is issued by the deadline 16023  
specified in division (D) of this section. 16024

(D) If the department, agency, or office of this state 16025  
requires an individual under the law governing the applicable 16026  
trade or profession to submit to a criminal records check to 16027  
receive a license or certificate, and the individual applies for 16028  
a license or certificate under this section, the department, 16029  
agency, or office of this state shall, within twenty-four hours 16030  
after receiving the report under division (A) of section 4776.04 16031  
of the Revised Code, notify the applicant that the department, 16032  
agency, or office of this state has received the results of a 16033  
criminal records check. A department, agency, or office of this 16034  
state shall issue a temporary license or certificate or a 16035  
regular license under this section, provided that the applicant 16036  
meets the requirements of this section, within thirty days of 16037  
having received an application, or, if the applicant is subject 16038  
to a criminal records check, within fourteen days of having 16039  
received the results of a criminal records check. If the 16040  
department, agency, or office of this state finds that the 16041  
individual is under investigation by the licensing agency of any 16042  
other state or jurisdiction, the department, agency, or office 16043  
of this state may postpone issuing the license or certificate 16044  
until the investigation is complete and the licensing agency of 16045  
the other state or jurisdiction confirms that the individual is 16046  
in good standing. The department, agency, or office of this 16047  
state shall verify the standing of the license or certificate 16048

issued by another state or jurisdiction when the temporary 16049  
license is up for renewal. No temporary license shall be valid 16050  
for a period of more than six years. 16051

(E) A department, agency, or office of this state shall, 16052  
in accordance with Chapter 119. of the Revised Code, deny an 16053  
individual a temporary license or certificate issued under this 16054  
section or revoke an individual's temporary license or 16055  
certificate issued under this section if any of the following 16056  
circumstances occur: 16057

(1) The individual's license or certificate issued by 16058  
another state or jurisdiction expires or is revoked, or the 16059  
individual is not in good standing; 16060

(2) With respect to an individual who was eligible for a 16061  
temporary license under this section as the spouse of an 16062  
individual on military duty, six months have elapsed since the 16063  
divorce, dissolution, or annulment of the marriage; 16064

(3) The individual is disqualified from obtaining a 16065  
license in the trade or profession because of a conviction, 16066  
judicial finding of guilt, or plea of guilty to a disqualifying 16067  
criminal offense specified on the list the department, agency, 16068  
or office of this state makes available pursuant to division (C) 16069  
of section 9.78 of the Revised Code. 16070

(F) An individual with a temporary license or certificate 16071  
or a regular license issued under this section may practice the 16072  
trade or profession in this state only within the scope and 16073  
practice that is permitted under Ohio law and that does not 16074  
exceed the individual's training. 16075

(G) Notwithstanding any other provision of the Revised 16076  
Code, a department, agency, or office of this state shall waive 16077



all fees associated with the issuance of a temporary license or certificate issued under this section. 16078  
16079

(H) Each department, agency, or office of this state that issues a license or certificate to practice a trade or profession shall adopt rules under Chapter 119. of the Revised Code as necessary to implement this section. 16080  
16081  
16082  
16083

(I) Each department, agency, or office of this state that issues a license or certificate to practice a trade or profession, shall, upon the conclusion of the state fiscal year, prepare a report on the number and type of temporary licenses or certificates that were issued during the fiscal year under this section. The report shall be provided to the director of veterans services not later than thirty days after the end of the fiscal year. The director shall compile the reports and make them available to the public. 16084  
16085  
16086  
16087  
16088  
16089  
16090  
16091  
16092

(J) A license or certificate issued under this section shall be considered a license issued under the laws regulating the practice of the applicable occupation or profession in this state. Provisions of law applicable to a license issued to an applicant who does not obtain a license under this section apply in the same manner to licenses issued under this section. 16093  
16094  
16095  
16096  
16097  
16098

(K) Chapter 4796. of the Revised Code does not apply to a license or certificate issued under this section. 16099  
16100

(L) A department, agency, or office of this state shall not require an individual who meets the requirements of this section to apply for the license or certificate under Chapter 4796. of the Revised Code. However, the individual may elect to apply for the license or certificate under Chapter 4796. of the Revised Code. 16101  
16102  
16103  
16104  
16105  
16106

<b>Sec. 4747.04.</b> (A) The state speech and hearing	16107
professionals board shall:	16108
(1) Establish the nature and scope of qualifying	16109
examinations in accordance with section 4747.08 of the Revised	16110
Code;	16111
(2) Determine whether persons holding similar valid	16112
licenses from other <del>states or</del> jurisdictions <u>other than other</u>	16113
<u>states</u> shall be required to take and successfully pass the	16114
appropriate qualifying examination as a condition for licensing	16115
in this state;	16116
(3) Review complaints and conduct investigations in	16117
accordance with section 4747.13 of the Revised Code and hold any	16118
hearings that are necessary to carry out this chapter;	16119
(4) Determine and specify the length of time each license	16120
that is suspended or revoked shall remain suspended or revoked;	16121
(5) Deposit all payments collected under this chapter into	16122
the state treasury to the credit of the occupational licensing	16123
and regulatory fund created in section 4743.05 of the Revised	16124
Code;	16125
(6) Establish a list of disqualifying offenses for	16126
licensure as a hearing aid dealer or fitter, or for a hearing	16127
aid dealer or fitter trainee permit, pursuant to sections 9.79,	16128
4747.05, 4747.10, 4747.12, and 4776.10 of the Revised Code.	16129
(B) The board shall adopt reasonable rules, in accordance	16130
with Chapter 119. of the Revised Code, necessary for the	16131
administration of this chapter. The board shall include all of	16132
the following in those rules:	16133
(1) The amount of any fees required under this chapter;	16134

(2) The information to be included in a hearing aid receipt provided by a licensed hearing aid dealer or fitter to a person under section 4747.09 of the Revised Code;

(3) The amount of time a licensed hearing aid dealer or fitter or trainee permit holder has to provide the notice of a change in address or addresses required under section 4747.11 of the Revised Code and any other requirements relating to the notice;

(4) Any additional conduct for which the board may discipline a licensee or permit holder under section 4747.12 of the Revised Code.

(C) Nothing in this section shall be interpreted as granting to the board the right to restrict advertising which is not false or misleading, or to prohibit or in any way restrict a hearing aid dealer or fitter from renting or leasing space from any person, firm or corporation in a mercantile establishment for the purpose of using such space for the lawful sale of hearing aids or to prohibit a mercantile establishment from selling hearing aids if the sale would be otherwise lawful under this chapter.

**Sec. 4747.05.** (A) (1) The state speech and hearing professionals board shall issue to each applicant, within sixty days of receipt of a properly completed application and payment of an application fee set by the board in rules adopted under section 4747.04 of the Revised Code, a hearing aid dealer's or fitter's license if the applicant:

~~(1)~~ (a) In the case of an individual, the individual is at least eighteen years of age, is free of contagious or infectious disease, and has successfully passed a qualifying examination

specified and administered by the board. 16164

~~(2)~~ (b) In the case of a firm, partnership, association, 16165  
or corporation, the application, in addition to such information 16166  
as the board requires, is accompanied by an application for a 16167  
license for each person, whether owner or employee, of the firm, 16168  
partnership, association, or corporation, who engages in dealing 16169  
in or fitting of hearing aids, or contains a statement that such 16170  
applications are submitted separately. No firm, partnership, 16171  
association, or corporation licensed pursuant to this chapter 16172  
shall permit any unlicensed person to sell or fit hearing aids. 16173

(2) The board shall issue a hearing aid dealer's or 16174  
fitter's license in accordance with Chapter 4796. of the Revised 16175  
Code to an applicant if either of the following applies: 16176

(a) The applicant holds a license in another state. 16177

(b) The applicant has satisfactory work experience, a 16178  
government certification, or a private certification as 16179  
described in that chapter as a hearing aid dealer or fitter in a 16180  
state that does not issue that license. 16181

(B) (1) Subject to division (B) (3) of this section, the 16182  
board shall not adopt or enforce any rule that precludes an 16183  
individual from renewing a license issued under this chapter due 16184  
to any past criminal activity, unless the individual has 16185  
committed a crime of moral turpitude or a disqualifying offense 16186  
as those terms are defined in section 4776.10 of the Revised 16187  
Code. The board shall comply with Chapter 119. of the Revised 16188  
Code when denying an individual a license renewal. 16189

(2) The board may refuse to issue a license to an 16190  
applicant because of a conviction of or plea of guilty to an 16191  
offense if the refusal is in accordance with section 9.79 of the 16192

Revised Code. 16193

(3) In considering a renewal of an individual's license, 16194  
the board shall not consider any conviction or plea of guilty 16195  
prior to the initial licensing. However, the board may consider 16196  
a conviction or plea of guilty if it occurred after the 16197  
individual was initially licensed, or after the most recent 16198  
license renewal. 16199

(4) The board may grant an individual a conditional 16200  
license that lasts for one year. After the one-year period has 16201  
expired, the license is no longer considered conditional, and 16202  
the individual shall be considered fully licensed. 16203

(C) (1) Except as provided in division (C) (2) of this 16204  
section, each license issued is valid from the date of issuance 16205  
until the thirty-first day of December of the even-numbered year 16206  
that follows the date of issuance. 16207

(2) A license issued less than one hundred days before the 16208  
thirty-first day of December of an even-numbered year is valid 16209  
from the date of issuance until the thirty-first day of December 16210  
of the even-numbered year that follows the thirty-first day of 16211  
December immediately after the date of issuance. 16212

**Sec. 4747.10. (A) (1)** Each person currently engaged in 16213  
training to become a licensed hearing aid dealer or fitter shall 16214  
apply to the state speech and hearing professionals board for a 16215  
hearing aid dealer's and fitter's trainee permit. The board 16216  
shall issue to each applicant within thirty days of receipt of a 16217  
properly completed application and payment of an application fee 16218  
set by the board in rules adopted under section 4747.04 of the 16219  
Revised Code, a trainee permit if such applicant meets all of 16220  
the following criteria: 16221

~~(A)~~ (a) Is at least eighteen years of age; 16222

~~(B)~~ (b) Is the holder of a diploma from an accredited high school or a certificate of high school equivalence issued by the department of education; 16223  
16224  
16225

~~(C)~~ (c) Is free of contagious or infectious disease. 16226

(2) The board shall issue a hearing aid dealer's and fitter's trainee permit in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies: 16227  
16228  
16229

(a) The applicant holds a permit or license in another state. 16230  
16231

(b) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a hearing aid dealer and fitter trainee in a state that does not issue that permit or license. 16232  
16233  
16234  
16235

(B) The board shall not deny a trainee permit issued under this section to any individual based on the individual's past criminal history unless the denial is in accordance with section 9.79 of the Revised Code. 16236  
16237  
16238  
16239

In considering a renewal of an individual's trainee permit, the board shall not consider any conviction or plea of guilty prior to the issuance of the initial trainee permit. 16240  
16241  
16242  
However, the board may consider a conviction or plea of guilty if it occurred after the individual was initially granted the trainee permit, or after the most recent trainee permit renewal. 16243  
16244  
16245  
The board shall comply with Chapter 119. of the Revised Code when denying an individual for a trainee permit or renewal. 16246  
16247  
Additionally, the board may grant an individual a conditional trainee permit that lasts for one year. After the one-year period has expired, the permit is no longer considered 16248  
16249  
16250

conditional, and the individual shall be considered to be 16251  
granted a full trainee permit. 16252

(C) Each trainee permit issued by the board expires one 16253  
year from the date it was first issued, and may be renewed once 16254  
if the trainee has not successfully completed the qualifying 16255  
requirements for licensing as a hearing aid dealer or fitter 16256  
before the expiration date of such permit. The board shall issue 16257  
a renewed permit to each applicant upon receipt of a properly 16258  
completed application and payment of a renewal fee set by the 16259  
board in rules adopted under section 4747.04 of the Revised 16260  
Code. No person holding a trainee permit shall engage in the 16261  
practice of dealing in or fitting of hearing aids except while 16262  
under supervision by a licensed hearing aid dealer or fitter. 16263

**Sec. 4749.12.** ~~(A) A~~ The director of public safety shall 16264  
issue a license as a private investigator, security guard 16265  
provider, or as a private investigator and a security guard 16266  
provider in accordance with Chapter 4796. of the Revised Code to 16267  
a person who is a resident of another state; if either of the 16268  
following applies: 16269

(A) The person is licensed as a private investigator, 16270  
security guard provider, or as a private investigator and a 16271  
security guard provider in another state; and wishes to engage 16272  
in the business of private investigation, the business of 16273  
security services, or both businesses in this state, shall be 16274  
licensed pursuant to section 4749.03 of the Revised Code, but 16275  
the director of public safety may waive the examination 16276  
requirement of that section and issue a license to a nonresident 16277  
under the circumstances described in division (B) of this 16278  
section. 16279

(B) If a nonresident The person has satisfactory work 16280

~~experience, a government certification, or a private 16281  
certification as described in that chapter as a private 16282  
investigator, security guard provider, or a private investigator 16283  
and security guard provider ~~seeking licensure under this chapter~~ 16284  
~~submits with the application and accompanying matter specified~~ 16285  
~~in section 4749.03 of the Revised Code proof of licensure in~~ 16286  
~~another state, and if the requirements of divisions (A) (1) (a),~~ 16287  
~~(b), and (d) and, if applicable, (F) (1) of section 4749.03 of~~ 16288  
~~the Revised Code are satisfied and the nonresident meets all~~ 16289  
~~current requirements of the laws of the other state regulating~~ 16290  
~~the business of private investigation, the business of security~~ 16291  
~~services, or both businesses, the director may waive the~~ 16292  
~~examination requirement and fee of that section. This waiver~~ 16293  
~~authority may be exercised only if the director determines that~~ 16294  
~~the other state has a law similar to this division and extends~~ 16295  
~~to residents of this state a similar waiver of examination~~ 16296  
~~privilege~~in a state that does not issue that license. 16297~~

**Sec. 4751.01.** As used in this chapter: 16298

(A) "Health-care licensing agency" means any department, 16299  
division, board, section of a board, or other government unit 16300  
that is authorized by a statute of this or another state to 16301  
issue a license, certificate, permit, card, or other authority 16302  
to do either of the following in the context of health care: 16303

(1) Engage in a specific profession, occupation, or 16304  
occupational activity; 16305

(2) Have charge of and operate certain specified 16306  
equipment, machinery, or premises. 16307

(B) "Licensed health services executive" means an 16308  
individual who holds a valid health services executive license. 16309



- (C) "Licensed nursing home administrator" means an individual who holds a valid nursing home administrator license. 16310  
16311
- (D) "Licensed temporary nursing home administrator" means an individual who holds a valid temporary nursing home administrator license. 16312  
16313  
16314
- (E) "Long-term services and supports setting" means any institutional or community-based setting in which medical, health, psychosocial, habilitative, rehabilitative, or personal care services are provided to individuals on a post-acute care basis. 16315  
16316  
16317  
16318  
16319
- (F) "Nursing home" means a nursing home as defined by or under the authority of section 3721.01 of the Revised Code, or a nursing home operated by a governmental agency. 16320  
16321  
16322
- (G) "Nursing home administration" means planning, organizing, directing, and managing the operation of a nursing home. 16323  
16324  
16325
- (H) "Nursing home administrator" means any individual who engages in the practice of nursing home administration, whether or not the individual shares the functions and duties of nursing home administration with one or more other individuals. 16326  
16327  
16328  
16329
- (I) "Valid health services executive license" means a health services executive license to which all of the following apply: 16330  
16331  
16332
- (1) It was issued by the board of executives of long-term services and supports under section 4751.201, 4751.21, 4751.23, 4751.25, or 4751.33 of the Revised Code; 16333  
16334  
16335
- (2) It was not sold, fraudulently furnished, or fraudulently obtained in violation of division (F) of section 16336  
16337

4751.10 of the Revised Code; 16338

(3) It is current and in good standing. 16339

(J) "Valid nursing home administrator license" means a 16340  
nursing home administrator license to which all of the following 16341  
apply: 16342

(1) It was issued by the board under section 4751.20, 16343  
4751.201, 4751.23, 4751.24, or 4751.33 of the Revised Code; 16344

(2) It was not sold, fraudulently furnished, or 16345  
fraudulently obtained in violation of division (F) of section 16346  
4751.10 of the Revised Code; 16347

(3) It is current and in good standing. 16348

(K) "Valid temporary nursing home administrator license" 16349  
means a temporary nursing home administrator license to which 16350  
all of the following apply: 16351

(1) It was issued by the board under section 4751.202, 16352  
4751.23, or 4751.33 of the Revised Code; 16353

(2) It was not sold, fraudulently furnished, or 16354  
fraudulently obtained in violation of division (F) of section 16355  
4751.10 of the Revised Code; 16356

(3) It is current and in good standing. 16357

**Sec. 4751.15.** The board of executives of long-term 16358  
services and supports shall administer, or contract with a 16359  
government or private entity to administer, examinations that an 16360  
individual must pass to obtain a nursing home administrator 16361  
license under section 4751.20 ~~or 4751.201~~ of the Revised Code. 16362  
If the board contracts with a government or private entity to 16363  
administer the examinations, the contract may authorize the 16364

entity to collect and keep, as all or part of the entity's 16365  
compensation under the contract, any fee an individual pays to 16366  
take the examination. The entity is not required to deposit the 16367  
fee into the state treasury. 16368

To be admitted to an examination administered under this 16369  
section, an individual must pay the examination fee charged by 16370  
the board or government or private entity. If an individual 16371  
fails three times to pass the examination, the individual, 16372  
before being admitted to the examination a subsequent time, also 16373  
must satisfy any education requirements, experience 16374  
requirements, or both, that may be prescribed in rules adopted 16375  
under section 4751.04 of the Revised Code in addition to any 16376  
education requirements or experience requirements that must be 16377  
satisfied to obtain a nursing home administrator license under 16378  
section 4751.20 ~~or 4751.201~~ of the Revised Code. 16379

**Sec. 4751.20.** (A) ~~Subject~~ Except as provided in section 16380  
4751.201 of the Revised Code, and subject to section 4751.32 of 16381  
the Revised Code, the board of executives of long-term services 16382  
and supports shall issue a nursing home administrator license to 16383  
an individual under this section if all of the following 16384  
requirements are satisfied: 16385

(1) The individual has submitted to the board a completed 16386  
application for the license in accordance with rules adopted 16387  
under section 4751.04 of the Revised Code. 16388

(2) If the individual is required by rules adopted under 16389  
section 4751.04 of the Revised Code to serve as a nursing home 16390  
administrator in training, the individual has paid to the board 16391  
the administrator in training fee of fifty dollars. 16392

(3) The individual is at least twenty-one years of age. 16393

(4) The individual has successfully completed educational requirements and work experience specified in rules adopted under section 4751.04 of the Revised Code, including, if so required by the rules, experience obtained as a nursing home administrator in training.

(5) The individual has complied with section 4776.02 of the Revised Code regarding a criminal records check.

(6) The board, in accordance with section 9.79 of the Revised Code, has determined that the results of the criminal records check do not make the individual ineligible for the license.

(7) The individual has passed the licensing examination administered under section 4751.15 of the Revised Code.

(8) The individual has paid to the board a license fee of two hundred fifty dollars.

(9) The individual has satisfied any additional requirements as may be prescribed in rules adopted under section 4751.04 of the Revised Code.

(B) A nursing home administrator license shall certify that the individual to whom it was issued has met the applicable requirements of this chapter and any applicable rules adopted under section 4751.04 of the Revised Code and is authorized to practice nursing home administration while the license is valid.

**Sec. 4751.201.** ~~(A) Subject to section 4751.32 of the Revised Code, Notwithstanding the requirements for a license under this chapter, the board of executives of long-term services and supports may shall issue a nursing home administrator license or a health services executive license in accordance with Chapter 4796. of the Revised Code to an~~

<del>individual under this section if all of the following</del>	16423
<del>requirements are satisfied:—</del>	16424
<del>(1) The individual is legally authorized to practice</del>	16425
<del>nursing home administration in another state.—</del>	16426
<del>(2) The individual has submitted to the board a completed</del>	16427
<del>application for the license in accordance with rules adopted</del>	16428
<del>under section 4751.04 of the Revised Code.—</del>	16429
<del>(3) The individual is at least twenty one years of age.—</del>	16430
<del>(4) The individual holds at least a bachelor's degree from</del>	16431
<del>an accredited educational institution.—</del>	16432
<del>(5) The individual is of good moral character.—</del>	16433
<del>(6) The individual has complied with section 4776.02 of</del>	16434
<del>the Revised Code regarding a criminal records check.—</del>	16435
<del>(7) The board, in its discretion, has determined that the</del>	16436
<del>results of the criminal records check do not make the individual</del>	16437
<del>ineligible for the license.—</del>	16438
<del>(8) The individual has passed the licensing examination</del>	16439
<del>administered under section 4751.15 of the Revised Code.—</del>	16440
<del>(9) The individual has paid to the board a license fee of</del>	16441
<del>two hundred fifty dollars.—</del>	16442
<del>(10) The individual has satisfied any additional</del>	16443
<del>requirements as may be prescribed in rules adopted under section</del>	16444
<del>4751.04 of the Revised Code.—</del>	16445
<del>(B) A nursing home administrator license shall certify</del>	16446
<del>that the individual to whom it was issued has met the applicable</del>	16447
<del>requirements of this chapter and any applicable rules adopted</del>	16448
<del>under section 4751.04 of the Revised Code and is authorized to</del>	16449

~~practice nursing home administration while the license is~~ 16450  
~~valid~~applicant if either of the following applies: 16451

(A) The applicant holds a license in another state. 16452

(B) The applicant has satisfactory work experience, a 16453  
government certification, or a private certification as 16454  
described in that chapter as a nursing home administrator or a 16455  
health services executive in a state that does not issue that 16456  
license. 16457

**Sec. 4751.202.** (A) Subject to section 4751.32 of the 16458  
Revised Code, the board of executives of long-term services and 16459  
supports may issue a temporary nursing home administrator 16460  
license to an individual if all of the following requirements 16461  
are satisfied: 16462

(1) The operator of a nursing home has requested that the 16463  
board issue a temporary nursing home administrator license to 16464  
the individual to authorize the individual to temporarily 16465  
practice nursing home administration at the nursing home because 16466  
of a vacancy in the position of nursing home administrator at 16467  
the nursing home resulting from a death, illness, or other 16468  
unexpected cause. 16469

(2) The individual is at least twenty-one years of age. 16470

(3) The individual has complied with section 4776.02 of 16471  
the Revised Code regarding a criminal records check. 16472

(4) The board, in accordance with section 9.79 of the 16473  
Revised Code, has determined that the results of the criminal 16474  
records check do not make the individual ineligible for the 16475  
license. 16476

(5) The individual has paid to the board a fee for the 16477

temporary license of one hundred dollars. 16478

(6) The individual has satisfied any additional 16479  
requirements as may be prescribed in rules adopted under section 16480  
4751.04 of the Revised Code. 16481

(B) A temporary nursing home administrator license shall 16482  
certify that the individual to whom it was issued has met the 16483  
applicable requirements of this chapter and any applicable rules 16484  
adopted under section 4751.04 of the Revised Code and is 16485  
authorized to practice nursing home administration while the 16486  
temporary license is valid. 16487

(C) Except as provided in section 4751.32 of the Revised 16488  
Code, a temporary nursing home administrator license is valid 16489  
for a period of time the board shall specify on the temporary 16490  
license. That period shall not exceed one hundred eighty days. 16491  
If that period is less than one hundred eighty days, the 16492  
individual holding the temporary license may apply to the board 16493  
for renewal of the temporary license in accordance with rules 16494  
the board shall adopt under section 4751.04 of the Revised Code. 16495  
Except as provided in section 4751.32 of the Revised Code, a 16496  
renewed temporary nursing home administrator license is valid 16497  
for a period of time the board shall specify on the renewed 16498  
temporary license. That period shall not exceed the difference 16499  
between one hundred eighty days and the number of days for which 16500  
the original temporary license was valid. A renewed temporary 16501  
nursing home administrator license shall not be renewed. A 16502  
licensed temporary nursing home administrator who intends to 16503  
continue to practice nursing home administration after the 16504  
temporary license, including, if applicable, the renewed 16505  
temporary license, expires must obtain a nursing home 16506  
administrator license under section 4751.20 of the Revised Code. 16507

(D) Chapter 4796. of the Revised Code does not apply to a 16508  
temporary license issued under this section. 16509

**Sec. 4751.21.** (A) ~~Subject~~ Except as provided in section 16510  
4751.201 of the Revised Code, and subject to section 4751.32 of 16511  
the Revised Code, the board of executives of long-term services 16512  
and supports shall issue a health services executive license to 16513  
an individual if all of the following requirements are 16514  
satisfied: 16515

(1) The individual has submitted to the board a completed 16516  
application for the license in accordance with rules adopted 16517  
under section 4751.04 of the Revised Code. 16518

(2) The individual is a licensed nursing home 16519  
administrator. 16520

(3) The individual has obtained the health services 16521  
executive qualification through the national association of 16522  
long-term care administrator boards. 16523

(4) The individual has complied with section 4776.02 of 16524  
the Revised Code regarding a criminal records check. 16525

(5) The board, in accordance with section 9.79 of the 16526  
Revised Code, has determined that the results of the criminal 16527  
records check do not make the individual ineligible for the 16528  
license. 16529

(6) The individual has paid to the board a license fee of 16530  
one hundred dollars. 16531

(B) A health services executive license shall certify that 16532  
the individual to whom it was issued has met the applicable 16533  
requirements of this chapter and any applicable rules adopted 16534  
under section 4751.04 of the Revised Code and is a licensed 16535



health services executive while the license is valid. 16536

**Sec. 4751.32.** (A) Except as provided in division (D) of 16537  
this section, the board of executives of long-term services and 16538  
supports may take any of the actions authorized by division (B) 16539  
of this section against an individual who has applied for or 16540  
holds a nursing home administrator license, temporary nursing 16541  
home administrator license, or health services executive license 16542  
if any of the following apply to the individual: 16543

(1) The individual has failed to satisfy any requirement 16544  
established by this chapter or the rules adopted under section 16545  
4751.04 of the Revised Code that must be satisfied to obtain the 16546  
license or temporary license. 16547

(2) The individual has violated, or failed to comply with 16548  
a requirement of, this chapter or a rule adopted under section 16549  
4751.04 of the Revised Code regarding the practice of nursing 16550  
home administration, including the requirements of sections 16551  
4751.40 and 4751.41 of the Revised Code. 16552

(3) The individual is unfit or incompetent to practice 16553  
nursing home administration, serve in a leadership position at a 16554  
long-term services and supports setting, or direct the practices 16555  
of others in such a setting by reason of negligence, habits, or 16556  
other causes, including the individual's habitual or excessive 16557  
use or abuse of drugs, alcohol, or other substances. 16558

(4) The individual has acted in a manner inconsistent with 16559  
the health and safety of either of the following: 16560

(a) The residents of the nursing home at which the 16561  
individual practices nursing home administration; 16562

(b) The consumers of services and supports provided by a 16563  
long-term services and supports setting at which the individual 16564

serves in a leadership position or directs the practices of others. 16565  
16566

(5) The individual has been convicted of, or pleaded guilty to, either of the following in a court of competent jurisdiction, either within or without this state: 16567  
16568  
16569

(a) A felony; 16570

(b) An offense of moral turpitude that constitutes a misdemeanor in this state. 16571  
16572

(6) The individual made a false, fraudulent, deceptive, or misleading statement in seeking to obtain, or obtaining, a nursing home administrator license, temporary nursing home administrator license, or health services executive license. 16573  
16574  
16575  
16576

(7) The individual made a fraudulent misrepresentation in attempting to obtain, or obtaining, money or anything of value in the practice of nursing home administration or while serving in a leadership position at a long-term services and supports setting or directing the practices of others in such a setting. 16577  
16578  
16579  
16580  
16581

(8) The individual has substantially deviated from the board's code of ethics. 16582  
16583

(9) Another health care licensing agency has taken any of the following actions against the individual for any reason other than nonpayment of a fee: 16584  
16585  
16586

(a) Denied, refused to renew or reinstate, limited, revoked, or suspended, or accepted the surrender of, a license or other authorization to practice; 16587  
16588  
16589

(b) Imposed probation; 16590

(c) Issued a censure or other reprimand. 16591

(10) The individual has failed to do any of the following:	16592
(a) Cooperate with an investigation conducted by the board under section 4751.31 of the Revised Code;	16593 16594
(b) Respond to or comply with a subpoena issued by the board in an investigation of the individual;	16595 16596
(c) Comply with any disciplinary action the board has taken against the individual pursuant to this section.	16597 16598
(B) The following are the actions that the board may take for the purpose of division (A) of this section:	16599 16600
(1) Deny the individual any of the following:	16601
(a) A nursing home administrator license under section 4751.20, 4751.201, 4751.23, or 4751.24 of the Revised Code;	16602 16603
(b) A temporary nursing home administrator license under section 4751.202 or 4751.23 of the Revised Code;	16604 16605
(c) A health services executive license under section <u>4751.201</u> , 4751.21, 4751.23, or 4751.25 of the Revised Code.	16606 16607
(2) Suspend the individual's nursing home administrator license, temporary nursing home administrator license, or health services executive license;	16608 16609 16610
(3) Revoke the individual's nursing home administrator license, temporary nursing home administrator license, or health services executive license, either permanently or for a period of time the board specifies;	16611 16612 16613 16614
(4) Place a limitation on the individual's nursing home administrator license, temporary nursing home administrator license, or health services executive license;	16615 16616 16617
(5) Place the individual on probation;	16618

(6) Issue a written reprimand of the individual;	16619
(7) Impose on the individual a civil penalty, fine, or other sanction specified in rules adopted under section 4751.04 of the Revised Code.	16620 16621 16622
(C) The board shall take actions authorized by division (B) of this section in accordance with Chapter 119. of the Revised Code, except that the board may enter into a consent agreement with an individual to resolve an alleged violation of this chapter or a rule adopted under section 4751.04 of the Revised Code in lieu of making an adjudication regarding the alleged violation. A consent agreement constitutes the board's findings and order with respect to the matter addressed in the consent agreement if the board ratifies the consent agreement. Any admissions or findings included in a proposed consent agreement have no force or effect if the board refuses to ratify the consent agreement.	16623 16624 16625 16626 16627 16628 16629 16630 16631 16632 16633 16634
(D) The board shall not refuse to issue an initial nursing home administrator license, temporary nursing home administrator license, or health services executive license, unless the refusal is in accordance with section 9.79 of the Revised Code.	16635 16636 16637 16638
<b>Sec. 4752.05.</b> (A) <u>The</u> Except as provided in division (D) of this section, the state board of pharmacy shall issue a license to provide home medical equipment services to each applicant under section 4752.04 of the Revised Code that meets either of the following requirements:	16639 16640 16641 16642 16643
(1) Meets the standards established by the board in rules adopted under section 4752.17 of the Revised Code;	16644 16645
(2) Is a pharmacy licensed under Chapter 4729. of the Revised Code that receives total payments of ten thousand	16646 16647

dollars or more per year from selling or renting home medical equipment. 16648  
16649

(B) During the period ending one year after September 16, 16650  
2004, an applicant that does not meet either of the requirements 16651  
of division (A) of this section shall be granted a provisional 16652  
license if for at least twelve months prior to September 16, 16653  
2004, the applicant was engaged in the business of providing 16654  
home medical equipment services. The provisional license expires 16655  
one year following the date on which it is issued and is not 16656  
subject to renewal under section 4752.06 of the Revised Code. 16657

(C) The board may conduct a personal interview of an 16658  
applicant, or an applicant's representative, to determine the 16659  
applicant's qualifications for licensure. 16660

(D) The board shall issue a license to provide home 16661  
medical equipment services in accordance with Chapter 4796. of 16662  
the Revised Code to an applicant if either of the following 16663  
applies: 16664

(1) The applicant holds a license in another state. 16665

(2) The applicant has satisfactory work experience, a 16666  
government certification, or a private certification as 16667  
described in that chapter as a provider of home medical 16668  
equipment services in a state that does not issue that license. 16669

(E) A license issued under division (A) of this section to 16670  
provide home medical equipment services expires at the end of 16671  
the licensing period for which it is issued and may be renewed 16672  
in accordance with section 4752.06 of the Revised Code. For 16673  
purposes of issuing and renewing licenses, the board shall use a 16674  
biennial licensing period that begins on the first day of July 16675  
of each even-numbered year and ends on the thirtieth day of June 16676

of the next succeeding even-numbered year. 16677

~~(E)~~(F) Any license issued under this section is valid only 16678  
for the facility named in the application. 16679

**Sec. 4752.12.** (A) ~~The~~Except as provided in division (B) 16680  
of this section, the state board of pharmacy shall issue a 16681  
certificate of registration to provide home medical equipment 16682  
services to each applicant who submits a complete application 16683  
under section 4752.11 of the Revised Code. For purposes of this 16684  
division, an application is complete only if the board finds 16685  
that the applicant holds accreditation from the joint commission 16686  
on accreditation of healthcare organizations or another national 16687  
accrediting body recognized by the board, as specified in rules 16688  
adopted under section 4752.17 of the Revised Code. 16689

(B) The board shall issue a certificate of registration in 16690  
accordance with Chapter 4796. of the Revised Code to an 16691  
applicant if either of the following applies: 16692

(1) The applicant holds a certificate of registration or 16693  
license in another state. 16694

(2) The applicant has satisfactory work experience, a 16695  
government certification, or a private certification as 16696  
described in that chapter as a provider of home medical 16697  
equipment services in a state that does not issue that 16698  
certificate or license. 16699

~~(C) A certificate of registration issued under this~~ 16700  
~~section~~ expires at the end of the registration period for which 16701  
it is issued and may be renewed in accordance with section 16702  
4752.13 of the Revised Code. For purposes of renewing 16703  
certificates of registration, the board shall use a biennial 16704  
registration period that begins on the first day of July of each 16705

even-numbered year and ends on the thirtieth day of June of the 16706  
next succeeding even-numbered year. 16707

~~(C)~~(D) A certificate of registration ~~issued under this~~ 16708  
~~section~~ is valid only for the facility named in the application. 16709

**Sec. 4753.07.** The state speech and hearing professionals 16710  
board shall issue under its seal a license or conditional 16711  
license to every applicant who has passed the appropriate 16712  
examinations designated by the board and who otherwise complies 16713  
with the licensure requirements of this chapter. The license or 16714  
conditional license entitles the holder to practice speech- 16715  
language pathology or audiology. 16716

The board shall issue under its seal a license or 16717  
conditional license to practice speech-language pathology or 16718  
audiology to an applicant in accordance with Chapter 4796. of 16719  
the Revised Code if the applicant holds a license or conditional 16720  
license in another state or the applicant has satisfactory work 16721  
experience, a government certification, or a private 16722  
certification as described in that chapter as a speech-language 16723  
pathologist or audiologist in a state that does not issue those 16724  
licenses. 16725

Each licensee shall display the license or conditional 16726  
license or an official duplicate in a conspicuous place where 16727  
the licensee practices speech-language pathology or audiology or 16728  
both. 16729

**Sec. 4753.071.** A person who is required to meet the 16730  
supervised professional experience requirement of division (F) 16731  
of section 4753.06 of the Revised Code shall submit to the state 16732  
speech and hearing professionals board an application for a 16733  
conditional license. The application shall include a plan for 16734

the content of the supervised professional experience on a form 16735  
the board shall prescribe. The board shall issue the conditional 16736  
license to the applicant if the applicant meets the requirements 16737  
of section 4753.06 of the Revised Code, other than the 16738  
requirement to have obtained the supervised professional 16739  
experience, and pays to the board the appropriate fee for a 16740  
conditional license. The board shall issue a conditional license 16741  
in accordance with Chapter 4796. of the Revised Code to an 16742  
applicant if the applicant holds a license in another state or 16743  
the applicant has satisfactory work experience, a government 16744  
certification, or a private certification as described in that 16745  
chapter in a state that does not issue a conditional license. An 16746  
applicant may not begin employment until the conditional license 16747  
has been issued. 16748

A conditional license authorizes an individual to practice 16749  
speech-language pathology or audiology while completing the 16750  
supervised professional experience as required by division (F) 16751  
of section 4753.06 of the Revised Code. A person holding a 16752  
conditional license may practice speech-language pathology or 16753  
audiology while working under the supervision of a person fully 16754  
licensed in accordance with this chapter. A conditional license 16755  
is valid for eighteen months unless suspended or revoked 16756  
pursuant to section 3123.47 or 4753.10 of the Revised Code. 16757

A person holding a conditional license may perform 16758  
services for which payment will be sought under the medicare 16759  
program or the medicaid program but all requests for payment for 16760  
such services shall be made by the person who supervises the 16761  
person performing the services. 16762

**Sec. 4753.072.** The state speech and hearing professionals 16763  
board shall establish by rule pursuant to Chapter 119. of the 16764



Revised Code the qualifications for persons seeking licensure as a speech-language pathology aide or an audiology aide. The qualifications shall be less than the standards for licensure as a speech-language pathologist or audiologist. An aide shall not act independently and shall work under the direction and supervision of a speech-language pathologist or audiologist licensed by the board. An aide shall not dispense hearing aids. An applicant shall not begin employment until the license has been approved.

The board shall issue a license for a speech-language pathology aide or an audiology aide in accordance with Chapter 4796. of the Revised Code to an applicant who holds a license in another state or has satisfactory work experience, a government certification, or a private certification as described in that chapter as a speech-language pathology aide or an audiology aide in a state that does not issue those licenses.

**Sec. 4753.073.** (A) The state speech and hearing professionals board shall issue under its seal a speech-language pathology student permit to any applicant who submits a plan that has been approved by the applicant's university graduate program in speech-language pathology and that conforms to requirements determined by the board by rule and who meets all of the following requirements:

(1) Is enrolled in a graduate program at an educational institution located in this state that is accredited by the council on academic accreditation in audiology and speech-language pathology of the American speech-language-hearing association;

(2) Has completed at least one year of postgraduate training in speech-language pathology, or equivalent coursework

as determined by the board, and any student clinical experience 16795  
the board may require by rule. 16796

(B) The board shall issue under its seal a speech-language 16797  
pathology student permit in accordance with Chapter 4796. of the 16798  
Revised Code to an applicant if either of the following applies: 16799

(1) The applicant holds a permit or license in another 16800  
state. 16801

(2) The applicant has satisfactory work experience, a 16802  
government certification, or a private certification as 16803  
described in that chapter as a speech-language pathology student 16804  
in a state that does not issue that permit or license. 16805

(C) The speech-language pathology student permit 16806  
authorizes the holder to practice speech-language pathology 16807  
within limits determined by the board by rule, which shall 16808  
include the following: 16809

(1) The permit holder's caseload shall be limited in a 16810  
manner to be determined by the board by rule. 16811

(2) The permit holder's authorized scope of practice shall 16812  
be limited in a manner to be determined by the board by rule. 16813  
The rule shall consider the coursework and clinical experience 16814  
that has been completed by the permit holder and the 16815  
recommendation of the applicant's university graduate program in 16816  
speech-language pathology. 16817

(3) The permit holder shall practice only when under the 16818  
supervision of a speech-language pathologist who is licensed by 16819  
the board and acting under the approval and direction of the 16820  
applicant's university graduate program in speech-language 16821  
pathology. The board shall determine by rule the manner of 16822  
supervision. 16823

~~(C)(D)~~ A permit ~~issued under this section~~ shall expire two 16824  
years after the date of issuance. Student permits may be renewed 16825  
in a manner to be determined by the board by rule. 16826

~~(D)(E)~~ Each permit holder shall display the permit or an 16827  
official duplicate in a conspicuous place where the permit 16828  
holder practices speech-language pathology. 16829

**Sec. 4753.08.** The state speech and hearing professionals 16830  
board shall waive the examination, educational, and professional 16831  
experience requirements for any applicant who meets ~~any either~~ 16832  
of the following requirements: 16833

(A) On September 26, 1975, had at least a bachelor's 16834  
degree with a major in speech-language pathology or audiology 16835  
from an accredited college or university, or was employed as a 16836  
speech-language pathologist or audiologist for at least nine 16837  
months at any time within the three years prior to September 26, 16838  
1975, if an application providing bona fide proof of such degree 16839  
or employment was filed with the former board of speech-language 16840  
pathology and audiology within one year after that date, and was 16841  
accompanied by the application fee as prescribed in division (A) 16842  
of section 4753.11 of the Revised Code. 16843

~~(B) Presents proof to the state speech and hearing 16844  
professionals board of current certification or licensure in 16845  
good standing in the area in which licensure is sought in a 16846  
state that has standards at least equal to the standards for 16847  
licensure that are in effect in this state at the time the 16848  
applicant applies for the license. 16849~~

~~(C) Presents proof to the state speech and hearing 16850  
professionals board of both of the following: 16851~~

~~(1) Having current certification or licensure in good 16852~~

~~standing in audiology in a state that has standards at least  
equal to the standards for licensure as an audiologist that were  
in effect in this state on December 31, 2005.~~ 16853  
16854  
16855

~~(2) Having first obtained that certification or licensure  
not later than December 31, 2007.~~ 16856  
16857

~~(D) Presents proof to the state speech and hearing  
professionals board of a current certificate of clinical  
competence in speech-language pathology or audiology that is in  
good standing and received from the American speech-language-  
hearing association in the area in which licensure is sought.~~ 16858  
16859  
16860  
16861  
16862

**Sec. 4753.09.** Except as provided in this section and in 16863  
section 4753.10 of the Revised Code, a license issued by the 16864  
state speech and hearing professionals board shall be renewed 16865  
biennially in accordance with the standard renewal procedure 16866  
contained in Chapter 4745. of the Revised Code. If the 16867  
application for renewal is made one year or longer after the 16868  
renewal application is due, the person shall apply for licensure 16869  
as provided in section 4753.06 or division (B), ~~(C), or (D)~~ of 16870  
section 4753.08 of the Revised Code. The board shall not renew a 16871  
conditional license; however, the board may grant an applicant a 16872  
second conditional license. 16873

The board shall establish by rule adopted pursuant to 16874  
Chapter 119. of the Revised Code the qualifications for license 16875  
renewal. Applicants shall demonstrate continued competence, 16876  
which may include continuing education, examination, self- 16877  
evaluation, peer review, performance appraisal, or practical 16878  
simulation. The board may establish other requirements as a 16879  
condition for license renewal as considered appropriate by the 16880  
board. 16881

The board may renew a license which expires while the license is suspended, but the renewal shall not affect the suspension. The board shall not renew a license which has been revoked. If a revoked license is reinstated under section 4753.10 of the Revised Code after it has expired, the licensee, as a condition of reinstatement, shall pay a reinstatement fee in the amount equal to the renewal fee in effect on the last preceding regular renewal date on which it is reinstated, plus any delinquent fees accrued from the time of the revocation, if such a fee is prescribed by the board by rule.

**Sec. 4753.12.** Nothing in this chapter shall be construed to:

(A) Prohibit a person other than an individual from engaging in the business of speech-language pathology or audiology without licensure if it employs a licensed individual in the direct practice of speech-language pathology and audiology. Such entity shall file a statement with the state speech and hearing professionals board, on a form approved by the board for this purpose, swearing that it submits itself to the rules of the board and the provisions of this chapter which the board determines applicable.

(B) Prevent or restrict the practice of a person employed as a speech-language pathologist or audiologist by any agency of the federal government.

(C) Restrict the activities and services of a student or intern in speech-language pathology or audiology from pursuing a course of study leading to a degree in these areas at a college or university accredited by a recognized regional or national accrediting body or in one of its cooperating clinical training facilities, if these activities and services are supervised by a

person licensed in the area of study or certified by the 16912  
American speech-language-hearing association in the area of 16913  
study and if the student is designated by a title such as 16914  
"speech-language pathology intern," "audiology intern," 16915  
"trainee," or other such title clearly indicating the training 16916  
status. 16917

(D) Prevent a person from performing speech-language 16918  
pathology or audiology services when performing these services 16919  
in pursuit of the required supervised professional experience as 16920  
prescribed in section 4753.06 of the Revised Code and that 16921  
person has been issued a conditional license pursuant to section 16922  
4753.071 of the Revised Code. 16923

(E) Restrict a speech-language pathologist or audiologist 16924  
who holds the certification of the American speech-language- 16925  
hearing association, or who is licensed as a speech-language 16926  
pathologist or audiologist in another state and who has made 16927  
application to the board for a license in this state from 16928  
practicing speech-language pathology or audiology without a 16929  
valid license pending the disposition of the application. The 16930  
board shall not require a speech-language pathologist or 16931  
audiologist who is licensed in another state to obtain a license 16932  
in accordance with Chapter 4796. of the Revised Code to practice 16933  
speech-language pathology or audiology in the manner described 16934  
under this division. 16935

(F) Restrict a person not a resident of this state from 16936  
offering speech-language pathology or audiology services in this 16937  
state if such services are performed for not more than one 16938  
period of thirty consecutive calendar days in any year, if the 16939  
person is licensed in the state of the person's residence or 16940  
certified by the American speech-language-hearing association 16941

and files a statement as prescribed by the board in advance of 16942  
providing these services. Such person shall be subject to the 16943  
rules of the board and the provisions of this chapter. The board 16944  
shall not require a person not a resident of this state who is 16945  
licensed in the state of the person's residence to obtain a 16946  
license in accordance with Chapter 4796. of the Revised Code to 16947  
offer speech-language pathology or audiology services in the 16948  
manner described under this division. 16949

(G) Restrict a person licensed under Chapter 4747. of the 16950  
Revised Code from engaging in the duties as defined in that 16951  
chapter related to measuring, testing, and counseling for the 16952  
purpose of identifying or modifying hearing conditions in 16953  
connection with the fitting, dispensing, or servicing of a 16954  
hearing aid, or affect the authority of hearing aid dealers to 16955  
deal in hearing aids or advertise the practice of dealing in 16956  
hearing aids in accordance with Chapter 4747. of the Revised 16957  
Code. 16958

(H) Restrict a physician from engaging in the practice of 16959  
medicine and surgery or osteopathic medicine and surgery or 16960  
prevent any individual from carrying out any properly delegated 16961  
responsibilities within the normal practice of medicine and 16962  
surgery or osteopathic medicine and surgery. 16963

(I) Restrict a person registered or licensed under Chapter 16964  
4723. of the Revised Code from performing those acts and 16965  
utilizing those procedures that are within the scope of the 16966  
practice of professional or practical nursing as defined in 16967  
Chapter 4723. of the Revised Code and the ethics of the nursing 16968  
profession, provided such a person does not claim to the public 16969  
to be a speech-language pathologist or audiologist. 16970

(J) Restrict an individual licensed as an audiologist 16971

under this chapter from fitting, selling, or dispensing hearing aids. 16972  
16973

(K) Authorize the practice of medicine and surgery or 16974  
entitle a person licensed pursuant to this chapter to engage in 16975  
the practice of medicine or surgery or any of its branches. 16976

(L) Restrict a person licensed pursuant to Chapter 4755. 16977  
of the Revised Code from performing those acts and utilizing 16978  
those procedures that are within the scope of the practice of 16979  
occupational therapy or occupational therapy assistant as 16980  
defined in Chapter 4755. of the Revised Code, provided the 16981  
person does not claim to the public to be a speech-language 16982  
pathologist or audiologist. 16983

**Sec. 4755.08.** The occupational therapy section of the Ohio 16984  
occupational therapy, physical therapy, and athletic trainers 16985  
board shall issue a license to every applicant who has passed 16986  
the appropriate examination designated by the section and who 16987  
otherwise complies with the licensure requirements of sections 16988  
4755.04 to 4755.13 of the Revised Code. The license entitles the 16989  
holder to practice occupational therapy or to assist in the 16990  
practice of occupational therapy. The licensee shall display the 16991  
license in a conspicuous place at the licensee's principal place 16992  
of business. 16993

The section shall issue a license to practice occupational 16994  
therapy or to assist in the practice of occupational therapy in 16995  
accordance with Chapter 4796. of the Revised Code to an 16996  
applicant if either of the following applies: 16997

(A) The applicant holds a license in another state. 16998

(B) The applicant has satisfactory work experience, a 16999  
government certification, or a private certification as 17000



described in that chapter as an occupational therapist or 17001  
assistant occupational therapist in a state that does not issue 17002  
that license. 17003

**Sec. 4755.09.** The occupational therapy section of the Ohio 17004  
occupational therapy, physical therapy, and athletic trainers 17005  
board may waive the examination requirement under section 17006  
4755.07 of the Revised Code for any applicant for licensure as 17007  
an occupational therapist or occupational therapy assistant who 17008  
~~either~~ has met educational, training, and job experience 17009  
requirements established by the section, ~~or presents proof of~~ 17010  
~~current certification or licensure in another state that~~ 17011  
~~requires standards for licensure at least equal to those for~~ 17012  
~~licensure in this state.~~ 17013

The section may waive the educational requirements under 17014  
section 4755.07 of the Revised Code for any applicant who has 17015  
met job experience requirements established by the section. 17016

**Sec. 4755.411.** The physical therapy section of the Ohio 17017  
occupational therapy, physical therapy, and athletic trainers 17018  
board shall adopt rules in accordance with Chapter 119. of the 17019  
Revised Code pertaining to the following: 17020

(A) Fees for the verification of a license and license 17021  
reinstatement, and other fees established by the section; 17022

(B) Provisions for the section's government and control of 17023  
its actions and business affairs; 17024

(C) Minimum curricula for physical therapy education 17025  
programs that prepare graduates to be licensed in this state as 17026  
physical therapists and physical therapist assistants; 17027

(D) Eligibility criteria to take the examinations required 17028  
under sections 4755.43 and 4755.431 of the Revised Code; 17029

(E) The form and manner for filing applications for licensure with the section;	17030 17031
(F) For purposes of section 4755.46 of the Revised Code, all of the following:	17032 17033
(1) A schedule regarding when licenses to practice as a physical therapist and physical therapist assistant expire during a biennium;	17034 17035 17036
(2) An additional fee, not to exceed thirty-five dollars, that may be imposed if a licensee files a late application for renewal;	17037 17038 17039
(3) The conditions under which the license of a person who files a late application for renewal will be reinstated.	17040 17041
(G) The issuance, renewal, suspension, and permanent revocation of a license and the conduct of hearings;	17042 17043
(H) Appropriate ethical conduct in the practice of physical therapy;	17044 17045
(I) Requirements, including continuing education requirements, for restoring licenses that are inactive or have lapsed through failure to renew;	17046 17047 17048
(J) Conditions that may be imposed for reinstatement of a license following suspension pursuant to section 4755.47 of the Revised Code;	17049 17050 17051
(K) For purposes of sections 4755.45 and 4755.451 of the Revised Code, both of the following:	17052 17053
(1) Identification of the credentialing organizations from which the section will accept equivalency evaluations for foreign physical therapist education and foreign physical	17054 17055 17056

therapist assistant education. The physical therapy section 17057  
shall identify only those credentialing organizations that use a 17058  
course evaluation tool or form approved by the physical therapy 17059  
section. 17060

(2) Evidence, other than the evaluations described in 17061  
division (K)(1) of this section, that the section will consider 17062  
for purposes of evaluating whether an applicant's education is 17063  
reasonably equivalent to the educational requirements that were 17064  
in force for licensure in this state as a physical therapist or 17065  
physical therapist assistant on the date of the applicant's 17066  
initial licensure or registration in another ~~state or~~ country. 17067

(L) Standards of conduct for physical therapists and 17068  
physical therapist assistants, including requirements for 17069  
supervision, delegation, and practicing with or without referral 17070  
or prescription; 17071

(M) Appropriate display of a license; 17072

(N) Procedures for a licensee to follow in notifying the 17073  
section within thirty days of a change in name or address, or 17074  
both; 17075

(O) The amount and content of corrective action courses 17076  
required by the board under section 4755.47 of the Revised Code. 17077

**Sec. 4755.44.** If an applicant passes the examination or 17078  
examinations required under section 4755.43 of the Revised Code 17079  
and pays the fee required by division (B) of section 4755.42 of 17080  
the Revised Code, the physical therapy section of the Ohio 17081  
occupational therapy, physical therapy, and athletic trainers 17082  
board shall issue a license, attested by the seal of the board, 17083  
to the applicant to practice as a physical therapist. 17084

The section shall issue a license to practice as a 17085

physical therapist in accordance with Chapter 4796. of the 17086  
Revised Code, attested by the seal of the board, to an applicant 17087  
if either of the following applies: 17088

(A) The applicant holds a license in another state. 17089

(B) The applicant has satisfactory work experience, a 17090  
government certification, or a private certification as 17091  
described in that chapter as a physical therapist in a state 17092  
that does not issue that license. 17093

**Sec. 4755.441.** If an applicant passes the examination or 17094  
examinations required under section 4755.431 of the Revised Code 17095  
and pays the fee required by division (B) of section 4755.421 of 17096  
the Revised Code, the physical therapy section of the Ohio 17097  
occupational therapy, physical therapy, and athletic trainers 17098  
board shall issue a license, attested by the seal of the board, 17099  
to the applicant to practice as physical therapist assistant. 17100

The section shall issue a license to practice as a 17101  
physical therapist assistant in accordance with Chapter 4796. of 17102  
the Revised Code, attested by the seal of the board, to an 17103  
applicant if either of the following applies: 17104

(A) The applicant holds a license in another state. 17105

(B) The applicant has satisfactory work experience, a 17106  
government certification, or a private certification as 17107  
described in that chapter as a physical therapist assistant in a 17108  
state that does not issue that license. 17109

**Sec. 4755.45.** (A) The physical therapy section of the Ohio 17110  
occupational therapy, physical therapy, and athletic trainers 17111  
board shall issue to an applicant a license to practice as a 17112  
physical therapist without requiring the applicant to have 17113  
passed the national examination for physical therapists 17114

described in division (A) of section 4755.43 of the Revised Code 17115  
within one year of filing an application described in section 17116  
4755.42 of the Revised Code if all of the following are true: 17117

(1) The applicant presents evidence satisfactory to the 17118  
physical therapy section that the applicant received a score on 17119  
the national physical therapy examination described in division 17120  
(A) of section 4755.43 of the Revised Code that would have been 17121  
a passing score according to the board in the year the applicant 17122  
sat for the examination; 17123

(2) The applicant presents evidence satisfactory to the 17124  
physical therapy section that the applicant passed the 17125  
jurisprudence examination described in division (B) of section 17126  
4755.43 of the Revised Code; 17127

(3) The applicant holds a current and valid license or 17128  
registration to practice physical therapy in another ~~state or~~ 17129  
country; 17130

(4) Subject to division (B) of this section, the applicant 17131  
can demonstrate that the applicant's education is reasonably 17132  
equivalent to the educational requirements that were in force 17133  
for licensure in this state on the date of the applicant's 17134  
initial licensure or registration in the other ~~state or~~ country; 17135

(5) The applicant pays the fee described in division (B) 17136  
of section 4755.42 of the Revised Code; 17137

(6) The applicant is not in violation of any section of 17138  
this chapter or rule adopted under it. 17139

(B) For purposes of division (A)(4) of this section, if, 17140  
after receiving the results of an equivalency evaluation from a 17141  
credentialing organization identified by the section pursuant to 17142  
rules adopted under section 4755.411 of the Revised Code, the 17143

section determines that regardless of the results of the 17144  
evaluation the applicant's education is not reasonably 17145  
equivalent to the educational requirements that were in force 17146  
for licensure in this state on the date of the applicant's 17147  
initial licensure or registration in ~~another state or a~~ foreign 17148  
country, the section shall send a written notice to the 17149  
applicant stating that the section is denying the applicant's 17150  
application and stating the specific reason why the section is 17151  
denying the applicant's application. The section shall send the 17152  
notice to the applicant through certified mail within thirty 17153  
days after the section makes that determination. 17154

**Sec. 4755.451.** (A) The physical therapy section of the 17155  
Ohio occupational therapy, physical therapy, and athletic 17156  
trainers board shall issue to an applicant a license as a 17157  
physical therapist assistant without requiring the applicant to 17158  
have passed the national examination for physical therapist 17159  
assistants described in division (A) of section 4755.431 of the 17160  
Revised Code within one year of filing an application described 17161  
in section 4755.421 of the Revised Code if all of the following 17162  
are true: 17163

(1) The applicant presents evidence satisfactory to the 17164  
physical therapy section that the applicant received a score on 17165  
the national physical therapy examination described in division 17166  
(A) of section 4755.431 of the Revised Code that would have been 17167  
a passing score according to the board in the year the applicant 17168  
sat for the examination; 17169

(2) The applicant presents evidence satisfactory to the 17170  
physical therapy section that the applicant passed the 17171  
jurisprudence examination described in division (B) of section 17172  
4755.431 of the Revised Code; 17173

(3) The applicant holds a current and valid license or registration to practice as a physical therapist assistant in another ~~state or~~ country; 17174  
17175  
17176

(4) Subject to division (B) of this section, the applicant can demonstrate that the applicant's education is reasonably equivalent to the educational requirements that were in force for licensure in this state on the date of the applicant's initial licensure or registration in the other ~~state or~~ country; 17177  
17178  
17179  
17180  
17181

(5) The applicant pays the fee described in division (B) of section 4755.421 of the Revised Code; 17182  
17183

(6) The applicant is not in violation of any section of this chapter or rule adopted under it. 17184  
17185

(B) For purposes of division (A)(4) of this section, if, after receiving the results of an equivalency evaluation from a credentialing organization identified by the section pursuant to rules adopted under section 4755.411 of the Revised Code, the section determines that, regardless of the results of the evaluation, the applicant's education is not reasonably equivalent to the educational requirements that were in force for licensure in this state on the date of the applicant's initial licensure or registration in ~~another state or~~ a foreign country, the section shall send a written notice to the applicant stating that the section is denying the applicant's application and stating the specific reason why the section is denying the applicant's application. The section shall send the notice to the applicant through certified mail within thirty days after the section makes the determination. 17186  
17187  
17188  
17189  
17190  
17191  
17192  
17193  
17194  
17195  
17196  
17197  
17198  
17199  
17200

**Sec. 4755.48.** (A) No person shall employ fraud or deception in applying for or securing a license to practice 17201  
17202

physical therapy or to be a physical therapist assistant. 17203

(B) No person shall practice or in any way imply or claim 17204  
to the public by words, actions, or the use of letters as 17205  
described in division (C) of this section to be able to practice 17206  
physical therapy or to provide physical therapy services, 17207  
including practice as a physical therapist assistant, unless the 17208  
person holds a valid license under sections 4755.40 to 4755.56 17209  
of the Revised Code or except for submission of claims as 17210  
provided in section 4755.56 of the Revised Code. 17211

(C) No person shall use the words or letters, physical 17212  
therapist, physical therapy, physical therapy services, 17213  
physiotherapist, physiotherapy, physiotherapy services, licensed 17214  
physical therapist, P.T., Ph.T., P.T.T., R.P.T., L.P.T., M.P.T., 17215  
D.P.T., M.S.P.T., P.T.A., physical therapy assistant, physical 17216  
therapist assistant, physical therapy technician, licensed 17217  
physical therapist assistant, L.P.T.A., R.P.T.A., or any other 17218  
letters, words, abbreviations, or insignia, indicating or 17219  
implying that the person is a physical therapist or physical 17220  
therapist assistant without a valid license under sections 17221  
4755.40 to 4755.56 of the Revised Code. 17222

(D) No person who practices physical therapy or assists in 17223  
the provision of physical therapy treatments under the 17224  
supervision of a physical therapist shall fail to display the 17225  
person's current license granted under sections 4755.40 to 17226  
4755.56 of the Revised Code in a conspicuous location in the 17227  
place where the person spends the major part of the person's 17228  
time so engaged. 17229

(E) Nothing in sections 4755.40 to 4755.56 of the Revised 17230  
Code shall affect or interfere with the performance of the 17231  
duties of any physical therapist or physical therapist assistant 17232



in active service in the army, navy, coast guard, marine corps, 17233  
air force, public health service, or marine hospital service of 17234  
the United States, while so serving. 17235

(F) Nothing in sections 4755.40 to 4755.56 of the Revised 17236  
Code shall prevent or restrict the activities or services of a 17237  
person pursuing a course of study leading to a degree in 17238  
physical therapy in an accredited or approved educational 17239  
program if the activities or services constitute a part of a 17240  
supervised course of study and the person is designated by a 17241  
title that clearly indicates the person's status as a student. 17242

(G) (1) Subject to division (G) (2) of this section, nothing 17243  
in sections 4755.40 to 4755.56 of the Revised Code shall prevent 17244  
or restrict the activities or services of any person who holds a 17245  
current, unrestricted license to practice physical therapy in 17246  
another state when that person, pursuant to contract or 17247  
employment with an athletic team located in the state in which 17248  
the person holds the license, provides physical therapy to any 17249  
of the following while the team is traveling to or from or 17250  
participating in a sporting event in this state: 17251

(a) A member of the athletic team; 17252

(b) A member of the athletic team's coaching, 17253  
communications, equipment, or sports medicine staff; 17254

(c) A member of a band or cheerleading squad accompanying 17255  
the athletic team; 17256

(d) The athletic team's mascot. 17257

(2) In providing physical therapy pursuant to division (G) 17258  
(1) of this section, the person shall not do either of the 17259  
following: 17260

(a) Provide physical therapy at a health care facility;	17261
(b) Provide physical therapy for more than sixty days in a calendar year.	17262 17263
(3) The limitations described in divisions (G) (1) and (2) of this section do not apply to a person who is practicing in accordance with the compact privilege granted by this state through the "Physical Therapy Licensure Compact" entered into under section 4755.57 of the Revised Code.	17264 17265 17266 17267 17268
<u>(4) The physical therapy section of the occupational therapy, physical therapy, and athletic trainers board shall not require a nonresident person who holds a license to practice physical therapy in another state to obtain a license in accordance with Chapter 4796. of the Revised Code to provide physical therapy services in the manner described under division (G) (1) of this section.</u>	17269 17270 17271 17272 17273 17274 17275
(H) (1) Except as provided in division (H) (2) of this section and subject to division (I) of this section, no person shall practice physical therapy other than on the prescription of, or the referral of a patient by, a person who is licensed in this or another state to do at least one of the following:	17276 17277 17278 17279 17280
(a) Practice medicine and surgery, chiropractic, dentistry, osteopathic medicine and surgery, podiatric medicine and surgery;	17281 17282 17283
(b) Practice as a physician assistant;	17284
(c) Practice nursing as an advanced practice registered nurse.	17285 17286
(2) The prohibition in division (H) (1) of this section on practicing physical therapy other than on the prescription of,	17287 17288

or the referral of a patient by, any of the persons described in 17289  
that division does not apply if either of the following applies 17290  
to the person: 17291

(a) The person holds a master's or doctorate degree from a 17292  
professional physical therapy program that is accredited by a 17293  
national physical therapy accreditation agency approved by the 17294  
physical therapy section of the Ohio occupational therapy, 17295  
physical therapy, and athletic trainers board. 17296

(b) On or before December 31, 2004, the person has 17297  
completed at least two years of practical experience as a 17298  
licensed physical therapist. 17299

(I) To be authorized to prescribe physical therapy or 17300  
refer a patient to a physical therapist for physical therapy, a 17301  
person described in division (H) (1) of this section must be in 17302  
good standing with the relevant licensing board in this state or 17303  
the state in which the person is licensed and must act only 17304  
within the person's scope of practice. 17305

(J) In the prosecution of any person for violation of 17306  
division (B) or (C) of this section, it is not necessary to 17307  
allege or prove want of a valid license to practice physical 17308  
therapy or to practice as a physical therapist assistant, but 17309  
such matters shall be a matter of defense to be established by 17310  
the accused. 17311

**Sec. 4755.482.** (A) Except as otherwise provided in 17312  
divisions (B) and (C) of this section, a person shall not teach 17313  
a physical therapy theory and procedures course in physical 17314  
therapy education without obtaining a license as a physical 17315  
therapist from the physical therapy section of the Ohio 17316  
occupational therapy, physical therapy, and athletic trainers 17317

board. 17318

(B) A nonresident person who is registered or licensed as 17319  
a physical therapist under the laws of another state shall not 17320  
teach a physical therapy theory and procedures course in 17321  
physical therapy education for more than one year without 17322  
obtaining a license as a physical therapist from the physical 17323  
therapy section, and the section shall not require that person 17324  
to obtain a license in accordance with Chapter 4796. of the 17325  
Revised Code to teach as described in this division. 17326

(C) A person who is registered or licensed as a physical 17327  
therapist under the laws of a foreign country and is not 17328  
registered or licensed as a physical therapist in any state who 17329  
wishes to teach a physical therapy theory and procedures course 17330  
in physical therapy education in this state, or an institution 17331  
that wishes the person to teach such a course at the 17332  
institution, may apply to the physical therapy section to 17333  
request authorization for the person to teach such a course for 17334  
a period of not more than one year. Any member of the physical 17335  
therapy section may approve the person's or institution's 17336  
application. No person described in this division shall teach 17337  
such a course for longer than one year without obtaining a 17338  
license from the physical therapy section. 17339

(D) The physical therapy section may investigate any 17340  
person who allegedly has violated this section. The physical 17341  
therapy section has the same powers to investigate an alleged 17342  
violation of this section as those powers specified in section 17343  
4755.02 of the Revised Code. If, after investigation, the 17344  
physical therapy section determines that reasonable evidence 17345  
exists that a person has violated this section, within seven 17346  
days after that determination, the physical therapy section 17347

shall send a written notice to that person in the same manner as 17348  
prescribed in section 119.07 of the Revised Code for licensees, 17349  
except that the notice shall specify that a hearing will be held 17350  
and specify the date, time, and place of the hearing. 17351

The physical therapy section shall hold a hearing 17352  
regarding the alleged violation in the same manner prescribed 17353  
for an adjudication hearing under section 119.09 of the Revised 17354  
Code. If the physical therapy section, after the hearing, 17355  
determines a violation has occurred, the physical therapy 17356  
section may discipline the person in the same manner as the 17357  
physical therapy section disciplines licensees under section 17358  
4755.47 of the Revised Code. The physical therapy section's 17359  
determination is an order that the person may appeal in 17360  
accordance with section 119.12 of the Revised Code. 17361

If a person who allegedly committed a violation of this 17362  
section fails to appear for a hearing, the physical therapy 17363  
section may request the court of common pleas of the county 17364  
where the alleged violation occurred to compel the person to 17365  
appear before the physical therapy section for a hearing. If the 17366  
physical therapy section assesses a person a civil penalty for a 17367  
violation of this section and the person fails to pay that civil 17368  
penalty within the time period prescribed by the physical 17369  
therapy section, the physical therapy section shall forward to 17370  
the attorney general the name of the person and the amount of 17371  
the civil penalty for the purpose of collecting that civil 17372  
penalty. In addition to the civil penalty assessed pursuant to 17373  
this section, the person also shall pay any fee assessed by the 17374  
attorney general for collection of the civil penalty. 17375

**Sec. 4755.62.** (A) No person shall claim to the public to 17376  
be an athletic trainer or imply by words, actions, or letters 17377

that the person is an athletic trainer, or otherwise engage in 17378  
the practice of athletic training, unless the person is licensed 17379  
as an athletic trainer pursuant to this chapter. 17380

(B) Except as otherwise provided in division (B) of 17381  
section 4755.65 of the Revised Code, no educational institution, 17382  
partnership, association, or corporation shall advertise or 17383  
otherwise offer to provide or convey the impression that it is 17384  
providing athletic training unless an individual licensed as an 17385  
athletic trainer pursuant to this chapter is employed by, or 17386  
under contract to, the educational institution, partnership, 17387  
association, or corporation and will be performing the athletic 17388  
training services to which reference is made. 17389

(C) To qualify for an athletic trainers license, a person 17390  
shall: 17391

(1) Have satisfactorily completed an application for 17392  
licensure in accordance with rules adopted by the athletic 17393  
trainers section of the Ohio occupational therapy, physical 17394  
therapy, and athletic trainers board under section 4755.61 of 17395  
the Revised Code; 17396

(2) Have paid the examination fee required under this 17397  
section; 17398

(3) Have shown, to the satisfaction of the athletic 17399  
trainers section, that the applicant has received a 17400  
baccalaureate or higher degree from an institution of higher 17401  
education, approved by the athletic trainers section of the 17402  
board and the federal regional accreditation agency and 17403  
recognized by the council on postsecondary accreditation, and 17404  
has satisfactorily completed the educational course work 17405  
requirements established by rule of the athletic trainers 17406

section under section 4755.61 of the Revised Code. 17407

(4) In addition to educational course work requirements, 17408  
have obtained supervised clinical experience that meets the 17409  
requirements established in rules adopted by the athletic 17410  
trainers section under section 4755.61 of the Revised Code; 17411

(5) Have passed an examination adopted by the athletic 17412  
trainers section under division (A) (8) of section 4755.61 of the 17413  
Revised Code. Each applicant for licensure shall pay, at the 17414  
time of application, the nonrefundable examination fee set by 17415  
the athletic trainers section. 17416

(D) ~~The section may waive the requirements of division (C)~~ 17417  
~~of this section for any applicant who presents proof of current~~ 17418  
~~licensure shall issue a license to engage in the practice of~~ 17419  
athletic training in accordance with Chapter 4796. of the 17420  
Revised Code to an applicant who holds a license in another 17421  
~~state whose standards for licensure, as determined by the~~ 17422  
~~section, are equal to or greater than those in effect in this~~ 17423  
~~state on the date of application~~or to an applicant who has 17424  
satisfactory work experience, a government certification, or a 17425  
private certification as described in that chapter as an 17426  
athletic trainer in a state that does not issue that license. 17427

(E) The section shall issue a license to every applicant 17428  
who complies with the requirements of division (C) of this 17429  
section, files the required application form, and pays the fees 17430  
required by section 4755.61 of the Revised Code. Each licensee 17431  
shall display the licensee's license in a conspicuous place at 17432  
the licensee's principal place of employment. 17433

A license issued under this section entitles the holder to 17434  
engage in the practice of athletic training, to claim to the 17435

public to be an athletic trainer, or to imply by words or 17436  
letters that the licensee is an athletic trainer. A license 17437  
issued under this section does not entitle the holder to 17438  
provide, offer to provide, or represent that the holder is 17439  
qualified to provide any care or services for which the holder 17440  
lacks the education, training, or experience to provide or is 17441  
prohibited by law from providing. 17442

**Sec. 4755.65.** (A) Nothing in sections 4755.61 to 4755.64 17443  
of the Revised Code shall be construed to prevent or restrict 17444  
the practice, services, or activities of any person who: 17445

(1) Is an individual authorized under Chapter 4731. of the 17446  
Revised Code to practice medicine and surgery, osteopathic 17447  
medicine and surgery, or podiatry, a dentist licensed under 17448  
Chapter 4715. of the Revised Code, a chiropractor licensed under 17449  
Chapter 4734. of the Revised Code, a dietitian licensed under 17450  
Chapter 4759. of the Revised Code, a physical therapist licensed 17451  
under this chapter, or a qualified member of any other 17452  
occupation or profession practicing within the scope of the 17453  
person's license or profession and who does not claim to the 17454  
public to be an athletic trainer; 17455

(2) Is employed as an athletic trainer by an agency of the 17456  
United States government and provides athletic training solely 17457  
under the direction or control of the agency by which the person 17458  
is employed; 17459

(3) Is a student in an athletic training education program 17460  
approved by the athletic trainers section leading to a 17461  
baccalaureate or higher degree from an accredited college or 17462  
university and is performing duties that are a part of a 17463  
supervised course of study; 17464



(4) Is ~~not an a nonresident~~ individual not licensed as an athletic trainer in this state who practices or offers to practice athletic training while traveling with a visiting team or organization from outside the state or an event approved by the section for the purpose of providing athletic training to the visiting team, organization, or event;

(5) Provides athletic training only to relatives or in medical emergencies;

(6) Provides gratuitous care to friends or members of the person's family;

(7) Provides only self-care.

(B) Nothing in this chapter shall be construed to prevent any person licensed under Chapter 4723. of the Revised Code and whose license is in good standing, any person authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery and whose certificate to practice is in good standing, any person authorized under Chapter 4731. of the Revised Code to practice podiatry and whose certificate to practice is in good standing, any person licensed under Chapter 4734. of the Revised Code to practice chiropractic and whose license is in good standing, any person licensed as a dietitian under Chapter 4759. of the Revised Code to practice dietetics and whose license is in good standing, any person licensed as a physical therapist under this chapter to practice physical therapy and whose license is in good standing, or any association, corporation, or partnership from advertising, describing, or offering to provide athletic training, or billing for athletic training if the athletic training services are provided by a person licensed under this chapter and practicing within the scope of the person's license,

by a person licensed under Chapter 4723. of the Revised Code and 17495  
practicing within the scope of the person's license, by a person 17496  
authorized under Chapter 4731. of the Revised Code to practice 17497  
podiatry, by a person authorized under Chapter 4731. of the 17498  
Revised Code to practice medicine and surgery or osteopathic 17499  
medicine and surgery, by a person licensed under Chapter 4734. 17500  
of the Revised Code to practice chiropractic, or by a person 17501  
licensed under Chapter 4759. of the Revised Code to practice 17502  
dietetics. 17503

(C) Nothing in this chapter shall be construed as 17504  
authorizing a licensed athletic trainer to practice medicine and 17505  
surgery, osteopathic medicine and surgery, podiatry, or 17506  
chiropractic. 17507

(D) The athletic trainer section of the occupational 17508  
therapy, physical therapy, and athletic trainers board shall not 17509  
require a nonresident individual licensed as an athletic trainer 17510  
in another state to obtain a license in accordance with Chapter 17511  
4796. of the Revised Code to practice or offer to practice 17512  
athletic training in the manner described under division (A) (4) 17513  
of this section. 17514

**Sec. 4757.18.** ~~The counselor, social worker, and marriage 17515~~  
~~and family therapist board may enter into a reciprocal agreement 17516~~  
~~with any state that regulates individuals practicing in the same 17517~~  
~~capacities as those regulated under this chapter if the board 17518~~  
~~finds that the state has requirements substantially equivalent 17519~~  
~~to the requirements this state has for receipt of a license or 17520~~  
~~certificate of registration under this chapter. In a reciprocal 17521~~  
~~agreement, the board agrees to issue the appropriate license or 17522~~  
~~certificate of registration to any resident of the other state 17523~~  
~~whose practice is currently authorized by that state if that 17524~~

~~state's regulatory body agrees to authorize the appropriate  
practice of any resident of this state who holds a valid license  
or certificate of registration issued under this chapter.~~ 17525  
17526  
17527

~~Subject to section 4757.25 of the Revised Code, the The  
professional standards committees of the counselor, social  
worker, and marriage and family therapist board mayshall, by  
endorsement, issue the appropriate license, temporary license,  
or certificate of registration in accordance with Chapter 4796.  
of the Revised Code to a resident of a state with which the  
board does not have a reciprocal agreement, if the person  
submits proof satisfactory to the committee of currently being  
licensed, certified, registered, or otherwise authorized to  
practice by that statean applicant if either of the following  
applies:~~ 17528  
17529  
17530  
17531  
17532  
17533  
17534  
17535  
17536  
17537  
17538

~~(A) The applicant holds a license or certificate of  
registration in another state.~~ 17539  
17540

~~(B) The applicant has satisfactory work experience, a  
government certification, or a private certification as  
described in that chapter in a state that does not issue the  
license, temporary license, or certificate of registration for  
which the applicant is applying.~~ 17541  
17542  
17543  
17544  
17545

**Sec. 4758.25.** ~~(A) The chemical dependency professionals  
board may enter into a reciprocal agreement with any state that  
regulates individuals practicing in the same capacities as those  
regulated under this chapter if the board finds that the state  
has requirements substantially equivalent to the requirements of  
this state to receive a license or certificate under this  
chapter.~~ 17546  
17547  
17548  
17549  
17550  
17551  
17552

~~The board may become a member of a national reciprocity~~ 17553

~~organization that requires its members to have requirements-~~ 17554  
~~substantially equivalent to the requirements of this state to-~~ 17555  
~~receive a license or certificate to practice in the same-~~ 17556  
~~capacities as those regulated under this chapter. If the board-~~ 17557  
~~becomes a member of such an organization, the board shall-~~ 17558  
~~consider itself to have a reciprocal agreement with the other-~~ 17559  
~~states that are also members of the organization.~~ 17560

~~(B) The board may, by endorsement, shall issue the-~~ 17561  
~~appropriate a license or, certificate, or endorsement in~~ 17562  
~~accordance with Chapter 4796. of the Revised Code to a resident-~~ 17563  
~~of a an applicant if either of the following applies:~~ 17564

~~(1) The applicant holds a license, certificate, or~~ 17565  
~~endorsement in another state with which the board does not have-~~ 17566  
~~a reciprocal agreement if both of the following apply:~~ 17567

~~(1) The board finds that the state has requirements-~~ 17568  
~~substantially equivalent to the requirements of this state for-~~ 17569  
~~receipt of a license or certificate under this chapter.~~ 17570

~~(2) The individual submits proof satisfactory to the board-~~ 17571  
~~of being currently authorized to practice by that state~~ 17572

~~(2) The applicant has satisfactory work experience, a~~ 17573  
~~government certification, or a private certification as~~ 17574  
~~described in that chapter in a state that does not issue the~~ 17575  
~~license, certificate, or endorsement for which the applicant is~~ 17576  
~~applying.~~ 17577

~~(C)-(B) A license or certificate obtained by reciprocity-~~ 17578  
~~or endorsement under this section may be renewed or restored~~ 17579  
~~under section 4758.26 of the Revised Code if the individual~~ 17580  
~~holding the license or certificate satisfies the renewal or~~ 17581  
~~restoration requirements established by that section. An~~ 17582

individual holding a license or certificate obtained by ~~by~~ 17583  
~~reciprocity or endorsement~~ under this section may obtain, under 17584  
section 4758.24 of the Revised Code, a different license or 17585  
certificate available under this chapter if the individual meets 17586  
all of the requirements as specified in that section for the 17587  
license or certificate the individual seeks. 17588

**Sec. 4759.05.** (A) ~~The~~ Except as provided in division (E) 17589  
of this section, the state medical board shall adopt, amend, or 17590  
rescind rules pursuant to Chapter 119. of the Revised Code to 17591  
carry out the provisions of this chapter, including rules 17592  
governing the following: 17593

(1) Selection and approval of a dietitian licensure 17594  
examination offered by the commission on dietetic registration 17595  
or any other examination; 17596

(2) The examination of applicants for licensure as a 17597  
dietitian, as required under division (A) of section 4759.06 of 17598  
the Revised Code; 17599

(3) Requirements for pre-professional dietetic experience 17600  
of applicants for licensure as a dietitian that are at least 17601  
equivalent to the requirements adopted by the commission on 17602  
dietetic registration; 17603

(4) Requirements for a person holding a limited permit 17604  
under division (G) of section 4759.06 of the Revised Code, 17605  
including the duration of validity of a limited permit and 17606  
procedures for renewal; 17607

(5) Continuing education requirements for renewal of a 17608  
license, including rules providing for pro rata reductions by 17609  
month of the number of hours of continuing education that must 17610  
be completed for license holders who have been disabled by 17611

illness or accident or have been absent from the country. Rules 17612  
adopted under this division shall be consistent with the 17613  
continuing education requirements adopted by the commission on 17614  
dietetic registration. 17615

(6) Any additional education requirements the board 17616  
considers necessary, for applicants who have not practiced 17617  
dietetics within five years of the initial date of application 17618  
for licensure; 17619

(7) Standards of professional responsibility and practice 17620  
for persons licensed under this chapter that are consistent with 17621  
those standards of professional responsibility and practice 17622  
adopted by the academy of nutrition and dietetics; 17623

(8) Formulation of an application form for licensure or 17624  
license renewal; 17625

(9) Procedures for license renewal; 17626

(10) Requirements for criminal records checks of 17627  
applicants under section 4776.03 of the Revised Code. 17628

(B) (1) The board shall investigate evidence that appears 17629  
to show that a person has violated any provision of this chapter 17630  
or any rule adopted under it. Any person may report to the board 17631  
in a signed writing any information that the person may have 17632  
that appears to show a violation of any provision of this 17633  
chapter or any rule adopted under it. In the absence of bad 17634  
faith, any person who reports information of that nature or who 17635  
testifies before the board in any adjudication conducted under 17636  
Chapter 119. of the Revised Code shall not be liable in damages 17637  
in a civil action as a result of the report or testimony. Each 17638  
complaint or allegation of a violation received by the board 17639  
shall be assigned a case number and shall be recorded by the 17640

board. 17641

(2) Investigations of alleged violations of this chapter 17642  
or any rule adopted under it shall be supervised by the 17643  
supervising member elected by the board in accordance with 17644  
section 4731.02 of the Revised Code and by the secretary as 17645  
provided in section 4759.012 of the Revised Code. The president 17646  
may designate another member of the board to supervise the 17647  
investigation in place of the supervising member. No member of 17648  
the board who supervises the investigation of a case shall 17649  
participate in further adjudication of the case. 17650

(3) In investigating a possible violation of this chapter 17651  
or any rule adopted under this chapter, the board may issue 17652  
subpoenas, question witnesses, conduct interviews, administer 17653  
oaths, order the taking of depositions, inspect and copy any 17654  
books, accounts, papers, records, or documents, and compel the 17655  
attendance of witnesses and the production of books, accounts, 17656  
papers, records, documents, and testimony, except that a 17657  
subpoena for patient record information shall not be issued 17658  
without consultation with the attorney general's office and 17659  
approval of the secretary and supervising member of the board. 17660

Before issuance of a subpoena for patient record 17661  
information, the secretary and supervising member shall 17662  
determine whether there is probable cause to believe that the 17663  
complaint filed alleges a violation of this chapter or any rule 17664  
adopted under it and that the records sought are relevant to the 17665  
alleged violation and material to the investigation. The 17666  
subpoena may apply only to records that cover a reasonable 17667  
period of time surrounding the alleged violation. 17668

On failure to comply with any subpoena issued by the board 17669  
and after reasonable notice to the person being subpoenaed, the 17670

board may move for an order compelling the production of persons 17671  
or records pursuant to the Rules of Civil Procedure. 17672

A subpoena issued by the board may be served by a sheriff, 17673  
the sheriff's deputy, or a board employee or agent designated by 17674  
the board. Service of a subpoena issued by the board may be made 17675  
by delivering a copy of the subpoena to the person named 17676  
therein, reading it to the person, or leaving it at the person's 17677  
usual place of residence, usual place of business, or address on 17678  
file with the board. When serving a subpoena to an applicant for 17679  
or the holder of a license or limited permit issued under this 17680  
chapter, service of the subpoena may be made by certified mail, 17681  
return receipt requested, and the subpoena shall be deemed 17682  
served on the date delivery is made or the date the person 17683  
refuses to accept delivery. If the person being served refuses 17684  
to accept the subpoena or is not located, service may be made to 17685  
an attorney who notifies the board that the attorney is 17686  
representing the person. 17687

A sheriff's deputy who serves a subpoena shall receive the 17688  
same fees as a sheriff. Each witness who appears before the 17689  
board in obedience to a subpoena shall receive the fees and 17690  
mileage provided for under section 119.094 of the Revised Code. 17691

(4) All hearings, investigations, and inspections of the 17692  
board shall be considered civil actions for the purposes of 17693  
section 2305.252 of the Revised Code. 17694

(5) A report required to be submitted to the board under 17695  
this chapter, a complaint, or information received by the board 17696  
pursuant to an investigation is confidential and not subject to 17697  
discovery in any civil action. 17698

The board shall conduct all investigations or inspections 17699



and proceedings in a manner that protects the confidentiality of 17700  
patients and persons who file complaints with the board. The 17701  
board shall not make public the names or any other identifying 17702  
information about patients or complainants unless proper consent 17703  
is given. 17704

The board may share any information it receives pursuant 17705  
to an investigation or inspection, including patient records and 17706  
patient record information, with law enforcement agencies, other 17707  
licensing boards, and other governmental agencies that are 17708  
prosecuting, adjudicating, or investigating alleged violations 17709  
of statutes or administrative rules. An agency or board that 17710  
receives the information shall comply with the same requirements 17711  
regarding confidentiality as those with which the state medical 17712  
board must comply, notwithstanding any conflicting provision of 17713  
the Revised Code or procedure of the agency or board that 17714  
applies when it is dealing with other information in its 17715  
possession. In a judicial proceeding, the information may be 17716  
admitted into evidence only in accordance with the Rules of 17717  
Evidence, but the court shall require that appropriate measures 17718  
are taken to ensure that confidentiality is maintained with 17719  
respect to any part of the information that contains names or 17720  
other identifying information about patients or complainants 17721  
whose confidentiality was protected by the state medical board 17722  
when the information was in the board's possession. Measures to 17723  
ensure confidentiality that may be taken by the court include 17724  
sealing its records or deleting specific information from its 17725  
records. 17726

(6) On a quarterly basis, the board shall prepare a report 17727  
that documents the disposition of all cases during the preceding 17728  
three months. The report shall contain the following information 17729  
for each case with which the board has completed its activities: 17730

(a) The case number assigned to the complaint or alleged violation;	17731 17732
(b) The type of license, if any, held by the individual against whom the complaint is directed;	17733 17734
(c) A description of the allegations contained in the complaint;	17735 17736
(d) The disposition of the case.	17737
The report shall state how many cases are still pending and shall be prepared in a manner that protects the identity of each person involved in each case. The report shall be a public record under section 149.43 of the Revised Code.	17738 17739 17740 17741
(C) The board shall keep records as are necessary to carry out the provisions of this chapter.	17742 17743
(D) The board shall maintain and publish on its internet web site the board's rules and requirements for licensure adopted under division (A) of this section.	17744 17745 17746
<u>(E) The board shall issue a license or limited permit to practice dietetics in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following apply:</u>	17747 17748 17749
<u>(1) The applicant holds a license or permit in another state.</u>	17750 17751
<u>(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a dietitian in a state that does not issue that license.</u>	17752 17753 17754 17755
<b>Sec. 4759.06.</b> (A) <u>The Except as provided in section 4759.05 of the Revised Code, the state medical board shall issue</u>	17756 17757

a license to practice dietetics to an applicant who meets all of 17758  
the following requirements: 17759

(1) Has satisfactorily completed an application for 17760  
licensure in accordance with rules adopted under division (A) of 17761  
section 4759.05 of the Revised Code; 17762

(2) Has paid the fee required under division (A) of 17763  
section 4759.08 of the Revised Code; 17764

(3) Has received a baccalaureate or higher degree from an 17765  
institution of higher education that is approved by the board or 17766  
a regional accreditation agency that is recognized by the 17767  
council on postsecondary accreditation, and has completed a 17768  
program consistent with the academic standards for dietitians 17769  
established by the academy of nutrition and dietetics; 17770

(4) Has successfully completed a pre-professional dietetic 17771  
experience approved by the academy of nutrition and dietetics, 17772  
or experience approved by the board under division (A) (3) of 17773  
section 4759.05 of the Revised Code; 17774

(5) Has passed the examination approved by the board under 17775  
division (A) (1) of section 4759.05 of the Revised Code. 17776

(B) The board shall waive the requirements of divisions 17777  
(A) (3), (4), and (5) of this section and any rules adopted under 17778  
division (A) (6) of section 4759.05 of the Revised Code if the 17779  
applicant presents satisfactory evidence to the board of current 17780  
registration as a registered dietitian with the commission on 17781  
dietetic registration. 17782

(C) (1) The board shall issue a license to practice 17783  
dietetics to an applicant who meets the requirements of division 17784  
(A) of this section. A license shall be valid for a two-year 17785  
period unless revoked or suspended by the board and shall expire 17786

on the date that is two years after the date of issuance. A 17787  
license may be renewed for additional two-year periods. 17788

(2) The board shall renew an applicant's license if the 17789  
applicant has paid the license renewal fee specified in section 17790  
4759.08 of the Revised Code and certifies to the board that the 17791  
applicant has met the continuing education requirements adopted 17792  
under division (A) (5) of section 4759.05 of the Revised Code. 17793  
The renewal shall be pursuant to the standard renewal procedure 17794  
of sections 4745.01 to 4745.03 of the Revised Code. 17795

At least one month before a license expires, the board 17796  
shall provide a renewal notice. Failure of any person to receive 17797  
a notice of renewal from the board shall not excuse the person 17798  
from the requirements contained in this section. Each person 17799  
holding a license shall give notice to the board of a change in 17800  
the license holder's residence address, business address, or 17801  
electronic mail address not later than thirty days after the 17802  
change occurs. 17803

(D) Any person licensed to practice dietetics by the 17804  
former Ohio board of dietetics before January 21, 2018, may 17805  
continue to practice dietetics in this state under that license 17806  
if the person continues to meet the requirements to renew a 17807  
license under this chapter and renews the license through the 17808  
state medical board. 17809

The state medical board may take any of the following 17810  
actions, as provided in section 4759.07 of the Revised Code, 17811  
against the holder of a license to practice dietetics issued 17812  
before January 21, 2018, by the former Ohio board of dietetics: 17813

(1) Limit, revoke, or suspend the holder's license; 17814

(2) Refuse to renew or reinstate the holder's license; 17815

(3) Reprimand the holder or place the holder on probation.	17816
(E) The board may require a random sample of dietitians to submit materials documenting that the continuing education requirements adopted under division (A) (5) of section 4759.05 of the Revised Code have been met.	17817 17818 17819 17820
This division does not limit the board's authority to conduct investigations pursuant to section 4759.07 of the Revised Code.	17821 17822 17823
(F) (1) If, through a random sample conducted under division (E) of this section or any other means, the board finds that an individual who certified completion of the number of hours and type of continuing education required to renew, reinstate, or restore a license to practice did not complete the requisite continuing education, the board may do either of the following:	17824 17825 17826 17827 17828 17829 17830
(a) Take disciplinary action against the individual under section 4759.07 of the Revised Code, impose a civil penalty, or both;	17831 17832 17833
(b) Permit the individual to agree in writing to complete the continuing education and pay a civil penalty.	17834 17835
(2) The board's finding in any disciplinary action taken under division (F) (1) (a) of this section shall be made pursuant to an adjudication under Chapter 119. of the Revised Code and by an affirmative vote of not fewer than six of its members.	17836 17837 17838 17839
(3) A civil penalty imposed under division (F) (1) (a) of this section or paid under division (F) (1) (b) of this section shall be in an amount specified by the board of not more than five thousand dollars. The board shall deposit civil penalties in accordance with section 4731.24 of the Revised Code.	17840 17841 17842 17843 17844

(G) (1) ~~The~~ Except as provided in section 4759.05 of the 17845  
Revised Code, the board may grant a limited permit to a person 17846  
who has completed the education and pre-professional 17847  
requirements of divisions (A) (3) and (4) of this section and who 17848  
presents evidence to the board of having applied to take the 17849  
examination approved by the board under division (A) (1) of 17850  
section 4759.05 of the Revised Code. An application for a 17851  
limited permit shall be made on forms that the board shall 17852  
furnish and shall be accompanied by the limited permit fee 17853  
specified in section 4759.08 of the Revised Code. 17854

(2) If no grounds apply under section 4759.07 of the 17855  
Revised Code for denying a license to the applicant and the 17856  
applicant meets the requirements of division (G) (1) of this 17857  
section, the board shall issue a limited permit to the 17858  
applicant. 17859

A limited permit expires in accordance with rules adopted 17860  
under section 4759.05 of the Revised Code. A limited permit may 17861  
be renewed in accordance with those rules. 17862

(3) A person holding a limited permit who has failed the 17863  
examination shall practice only under the direct supervision of 17864  
a licensed dietitian. 17865

(4) The board may revoke a limited permit on proof 17866  
satisfactory to the board that the permit holder has engaged in 17867  
practice in this state outside the scope of the permit, that the 17868  
holder has engaged in unethical conduct, or that grounds for 17869  
action against the holder exist under section 4759.07 of the 17870  
Revised Code. 17871

**Sec. 4760.03.** (A) ~~An~~ Except as provided in division (D) of 17872  
this section, an individual seeking a license to practice as an 17873

anesthesiologist assistant shall file with the state medical 17874  
board a written application on a form prescribed and supplied by 17875  
the board. The application shall include all of the following 17876  
information: 17877

(1) Evidence satisfactory to the board that the applicant 17878  
is at least twenty-one years of age; 17879

(2) Evidence satisfactory to the board that the applicant 17880  
has successfully completed the training necessary to prepare 17881  
individuals to practice as anesthesiologist assistants, as 17882  
specified in section 4760.031 of the Revised Code; 17883

(3) Evidence satisfactory to the board that the applicant 17884  
holds current certification from the national commission for 17885  
certification of anesthesiologist assistants and that the 17886  
requirements for receiving the certification included passage of 17887  
an examination to determine the individual's competence to 17888  
practice as an anesthesiologist assistant; 17889

(4) Any other information the board considers necessary to 17890  
process the application and evaluate the applicant's 17891  
qualifications. 17892

(B) (1) At the time of making application for a license 17893  
under division (A) of this section, ~~the~~ an applicant shall pay 17894  
the board a fee of one hundred dollars, no part of which shall 17895  
be returned. 17896

(2) An applicant seeking a license under division (D) of 17897  
this section shall pay the fee required under Chapter 4796. of 17898  
the Revised Code. 17899

(C) The board shall review all applications received under 17900  
this section. Not later than sixty days after receiving a 17901  
complete application, the board shall determine whether an 17902

applicant meets the requirements to receive a license. ~~The~~ 17903  
Except as provided in division (D) of this section, the board 17904  
shall not issue a license to an applicant unless the applicant 17905  
is certified by the national commission for certification of 17906  
anesthesiologist assistants or a successor organization that is 17907  
recognized by the board. 17908

(D) The board shall issue a license to practice as an 17909  
anesthesiologist assistant in accordance with Chapter 4796. of 17910  
the Revised Code to an applicant if either of the following 17911  
applies: 17912

(1) The applicant holds a license in another state. 17913

(2) The applicant has satisfactory work experience, a 17914  
government certification, or a private certification as 17915  
described in that chapter as an anesthesiologist assistant in a 17916  
state that does not issue that license. 17917

**Sec. 4760.031.** ~~As~~ Except for a license issued under 17918  
division (D) of section 4760.03 of the Revised Code, as a 17919  
condition of being eligible to receive a license to practice as 17920  
an anesthesiologist assistant, an individual must successfully 17921  
complete the following training requirements: 17922

(A) A baccalaureate or higher degree program at an 17923  
institution of higher education accredited by an organization 17924  
recognized by the department of higher education. The program 17925  
must have included courses in the following areas of study: 17926

(1) General biology; 17927

(2) General chemistry; 17928

(3) Organic chemistry; 17929

(4) Physics; 17930



(5) Calculus.	17931
(B) A training program conducted for the purpose of preparing individuals to practice as anesthesiologist assistants. If the program was completed prior to May 31, 2000, the program must have been completed at case western reserve university or emory university in Atlanta, Georgia. If the program is completed on or after May 31, 2000, the program must be a graduate-level program accredited by the commission on accreditation of allied health education programs or any of the commission's successor organizations. In either case, the training program must have included at least all of the following components:	17932 17933 17934 17935 17936 17937 17938 17939 17940 17941 17942
(1) Basic sciences of anesthesia: physiology, pathophysiology, anatomy, and biochemistry. The courses must be presented as a continuum of didactic courses designed to teach students the foundations of human biological existence on which clinical correlations to anesthesia practice are based.	17943 17944 17945 17946 17947
(2) Pharmacology for the anesthetic sciences. The course must include instruction in the anesthetic principles of pharmacology, pharmacodynamics, pharmacokinetics, uptake and distribution, intravenous anesthetics and narcotics, and volatile anesthetics.	17948 17949 17950 17951 17952
(3) Physics in anesthesia.	17953
(4) Fundamentals of anesthetic sciences, presented as a continuum of courses covering a series of topics in basic medical sciences with special emphasis on the effects of anesthetics on normal physiology and pathophysiology.	17954 17955 17956 17957
(5) Patient instrumentation and monitoring, presented as a continuum of courses focusing on the design of, proper	17958 17959

preparation of, and proper methods of resolving problems that 17960  
arise with anesthesia equipment. The courses must provide a 17961  
balance between the engineering concepts used in anesthesia 17962  
instruments and the clinical application of anesthesia 17963  
instruments. 17964

(6) Clinically based conferences in which techniques of 17965  
anesthetic management, quality assurance issues, and current 17966  
professional literature are reviewed from the perspective of 17967  
practice improvement. 17968

(7) Clinical experience consisting of at least two 17969  
thousand hours of direct patient contact, presented as a 17970  
continuum of courses throughout the entirety of the program, 17971  
beginning with a gradual introduction of the techniques for the 17972  
anesthetic management of patients and culminating in the 17973  
assimilation of the graduate of the program into the work force. 17974  
Areas of instruction must include the following: 17975

(a) Preoperative patient assessment; 17976

(b) Indwelling vascular catheter placement, including 17977  
intravenous and arterial catheters; 17978

(c) Airway management, including mask airway and 17979  
orotracheal intubation; 17980

(d) Intraoperative charting; 17981

(e) Administration and maintenance of anesthetic agents, 17982  
narcotics, hypnotics, and muscle relaxants; 17983

(f) Administration and maintenance of volatile 17984  
anesthetics; 17985

(g) Administration of blood products and fluid therapy; 17986

(h) Patient monitoring;	17987
(i) Postoperative management of patients;	17988
(j) Regional anesthesia techniques;	17989
(k) Administration of vasoactive substances for treatment of unacceptable patient hemodynamic status;	17990 17991
(l) Specific clinical training in all the subspecialties of anesthesia, including pediatrics, neurosurgery, cardiovascular surgery, trauma, obstetrics, orthopedics, and vascular surgery.	17992 17993 17994 17995
(8) Basic life support that qualifies the individual to administer cardiopulmonary resuscitation to patients in need. The course must include the instruction necessary to be certified in basic life support by the American red cross or the American heart association.	17996 17997 17998 17999 18000
(9) Advanced cardiac life support that qualifies the individual to participate in the pharmacologic intervention and management resuscitation efforts for a patient in full cardiac arrest. The course must include the instruction necessary to be certified in advanced cardiac life support by the American red cross or the American heart association.	18001 18002 18003 18004 18005 18006
<b>Sec. 4761.04.</b> (A) Except as provided in division (B) <u>or</u> (C) of this section, no person is eligible for licensure as a respiratory care professional unless the person has shown, to the satisfaction of the state medical board, all of the following:	18007 18008 18009 18010 18011
(1) That the person has successfully completed the requirements of an educational program approved by the board that includes instruction in the biological and physical	18012 18013 18014

sciences, pharmacology, respiratory care theory, procedures, and 18015  
clinical practice, and cardiopulmonary rehabilitation 18016  
techniques; 18017

(2) That the person has passed an examination approved 18018  
under rules adopted by the board that tests the applicant's 18019  
knowledge of the basic and clinical sciences relating to 18020  
respiratory care theory and practice, professional skills and 18021  
judgment in the utilization of respiratory care techniques, and 18022  
such other subjects as the board considers useful in determining 18023  
fitness to practice. 18024

(B) Any person licensed to practice respiratory care by 18025  
the former Ohio respiratory care board before January 21, 2018, 18026  
may continue to practice respiratory care in this state under 18027  
that license if the person continues to meet the requirements to 18028  
renew a license under this chapter and renews the license 18029  
through the state medical board. 18030

The state medical board may take any of the following 18031  
actions, as provided in section 4761.09 of the Revised Code, 18032  
against the holder of a license to practice respiratory care 18033  
issued before January 21, 2018, by the former Ohio respiratory 18034  
care board: 18035

(1) Limit, revoke, or suspend the holder's license; 18036

(2) Refuse to renew or reinstate the holder's license; 18037

(3) Reprimand the holder or place the holder on probation. 18038

(C) The board shall issue a license to act as a 18039  
respiratory care professional in accordance with Chapter 4796. 18040  
of the Revised Code to an applicant if either of the following 18041  
apply: 18042

(1) The applicant holds a license in another state. 18043

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a respiratory care professional in a state that does not issue that license. 18044  
18045  
18046  
18047

**Sec. 4761.05.** (A) The Except as provided in division (C) of section 4761.04 of the Revised Code, the state medical board shall issue a license to any applicant who complies with the requirements of section 4761.04 of the Revised Code, files the prescribed application form, and pays the fee or fees required under section 4761.07 of the Revised Code. The license entitles the holder to practice respiratory care. 18048  
18049  
18050  
18051  
18052  
18053  
18054

(B) (1) The Except as provided in division (D) of this section, the board shall issue a limited permit to any applicant who files an application on a form furnished by the board, pays the fee required under section 4761.07 of the Revised Code, and meets either of the following requirements: 18055  
18056  
18057  
18058  
18059

(a) Is enrolled in and is in good standing in a respiratory care educational program approved by the board that meets the requirements of division (A) (1) of section 4761.04 of the Revised Code leading to a degree or certificate of completion or is a graduate of the program; 18060  
18061  
18062  
18063  
18064

(b) Is employed as a provider of respiratory care in this state and was employed as a provider of respiratory care in this state prior to March 14, 1989. 18065  
18066  
18067

(2) If no grounds apply under section 4761.09 of the Revised Code for denying a limited permit to the applicant and the applicant meets the requirements of division (B) of this section, the board shall issue a limited permit to the 18068  
18069  
18070  
18071

applicant. 18072

The limited permit authorizes the holder to provide 18073  
respiratory care under the supervision of a respiratory care 18074  
professional. A person issued a limited permit under division 18075  
(B) (1) (a) of this section may practice respiratory care under 18076  
the limited permit for not more than three years after the date 18077  
the limited permit is issued, except that the limited permit 18078  
shall cease to be valid one year following the date of receipt 18079  
of a certificate of completion from a board-approved respiratory 18080  
care education program or immediately if the holder discontinues 18081  
participation in the educational program. 18082

The holder shall notify the board as soon as practicable 18083  
when the holder completes a board-approved respiratory care 18084  
education program or discontinues participation in the 18085  
educational program. 18086

This division does not require a student enrolled in an 18087  
educational program leading to a degree or certificate of 18088  
completion in respiratory care approved by the board to obtain a 18089  
limited permit to perform any duties that are part of the 18090  
required course of study. 18091

(3) A person issued a limited permit under division (B) (1) 18092  
(b) of this section may practice under a limited permit for not 18093  
more than three years, except that this restriction does not 18094  
apply to a permit holder who, on March 14, 1989, has been 18095  
employed as a provider of respiratory care for an average of not 18096  
less than twenty-five hours per week for a period of not less 18097  
than five years by a hospital. 18098

(4) During the three-year period in which a person may 18099  
practice under a limited permit, the person shall apply for 18100

renewal on an annual basis in accordance with section 4761.06 of 18101  
the Revised Code. 18102

(5) The board may revoke a limited permit upon proof 18103  
satisfactory to the board that the permit holder has engaged in 18104  
practice in this state outside the scope of the permit, that the 18105  
holder has engaged in unethical conduct, or that there are 18106  
grounds for action against the holder under section 4761.09 of 18107  
the Revised Code. 18108

(C) The holder of a license or limited permit issued under 18109  
this section shall either provide verification of licensure or 18110  
permit status from the board's internet web site on request or 18111  
prominently display a wall certificate in the license holder's 18112  
office or place where the majority of the holder's practice is 18113  
conducted. 18114

(D) The board shall issue a limited permit to practice 18115  
respiratory care in accordance with Chapter 4796. of the Revised 18116  
Code to an applicant if either of the following applies: 18117

(1) The applicant holds a license or permit in another 18118  
state. 18119

(2) The applicant has satisfactory work experience, a 18120  
government certification, or a private certification as 18121  
described in that chapter as a provider of respiratory care in a 18122  
state that does not issue that license or permit. 18123

**Sec. 4762.03.** (A) An Except as provided in division (D) of 18124  
this section, an individual seeking a license to practice as an 18125  
oriental medicine practitioner or license to practice as an 18126  
acupuncturist shall file with the state medical board a written 18127  
application on a form prescribed and supplied by the board. 18128

(B) ~~To~~ Except as provided in division (D) of this section, 18129

to be eligible for the license, an applicant shall meet all of 18130  
the following conditions, as applicable: 18131

(1) The applicant shall submit evidence satisfactory to 18132  
the board that the applicant is at least eighteen years of age. 18133

(2) In the case of an applicant seeking a license to 18134  
practice as an oriental medicine practitioner, the applicant 18135  
shall submit evidence satisfactory to the board of both of the 18136  
following: 18137

(a) That the applicant holds a current and active 18138  
designation from the national certification commission for 18139  
acupuncture and oriental medicine as either a diplomate in 18140  
oriental medicine or diplomate of acupuncture and Chinese 18141  
herbology; 18142

(b) That the applicant has successfully completed, in the 18143  
two-year period immediately preceding application for the 18144  
license to practice, one course approved by the commission on 18145  
federal food and drug administration dispensary and compounding 18146  
guidelines and procedures. 18147

(3) In the case of an applicant seeking a license to 18148  
practice as an acupuncturist, the applicant shall submit 18149  
evidence satisfactory to the board that the applicant holds a 18150  
current and active designation from the national certification 18151  
commission for acupuncture and oriental medicine as a diplomate 18152  
in acupuncture. 18153

(4) The applicant shall demonstrate to the board 18154  
proficiency in spoken English by satisfying one of the following 18155  
requirements: 18156

(a) Passing the examination described in section 4731.142 18157  
of the Revised Code; 18158



(b) Submitting evidence satisfactory to the board that the applicant was required to demonstrate proficiency in spoken English as a condition of obtaining designation from the national certification commission for acupuncture and oriental medicine as a diplomate in oriental medicine, diplomate of acupuncture and Chinese herbology, or diplomate in acupuncture;

(c) Submitting evidence satisfactory to the board that the applicant, in seeking a designation from the national certification commission for acupuncture and oriental medicine as a diplomate of oriental medicine, diplomate of acupuncture and Chinese herbology, or diplomate of acupuncture, has successfully completed in English the examination required for such a designation by the national certification commission for acupuncture and oriental medicine;

(d) In the case of an applicant seeking a license to practice as an oriental medicine practitioner, submitting evidence satisfactory to the board that the applicant has previously held a license to practice as an acupuncturist issued under section 4762.04 of the Revised Code.

(5) The applicant shall submit to the board any other information the board requires.

(6) The applicant shall pay to the board a fee of one hundred dollars, no part of which may be returned to the applicant.

(C) The board shall review all applications received under this section. The board shall determine whether an applicant meets the requirements to receive a license not later than sixty days after receiving a complete application.

(D) The board shall issue a license to practice as an

oriental medicine practitioner or acupuncturist in accordance 18188  
with Chapter 4796. of the Revised Code to an applicant if either 18189  
of the following applies: 18190

(1) The applicant holds a license in another state. 18191

(2) The applicant has satisfactory work experience, a 18192  
government certification, or a private certification as 18193  
described in that chapter as an oriental medicine practitioner 18194  
or acupuncturist in a state that does not issue that license. 18195

**Sec. 4763.05.** (A) (1) (a) A person shall make application 18196  
for an initial state-certified general real estate appraiser 18197  
certificate, an initial state-certified residential real estate 18198  
appraiser certificate, an initial state-licensed residential 18199  
real estate appraiser license, or an initial state-registered 18200  
real estate appraiser assistant registration in writing to the 18201  
superintendent of real estate on a form the superintendent 18202  
prescribes. The application shall include the address of the 18203  
applicant's principal place of business and all other addresses 18204  
at which the applicant currently engages in the business of 18205  
performing real estate appraisals and the address of the 18206  
applicant's current residence. The superintendent shall retain 18207  
the applicant's current residence address in a separate record 18208  
which does not constitute a public record for purposes of 18209  
section 149.43 of the Revised Code. The application shall 18210  
indicate whether the applicant seeks certification as a general 18211  
real estate appraiser or as a residential real estate appraiser, 18212  
licensure as a residential real estate appraiser, or 18213  
registration as a real estate appraiser assistant and be 18214  
accompanied by the prescribed examination and certification, 18215  
registration, or licensure fees set forth in section 4763.09 of 18216  
the Revised Code. The application also shall include a pledge, 18217

signed by the applicant, that the applicant will comply with the standards set forth in this chapter; and a statement that the applicant understands the types of misconduct for which disciplinary proceedings may be initiated against the applicant pursuant to this chapter.

(b) Upon the filing of an application and payment of any examination and certification, registration, or licensure fees, the superintendent of real estate shall request the superintendent of the bureau of criminal identification and investigation, or a vendor approved by the bureau, to conduct a criminal records check based on the applicant's fingerprints in accordance with section 109.572 of the Revised Code. Notwithstanding division (K) of section 121.08 of the Revised Code, the superintendent of real estate shall request that criminal record information from the federal bureau of investigation be obtained as part of the criminal records check. Any fee required under division (C) (3) of section 109.572 of the Revised Code shall be paid by the applicant.

(2) For purposes of providing funding for the real estate appraiser recovery fund established by section 4763.16 of the Revised Code, the real estate appraiser board shall levy an assessment against each person issued an initial certificate, registration, or license and against current licensees, registrants, and certificate holders, as required by board rule. The assessment is in addition to the application and examination fees for initial applicants required by division (A) (1) of this section and the renewal fees required for current certificate holders, registrants, and licensees. The superintendent of real estate shall deposit the assessment into the state treasury to the credit of the real estate appraiser recovery fund. The assessment for initial certificate holders, registrants, and

licensees shall be paid prior to the issuance of a certificate, 18249  
registration, or license, and for current certificate holders, 18250  
registrants, and licensees, at the time of renewal. 18251

(B) An applicant for an initial general real estate 18252  
appraiser certificate, residential real estate appraiser 18253  
certificate, or residential real estate appraiser license shall 18254  
possess experience in real estate appraisal as the board 18255  
prescribes by rule. In addition to any other information 18256  
required by the board, the applicant shall furnish, under oath, 18257  
a detailed listing of the appraisal reports or file memoranda 18258  
for each year for which experience is claimed and, upon request 18259  
of the superintendent or the board, shall make available for 18260  
examination a sample of the appraisal reports prepared by the 18261  
applicant in the course of the applicant's practice. 18262

(C) An applicant for an initial certificate, registration, 18263  
or license shall be at least eighteen years of age, honest, and 18264  
truthful and shall present satisfactory evidence to the 18265  
superintendent that the applicant has successfully completed any 18266  
education requirements the board prescribes by rule. 18267

(D) An applicant for an initial general real estate 18268  
appraiser or residential real estate appraiser certificate or 18269  
residential real estate appraiser license shall take and 18270  
successfully complete a written examination in order to qualify 18271  
for the certificate or license. 18272

The board shall prescribe the examination requirements by 18273  
rule. 18274

(E) (1) ~~A person who has obtained~~ The board shall issue a 18275  
residential real estate appraiser license, a residential real 18276  
estate appraiser certificate, real estate appraiser assistant 18277

~~registration, or a general real estate appraiser certificate 18278~~  
~~from another state may apply to obtain a license or certificate- 18279~~  
~~issued under this chapter provided the state that issued the- 18280~~  
~~license or certificate has requirements that meet or exceed the- 18281~~  
~~requirements found in this chapter. The board shall adopt rules- 18282~~  
~~relating to this division. The application for obtaining a- 18283~~  
~~license or certificate under this division may include any of- 18284~~  
~~the following: 18285~~

~~(a) A pledge, signed by the applicant, that the applicant- 18286~~  
~~will comply with the standards set forth in this chapter; 18287~~

~~(b) A statement that the applicant understands the types- 18288~~  
~~of misconduct for which disciplinary proceedings may be- 18289~~  
~~initiated against the applicant pursuant to this chapter; 18290~~

~~(c) A consent to service of process in accordance with 18291~~  
~~Chapter 4796. of the Revised Code to an applicant if either of 18292~~  
~~the following applies: 18293~~

~~(a) The applicant holds a certificate, license, or 18294~~  
~~registration in another state. 18295~~

~~(b) The applicant has satisfactory work experience, a 18296~~  
~~government certification, or a private certification as 18297~~  
~~described in that chapter as a residential real estate 18298~~  
~~appraiser, real estate appraiser assistant, or general real 18299~~  
~~estate appraiser in a state that does not issue that 18300~~  
~~certificate, license, or registration. 18301~~

(2) (a) The board shall recognize on a temporary basis a 18302  
certification or license issued in another state and shall 18303  
register on a temporary basis an appraiser who is certified or 18304  
licensed in another state if all of the following apply: 18305

(i) The temporary registration is to perform an appraisal 18306

assignment that is part of a federally related transaction. 18307

(ii) The appraiser's business in this state is of a 18308  
temporary nature. 18309

(iii) The appraiser registers with the board pursuant to 18310  
this division. 18311

(b) An appraiser who is certified or licensed in another 18312  
state shall register with the board for temporary practice 18313  
before performing an appraisal assignment in this state in 18314  
connection with a federally related transaction. 18315

(c) The board shall adopt rules relating to registration 18316  
for the temporary recognition of certification and licensure of 18317  
appraisers from another state. The registration for temporary 18318  
recognition of certified or licensed appraisers from another 18319  
state shall not authorize completion of more than one appraisal 18320  
assignment in this state. The board shall not issue more than 18321  
two registrations for temporary practice to any one applicant in 18322  
any calendar year. The application for obtaining a registration 18323  
under this division may include any of the following: 18324

(i) A pledge, signed by the applicant, that the applicant 18325  
will comply with the standards set forth in this chapter; 18326

(ii) A statement that the applicant understands the types 18327  
of misconduct for which disciplinary proceedings may be 18328  
initiated against the applicant pursuant to this chapter; 18329

(iii) A consent to service of process. 18330

~~(3) The board may enter into reciprocal agreements with~~ 18331  
~~other states. The board shall prescribe reciprocal agreement~~ 18332  
~~requirements by rule.~~ (d) A nonresident appraiser whose 18333  
certification or license has been recognized by the board on a 18334

temporary basis and who is acting in accordance with this 18335  
section and the board's rules is not required to obtain a 18336  
license in accordance with Chapter 4796. of the Revised Code. 18337

(F) The superintendent shall not issue a certificate, 18338  
registration, or license to, or recognize on a temporary basis 18339  
an appraiser from another state that is a corporation, 18340  
partnership, or association. This prohibition shall not be 18341  
construed to prevent a certificate holder or licensee from 18342  
signing an appraisal report on behalf of a corporation, 18343  
partnership, or association. 18344

(G) Every person licensed, registered, or certified under 18345  
this chapter shall notify the superintendent, on a form provided 18346  
by the superintendent, of a change in the address of the 18347  
licensee's, registrant's, or certificate holder's principal 18348  
place of business or residence within thirty days of the change. 18349  
If a licensee's, registrant's, or certificate holder's license, 18350  
registration, or certificate is revoked or not renewed, the 18351  
licensee, registrant, or certificate holder immediately shall 18352  
return the annual and any renewal certificate, registration, or 18353  
license to the superintendent. 18354

(H) (1) The superintendent shall not issue a certificate, 18355  
registration, or license to any person, or recognize on a 18356  
temporary basis an appraiser from another state, who does not 18357  
meet applicable minimum criteria for state certification, 18358  
registration, or licensure prescribed by federal law or rule. 18359

(2) The superintendent shall not refuse to issue a general 18360  
real estate appraiser certificate, residential real estate 18361  
appraiser certificate, residential real estate appraiser 18362  
license, or real estate appraiser assistant registration to any 18363  
person because of a conviction of or plea of guilty to any 18364

criminal offense unless the refusal is in accordance with 18365  
section 9.79 of the Revised Code. 18366

**Sec. 4764.10.** (A) The superintendent of real estate and 18367  
professional licensing may issue a home inspector license to an 18368  
applicant who holds a license, registration, or certification as 18369  
a home inspector in another jurisdiction other than another 18370  
state if that applicant submits an application on a form the 18371  
superintendent provides, pays the fee the Ohio home inspector 18372  
board prescribes, and satisfies all of the following 18373  
requirements: 18374

~~(A)~~ (1) The applicant is licensed, registered, or 18375  
certified as a home inspector in a jurisdiction that the board 18376  
determines grants the same privileges to persons licensed under 18377  
this chapter as this state grants to persons in that 18378  
jurisdiction. 18379

~~(B)~~ (2) That other jurisdiction has licensing, 18380  
registration, or certification requirements that are 18381  
substantially similar to, or exceed, those of this state. 18382

~~(C)~~ (3) The applicant attests that the applicant is 18383  
familiar with and will abide by this chapter. 18384

~~(D)~~ (4) The applicant attests to all of the following in a 18385  
written statement that the applicant submits to the 18386  
superintendent: 18387

~~(1)~~ (a) To provide the superintendent the name and address 18388  
of an agent to receive service of process in this state or that 18389  
the applicant authorizes the superintendent to act as agent for 18390  
that applicant; 18391

~~(2)~~ (b) That service of process in accordance with the 18392  
Revised Code is proper and the applicant is subject to the 18393



jurisdiction of the courts of this state; 18394

~~(3)~~ (c) That any cause of action arising out of the 18395  
conduct of the applicant's business in this state shall be filed 18396  
in the county in which the events that gave rise to that cause 18397  
of action occurred. 18398

(B) The board shall issue a home inspector license in 18399  
accordance with Chapter 4796. of the Revised Code to an 18400  
applicant if either of the following applies: 18401

(1) The applicant holds a license in another state. 18402

(2) The applicant has satisfactory work experience, a 18403  
government certification, or a private certification as 18404  
described in that chapter as a home inspector in a state that 18405  
does not issue that license. 18406

**Sec. 4765.10.** (A) The state board of emergency medical, 18407  
fire, and transportation services shall do all of the following: 18408

(1) Administer and enforce the provisions of this chapter 18409  
and the rules adopted under it; 18410

(2) Approve, in accordance with procedures established in 18411  
rules adopted under section 4765.11 of the Revised Code, 18412  
examinations that demonstrate competence to have a certificate 18413  
to practice renewed without completing a continuing education 18414  
program; 18415

(3) Advise applicants for state or federal emergency 18416  
medical services funds, review and comment on applications for 18417  
these funds, and approve the use of all state and federal funds 18418  
designated solely for emergency medical service programs unless 18419  
federal law requires another state agency to approve the use of 18420  
all such federal funds; 18421

(4) Serve as a statewide clearinghouse for discussion,	18422
inquiry, and complaints concerning emergency medical services;	18423
(5) Make recommendations to the general assembly on	18424
legislation to improve the delivery of emergency medical	18425
services;	18426
(6) Maintain a toll-free long distance telephone number	18427
through which it shall respond to questions about emergency	18428
medical services;	18429
(7) Work with appropriate state offices in coordinating	18430
the training of firefighters and emergency medical service	18431
personnel. Other state offices that are involved in the training	18432
of firefighters or emergency medical service personnel shall	18433
cooperate with the board and its committees and subcommittees to	18434
achieve this goal.	18435
(8) Provide a liaison to the state emergency operation	18436
center during those periods when a disaster, as defined in	18437
section 5502.21 of the Revised Code, has occurred in this state	18438
and the governor has declared an emergency as defined in that	18439
section.	18440
(B) The board may do any of the following:	18441
(1) Investigate complaints concerning emergency medical	18442
services and emergency medical service organizations as it	18443
determines necessary;	18444
(2) <del>Enter into reciprocal agreements with other states</del>	18445
<del>that have standards for accreditation of emergency medical</del>	18446
<del>services training programs and for certification of first</del>	18447
<del>responders, EMTs basic, EMTs I, paramedics, firefighters, or</del>	18448
<del>fire safety inspectors that are substantially similar to those</del>	18449
<del>established under this chapter and the rules adopted under it;</del>	18450

<del>(3)</del> —Establish a statewide public information system and	18451
public education programs regarding emergency medical services;	18452
<del>(4)</del> — <u>(3)</u> Establish an injury prevention program.	18453
(C) The state board of emergency medical, fire, and	18454
transportation services shall not regulate any profession that	18455
otherwise is regulated by another board, commission, or similar	18456
regulatory entity.	18457
<b>Sec. 4765.11.</b> (A) The state board of emergency medical,	18458
fire, and transportation services shall adopt, and may amend and	18459
rescind, rules in accordance with Chapter 119. of the Revised	18460
Code and divisions (C) and (D) of this section that establish	18461
all of the following:	18462
(1) Procedures for its governance and the control of its	18463
actions and business affairs;	18464
(2) Standards for the performance of emergency medical	18465
services by first responders, emergency medical technicians-	18466
basic, emergency medical technicians-intermediate, and emergency	18467
medical technicians-paramedic;	18468
(3) Application fees for certificates of accreditation,	18469
certificates of approval, certificates to teach, and	18470
certificates to practice, which shall be deposited into the	18471
trauma and emergency medical services fund created in section	18472
4513.263 of the Revised Code;	18473
(4) Criteria for determining when the application or	18474
renewal fee for a certificate to practice may be waived because	18475
an applicant cannot afford to pay the fee;	18476
(5) Procedures for issuance and renewal of certificates of	18477
accreditation, certificates of approval, certificates to teach,	18478

and certificates to practice, including any measures necessary	18479
to implement section 9.79 of the Revised Code and any procedures	18480
necessary to ensure that adequate notice of renewal is provided	18481
in accordance with division <del>(D)</del> <u>(E)</u> of section 4765.30 of the	18482
Revised Code;	18483
(6) Procedures for suspending or revoking certificates of	18484
accreditation, certificates of approval, certificates to teach,	18485
and certificates to practice;	18486
(7) Grounds for suspension or revocation of a certificate	18487
to practice issued under section 4765.30 of the Revised Code and	18488
for taking any other disciplinary action against a first	18489
responder, EMT-basic, EMT-I, or paramedic;	18490
(8) Procedures for taking disciplinary action against a	18491
first responder, EMT-basic, EMT-I, or paramedic;	18492
(9) Standards for certificates of accreditation and	18493
certificates of approval;	18494
(10) Qualifications for certificates to teach;	18495
(11) Requirements for a certificate to practice;	18496
(12) The curricula, number of hours of instruction and	18497
training, and instructional materials to be used in adult and	18498
pediatric emergency medical services training programs and adult	18499
and pediatric emergency medical services continuing education	18500
programs;	18501
(13) Procedures for conducting courses in recognizing	18502
symptoms of life-threatening allergic reactions and in	18503
calculating proper dosage levels and administering injections of	18504
epinephrine to adult and pediatric patients who suffer life-	18505
threatening allergic reactions;	18506

(14) Examinations for certificates to practice;	18507
(15) Procedures for administering examinations for certificates to practice;	18508 18509
(16) Procedures for approving examinations that demonstrate competence to have a certificate to practice renewed without completing an emergency medical services continuing education program;	18510 18511 18512 18513
(17) Procedures for granting extensions and exemptions of emergency medical services continuing education requirements;	18514 18515
(18) Specifications of the emergency medical services that first responders are authorized to perform under section 4765.35 of the Revised Code, that EMTs-basic are authorized to perform under section 4765.37 of the Revised Code, that EMTs-I are authorized to perform under section 4765.38 of the Revised Code, and that paramedics are authorized to perform under section 4765.39 of the Revised Code;	18516 18517 18518 18519 18520 18521 18522
(19) Standards and procedures for implementing the requirements of section 4765.06 of the Revised Code, including designations of the persons who are required to report information to the board and the types of information to be reported;	18523 18524 18525 18526 18527
(20) Procedures for administering the emergency medical services grant program established under section 4765.07 of the Revised Code;	18528 18529 18530
(21) Procedures consistent with Chapter 119. of the Revised Code for appealing decisions of the board;	18531 18532
(22) Minimum qualifications and peer review and quality improvement requirements for persons who provide medical	18533 18534

direction to emergency medical service personnel, including, 18535  
subject to division (B) of section 4765.42 of the Revised Code, 18536  
qualifications for a physician to be eligible to serve as the 18537  
medical director of an emergency medical service organization or 18538  
a member of its cooperating physician advisory board; 18539

(23) The manner in which a patient, or a patient's parent, 18540  
guardian, or custodian, may consent to the board releasing 18541  
identifying information about the patient under division (D) of 18542  
section 4765.102 of the Revised Code; 18543

(24) Circumstances under which a training program or 18544  
continuing education program, or portion of either type of 18545  
program, may be taught by a person who does not hold a 18546  
certificate to teach issued under section 4765.23 of the Revised 18547  
Code; 18548

(25) Certification cycles for certificates issued under 18549  
sections 4765.23 and 4765.30 of the Revised Code and 18550  
certificates issued by the executive director of the state board 18551  
of emergency medical, fire, and transportation services under 18552  
section 4765.55 of the Revised Code that establish a common 18553  
expiration date for all certificates. 18554

(B) The board may adopt, and may amend and rescind, rules 18555  
in accordance with Chapter 119. of the Revised Code and 18556  
divisions (C) and (D) of this section that establish any of the 18557  
following: 18558

(1) Specifications of information that may be collected 18559  
under the trauma system registry and incidence reporting system 18560  
created under section 4765.06 of the Revised Code; 18561

(2) Standards and procedures for implementing any of the 18562  
recommendations made by any committees of the board or under 18563

section 4765.04 of the Revised Code; 18564

(3) Any other rules necessary to implement this chapter. 18565

(C) In developing and administering rules adopted under 18566  
this chapter, the state board of emergency medical, fire, and 18567  
transportation services shall consult with regional directors 18568  
and regional advisory boards appointed under section 4765.05 of 18569  
the Revised Code and emphasize the special needs of pediatric 18570  
and geriatric patients. 18571

(D) Except as otherwise provided in this division, before 18572  
adopting, amending, or rescinding any rule under this chapter, 18573  
the board shall submit the proposed rule to the director of 18574  
public safety for review. The director may review the proposed 18575  
rule for not more than sixty days after the date it is 18576  
submitted. If, within this sixty-day period, the director 18577  
approves the proposed rule or does not notify the board that the 18578  
rule is disapproved, the board may adopt, amend, or rescind the 18579  
rule as proposed. If, within this sixty-day period, the director 18580  
notifies the board that the proposed rule is disapproved, the 18581  
board shall not adopt, amend, or rescind the rule as proposed 18582  
unless at least twelve members of the board vote to adopt, 18583  
amend, or rescind it. 18584

This division does not apply to an emergency rule adopted 18585  
in accordance with section 119.03 of the Revised Code. 18586

(E) Notwithstanding any requirement for a certificate 18587  
issued in accordance with rules adopted by the board under this 18588  
section, the board, in accordance with Chapter 4796. of the 18589  
Revised Code, shall issue a certificate that is a license as 18590  
defined in section 4796.01 of the Revised Code to an individual 18591  
if either of the following applies: 18592

(1) The individual holds a license or certificate in another state. 18593  
18594

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a first responder, emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic in a state that does not issue that license or certificate. 18595  
18596  
18597  
18598  
18599  
18600

**Sec. 4765.30.** All of the following apply to the state board of emergency medical, fire, and transportation services with respect to issuing and renewing certificates to practice: 18601  
18602  
18603

(A) The board shall issue a certificate to practice as a first responder to an applicant who meets all of the following conditions: 18604  
18605  
18606

(1) Holds the appropriate certificate of completion issued in accordance with section 4765.24 of the Revised Code; 18607  
18608

(2) Passes the appropriate examination conducted under section 4765.29 of the Revised Code; 18609  
18610

(3) Is not in violation of any provision of this chapter or the rules adopted under it; 18611  
18612

(4) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code. 18613  
18614

(B) The board shall issue a certificate to practice as an emergency medical technician-basic to an applicant who meets all of the following conditions: 18615  
18616  
18617

(1) Holds the appropriate certificate of completion issued in accordance with section 4765.24 of the Revised Code; 18618  
18619



(2) Passes the appropriate examination conducted under section 4765.29 of the Revised Code;	18620 18621
(3) Is not in violation of any provision of this chapter or the rules adopted under it;	18622 18623
(4) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code.	18624 18625
(C) The board shall issue a certificate to practice as an emergency medical technician-intermediate or emergency medical technician-paramedic to an applicant who meets all of the following conditions:	18626 18627 18628 18629
(1) Holds a certificate to practice as an emergency medical technician-basic;	18630 18631
(2) Holds the appropriate certificate of completion issued in accordance with section 4765.24 of the Revised Code;	18632 18633
(3) Passes the appropriate examination conducted under section 4765.29 of the Revised Code;	18634 18635
(4) Is not in violation of any provision of this chapter or the rules adopted under it;	18636 18637
(5) Meets any other certification requirements established in rules adopted under section 4765.11 of the Revised Code.	18638 18639
(D) <u>Notwithstanding any requirement for a certificate to practice issued under this section, the board shall issue a certificate in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies:</u>	18640 18641 18642 18643
(1) <u>The individual holds a license or certificate in another state.</u>	18644 18645
(2) <u>The individual has satisfactory work experience, a</u>	18646

government certification, or a private certification as 18647  
described in that chapter as a first responder in a state that 18648  
does not issue that license or certificate. 18649

(E) A certificate to practice shall have a certification 18650  
cycle established by the board and may be renewed by the board 18651  
pursuant to rules adopted under section 4765.11 of the Revised 18652  
Code. Not later than sixty days prior to the expiration date of 18653  
an individual's certificate to practice, the board shall notify 18654  
the individual of the scheduled expiration. 18655

An application for renewal shall be accompanied by the 18656  
appropriate renewal fee established in rules adopted under 18657  
section 4765.11 of the Revised Code, unless the board waives the 18658  
fee on determining pursuant to those rules that the applicant 18659  
cannot afford to pay the fee. Except as provided in division (B) 18660  
of section 4765.31 of the Revised Code, the application shall 18661  
include evidence of either of the following: 18662

(1) That the applicant received a certificate of 18663  
completion from the appropriate emergency medical services 18664  
continuing education program pursuant to section 4765.24 of the 18665  
Revised Code; 18666

(2) That the applicant has successfully passed an 18667  
examination that demonstrates the competence to have a 18668  
certificate renewed without completing an emergency medical 18669  
services continuing education program. The board shall approve 18670  
such examinations in accordance with rules adopted under section 18671  
4765.11 of the Revised Code. 18672

~~(E)~~ (F) The board shall not require an applicant for 18673  
renewal of a certificate to practice to take an examination as a 18674  
condition of renewing the certificate. This division does not 18675

preclude the use of examinations by operators of approved 18676  
emergency medical services continuing education programs as a 18677  
condition for issuance of a certificate of completion in 18678  
emergency medical services continuing education. 18679

**Sec. 4765.55.** (A) The executive director of the state 18680  
board of emergency medical, fire, and transportation services, 18681  
with the advice and counsel of the firefighter and fire safety 18682  
inspector training committee of the state board of emergency 18683  
medical, fire, and transportation services, shall assist in the 18684  
establishment and maintenance by any state agency, or any 18685  
county, township, city, village, school district, or educational 18686  
service center of a fire service training program for the 18687  
training of all persons in positions of any fire training 18688  
certification level approved by the executive director, 18689  
including full-time paid firefighters, part-time paid 18690  
firefighters, volunteer firefighters, and fire safety inspectors 18691  
in this state. The executive director, with the advice and 18692  
counsel of the committee, shall adopt rules to regulate those 18693  
firefighter and fire safety inspector training programs, and 18694  
other training programs approved by the executive director. The 18695  
rules may include, but need not be limited to, training 18696  
curriculum, certification examinations, training schedules, 18697  
minimum hours of instruction, attendance requirements, required 18698  
equipment and facilities, basic physical requirements, and 18699  
methods of training for all persons in positions of any fire 18700  
training certification level approved by the executive director, 18701  
including full-time paid firefighters, part-time paid 18702  
firefighters, volunteer firefighters, and fire safety 18703  
inspectors. The rules adopted to regulate training programs for 18704  
volunteer firefighters shall not require more than thirty-six 18705  
hours of training. 18706

The executive director, with the advice and counsel of the committee, shall provide for the classification and chartering of fire service training programs in accordance with rules adopted under division (B) of this section, and may take action against any chartered training program or applicant, in accordance with rules adopted under divisions (B) (4) and (5) of this section, for failure to meet standards set by the adopted rules.

(B) The executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services, shall adopt, and may amend or rescind, rules under Chapter 119. of the Revised Code that establish all of the following:

(1) Requirements for, and procedures for chartering, the training programs regulated by this section;

(2) Requirements for, and requirements and procedures for obtaining and renewing, an instructor certificate to teach the training programs and continuing education classes regulated by this section;

(3) Requirements for, and requirements and procedures for obtaining and renewing, any of the fire training certificates regulated by this section;

(4) Grounds and procedures for suspending, revoking, restricting, or refusing to issue or renew any of the certificates or charters regulated by this section, which grounds shall be limited to one of the following:

(a) Failure to satisfy the education or training requirements of this section;

(b) Conviction of a felony offense;	18736
(c) Conviction of a misdemeanor involving moral turpitude;	18737
(d) Conviction of a misdemeanor committed in the course of practice;	18738 18739
(e) In the case of a chartered training program or applicant, failure to meet standards set by the rules adopted under this division.	18740 18741 18742
(5) Grounds and procedures for imposing and collecting fines, not to exceed one thousand dollars, in relation to actions taken under division (B) (4) of this section against persons holding certificates and charters regulated by this section, the fines to be deposited into the trauma and emergency medical services fund established under section 4513.263 of the Revised Code;	18743 18744 18745 18746 18747 18748 18749
(6) Continuing education requirements for certificate holders, including a requirement that credit shall be granted for in-service training programs conducted by local entities;	18750 18751 18752
(7) Procedures for considering the granting of an extension or exemption of fire service continuing education requirements;	18753 18754 18755
(8) Certification cycles for which the certificates and charters regulated by this section are valid.	18756 18757
(C) The executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services, shall issue or renew an instructor certificate to teach the training programs and continuing education classes regulated by this section to any applicant that the executive	18758 18759 18760 18761 18762 18763

director determines meets the qualifications established in 18764  
rules adopted under division (B) of this section, and may take 18765  
disciplinary action against an instructor certificate holder or 18766  
applicant in accordance with rules adopted under division (B) of 18767  
this section. The executive director, with the advice and 18768  
counsel of the committee, shall charter or renew the charter of 18769  
any training program that the executive director determines 18770  
meets the qualifications established in rules adopted under 18771  
division (B) of this section, and may take disciplinary action 18772  
against the holder of a charter in accordance with rules adopted 18773  
under division (B) of this section. 18774

(D) The executive director shall issue or renew a fire 18775  
training certificate for a firefighter, a fire safety inspector, 18776  
or another position of any fire training certification level 18777  
approved by the executive director, to any applicant that the 18778  
executive director determines meets the qualifications 18779  
established in rules adopted under division (B) of this section 18780  
and may take disciplinary actions against a certificate holder 18781  
or applicant in accordance with rules adopted under division (B) 18782  
of this section. 18783

(E) Certificates issued under this section shall be on a 18784  
form prescribed by the executive director, with the advice and 18785  
counsel of the firefighter and fire safety inspector training 18786  
committee of the state board of emergency medical, fire, and 18787  
transportation services. 18788

(F) (1) The executive director, with the advice and counsel 18789  
of the firefighter and fire safety inspector training committee 18790  
of the state board of emergency medical, fire, and 18791  
transportation services, shall establish criteria for evaluating 18792  
the standards maintained by ~~other states and~~ the branches of the 18793

United States military for firefighter, fire safety inspector, 18794  
and fire instructor training programs, and other training 18795  
programs recognized by the executive director, to determine 18796  
whether the standards are equivalent to those established under 18797  
this section and shall establish requirements and procedures for 18798  
issuing a certificate to each person who presents proof to the 18799  
executive director of having satisfactorily completed a training 18800  
program that meets those standards. 18801

(2) The executive director, with the committee's advice 18802  
and counsel, shall adopt rules establishing requirements and 18803  
procedures for issuing a fire training certificate in lieu of 18804  
completing a chartered training program. 18805

(G) Notwithstanding any requirement for a certificate 18806  
issued under this section, the executive director shall issue a 18807  
certificate in accordance with Chapter 4796. of the Revised Code 18808  
to an individual if either of the following applies: 18809

(1) The individual holds a license or certificate in 18810  
another state. 18811

(2) The individual has satisfactory work experience, a 18812  
government certification, or a private certification as 18813  
described in that chapter as a firefighter or fire safety 18814  
inspector in a state that does not issue that license or 18815  
certificate. 18816

(H) Nothing in this section invalidates any other section 18817  
of the Revised Code relating to the fire training academy. 18818  
Section 4765.11 of the Revised Code does not affect any powers 18819  
and duties granted to the executive director under this section. 18820

~~(H)~~ (I) Notwithstanding any provision of division (B) (4) 18821  
of this section to the contrary, the executive director shall 18822

not adopt rules for refusing to issue any of the certificates or 18823  
charters regulated by this section to an applicant because of a 18824  
criminal conviction unless the rules establishing grounds and 18825  
procedures for refusal are in accordance with section 9.79 of 18826  
the Revised Code. 18827

**Sec. 4767.031.** (A) The owner or the person responsible for 18828  
the operation of each cemetery required to register under 18829  
section 4767.03 of the Revised Code shall provide the division 18830  
of real estate in the department of commerce, on a form 18831  
prescribed by the division, at the same time the owner or other 18832  
person applies for registration or renewal of registration as 18833  
required by section 4767.03 of the Revised Code, a list of the 18834  
names and residence addresses of all persons employed or 18835  
otherwise engaged by the cemetery to sell interment rights. The 18836  
provision of this information constitutes the registration of 18837  
these persons to sell interment rights. 18838

In order for an independent contractor to sell interment 18839  
rights for a cemetery, the cemetery shall sponsor and register 18840  
the independent contractor with the division. More than one 18841  
cemetery may sponsor and register the same independent 18842  
contractor. The division shall register an independent 18843  
contractor in accordance with Chapter 4796. of the Revised Code 18844  
if either of the following applies: 18845

(1) The individual is licensed or registered in another 18846  
state. 18847

(2) The individual has satisfactory work experience, a 18848  
government certification, or a private certification as 18849  
described in that chapter as an independent contractor selling 18850  
interment rights for a cemetery in a state that does not issue 18851  
that license or registration. 18852



(B) The owner or the person responsible for the operation of each cemetery required to register under section 4767.03 of the Revised Code shall provide the division with a revised list of the names and residence addresses of all persons employed or otherwise engaged by the cemetery to sell interment rights within the calendar quarter immediately following the date of the termination of the cemetery's relationship with an existing salesperson or the commencement of a relationship with a new salesperson. As used in this division, "calendar quarter" means the three-month period that commences on the first day of each January, April, July, and October.

**Sec. 4771.08.** (A) Upon receipt of all the materials required for application for registration under section 4771.07 of the Revised Code, the Ohio athletic commission shall evaluate the information provided and issue a certificate of registration to the applicant, unless the commission finds that the applicant or an employee or representative of the applicant has committed any of the acts described in division (A) of section 4771.18 of the Revised Code.

Notwithstanding the requirements for a certificate of registration under this chapter, the commission shall issue a certificate of registration in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant is registered in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as an athlete agent in a state that does not issue that certificate of registration.

(B) The commission may issue a temporary certificate of registration, effective for a period of up to ninety days after the issuance of the temporary registration, to ~~an~~ a nonresident athlete agent who is registered as an athlete agent in another state, or to a person who has not submitted all the material required under section 4771.07 of the Revised Code, but who the commission determines to have submitted sufficient material to warrant the issuance of a temporary certificate. Chapter 4796. of the Revised Code does not apply to a temporary certificate of registration issued under this division.

(C) The registration of an athlete agent with the commission is valid for a period of two years after the date the certificate of registration is issued. An athlete agent shall file an application for the renewal of a registration with the commission at least thirty days prior to the expiration of the registration of the athlete agent. An application for renewal shall be accompanied by a renewal fee in an amount determined by the commission pursuant to division (F) of section 4771.05 of the Revised Code.

(D) Each certificate of registration issued by the commission to an athlete agent shall contain all the following information:

(1) The name of the athlete agent;

(2) The address of the primary location in which the athlete agent is authorized to conduct business as an athlete agent;

(3) A registration number for the athlete agent and the date of issuance of the registration.

(E) No registration or certificate of registration is

valid for any individual other than the athlete agent to whom it is issued. 18911  
18912

(F) The commission is not liable for the acts of an athlete agent who is registered with the commission. 18913  
18914

**Sec. 4773.03.** (A) ~~Each~~ Except as provided in division (G) of this section, each individual seeking a license to practice as a general x-ray machine operator, radiographer, radiation therapy technologist, or nuclear medicine technologist shall apply to the department of health on a form the department shall prescribe and provide. The application shall be accompanied by the appropriate license application fee established in rules adopted under section 4773.08 of the Revised Code. 18915  
18916  
18917  
18918  
18919  
18920  
18921  
18922

(B) ~~The~~ Except as provided in division (G) of this section, the department shall review all applications received and issue the appropriate general x-ray machine operator, radiographer, radiation therapy technologist, or nuclear medicine technologist license to each applicant who meets all of the following requirements: 18923  
18924  
18925  
18926  
18927  
18928

(1) Is eighteen years of age or older; 18929

(2) Except as provided in division (C) of this section, passes the examination administered under section 4773.04 of the Revised Code for the applicant's area of practice; 18930  
18931  
18932

(3) Complies with any other licensing standards established in rules adopted under section 4773.08 of the Revised Code. 18933  
18934  
18935

(C) An applicant is not required to take a licensing examination if one of the following applies to the applicant: 18936  
18937

(1) The individual is applying for a license as a general 18938

x-ray machine operator and holds certification in that area of practice from the American registry of radiologic technologists or the American chiropractic registry of radiologic technologists.

(2) The individual is applying for a license as a radiographer and holds certification in that area of practice from the American registry of radiologic technologists.

(3) The individual is applying for a license as a radiation therapy technologist and holds certification in that area of practice from the American registry of radiologic technologists.

(4) The individual is applying for a license as a nuclear medicine technologist and holds certification in that area of practice from the American registry of radiologic technologists or the nuclear medicine technology certification board.

(5) The individual holds a conditional license issued under section 4773.05 of the Revised Code and has completed the continuing education requirements established in rules adopted under section 4773.08 of the Revised Code.

~~(6) The individual holds a license, certificate, or other credential issued by another state that the department determines uses standards for radiologic professions that are at least equal to those established under this chapter.~~

(D) A license issued under this section expires biennially on the license holder's birthday, except for an initial license which expires on the license holder's birthday following two years after it is issued. For an initial license, the fee established in rules adopted under section 4773.08 of the Revised Code may be increased in proportion to the amount of

time beyond two years that the license may be valid. 18968

A license may be renewed. To be eligible for renewal, the 18969  
license holder must complete the continuing education 18970  
requirements specified in rules adopted by the department under 18971  
section 4773.08 of the Revised Code. Applications for license 18972  
renewal shall be accompanied by the appropriate renewal fee 18973  
established in rules adopted under section 4773.08 of the 18974  
Revised Code. Renewals shall be made in accordance with the 18975  
standard renewal procedure established under Chapter 4745. of 18976  
the Revised Code. 18977

(E) (1) A license that has lapsed or otherwise become 18978  
inactive may be reinstated. An individual seeking reinstatement 18979  
of a license shall apply to the department on a form the 18980  
department shall prescribe and provide. The application shall be 18981  
accompanied by the appropriate reinstatement fee established in 18982  
rules adopted under section 4773.08 of the Revised Code. 18983

(2) To be eligible for reinstatement, both of the 18984  
following apply: 18985

(a) An applicant must continue to meet the conditions for 18986  
receiving an initial license, including the examination or 18987  
certification requirements specified in division (B) or (C) of 18988  
this section. In the case of an applicant seeking reinstatement 18989  
based on having passed an examination administered under section 18990  
4773.04 of the Revised Code, the length of time that has elapsed 18991  
since the examination was passed is not a consideration in 18992  
determining whether the applicant is eligible for reinstatement. 18993

(b) The applicant must complete the continuing education 18994  
requirements for reinstatement established in rules adopted 18995  
under section 4773.08 of the Revised Code. 18996

(F) The department shall refuse to issue, renew, or 18997  
reinstate and may suspend or revoke a general x-ray machine 18998  
operator, radiographer, radiation therapy technologist, or 18999  
nuclear medicine technologist license if the applicant or 19000  
license holder does not comply with the applicable requirements 19001  
of this chapter or rules adopted under it. 19002

(G) The department shall issue a general x-ray machine 19003  
operator, radiographer, radiation therapy technologist, or 19004  
nuclear medicine technologist license in accordance with Chapter 19005  
4796. of the Revised Code to an applicant if either of the 19006  
following applies: 19007

(1) The applicant holds a license in another state. 19008

(2) The applicant has satisfactory work experience, a 19009  
government certification, or a private certification as 19010  
described in that chapter as a general x-ray machine operator, 19011  
radiographer, radiation therapy technologist, or nuclear 19012  
medicine technologist in a state that does not issue that 19013  
license. 19014

**Sec. 4774.03.** (A) ~~An~~ Except as provided in division (D) of 19015  
this section, an individual seeking a license to practice as a 19016  
radiologist assistant shall file with the state medical board a 19017  
written application on a form prescribed and supplied by the 19018  
board. The application shall include all the information the 19019  
board considers necessary to process the application, including 19020  
evidence satisfactory to the board that the applicant meets the 19021  
requirements specified in division (B) of this section. 19022

At the time an application is submitted, the applicant 19023  
shall pay the board the application fee specified by the board 19024  
in rules adopted under section 4774.11 of the Revised Code. No 19025

part of the fee shall be returned. 19026

(B) ~~To~~ Except as provided in division (D) of this section, 19027  
to be eligible to receive a license to practice as a radiologist 19028  
assistant, an applicant shall meet all of the following 19029  
requirements: 19030

(1) Be at least eighteen years of age; 19031

(2) Hold a current, valid license as a radiographer under 19032  
Chapter 4773. of the Revised Code; 19033

(3) Have attained a baccalaureate degree or 19034  
postbaccalaureate certificate from an advanced academic program 19035  
encompassing a nationally recognized radiologist assistant 19036  
curriculum that includes a radiologist-directed clinical 19037  
preceptorship; 19038

(4) Hold current certification as a registered radiologist 19039  
assistant from the American registry of radiologic technologists 19040  
and have attained the certification by meeting the standard 19041  
certification requirements established by the registry, 19042  
including the registry's requirements for documenting clinical 19043  
education in the form of a clinical portfolio and passing an 19044  
examination to determine competence to practice; 19045

(5) Hold current certification in advanced cardiac life 19046  
support. 19047

(C) The board shall review all applications received under 19048  
this section. Not later than sixty days after receiving an 19049  
application the board considers to be complete, the board shall 19050  
determine whether the applicant meets the requirements to 19051  
receive a license to practice as a radiologist assistant. 19052

(D) The board shall issue a license to practice as a 19053

radiologist assistant in accordance with Chapter 4796. of the 19054  
Revised Code to an applicant if either of the following applies: 19055

(1) The applicant holds a license in another state. 19056

(2) The applicant has satisfactory work experience, a 19057  
government certification, or a private certification as 19058  
described in that chapter as a radiologist assistant in a state 19059  
that does not issue that license. 19060

**Sec. 4775.07.** (A) Any person required to be registered as 19061  
a motor vehicle repair operator shall apply to the motor vehicle 19062  
repair board upon forms prescribed by the board. The forms shall 19063  
contain sufficient information to identify the applicant, 19064  
including name, address, state tax identification number, and 19065  
any other identifying data prescribed by rule of the board. If 19066  
the applicant is a partnership, identifying data as prescribed 19067  
by the board may be required for each partner. If the applicant 19068  
is a corporation, identifying data may be required for each 19069  
officer of the corporation and each person in charge of each 19070  
place of the motor vehicle repair operator's business in this 19071  
state. The applicant shall affirm the application by oath. The 19072  
applicant shall include with the application the initial 19073  
registration fee set forth in section 4775.08 of the Revised 19074  
Code and proof satisfactory to the board that the applicant has 19075  
a current state and federal tax identification number, a valid 19076  
vendor's license issued pursuant to section 5739.17 of the 19077  
Revised Code, a United States environmental protection agency 19078  
identification number issued under the "Resource Conservation 19079  
and Recovery Act of 1976," 90 Stat. 2795, 42 U.S.C.A. 6901, as 19080  
amended, and regulations adopted under that act, proof of 19081  
possession of all permits required under Chapter 3704. of the 19082  
Revised Code, general liability insurance and liability 19083



insurance that protects a person against liability for damage to 19084  
motor vehicles in the applicant's care, custody, or control in 19085  
an amount and form that conforms to the rules the board adopts 19086  
under section 4775.04 of the Revised Code, and coverage under 19087  
Chapters 4123. and 4141. of the Revised Code. In addition, the 19088  
applicant shall affirm that the applicant is in compliance with 19089  
all applicable federal and state statutes and rules and all 19090  
local ordinances and resolutions, including all applicable 19091  
zoning regulations. 19092

(B) Upon receipt of the completed application form and 19093  
fees and after the board determines that the applicant meets the 19094  
requirements for registration under division (A) of this 19095  
section, the board shall direct the executive director to issue 19096  
a registration certificate to the applicant for each place of 19097  
business. The motor vehicle repair operator shall display the 19098  
registration certificate in a conspicuous place on the premises 19099  
of the business for which the registration is obtained. The 19100  
board and director shall issue a registration certificate in 19101  
accordance with Chapter 4796. of the Revised Code to an 19102  
applicant if either of the following applies: 19103

(1) The applicant holds a license or registration 19104  
certificate in another state. 19105

(2) The applicant has satisfactory work experience, a 19106  
government certification, or a private certification as 19107  
described in that chapter as a motor vehicle repair operator in 19108  
a state that does not issue that license or registration 19109  
certificate. 19110

(C) Each registration certificate issued under this 19111  
section expires annually on the date of its original issuance 19112  
and may be renewed in accordance with the standard renewal 19113

procedure of Chapter 4745. of the Revised Code. The application 19114  
for a renewal of a registration certificate shall be accompanied 19115  
by the same information and proof as is required to accompany an 19116  
initial application under division (A) of this section. 19117

(D) When a motor vehicle repair operator experiences a 19118  
change in any information or data required under division (A) of 19119  
this section or by rule of the board for registration as a motor 19120  
vehicle repair operator, the motor vehicle repair operator shall 19121  
submit written notification of the change to the board within 19122  
sixty days after the date that the information becomes obsolete. 19123  
If a motor vehicle repair operator fails to submit the written 19124  
notification of a change in information or data within sixty 19125  
days after the change in information or data, the operator's 19126  
registration certificate is automatically suspended, except that 19127  
the board may waive the suspension for good cause shown. 19128

(E) Notwithstanding section 5703.21 of the Revised Code, 19129  
the department of taxation may disclose to the board any 19130  
information necessary for the board to verify the existence of 19131  
an applicant's valid vendor's license and current state tax 19132  
identification number. 19133

**Sec. 4778.03.** (A) ~~An~~ Except as provided in division (D) of 19134  
this section, an individual seeking a license to practice as a 19135  
genetic counselor shall file with the state medical board an 19136  
application in a manner prescribed by the board. The application 19137  
shall include all the information the board considers necessary 19138  
to process the application, including evidence satisfactory to 19139  
the board that the applicant meets the requirements specified in 19140  
division (B) of this section. 19141

At the time an application is submitted, the applicant 19142  
shall pay the board an application fee of two hundred dollars. 19143

No part of the fee shall be returned to the applicant or 19144  
transferred for purposes of another application. 19145

(B) ~~To~~ Except as provided in division (D) of this section, 19146  
to be eligible to receive a license to practice as a genetic 19147  
counselor, an applicant shall demonstrate to the board that the 19148  
applicant meets all of the following requirements: 19149

(1) Is at least eighteen years of age; 19150

(2) Has attained a master's degree or higher degree from a 19151  
genetic counseling graduate program accredited by the American 19152  
board of genetic counseling, inc.; 19153

(3) Is a certified genetic counselor; 19154

(4) Has satisfied any other requirements established by 19155  
the board in rules adopted under section 4778.12 of the Revised 19156  
Code. 19157

(C) The board shall review all applications received under 19158  
this section. Not later than sixty days after receiving an 19159  
application it considers complete, the board shall determine 19160  
whether the applicant meets the requirements for a license to 19161  
practice as a genetic counselor. 19162

(D) The board shall issue a license to practice as a 19163  
genetic counselor in accordance with Chapter 4796. of the 19164  
Revised Code to an applicant if either of the following applies: 19165

(1) The applicant holds a license in another state. 19166

(2) The applicant has satisfactory work experience, a 19167  
government certification, or a private certification as 19168  
described in that chapter as a genetic counselor in a state that 19169  
does not issue that license. 19170

**Sec. 4778.08.** (A) The-Except as provided in division (C) 19171  
of this section, the state medical board may issue to an 19172  
applicant under section 4778.03 of the Revised Code a license to 19173  
practice as a genetic counselor, designated as a supervised 19174  
practice license, if both of the following apply: 19175

(1) The applicant meets the requirements specified in 19176  
section 4778.03 of the Revised Code other than being a certified 19177  
genetic counselor; 19178

(2) The applicant is in active candidate status with the 19179  
American board of genetic counseling. 19180

(B) A supervised practice license authorizes the holder to 19181  
engage in the activities authorized by section 4778.11 of the 19182  
Revised Code while the holder is under the general supervision 19183  
of a genetic counselor licensed under section 4778.05 of the 19184  
Revised Code or a physician. General supervision does not 19185  
require the supervising licensed genetic counselor or physician 19186  
to be present while the holder engages in such activities, but 19187  
does require the licensed genetic counselor or physician to have 19188  
professional responsibility for the holder and be readily 19189  
accessible to the holder for professional consultation and 19190  
assistance. 19191

A supervised practice license is valid from the date of 19192  
issuance until the earlier of one year from that date or the 19193  
date a license is issued under section 4778.05 of the Revised 19194  
Code. A supervised practice license may not be renewed. 19195

(C) The board shall issue a supervised practice license to 19196  
practice as a genetic counselor in accordance with Chapter 4796. 19197  
of the Revised Code to an applicant if either of the following 19198  
applies: 19199

<u>(1) The applicant holds a license in another state.</u>	19200
<u>(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a supervised practice genetic counselor in a state that does not issue that license.</u>	19201 19202 19203 19204
<b>Sec. 4778.09.</b> (A) The state medical board may issue a license to practice as a genetic counselor, designated as a special activity license, to an individual from another state seeking to practice in this state genetic counseling associated with a rare disease.	19205 19206 19207 19208 19209
(B) An applicant for a special activity license shall submit to the board all of the following information:	19210 19211
(1) Evidence that the applicant holds a current, unrestricted license to practice genetic counseling issued by another state or, if the applicant practices genetic counseling in another state that does not license genetic counselors, evidence that the applicant is a certified genetic counselor;	19212 19213 19214 19215 19216
(2) Evidence that the applicant has actively practiced genetic counseling within the two-year period immediately preceding application;	19217 19218 19219
(3) The name of the applicant's sponsoring institution or organization, a statement of need for genetic counseling from the sponsoring institution or organization, and the name of the rare disease for which the applicant will be practicing genetic counseling in this state.	19220 19221 19222 19223 19224
(C) At the time an application is submitted, the applicant shall pay a fee of twenty-five dollars. No part of the fee shall be returned to the applicant or transferred for purposes of another application.	19225 19226 19227 19228

(D) The board shall not require the holder of a special activity license issued under this section to obtain a license under Chapter 4796. of the Revised Code. A special activity license is valid for the shorter of thirty days or the duration of the genetic counseling associated with the rare disease for which the license was issued. The license may not be renewed.

(E) The holder of a special activity license may practice genetic counseling only to the extent that it is associated with the rare disease for which the license was issued. The license holder shall not bill a patient or any third party payer for genetic counseling provided in this state.

(F) The board may revoke a special activity license on receiving proof satisfactory to the board that the holder of the license has engaged in practice in this state outside the scope of the license or that there are grounds for action against the license holder under section 4778.14 of the Revised Code.

**Sec. 4779.17.** The Ohio occupational therapy, physical therapy, and athletic trainers board shall issue a license under section 4779.09 of the Revised Code to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics ~~without examination to an applicant who meets all of the following requirements:~~

~~(A) Applies to the board in accordance with section 4779.09 of the Revised Code;~~

~~(B) Holds a license to practice orthotics, prosthetics, orthotics and prosthetics, or pedorthics issued by the appropriate authority of another state;~~

~~(C) One of the following applies:~~

~~(1) In the case of an applicant for a license to practice~~

<del>orthotics, the applicant meets the requirements in divisions (A)</del>	19258
<del>(2) and (3) of section 4779.10 of the Revised Code.</del>	19259
<del>(2) In the case of an applicant for a license to practice</del>	19260
<del>prosthetics, the applicant meets the requirements in divisions</del>	19261
<del>(A) (2) and (3) of section 4779.11 of the Revised Code.</del>	19262
<del>(3) In the case of an applicant for a license to practice</del>	19263
<del>orthotics and prosthetics, the applicant meets the requirements</del>	19264
<del>in divisions (A) (2) and (3) of section 4779.12 of the Revised</del>	19265
<del>Code.</del>	19266
<del>(4) In the case of an applicant for a license to practice</del>	19267
<del>pedorthics, the applicant meets the requirements in divisions</del>	19268
<del>(B) and (C) of section 4779.13 of the Revised Code.</del>	19269
<del>(D) All fees received by the board under this section</del>	19270
<del>shall be deposited in the state treasury to the credit of the</del>	19271
<del>occupational licensing and regulatory fund established in</del>	19272
<del>section 4743.05 <u>accordance with Chapter 4796.</u> of the Revised</del>	19273
<del>Code <u>to an applicant if either of the following applies:</u></del>	19274
<del><u>(A) The applicant holds a license in another state.</u></del>	19275
<del><u>(B) The applicant has satisfactory work experience, a</u></del>	19276
<del><u>government certification, or a private certification as</u></del>	19277
<del><u>described in that chapter in orthotics, prosthetics, orthotics</u></del>	19278
<del><u>and prosthetics, or pedorthics in a state that does not issue</u></del>	19279
<del><u>that license.</u></del>	19280
<b>Sec. 4779.18.</b> (A) The Ohio occupational therapy, physical	19281
therapy, and athletic trainers board shall issue a temporary	19282
license to an individual who meets all of the following	19283
requirements:	19284
(1) Applies to the board in accordance with rules adopted	19285

under section 4779.08 of the Revised Code and pays the application fee specified in the rules; 19286  
19287

(2) Is eighteen years of age or older; 19288

(3) One of the following applies: 19289

(a) In the case of an applicant for a license to practice orthotics, the applicant meets the requirements in divisions (A) 19290  
19291  
(2) and (3) of section 4779.10 of the Revised Code. 19292

(b) In the case of an applicant for a license to practice prosthetics, the applicant meets the requirements in divisions 19293  
19294  
(A) (2) and (3) of section 4779.11 of the Revised Code. 19295

(c) In the case of an applicant for a license to practice orthotics and prosthetics, the applicant meets the requirements 19296  
19297  
in divisions (A) (2) and (3) of section 4779.12 of the Revised 19298  
Code. 19299

(d) In the case of an applicant for a license to practice pedorthics, the applicant meets the requirements in divisions 19300  
19301  
(B) and (C) of section 4779.13 of the Revised Code. 19302

(B) The board shall issue a temporary license in accordance with Chapter 4796. of the Revised Code to an applicant who holds a license in another state, a government certification, or a private certification as described in that chapter in a state that does not issue that license. 19303  
19304  
19305  
19306  
19307

(C) A temporary license ~~issued under this section~~ is valid 19308  
for one year and may be renewed once in accordance with rules 19309  
adopted by the board under section 4779.08 of the Revised Code. 19310

(D) An individual who holds a temporary license may 19311  
practice orthotics, prosthetics, orthotics and prosthetics, or 19312  
pedorthics only under the supervision of an individual who holds 19313



a license issued under section 4779.09 of the Revised Code in 19314  
the same area of practice. 19315

~~(C)~~ (E) All fees received by the board under this section 19316  
shall be deposited in the state treasury to the credit of the 19317  
occupational licensing and regulatory fund established in 19318  
section 4743.05 of the Revised Code. 19319

**Sec. 4781.07.** (A) Pursuant to rules the division of 19320  
industrial compliance adopts, the division may certify 19321  
municipal, township, and county building departments and the 19322  
personnel of those departments, or any private third party, to 19323  
exercise the division's enforcement authority, accept and 19324  
approve plans and specifications for foundations, support 19325  
systems and installations, and inspect manufactured housing 19326  
foundations, support systems, and manufactured housing 19327  
installations. Any certification is effective for three years. 19328

(B) Following an investigation and finding of facts that 19329  
support its action, the division of industrial compliance may 19330  
revoke or suspend certification. The division may initiate an 19331  
investigation on the division's own motion or the petition of a 19332  
person affected by the enforcement or approval of plans. 19333

(C) (1) If a township, municipal corporation, or county 19334  
does not have a building department that is certified pursuant 19335  
to this section, it may designate by resolution or ordinance 19336  
another building department that has been certified pursuant to 19337  
this section to exercise the division's enforcement authority, 19338  
accept and approve plans and specifications for foundations, 19339  
support systems and installations, and inspect manufactured 19340  
housing foundations, support systems, and manufactured housing 19341  
installations. The designation is effective upon acceptance by 19342  
the designee. 19343

(2) An owner of a manufactured home or an operator of a  
manufactured home park may request an inspection and obtain an  
approval described in division (C) (1) of this section from any  
building department certified pursuant to this section  
designated by the township, municipal corporation, or county in  
which the owner's manufactured home or operator's manufactured  
home park is located.

(D) The board shall certify an individual to exercise  
enforcement authority, to accept and approve plans and  
specifications, or to make inspections in this state in  
accordance with Chapter 4796. of the Revised Code if either of  
the following applies:

(1) The individual is certified in another state.

(2) The individual has satisfactory work experience, a  
government certification, or a private certification as  
described in that chapter in exercising enforcement authority,  
accepting and approving plans and specifications for  
foundations, support systems and installations, or inspecting  
manufactured housing foundations, support systems, and  
installations, in a state that does not issue that  
certification.

**Sec. 4781.08.** (A) The division of industrial compliance  
shall issue a manufactured housing installer license to any  
applicant who is at least eighteen years of age and meets all of  
the following requirements:

(1) Submits an application to the division on a form the  
division prescribes and pays the fee the division requires;

(2) Completes all training requirements the division  
prescribes;

- (3) Meets the experience requirements the division prescribes by rule; 19373  
19374
- (4) Has at least one year of experience installing manufactured housing under the supervision of a licensed manufactured home installer if applying for licensure after January 1, 2006; 19375  
19376  
19377  
19378
- (5) Has completed an installation training course the division approves, which may be offered by the Ohio manufactured homes association or other entity; 19379  
19380  
19381
- (6) Receives a passing score on the licensure examination the division administers; 19382  
19383
- (7) Provides information the division requires to demonstrate compliance with this chapter and the rules the division adopts; 19384  
19385  
19386
- (8) Provides the division with three references from persons who are retailers, manufacturers, or manufactured home park operators familiar with the person's installation work experience and competency, with at least two of the three references provided after January 1, 2006, being from persons who are licensed manufactured housing installers; 19387  
19388  
19389  
19390  
19391  
19392
- (9) Has liability insurance or a surety bond that is issued by an insurance or surety company authorized to transact business in Ohio, in the amount the division specifies, and containing the terms and conditions the division requires; 19393  
19394  
19395  
19396
- (10) Is in compliance with section 4123.35 of the Revised Code. 19397  
19398
- (B) The division of industrial compliance shall not grant a license to any person who the division finds has engaged in 19399  
19400

actions during the previous two years that constitute a ground 19401  
for denial, suspension, or revocation of a license or who has 19402  
had a license revoked or disciplinary action imposed by the 19403  
licensing or certification board of another state or 19404  
jurisdiction during the previous two years in connection with 19405  
the installation of manufactured housing. 19406

(C) Any person who is licensed, certified, or otherwise 19407  
approved under the laws of another state to perform functions 19408  
substantially similar to those of a manufactured housing 19409  
installer may apply to the division for licensure on a form the 19410  
division prescribes. The division shall issue a license ~~if the~~ 19411  
~~standards for licensure, certification, or approval in the state~~ 19412  
~~in which the applicant is licensed, certified, or approved are~~ 19413  
~~substantially similar to or exceed the requirements set forth in~~ 19414  
~~this chapter and the rules adopted pursuant to it~~ in accordance 19415  
with Chapter 4796. of the Revised Code to an applicant if either 19416  
of the following applies: 19417

(1) The applicant holds a license in another state. 19418

(2) The applicant has satisfactory work experience, a 19419  
government certification, or a private certification as 19420  
described in that chapter as a manufactured housing installer in 19421  
a state that does not issue that license. The division may 19422  
~~require the applicant to pass the division's licensure~~ 19423  
~~examination.~~ 19424

(D) Any license issued pursuant to this section shall bear 19425  
the licensee's name and post-office address, the issue date, a 19426  
serial number the division designates, and the signature of the 19427  
person the division designates pursuant to rules. 19428

(E) A manufactured housing installer license expires two 19429

years after it is issued. The division of industrial compliance 19430  
shall renew a license if the applicant does all of the 19431  
following: 19432

(1) Meets the requirements of division (A) of this 19433  
section; 19434

(2) Demonstrates compliance with the requirements of this 19435  
chapter and the rules adopted pursuant to it; 19436

(3) Meets the division's continuing education 19437  
requirements. 19438

(F) No manufactured housing installer license may be 19439  
transferred to another person. 19440

**Sec. 4781.17.** (A) Each person applying for a manufactured 19441  
housing dealer's license or manufactured housing broker's 19442  
license shall complete and deliver to the department of 19443  
commerce, division of real estate, before the first day of 19444  
April, a separate application for license for each county in 19445  
which the business of selling or brokering manufactured or 19446  
mobile homes is to be conducted. The application shall be in the 19447  
form prescribed by the division of real estate and accompanied 19448  
by the fee established by the division of real estate. The 19449  
applicant shall sign and swear to the application that shall 19450  
include all of the following: 19451

(1) Name of applicant and location of principal place of 19452  
business; 19453

(2) Name or style under which business is to be conducted 19454  
and, if a corporation, the state of incorporation; 19455

(3) Name and address of each owner or partner and, if a 19456  
corporation, the names of the officers and directors; 19457

(4) The county in which the business is to be conducted	19458
and the address of each place of business therein;	19459
(5) A statement of the previous history, record, and	19460
association of the applicant and of each owner, partner,	19461
officer, and director, that is sufficient to establish to the	19462
satisfaction of the division of real estate the reputation in	19463
business of the applicant;	19464
(6) A statement showing whether the applicant has	19465
previously applied for a manufactured housing dealer's license,	19466
manufactured housing broker's license, manufactured housing	19467
salesperson's license, or, prior to July 1, 2010, a motor	19468
vehicle dealer's license, manufactured home broker's license, or	19469
motor vehicle salesperson's license, and the result of the	19470
application, and whether the applicant has ever been the holder	19471
of any such license that was revoked or suspended;	19472
(7) If the applicant is a corporation or partnership, a	19473
statement showing whether any partner, employee, officer, or	19474
director has been refused a manufactured housing dealer's	19475
license, manufactured housing broker's license, manufactured	19476
housing salesperson's license, or, prior to July 1, 2010, a	19477
motor vehicle dealer's license, manufactured home broker's	19478
license, or motor vehicle salesperson's license, or has been the	19479
holder of any such license that was revoked or suspended;	19480
(8) Any other information required by the division of real	19481
estate.	19482
(B) Each person applying for a manufactured housing	19483
salesperson's license shall complete and deliver to the division	19484
of real estate before the first day of July an application for	19485
license. The application shall be in the form prescribed by the	19486

division of real estate and shall be accompanied by the fee 19487  
established by the division. The applicant shall sign and swear 19488  
to the application that shall include all of the following: 19489

(1) Name and post-office address of the applicant; 19490

(2) Name and post-office address of the manufactured 19491  
housing dealer or manufactured housing broker for whom the 19492  
applicant intends to act as salesperson; 19493

(3) A statement of the applicant's previous history, 19494  
record, and association, that is sufficient to establish to the 19495  
satisfaction of the division of real estate the applicant's 19496  
reputation in business; 19497

(4) A statement as to whether the applicant intends to 19498  
engage in any occupation or business other than that of a 19499  
manufactured housing salesperson; 19500

(5) A statement as to whether the applicant has ever had 19501  
any previous application for a manufactured housing salesperson 19502  
license refused or, prior to July 1, 2010, any application for a 19503  
motor vehicle salesperson license refused, and whether the 19504  
applicant has previously had a manufactured housing salesperson 19505  
or motor vehicle salesperson license revoked or suspended; 19506

(6) A statement as to whether the applicant was an 19507  
employee of or salesperson for a manufactured housing dealer or 19508  
manufactured housing broker whose license was suspended or 19509  
revoked; 19510

(7) A statement of the manufactured housing dealer or 19511  
manufactured housing broker named therein, designating the 19512  
applicant as the dealer's or broker's salesperson; 19513

(8) Any other information required by the division of real 19514

estate. 19515

(C) Any application for a manufactured housing dealer or 19516  
manufactured housing broker delivered to the division of real 19517  
estate under this section also shall be accompanied by a 19518  
photograph, as prescribed by the division, of each place of 19519  
business operated, or to be operated, by the applicant. 19520

(D) The division of real estate shall deposit all license 19521  
fees into the state treasury to the credit of the manufactured 19522  
homes regulatory fund. 19523

(E) Notwithstanding any provision of this chapter to the 19524  
contrary, the division shall issue a manufactured housing 19525  
dealer's license or manufactured housing broker's license in 19526  
accordance with Chapter 4796. of the Revised Code to an 19527  
applicant if either of the following applies: 19528

(1) The applicant holds a license in another state. 19529

(2) The applicant has satisfactory work experience, a 19530  
government certification, or a private certification as 19531  
described in that chapter as a manufactured housing dealer or 19532  
manufactured housing broker in a state that does not issue that 19533  
license. 19534

**Sec. 4783.04.** (A) An individual seeking a certificate to 19535  
practice as a certified Ohio behavior analyst shall file with 19536  
the state board of psychology a written application on a form 19537  
prescribed and supplied by the board. To be eligible for a 19538  
certificate, the individual shall do all of the following: 19539

(1) Demonstrate that the applicant conducts the 19540  
applicant's professional activities in accordance with accepted 19541  
professional and ethical standards; 19542



(2) Comply with sections 4776.01 to 4776.04 of the Revised Code;	19543 19544
(3) Demonstrate an understanding of the law regarding behavioral health practice;	19545 19546
(4) Demonstrate current certification as a board certified behavior analyst by the behavior analyst certification board or its successor organization or demonstrate completion of equivalent requirements and passage of a psychometrically valid examination administered by a nationally accredited credentialing organization;	19547 19548 19549 19550 19551 19552
(5) Pay the fee established by the state board of psychology.	19553 19554
(B) The state board of psychology shall review all applications received under this section. The state board of psychology shall not grant a certificate to an applicant for an initial certificate unless the applicant complies with sections 4776.01 to 4776.04 of the Revised Code. If the state board of psychology determines that an applicant satisfies the requirements for a certificate to practice as a certified Ohio behavior analyst, the state board of psychology shall issue the applicant a certificate.	19555 19556 19557 19558 19559 19560 19561 19562 19563
<u>(C) The board shall issue a certificate to practice as a certified Ohio behavior analyst in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:</u>	19564 19565 19566 19567
<u>(1) The applicant holds a certificate or license in another state.</u>	19568 19569
<u>(2) The applicant has satisfactory work experience, a government certification, or a private certification as</u>	19570 19571

described in that chapter as a behavior analyst in a state that 19572  
does not issue that certificate or license. 19573

**Sec. 5123.161.** A person or government entity that seeks to 19574  
provide supported living shall apply to the director of 19575  
developmental disabilities for a supported living certificate. 19576

Except as provided in sections 5123.166 and 5123.169 of 19577  
the Revised Code, the director shall issue to the person or 19578  
government entity a supported living certificate if the person 19579  
or government entity follows the application process established 19580  
in rules adopted under section 5123.1611 of the Revised Code, 19581  
meets the applicable certification standards established in 19582  
those rules, and pays the certification fee established in those 19583  
rules. The director shall issue a supported living certificate 19584  
in accordance with Chapter 4796. of the Revised Code to a person 19585  
if either of the following applies: 19586

(A) The person holds a supported living certificate issued 19587  
by another state. 19588

(B) The person has satisfactory work experience, a 19589  
government certification, or a private certification as 19590  
described in that chapter as a person providing supported living 19591  
in a state that does not issue that certificate. 19592

**Sec. 5123.45.** (A) The department of developmental 19593  
disabilities shall establish a program under which the 19594  
department issues certificates to the following: 19595

(1) Developmental disabilities personnel, for purposes of 19596  
meeting the requirement of division (D)(1) of section 5123.42 of 19597  
the Revised Code to obtain a certificate or certificates to 19598  
administer medications and perform health-related activities 19599  
pursuant to the authority granted under division (C) of that 19600

section; 19601

(2) Registered nurses, for purposes of meeting the 19602  
requirement of division (B) of section 5123.441 of the Revised 19603  
Code to obtain a certificate or certificates to provide the 19604  
developmental disabilities personnel training courses developed 19605  
under section 5123.43 of the Revised Code. 19606

(B) To receive a certificate issued under this section, 19607  
developmental disabilities personnel and registered nurses shall 19608  
successfully complete the applicable training course or courses 19609  
and meet all other applicable requirements established in rules 19610  
adopted pursuant to this section. The department shall issue the 19611  
appropriate certificate or certificates to developmental 19612  
disabilities personnel and registered nurses who meet the 19613  
requirements for the certificate or certificates. The department 19614  
shall issue the appropriate certificate or certificates in 19615  
accordance with Chapter 4796. of the Revised Code to an 19616  
applicant if either of the following applies: 19617

(1) The applicant holds a certificate or certificates 19618  
issued by another state. 19619

(2) The applicant has satisfactory work experience, a 19620  
government certification, or a private certification as 19621  
described in that chapter as developmental disabilities 19622  
personnel in a state that does not issue that certificate. 19623

(C) Certificates issued to developmental disabilities 19624  
personnel are valid for one year and may be renewed. 19625  
Certificates issued to registered nurses are valid for two years 19626  
and may be renewed. 19627

To be eligible for renewal, developmental disabilities 19628  
personnel and registered nurses shall meet the applicable 19629

continued competency requirements and continuing education 19630  
requirements specified in rules adopted under division (D) of 19631  
this section. In the case of registered nurses, continuing 19632  
nursing education completed in compliance with the license 19633  
renewal requirements established under Chapter 4723. of the 19634  
Revised Code may be counted toward meeting the continuing 19635  
education requirements established in the rules adopted under 19636  
division (D) of this section. 19637

(D) In accordance with section 5123.46 of the Revised 19638  
Code, the department shall adopt rules that establish all of the 19639  
following: 19640

(1) Requirements that developmental disabilities personnel 19641  
and registered nurses must meet to be eligible to take a 19642  
training course, including having sufficient written and oral 19643  
English skills to communicate effectively and reliably with 19644  
patients, their families, and other medical professionals; 19645

(2) Standards that must be met to receive a certificate, 19646  
including requirements pertaining to an applicant's criminal 19647  
background; 19648

(3) Procedures to be followed in applying for a 19649  
certificate and issuing a certificate; 19650

(4) Standards and procedures for renewing a certificate, 19651  
including requirements for continuing education and, in the case 19652  
of developmental disabilities personnel who administer 19653  
prescribed medications, standards that require successful 19654  
demonstration of proficiency in administering prescribed 19655  
medications; 19656

(5) Any other standards or procedures the department 19657  
considers necessary to administer the certification program. 19658

**Sec. 5126.25.** (A) The director of developmental disabilities shall adopt rules under division (C) of this section establishing uniform standards and procedures for the certification and registration of persons, other than the persons described in division (I) of this section, who are seeking employment with or are employed by either of the following:

(1) A county board of developmental disabilities;

(2) An entity that contracts with a county board to operate programs and services for individuals with developmental disabilities.

(B) No person shall be employed in a position for which certification or registration is required pursuant to the rules adopted under this section without the certification or registration that is required for that position. The person shall not be employed or shall not continue to be employed if the required certification or registration is denied, revoked, or not renewed.

(C) The director shall adopt rules in accordance with Chapter 119. of the Revised Code as the director considers necessary to implement and administer this section, including rules establishing all of the following:

(1) Positions of employment that are subject to this section and, for each position, whether a person must receive certification or receive registration to be employed in that position;

(2) Requirements that must be met to receive the certification or registration required to be employed in a particular position, including standards regarding education,

specialized training, and experience, taking into account the 19688  
needs of individuals with developmental disabilities and the 19689  
specialized techniques needed to serve them, except that the 19690  
rules shall not require a person designated as a service 19691  
employee under section 5126.22 of the Revised Code to have or 19692  
obtain a bachelor's or higher degree; 19693

(3) Procedures to be followed in applying for initial 19694  
certification or registration and for renewing the certification 19695  
or registration. 19696

(4) Requirements that must be met for renewal of 19697  
certification or registration, which may include continuing 19698  
education and professional training requirements; 19699

(5) Subject to section 5126.23 of the Revised Code, 19700  
grounds for which certification or registration may be denied, 19701  
suspended, or revoked and procedures for appealing the denial, 19702  
suspension, or revocation. 19703

(D) Each person seeking certification or registration for 19704  
employment shall apply in the manner established in rules 19705  
adopted under this section. 19706

(E) (1) Except as provided in division (E) (2) of this 19707  
section, the superintendent of each county board is responsible 19708  
for taking all actions regarding certification and registration 19709  
of employees, other than the position of superintendent, early 19710  
intervention supervisor, early intervention specialist, or 19711  
investigative agent. For the position of superintendent, early 19712  
intervention supervisor, early intervention specialist, or 19713  
investigative agent, the director of developmental disabilities 19714  
is responsible for taking all such actions. 19715

Actions that may be taken by the superintendent or 19716

director include issuing, renewing, denying, suspending, and 19717  
revoking certification and registration. All actions shall be 19718  
taken in accordance with the rules adopted under this section. 19719

The superintendent may charge a fee to persons applying 19720  
for certification or registration. The superintendent shall 19721  
establish the amount of the fee according to the costs the 19722  
county board incurs in administering its program for 19723  
certification and registration of employees. 19724

A person subject to the denial, suspension, or revocation 19725  
of certification or registration may appeal the decision. The 19726  
appeal shall be made in accordance with the rules adopted under 19727  
this section. 19728

(2) Pursuant to division (C) of section 5126.05 of the 19729  
Revised Code, the superintendent may enter into a contract with 19730  
any other entity under which the entity is given authority to 19731  
carry out all or part of the superintendent's responsibilities 19732  
under division (E)(1) of this section. 19733

(F) A person with valid certification or registration 19734  
under this section on the effective date of any rules adopted 19735  
under this section that increase the standards applicable to the 19736  
certification or registration shall have such period as the 19737  
rules prescribe, but not less than one year after the effective 19738  
date of the rules, to meet the new certification or registration 19739  
standards. 19740

(G) A person with valid certification or registration is 19741  
qualified to be employed according to that certification or 19742  
registration by any county board or entity contracting with a 19743  
county board. 19744

(H) The director shall monitor county boards to ensure 19745

that their employees and the employees of their contracting 19746  
entities have the applicable certification or registration 19747  
required under this section and that the employees are 19748  
performing only those functions they are authorized to perform 19749  
under the certification or registration. The superintendent of 19750  
each county board or the superintendent's designee shall 19751  
maintain in appropriate personnel files evidence acceptable to 19752  
the director that the employees have met the requirements. On 19753  
request, representatives of the department of developmental 19754  
disabilities shall be given access to the evidence. 19755

(I) The certification and registration requirements of 19756  
this section and the rules adopted under it do not apply to 19757  
either of the following: 19758

(1) A person who holds a valid license issued or 19759  
certificate issued under Chapter 3319. of the Revised Code and 19760  
performs no duties other than teaching or supervision of a 19761  
teaching program; 19762

(2) A person who holds a valid license or certificate 19763  
issued under Title XLVII of the Revised Code and performs only 19764  
those duties governed by the license or certificate. 19765

(J) The director shall issue a certification or 19766  
registration in accordance with Chapter 4796. of the Revised 19767  
Code to a person if either of the following applies: 19768

(1) The person holds a license, certification, or 19769  
registration in another state. 19770

(2) The person has satisfactory work experience, a 19771  
government certification, or a private certification as 19772  
described in that chapter in a state that does not issue that 19773  
license, certification, or registration. 19774



<b>Sec. 5902.02.</b> The duties of the director of veterans services shall include the following:	19775 19776
(A) Furnishing the veterans service commissions of all counties of the state copies of the state laws, rules, and legislation relating to the operation of the commissions and their offices;	19777 19778 19779 19780
(B) Upon application, assisting the general public in obtaining records of vital statistics pertaining to veterans or their dependents;	19781 19782 19783
(C) Adopting rules pursuant to Chapter 119. of the Revised Code pertaining to minimum qualifications for hiring, certifying, and accrediting county veterans service officers, pertaining to their required duties, and pertaining to revocation of the certification of county veterans service officers;	19784 19785 19786 19787 19788 19789
(D) Adopting rules pursuant to Chapter 119. of the Revised Code for the education, training, certification, and duties of veterans service commissioners and for the revocation of the certification of a veterans service commissioner;	19790 19791 19792 19793
(E) Developing and monitoring programs and agreements enhancing employment and training for veterans in single or multiple county areas;	19794 19795 19796
(F) Developing and monitoring programs and agreements to enable county veterans service commissions to address homelessness, indigency, and other veteran-related issues individually or jointly;	19797 19798 19799 19800
(G) Developing and monitoring programs and agreements to enable state agencies, individually or jointly, that provide services to veterans, including the veterans' homes operated	19801 19802 19803

under Chapter 5907. of the Revised Code and the director of job 19804  
and family services, to address homelessness, indigency, 19805  
employment, and other veteran-related issues; 19806

(H) Establishing and providing statistical reporting 19807  
formats and procedures for county veterans service commissions; 19808

(I) Publishing electronically a listing of county veterans 19809  
service offices and county veterans service commissioners. The 19810  
listing shall include the expiration dates of commission 19811  
members' terms of office and the organizations they represent; 19812  
the names, addresses, and telephone numbers of county veterans 19813  
service offices; and the addresses and telephone numbers of the 19814  
Ohio offices and headquarters of state and national veterans 19815  
service organizations. 19816

(J) Establishing a veterans advisory committee to advise 19817  
and assist the department of veterans services in its duties. 19818  
Members shall include a member of the national guard association 19819  
of the United States who is a resident of this state, a member 19820  
of the military officers association of America who is a 19821  
resident of this state, a state representative of 19822  
congressionally chartered veterans organizations referred to in 19823  
section 5901.02 of the Revised Code, a representative of any 19824  
other congressionally chartered state veterans organization that 19825  
has at least one veterans service commissioner in the state, 19826  
three representatives of the Ohio state association of county 19827  
veterans service commissioners, who shall have a combined vote 19828  
of one, three representatives of the state association of county 19829  
veterans service officers, who shall have a combined vote of 19830  
one, one representative of the county commissioners association 19831  
of Ohio, who shall be a county commissioner not from the same 19832  
county as any of the other county representatives, a 19833

representative of the advisory committee on women veterans, a 19834  
representative of a labor organization, and a representative of 19835  
the office of the attorney general. The department of veterans 19836  
services shall submit to the advisory committee proposed rules 19837  
for the committee's operation. The committee may review and 19838  
revise these proposed rules prior to submitting them to the 19839  
joint committee on agency rule review. 19840

(K) Adopting, with the advice and assistance of the 19841  
veterans advisory committee, policy and procedural guidelines 19842  
that the veterans service commissions shall adhere to in the 19843  
development and implementation of rules, policies, procedures, 19844  
and guidelines for the administration of Chapter 5901. of the 19845  
Revised Code. The department of veterans services shall adopt no 19846  
guidelines or rules regulating the purposes, scope, duration, or 19847  
amounts of financial assistance provided to applicants pursuant 19848  
to sections 5901.01 to 5901.15 of the Revised Code. The director 19849  
of veterans services may obtain opinions from the office of the 19850  
attorney general regarding rules, policies, procedures, and 19851  
guidelines of the veterans service commissions and may enforce 19852  
compliance with Chapter 5901. of the Revised Code. 19853

(L) Receiving copies of form DD214 filed in accordance 19854  
with the director's guidelines adopted under division (L) of 19855  
this section from members of veterans service commissions 19856  
appointed under section 5901.02 and from county veterans service 19857  
officers employed under section 5901.07 of the Revised Code; 19858

(M) Developing and maintaining and improving a resource, 19859  
such as a telephone answering point or a web site, by means of 19860  
which veterans and their dependents, through a single portal, 19861  
can access multiple sources of information and interaction with 19862  
regard to the rights of, and the benefits available to, veterans 19863

and their dependents. The director of veterans services may 19864  
enter into agreements with state and federal agencies, with 19865  
agencies of political subdivisions, with state and local 19866  
instrumentalities, and with private entities as necessary to 19867  
make the resource as complete as is possible. 19868

(N) Planning, organizing, advertising, and conducting 19869  
outreach efforts, such as conferences and fairs, at which 19870  
veterans and their dependents may meet, learn about the 19871  
organization and operation of the department of veterans 19872  
services and of veterans service commissions, and obtain 19873  
information about the rights of, and the benefits and services 19874  
available to, veterans and their dependents; 19875

(O) Advertising, in print, on radio and television, and 19876  
otherwise, the rights of, and the benefits and services 19877  
available to, veterans and their dependents; 19878

(P) Developing and advocating improved benefits and 19879  
services for, and improved delivery of benefits and services to, 19880  
veterans and their dependents; 19881

(Q) Searching for, identifying, and reviewing statutory 19882  
and administrative policies that relate to veterans and their 19883  
dependents and reporting to the general assembly statutory and 19884  
administrative policies that should be consolidated in whole or 19885  
in part within the organization of the department of veterans 19886  
services to unify funding, delivery, and accounting of statutory 19887  
and administrative policy expressions that relate particularly 19888  
to veterans and their dependents; 19889

(R) Encouraging veterans service commissions to innovate 19890  
and otherwise to improve efficiency in delivering benefits and 19891  
services to veterans and their dependents and to report 19892

successful innovations and efficiencies to the director of 19893  
veterans services; 19894

(S) Publishing and encouraging adoption of successful 19895  
innovations and efficiencies veterans service commissions have 19896  
achieved in delivering benefits and services to veterans and 19897  
their dependents; 19898

(T) Establishing advisory committees, in addition to the 19899  
veterans advisory committee established under division (K) of 19900  
this section, on veterans issues; 19901

(U) Developing and maintaining a relationship with the 19902  
United States department of veterans affairs, seeking optimal 19903  
federal benefits and services for Ohio veterans and their 19904  
dependents, and encouraging veterans service commissions to 19905  
maximize the federal benefits and services to which veterans and 19906  
their dependents are entitled; 19907

(V) Developing and maintaining relationships with the 19908  
several veterans organizations, encouraging the organizations in 19909  
their efforts at assisting veterans and their dependents, and 19910  
advocating for adequate state subsidization of the 19911  
organizations; 19912

(W) Requiring the several veterans organizations that 19913  
receive funding from the state annually, not later than the 19914  
thirtieth day of July, to report to the director of veterans 19915  
services and prescribing the form and content of the report; 19916

(X) Reviewing the reports submitted to the director under 19917  
division (W) of this section within thirty days of receipt and 19918  
informing the veterans organization of any deficiencies that 19919  
exist in the organization's report and that funding will not be 19920  
released until the deficiencies have been corrected and a 19921

satisfactory report submitted;	19922
(Y) Releasing funds and processing payments to veterans organizations when a report submitted to the director under division (W) of this section has been reviewed and determined to be satisfactory;	19923 19924 19925 19926
(Z) Furnishing copies of all reports that the director of veterans services has determined have been submitted satisfactorily under division (W) of this section to the chairperson of the finance committees of the general assembly;	19927 19928 19929 19930
(AA) Investigating complaints against county veterans services commissioners and county veterans service officers if the director reasonably believes the investigation to be appropriate and necessary;	19931 19932 19933 19934
(BB) Developing and maintaining a web site that is accessible by veterans and their dependents and provides a link to the web site of each state agency that issues a license, certificate, or other authorization permitting an individual to engage in an occupation or occupational activity;	19935 19936 19937 19938 19939
(CC) Encouraging state agencies to conduct outreach efforts through which veterans and their dependents can learn about available job and education benefits;	19940 19941 19942
(DD) Informing state agencies about changes in statutes and rules that affect veterans and their dependents;	19943 19944
(EE) Assisting licensing agencies in adopting rules under section 5903.03 of the Revised Code;	19945 19946
(FF) Administering the provision of grants from the military injury relief fund under section 5902.05 of the Revised Code;	19947 19948 19949

(GG) Issuing a county veterans service officer certification or county veterans service commissioner certification in accordance with Chapter 4796. of the Revised Code to an applicant if the applicant holds a license or certification in another state or the applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a county veterans service officer or county veterans service commissioner, or in a position that is the equivalent to county veterans service officer or county veterans service commissioner, in a state that does not issue that license or certification; 19950  
19951  
19952  
19953  
19954  
19955  
19956  
19957  
19958  
19959  
19960

(HH) Taking any other actions required by this chapter. 19961

**Sec. 5903.04.** Each licensing agency shall adopt rules under Chapter 119. of the Revised Code to establish and implement all of the following: 19962  
19963  
19964

(A) A process to obtain from each applicant documentation and additional information necessary to determine if the applicant is a service member or veteran, or the spouse or surviving spouse of a service member or veteran; 19965  
19966  
19967  
19968

(B) A process to record, track, and monitor applications that have been received from a service member, veteran, or the spouse or surviving spouse of a service member or veteran; and 19969  
19970  
19971

(C) A process to prioritize and expedite certification or licensing for each applicant who is a service member, veteran, or the spouse or a surviving spouse of a service member or veteran. 19972  
19973  
19974  
19975

In establishing these processes, the licensing agency shall include any special accommodations that may be appropriate for applicants facing imminent deployment, and for applicants 19976  
19977  
19978

for a temporary license or certificate under division ~~(D)~~(C) of 19979  
section 4743.04 of the Revised Code. 19980

**Sec. 6109.04.** (A) The director of environmental protection 19981  
shall administer and enforce this chapter and rules adopted 19982  
under it. 19983

(B) The director shall adopt, amend, and rescind such 19984  
rules in accordance with Chapter 119. of the Revised Code as may 19985  
be necessary or desirable to do both of the following: 19986

(1) Govern public water systems in order to protect the 19987  
public health; 19988

(2) Govern public water systems to protect the public 19989  
welfare, including rules governing contaminants in water that 19990  
may adversely affect the suitability of the water for its 19991  
intended uses or that may otherwise adversely affect the public 19992  
health or welfare. 19993

(C) The director may do any or all of the following: 19994

(1) Adopt, amend, and rescind such rules in accordance 19995  
with Chapter 119. of the Revised Code as may be necessary or 19996  
desirable to do any or all of the following: 19997

(a) Govern the granting of variances and exemptions from 19998  
rules adopted under this chapter, subject to requirements of the 19999  
Safe Drinking Water Act; 20000

(b) Govern the certification of operators of public water 20001  
systems, including establishment of qualifications according to 20002  
a classification of public water systems and of provisions for 20003  
examination, grounds for revocation, ~~reciprocity with other~~ 20004  
~~states,~~ renewal of certification, and other provisions necessary 20005  
or desirable for assurance of proper operation of water systems; 20006



(c) Carry out the powers and duties of the director under this chapter.	20007 20008
(2) Provide a program for the general supervision of operation and maintenance of public water systems;	20009 20010
(3) Maintain an inventory of public water systems;	20011
(4) Adopt and implement a program for conducting sanitary surveys of public water systems;	20012 20013
(5) Establish and maintain a system of record keeping and reporting of activities of the environmental protection agency under this chapter;	20014 20015 20016
(6) Establish and maintain a program for the certification of laboratories conducting analyses of drinking water;	20017 20018
(7) Issue, modify, and revoke orders as necessary to carry out the director's powers and duties under this chapter and primary enforcement responsibility for public water systems under the "Safe Drinking Water Act." Orders issued under this chapter are subject to Chapter 119. of the Revised Code.	20019 20020 20021 20022 20023
(D) Before adopting, amending, or rescinding a rule authorized by this chapter, the director shall do all of the following:	20024 20025 20026
(1) Mail notice to each statewide organization that the director determines represents persons who would be affected by the proposed rule, amendment, or rescission at least thirty-five days before any public hearing thereon;	20027 20028 20029 20030
(2) Mail a copy of each proposed rule, amendment, or rescission to any person who requests a copy, within five days after receipt of the request;	20031 20032 20033

(3) Consult with appropriate state and local government agencies or their representatives, including statewide organizations of local government officials, industrial representatives, and other interested persons.

Although the director is expected to discharge these duties diligently, failure to mail any such notice or copy or to consult with any person does not invalidate any proceeding or action of the director.

(E) The director shall issue a certification as an operator of a public water system in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a certification or license in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as an operator of a public water system in a state that does not issue that certification or license.

**Sec. 6111.46.** (A) The environmental protection agency shall exercise general supervision of the treatment and disposal of sewage and industrial wastes and the operation and maintenance of works or means installed for the collection, treatment, and disposal of sewage and industrial wastes. Such general supervision shall apply to all features of construction, operation, and maintenance of the works or means that do or may affect the proper treatment and disposal of sewage and industrial wastes.

(B) (1) The agency shall investigate the works or means

employed in the collection, treatment, and disposal of sewage 20063  
and industrial wastes whenever considered necessary or whenever 20064  
requested to do so by local health officials and may issue and 20065  
enforce orders and shall adopt rules governing the operation and 20066  
maintenance of the works or means of treatment and disposal of 20067  
such sewage and industrial wastes. In adopting rules under this 20068  
section, the agency shall establish standards governing the 20069  
construction, operation, and maintenance of the works or means 20070  
of collection, treatment, and disposal of sewage that is 20071  
generated at recreational vehicle parks, recreation camps, 20072  
combined park-camps, and temporary park-camps that are separate 20073  
from such standards relative to manufactured home parks. 20074

(2) As used in division (B)(1) of this section: 20075

(a) "Manufactured home parks" has the same meaning as in 20076  
section 4781.01 of the Revised Code. 20077

(b) "Recreational vehicle parks," "recreation camps," 20078  
"combined park-camps," and "temporary park-camps" have the same 20079  
meanings as in section 3729.01 of the Revised Code. 20080

(C) The agency may require the submission of records and 20081  
data of construction, operation, and maintenance, including 20082  
plans and descriptions of existing works or means of treatment 20083  
and disposal of such sewage and industrial wastes. When the 20084  
agency requires the submission of such records or information, 20085  
the public officials or person, firm, or corporation having the 20086  
works in charge shall comply promptly with that order. 20087

(D) If the agency issues a license pursuant to the 20088  
authority granted under this section, the agency shall issue the 20089  
license in accordance with Chapter 4796. of the Revised Code to 20090  
an applicant if either of the following applies: 20091

<u>(1) The applicant holds a license in another state.</u>	20092
<u>(2) The applicant has satisfactory work experience, a</u>	20093
<u>government certification, or a private certification as</u>	20094
<u>described in that chapter in a state that does not issue that</u>	20095
<u>license.</u>	20096
<b>Section 3.</b> That existing sections 109.73, 109.77, 109.771,	20097
109.78, 109.804, 147.01, 147.63, 169.16, 173.21, 173.391,	20098
173.422, 503.41, 715.27, 903.07, 905.321, 917.09, 917.091,	20099
921.06, 921.11, 921.12, 921.24, 921.26, 926.30, 928.02, 943.09,	20100
956.05, 956.06, 1315.23, 1321.04, 1321.37, 1321.53, 1321.64,	20101
1321.74, 1322.10, 1322.21, 1513.07, 1513.161, 1514.12, 1514.47,	20102
1531.40, 1533.051, 1533.51, 1561.14, 1561.15, 1561.16, 1561.17,	20103
1561.18, 1561.19, 1561.20, 1561.21, 1561.22, 1565.06, 1565.15,	20104
1707.15, 1707.151, 1707.16, 1707.161, 1707.163, 1707.165,	20105
1717.06, 3101.10, 3301.071, 3301.074, 3319.088, 3319.22,	20106
3319.226, 3319.229, 3319.26, 3319.261, 3319.262, 3319.27,	20107
3319.28, 3319.301, 3319.303, 3319.361, 3327.10, 3703.21,	20108
3704.14, 3713.05, 3717.09, 3723.03, 3723.06, 3737.83, 3737.881,	20109
3742.05, 3743.03, 3743.16, 3743.40, 3743.51, 3748.07, 3748.12,	20110
3769.03, 3772.13, 3772.131, 3773.36, 3773.421, 3781.10,	20111
3781.102, 3781.105, 3916.03, 3951.03, 3951.05, 3951.09, 4104.07,	20112
4104.101, 4104.19, 4105.02, 4169.03, 4301.10, 4508.03, 4508.04,	20113
4508.08, 4511.763, 4701.06, 4701.07, 4701.10, 4703.08, 4703.10,	20114
4703.33, 4703.35, 4703.37, 4707.07, 4707.072, 4707.09, 4709.07,	20115
4709.08, 4709.10, 4712.02, 4713.10, 4713.28, 4713.30, 4713.31,	20116
4713.34, 4713.37, 4713.69, 4715.03, 4715.09, 4715.10, 4715.16,	20117
4715.27, 4715.362, 4715.363, 4715.39, 4715.42, 4715.421,	20118
4715.53, 4715.62, 4717.05, 4717.051, 4717.10, 4723.08, 4723.09,	20119
4723.26, 4723.32, 4723.41, 4723.651, 4723.75, 4723.76, 4723.85,	20120
4725.13, 4725.18, 4725.26, 4725.48, 4725.52, 4725.57, 4725.591,	20121
4727.03, 4728.03, 4729.09, 4729.11, 4729.15, 4729.901, 4729.921,	20122

4730.10, 4731.151, 4731.19, 4731.293, 4731.294, 4731.295, 20123  
4731.297, 4731.299, 4731.52, 4731.572, 4732.10, 4732.12, 20124  
4732.22, 4733.18, 4733.19, 4734.23, 4734.27, 4734.283, 4735.023, 20125  
4735.07, 4735.08, 4735.09, 4735.10, 4735.27, 4735.28, 4736.10, 20126  
4736.14, 4740.05, 4740.06, 4741.12, 4741.13, 4741.14, 4741.15, 20127  
4741.19, 4743.04, 4743.041, 4747.04, 4747.05, 4747.10, 4749.12, 20128  
4751.01, 4751.15, 4751.20, 4751.201, 4751.202, 4751.21, 4751.32, 20129  
4752.05, 4752.12, 4753.07, 4753.071, 4753.072, 4753.073, 20130  
4753.08, 4753.09, 4753.12, 4755.08, 4755.09, 4755.411, 4755.44, 20131  
4755.441, 4755.45, 4755.451, 4755.48, 4755.482, 4755.62, 20132  
4755.65, 4757.18, 4758.25, 4759.05, 4759.06, 4760.03, 4760.031, 20133  
4761.04, 4761.05, 4762.03, 4763.05, 4764.10, 4765.10, 4765.11, 20134  
4765.30, 4765.55, 4767.031, 4771.08, 4773.03, 4774.03, 4775.07, 20135  
4778.03, 4778.08, 4778.09, 4779.17, 4779.18, 4781.07, 4781.08, 20136  
4781.17, 4783.04, 5123.161, 5123.45, 5126.25, 5902.02, 5903.04, 20137  
6109.04, and 6111.46 of the Revised Code are hereby repealed. 20138

**Section 4.** That sections 921.08, 1322.24, 4707.12, 20139  
4740.08, and 4757.25 of the Revised Code are hereby repealed. 20140

**Section 5.** That the version of section 3319.22 of the 20141  
Revised Code that is scheduled to take effect April 12, 2023, be 20142  
amended to read as follows: 20143

**Sec. 3319.22.** (A) (1) The state board of education shall 20144  
issue the following educator licenses: 20145

(a) A resident educator license, which shall be valid for 20146  
two years and shall be renewable for reasons specified by rules 20147  
adopted by the state board pursuant to division (A) (3) of this 20148  
section. The state board, on a case-by-case basis, may extend 20149  
the license's duration as necessary to enable the license holder 20150  
to complete the Ohio teacher residency program established under 20151  
section 3319.223 of the Revised Code; 20152

(b) A professional educator license, which shall be valid 20153  
for five years and shall be renewable; 20154

(c) A senior professional educator license, which shall be 20155  
valid for five years and shall be renewable; 20156

(d) A lead professional educator license, which shall be 20157  
valid for five years and shall be renewable. 20158

Licenses issued under division (A) (1) of this section on 20159  
and after November 2, 2018, shall specify whether the educator 20160  
is licensed to teach grades pre-kindergarten through five, 20161  
grades four through nine, or grades seven through twelve. The 20162  
changes to the grade band specifications under this amendment 20163  
shall not apply to a person who holds a license under division 20164  
(A) (1) of this section prior to November 2, 2018. Further, the 20165  
changes to the grade band specifications under this amendment 20166  
shall not apply to any license issued to teach in the area of 20167  
computer information science, bilingual education, dance, drama 20168  
or theater, world language, health, library or media, music, 20169  
physical education, teaching English to speakers of other 20170  
languages, career-technical education, or visual arts or to any 20171  
license issued to an intervention specialist, including a gifted 20172  
intervention specialist, or to any other license that does not 20173  
align to the grade band specifications. 20174

(2) The state board may issue any additional educator 20175  
licenses of categories, types, and levels the board elects to 20176  
provide. 20177

(3) ~~The~~ Except as provided in division (I) of this 20178  
section, the state board shall adopt rules establishing the 20179  
standards and requirements for obtaining each educator license 20180  
issued under this section. The rules shall also include the 20181

reasons for which a resident educator license may be renewed 20182  
under division (A) (1) (a) of this section. 20183

(B) ~~The~~ Except as provided in division (I) of this 20184  
section, the rules adopted under this section shall require at 20185  
least the following standards and qualifications for the 20186  
educator licenses described in division (A) (1) of this section: 20187

(1) An applicant for a resident educator license shall 20188  
hold at least a bachelor's degree from an accredited teacher 20189  
preparation program or be a participant in the teach for America 20190  
program and meet the qualifications required under section 20191  
3319.227 of the Revised Code. 20192

(2) An applicant for a professional educator license 20193  
shall: 20194

(a) Hold at least a bachelor's degree from an institution 20195  
of higher education accredited by a regional accrediting 20196  
organization; 20197

(b) Have successfully completed the Ohio teacher residency 20198  
program established under section 3319.223 of the Revised Code, 20199  
if the applicant's current or most recently issued license is a 20200  
resident educator license issued under this section or an 20201  
alternative resident educator license issued under section 20202  
3319.26 of the Revised Code. 20203

(3) An applicant for a senior professional educator 20204  
license shall: 20205

(a) Hold at least a master's degree from an institution of 20206  
higher education accredited by a regional accrediting 20207  
organization; 20208

(b) Have previously held a professional educator license 20209

issued under this section or section 3319.222 or under former	20210
section 3319.22 of the Revised Code;	20211
(c) Meet the criteria for the accomplished or	20212
distinguished level of performance, as described in the	20213
standards for teachers adopted by the state board under section	20214
3319.61 of the Revised Code.	20215
(4) An applicant for a lead professional educator license	20216
shall:	20217
(a) Hold at least a master's degree from an institution of	20218
higher education accredited by a regional accrediting	20219
organization;	20220
(b) Have previously held a professional educator license	20221
or a senior professional educator license issued under this	20222
section or a professional educator license issued under section	20223
3319.222 or former section 3319.22 of the Revised Code;	20224
(c) Meet the criteria for the distinguished level of	20225
performance, as described in the standards for teachers adopted	20226
by the state board under section 3319.61 of the Revised Code;	20227
(d) Either hold a valid certificate issued by the national	20228
board for professional teaching standards or meet the criteria	20229
for a master teacher or other criteria for a lead teacher	20230
adopted by the educator standards board under division (F) (4) or	20231
(5) of section 3319.61 of the Revised Code.	20232
(C) The state board shall align the standards and	20233
qualifications for obtaining a principal license with the	20234
standards for principals adopted by the state board under	20235
section 3319.61 of the Revised Code.	20236
(D) If the state board requires any examinations for	20237



educator licensure, the department of education shall provide 20238  
the results of such examinations received by the department to 20239  
the chancellor of higher education, in the manner and to the 20240  
extent permitted by state and federal law. 20241

(E) Any rules the state board of education adopts, amends, 20242  
or rescinds for educator licenses under this section, division 20243  
(D) of section 3301.07 of the Revised Code, or any other law 20244  
shall be adopted, amended, or rescinded under Chapter 119. of 20245  
the Revised Code except as follows: 20246

(1) Notwithstanding division (E) of section 119.03 and 20247  
division (A)(1) of section 119.04 of the Revised Code, in the 20248  
case of the adoption of any rule or the amendment or rescission 20249  
of any rule that necessitates institutions' offering preparation 20250  
programs for educators and other school personnel that are 20251  
approved by the chancellor of higher education under section 20252  
3333.048 of the Revised Code to revise the curriculum of those 20253  
programs, the effective date shall not be as prescribed in 20254  
division (E) of section 119.03 and division (A)(1) of section 20255  
119.04 of the Revised Code. Instead, the effective date of such 20256  
rules, or the amendment or rescission of such rules, shall be 20257  
the date prescribed by section 3333.048 of the Revised Code. 20258

(2) Notwithstanding the authority to adopt, amend, or 20259  
rescind emergency rules in division (G) of section 119.03 of the 20260  
Revised Code, this authority shall not apply to the state board 20261  
of education with regard to rules for educator licenses. 20262

(F)(1) The rules adopted under this section establishing 20263  
standards requiring additional coursework for the renewal of any 20264  
educator license shall require a school district and a chartered 20265  
nonpublic school to establish local professional development 20266  
committees. In a nonpublic school, the chief administrative 20267

officer shall establish the committees in any manner acceptable 20268  
to such officer. The committees established under this division 20269  
shall determine whether coursework that a district or chartered 20270  
nonpublic school teacher proposes to complete meets the 20271  
requirement of the rules. The department of education shall 20272  
provide technical assistance and support to committees as the 20273  
committees incorporate the professional development standards 20274  
adopted by the state board of education pursuant to section 20275  
3319.61 of the Revised Code into their review of coursework that 20276  
is appropriate for license renewal. The rules shall establish a 20277  
procedure by which a teacher may appeal the decision of a local 20278  
professional development committee. 20279

(2) In any school district in which there is no exclusive 20280  
representative established under Chapter 4117. of the Revised 20281  
Code, the professional development committees shall be 20282  
established as described in division (F) (2) of this section. 20283

Not later than the effective date of the rules adopted 20284  
under this section, the board of education of each school 20285  
district shall establish the structure for one or more local 20286  
professional development committees to be operated by such 20287  
school district. The committee structure so established by a 20288  
district board shall remain in effect unless within thirty days 20289  
prior to an anniversary of the date upon which the current 20290  
committee structure was established, the board provides notice 20291  
to all affected district employees that the committee structure 20292  
is to be modified. Professional development committees may have 20293  
a district-level or building-level scope of operations, and may 20294  
be established with regard to particular grade or age levels for 20295  
which an educator license is designated. 20296

Each professional development committee shall consist of 20297

at least three classroom teachers employed by the district, one 20298  
principal employed by the district, and one other employee of 20299  
the district appointed by the district superintendent. For 20300  
committees with a building-level scope, the teacher and 20301  
principal members shall be assigned to that building, and the 20302  
teacher members shall be elected by majority vote of the 20303  
classroom teachers assigned to that building. For committees 20304  
with a district-level scope, the teacher members shall be 20305  
elected by majority vote of the classroom teachers of the 20306  
district, and the principal member shall be elected by a 20307  
majority vote of the principals of the district, unless there 20308  
are two or fewer principals employed by the district, in which 20309  
case the one or two principals employed shall serve on the 20310  
committee. If a committee has a particular grade or age level 20311  
scope, the teacher members shall be licensed to teach such grade 20312  
or age levels, and shall be elected by majority vote of the 20313  
classroom teachers holding such a license and the principal 20314  
shall be elected by all principals serving in buildings where 20315  
any such teachers serve. The district superintendent shall 20316  
appoint a replacement to fill any vacancy that occurs on a 20317  
professional development committee, except in the case of 20318  
vacancies among the elected classroom teacher members, which 20319  
shall be filled by vote of the remaining members of the 20320  
committee so selected. 20321

Terms of office on professional development committees 20322  
shall be prescribed by the district board establishing the 20323  
committees. The conduct of elections for members of professional 20324  
development committees shall be prescribed by the district board 20325  
establishing the committees. A professional development 20326  
committee may include additional members, except that the 20327  
majority of members on each such committee shall be classroom 20328

teachers employed by the district. Any member appointed to fill 20329  
a vacancy occurring prior to the expiration date of the term for 20330  
which a predecessor was appointed shall hold office as a member 20331  
for the remainder of that term. 20332

The initial meeting of any professional development 20333  
committee, upon election and appointment of all committee 20334  
members, shall be called by a member designated by the district 20335  
superintendent. At this initial meeting, the committee shall 20336  
select a chairperson and such other officers the committee deems 20337  
necessary, and shall adopt rules for the conduct of its 20338  
meetings. Thereafter, the committee shall meet at the call of 20339  
the chairperson or upon the filing of a petition with the 20340  
district superintendent signed by a majority of the committee 20341  
members calling for the committee to meet. 20342

(3) In the case of a school district in which an exclusive 20343  
representative has been established pursuant to Chapter 4117. of 20344  
the Revised Code, professional development committees shall be 20345  
established in accordance with any collective bargaining 20346  
agreement in effect in the district that includes provisions for 20347  
such committees. 20348

If the collective bargaining agreement does not specify a 20349  
different method for the selection of teacher members of the 20350  
committees, the exclusive representative of the district's 20351  
teachers shall select the teacher members. 20352

If the collective bargaining agreement does not specify a 20353  
different structure for the committees, the board of education 20354  
of the school district shall establish the structure, including 20355  
the number of committees and the number of teacher and 20356  
administrative members on each committee; the specific 20357  
administrative members to be part of each committee; whether the 20358

scope of the committees will be district levels, building 20359  
levels, or by type of grade or age levels for which educator 20360  
licenses are designated; the lengths of terms for members; the 20361  
manner of filling vacancies on the committees; and the frequency 20362  
and time and place of meetings. However, in all cases, except as 20363  
provided in division (F)(4) of this section, there shall be a 20364  
majority of teacher members of any professional development 20365  
committee, there shall be at least five total members of any 20366  
professional development committee, and the exclusive 20367  
representative shall designate replacement members in the case 20368  
of vacancies among teacher members, unless the collective 20369  
bargaining agreement specifies a different method of selecting 20370  
such replacements. 20371

(4) Whenever an administrator's coursework plan is being 20372  
discussed or voted upon, the local professional development 20373  
committee shall, at the request of one of its administrative 20374  
members, cause a majority of the committee to consist of 20375  
administrative members by reducing the number of teacher members 20376  
voting on the plan. 20377

(G)(1) The department of education, educational service 20378  
centers, county boards of developmental disabilities, college 20379  
and university departments of education, head start programs, 20380  
and the Ohio education computer network may establish local 20381  
professional development committees to determine whether the 20382  
coursework proposed by their employees who are licensed or 20383  
certificated under this section or section 3319.222 of the 20384  
Revised Code, or under the former version of either section as 20385  
it existed prior to October 16, 2009, meet the requirements of 20386  
the rules adopted under this section. They may establish local 20387  
professional development committees on their own or in 20388  
collaboration with a school district or other agency having 20389

authority to establish them. 20390

Local professional development committees established by 20391  
county boards of developmental disabilities shall be structured 20392  
in a manner comparable to the structures prescribed for school 20393  
districts in divisions (F) (2) and (3) of this section, as shall 20394  
the committees established by any other entity specified in 20395  
division (G) (1) of this section that provides educational 20396  
services by employing or contracting for services of classroom 20397  
teachers licensed or certificated under this section or section 20398  
3319.222 of the Revised Code, or under the former version of 20399  
either section as it existed prior to October 16, 2009. All 20400  
other entities specified in division (G) (1) of this section 20401  
shall structure their committees in accordance with guidelines 20402  
which shall be issued by the state board. 20403

(2) Educational service centers may establish local 20404  
professional development committees to serve educators who are 20405  
not employed in schools in this state, including pupil services 20406  
personnel who are licensed under this section. Local 20407  
professional development committees shall be structured in a 20408  
manner comparable to the structures prescribed for school 20409  
districts in divisions (F) (2) and (3) of this section. 20410

These committees may agree to review the coursework, 20411  
continuing education units, or other equivalent activities 20412  
related to classroom teaching or the area of licensure that is 20413  
proposed by an individual who satisfies both of the following 20414  
conditions: 20415

(a) The individual is licensed or certificated under this 20416  
section or under the former version of this section as it 20417  
existed prior to October 16, 2009. 20418

(b) The individual is not currently employed as an 20419  
educator or is not currently employed by an entity that operates 20420  
a local professional development committee under this section. 20421

Any committee that agrees to work with such an individual 20422  
shall work to determine whether the proposed coursework, 20423  
continuing education units, or other equivalent activities meet 20424  
the requirements of the rules adopted by the state board under 20425  
this section. 20426

(3) Any public agency that is not specified in division 20427  
(G) (1) or (2) of this section but provides educational services 20428  
and employs or contracts for services of classroom teachers 20429  
licensed or certificated under this section or section 3319.222 20430  
of the Revised Code, or under the former version of either 20431  
section as it existed prior to October 16, 2009, may establish a 20432  
local professional development committee, subject to the 20433  
approval of the department of education. The committee shall be 20434  
structured in accordance with guidelines issued by the state 20435  
board. 20436

(H) Not later than July 1, 2016, the state board, in 20437  
accordance with Chapter 119. of the Revised Code, shall adopt 20438  
rules pursuant to division (A) (3) of this section that do both 20439  
of the following: 20440

(1) Exempt consistently high-performing teachers from the 20441  
requirement to complete any additional coursework for the 20442  
renewal of an educator license issued under this section or 20443  
section 3319.26 of the Revised Code. The rules also shall 20444  
specify that such teachers are exempt from any requirements 20445  
prescribed by professional development committees established 20446  
under divisions (F) and (G) of this section. 20447

(2) For purposes of division (H)(1) of this section, the state board shall define the term "consistently high-performing teacher."

(I) The state board shall issue a resident educator license, professional educator license, senior professional educator license, lead professional educator license, or any other educator license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a resident educator, professional educator, senior professional educator, lead professional educator, or any other type of educator in a state that does not issue one or more of those licenses.

**Section 6.** That the existing version of section 3319.22 of the Revised Code that is scheduled to take effect April 12, 2023, is hereby repealed.

**Section 7.** Sections 1, 2, 3, and 4 of this act, except for the enactment of section 4796.30 of the Revised Code in Section 1 of this act, take effect two hundred seventy days after the effective date of this section.

Sections 5 and 6 of this act take effect April 12, 2023.

**Section 8.** 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 the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the section



in effect prior to the effective date of the sections as	20477
presented in this act:	20478
Section 109.73 of the Revised Code as amended by both H.B.	20479
24 and S.B. 68 of the 133rd General Assembly.	20480
Section 3319.22 of the Revised Code as amended by both	20481
H.B. 438 and S.B. 216 of the 132nd General Assembly.	20482
Section 4701.06 of the Revised Code as amended by both	20483
H.B. 263 and H.B. 442 of the 133rd General Assembly.	20484
Section 4715.09 of the Revised Code as amended by both	20485
H.B. 541 and S.B. 259 of the 132nd General Assembly.	20486
Section 4731.19 of the Revised Code as amended by both	20487
H.B. 263 and H.B. 442 of the 133rd General Assembly.	20488
Section 4779.18 of the Revised Code as amended by both	20489
H.B. 263 and S.B. 68 of the 133rd General Assembly.	20490
Section 5123.45 of the Revised Code as amended by both	20491
H.B. 158 and H.B. 483 of the 131st General Assembly.	20492