

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 6

**Senators Coley, Hottinger
Cosponsor: Senator Hoagland**

A BILL

To amend sections 109.572, 2151.421, and 5103.02 1
and to enact sections 2151.90, 2151.901, 2
2151.902, 2151.903, 2151.904, 2151.905, 3
2151.906, 2151.907, 2151.908, 2151.909, and 4
2151.9010 of the Revised Code and to amend 5
section 109.572 of the Revised Code, effective 6
September 20, 2019, to regulate temporary child 7
hosting with host families. 8

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

Section 1. That sections 109.572, 2151.421, and 5103.02 be 9
amended and sections 2151.90, 2151.901, 2151.902, 2151.903, 10
2151.904, 2151.905, 2151.906, 2151.907, 2151.908, 2151.909, and 11
2151.9010 of the Revised Code be enacted to read as follows: 12

Sec. 109.572. (A) (1) Upon receipt of a request pursuant to 13
section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised 14
Code, a completed form prescribed pursuant to division (C) (1) of 15
this section, and a set of fingerprint impressions obtained in 16
the manner described in division (C) (2) of this section, the 17
superintendent of the bureau of criminal identification and 18

investigation shall conduct a criminal records check in the 19
manner described in division (B) of this section to determine 20
whether any information exists that indicates that the person 21
who is the subject of the request previously has been convicted 22
of or pleaded guilty to any of the following: 23

(a) A violation of section 2903.01, 2903.02, 2903.03, 24
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 25
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 26
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 27
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 28
2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 29
2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 30
2925.05, 2925.06, or 3716.11 of the Revised Code, felonious 31
sexual penetration in violation of former section 2907.12 of the 32
Revised Code, a violation of section 2905.04 of the Revised Code 33
as it existed prior to July 1, 1996, a violation of section 34
2919.23 of the Revised Code that would have been a violation of 35
section 2905.04 of the Revised Code as it existed prior to July 36
1, 1996, had the violation been committed prior to that date, or 37
a violation of section 2925.11 of the Revised Code that is not a 38
minor drug possession offense; 39

(b) A violation of an existing or former law of this 40
state, any other state, or the United States that is 41
substantially equivalent to any of the offenses listed in 42
division (A)(1)(a) of this section; 43

(c) If the request is made pursuant to section 3319.39 of 44
the Revised Code for an applicant who is a teacher, any offense 45
specified in section 3319.31 of the Revised Code. 46

(2) On receipt of a request pursuant to section 3712.09 or 47
3721.121 of the Revised Code, a completed form prescribed 48

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

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

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

(3) On receipt of a request pursuant to section 173.27, 74
173.38, 173.381, 3701.881, 5164.34, 5164.341, 5164.342, 75
5123.081, or 5123.169 of the Revised Code, a completed form 76
prescribed pursuant to division (C) (1) of this section, and a 77
set of fingerprint impressions obtained in the manner described 78

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

(a) A violation of section 959.13, 959.131, 2903.01, 95
2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 96
2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 97
2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 98
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 99
2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 100
2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 101
2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 102
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 103
2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 104
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 105
2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 106
2919.121, 2919.123, 2919.22, 2919.23, 2919.24, 2919.25, 2921.03, 107
2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 2921.32, 2921.321, 108
2921.34, 2921.35, 2921.36, 2921.51, 2923.12, 2923.122, 2923.123, 109

2923.13, 2923.161, 2923.162, 2923.21, 2923.32, 2923.42, 2925.02, 110
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.09, 2925.11, 111
2925.13, 2925.14, 2925.141, 2925.22, 2925.23, 2925.24, 2925.36, 112
2925.55, 2925.56, 2927.12, or 3716.11 of the Revised Code; 113

(b) Felonious sexual penetration in violation of former 114
section 2907.12 of the Revised Code; 115

(c) A violation of section 2905.04 of the Revised Code as 116
it existed prior to July 1, 1996; 117

(d) A violation of section 2923.01, 2923.02, or 2923.03 of 118
the Revised Code when the underlying offense that is the object 119
of the conspiracy, attempt, or complicity is one of the offenses 120
listed in divisions (A) (3) (a) to (c) of this section; 121

(e) A violation of an existing or former municipal 122
ordinance or law of this state, any other state, or the United 123
States that is substantially equivalent to any of the offenses 124
listed in divisions (A) (3) (a) to (d) of this section. 125

(4) On receipt of a request pursuant to section 2151.86 or 126
2151.904 of the Revised Code, a completed form prescribed 127
pursuant to division (C) (1) of this section, and a set of 128
fingerprint impressions obtained in the manner described in 129
division (C) (2) of this section, the superintendent of the 130
bureau of criminal identification and investigation shall 131
conduct a criminal records check in the manner described in 132
division (B) of this section to determine whether any 133
information exists that indicates that the person who is the 134
subject of the request previously has been convicted of or 135
pleaded guilty to any of the following: 136

(a) A violation of section 959.13, 2903.01, 2903.02, 137
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 138

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

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

(5) Upon receipt of a request pursuant to section 5104.013 162
of the Revised Code, a completed form prescribed pursuant to 163
division (C) (1) of this section, and a set of fingerprint 164
impressions obtained in the manner described in division (C) (2) 165
of this section, the superintendent of the bureau of criminal 166
identification and investigation shall conduct a criminal 167
records check in the manner described in division (B) of this 168
section to determine whether any information exists that 169

indicates that the person who is the subject of the request has 170
been convicted of or pleaded guilty to any of the following: 171

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

(b) A violation of an existing or former law of this 199
state, any other state, or the United States that is 200

substantially equivalent to any of the offenses or violations 201
described in division (A) (5) (a) of this section. 202

(6) Upon receipt of a request pursuant to section 5153.111 203
of the Revised Code, a completed form prescribed pursuant to 204
division (C) (1) of this section, and a set of fingerprint 205
impressions obtained in the manner described in division (C) (2) 206
of this section, the superintendent of the bureau of criminal 207
identification and investigation shall conduct a criminal 208
records check in the manner described in division (B) of this 209
section to determine whether any information exists that 210
indicates that the person who is the subject of the request 211
previously has been convicted of or pleaded guilty to any of the 212
following: 213

(a) A violation of section 2903.01, 2903.02, 2903.03, 214
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 215
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 216
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 217
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 218
2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 219
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 220
2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised 221
Code, felonious sexual penetration in violation of former 222
section 2907.12 of the Revised Code, a violation of section 223
2905.04 of the Revised Code as it existed prior to July 1, 1996, 224
a violation of section 2919.23 of the Revised Code that would 225
have been a violation of section 2905.04 of the Revised Code as 226
it existed prior to July 1, 1996, had the violation been 227
committed prior to that date, or a violation of section 2925.11 228
of the Revised Code that is not a minor drug possession offense; 229

(b) A violation of an existing or former law of this 230

state, any other state, or the United States that is 231
substantially equivalent to any of the offenses listed in 232
division (A) (6) (a) of this section. 233

(7) On receipt of a request for a criminal records check 234
from an individual pursuant to section 4749.03 or 4749.06 of the 235
Revised Code, accompanied by a completed copy of the form 236
prescribed in division (C) (1) of this section and a set of 237
fingerprint impressions obtained in a manner described in 238
division (C) (2) of this section, the superintendent of the 239
bureau of criminal identification and investigation shall 240
conduct a criminal records check in the manner described in 241
division (B) of this section to determine whether any 242
information exists indicating that the person who is the subject 243
of the request has been convicted of or pleaded guilty to a 244
felony in this state or in any other state. If the individual 245
indicates that a firearm will be carried in the course of 246
business, the superintendent shall require information from the 247
federal bureau of investigation as described in division (B) (2) 248
of this section. Subject to division (F) of this section, the 249
superintendent shall report the findings of the criminal records 250
check and any information the federal bureau of investigation 251
provides to the director of public safety. 252

(8) On receipt of a request pursuant to section 1321.37, 253
1321.53, or 4763.05 of the Revised Code, a completed form 254
prescribed pursuant to division (C) (1) of this section, and a 255
set of fingerprint impressions obtained in the manner described 256
in division (C) (2) of this section, the superintendent of the 257
bureau of criminal identification and investigation shall 258
conduct a criminal records check with respect to any person who 259
has applied for a license, permit, or certification from the 260
department of commerce or a division in the department. The 261

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

(9) On receipt of a request for a criminal records check 276
from the treasurer of state under section 113.041 of the Revised 277
Code or from an individual under section 4701.08, 4715.101, 278
4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 4729.90, 279
4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 280
4731.171, 4731.222, 4731.281, 4731.296, 4731.531, 4732.091, 281
4734.202, 4740.061, 4741.10, 4747.051, 4753.061, 4755.70, 282
4757.101, 4759.061, 4760.032, 4760.06, 4761.051, 4762.031, 283
4762.06, 4774.031, 4774.06, 4776.021, 4778.04, 4778.07, 284
4779.091, or 4783.04 of the Revised Code, accompanied by a 285
completed form prescribed under division (C)(1) of this section 286
and a set of fingerprint impressions obtained in the manner 287
described in division (C)(2) of this section, the superintendent 288
of the bureau of criminal identification and investigation shall 289
conduct a criminal records check in the manner described in 290
division (B) of this section to determine whether any 291
information exists that indicates that the person who is the 292

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

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

(11) On receipt of a request for a criminal records check 314
from an appointing or licensing authority under section 3772.07 315
of the Revised Code, a completed form prescribed under division 316
(C)(1) of this section, and a set of fingerprint impressions 317
obtained in the manner prescribed in division (C)(2) of this 318
section, the superintendent of the bureau of criminal 319
identification and investigation shall conduct a criminal 320
records check in the manner described in division (B) of this 321
section to determine whether any information exists that 322
indicates that the person who is the subject of the request 323

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

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

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

(b) An existing or former law of this state, any other 351
state, or the United States that is substantially equivalent to 352
any of the offenses listed in division (A)(12)(a) of this 353

section. 354

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

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

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

(14) On receipt of a request required by section 3796.13 382
of the Revised Code, a completed form prescribed pursuant to 383

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

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

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

(15) On receipt of a request pursuant to section 4768.06 403
of the Revised Code, a completed form prescribed under division 404
(C) (1) of this section, and a set of fingerprint impressions 405
obtained in the manner described in division (C) (2) of this 406
section, the superintendent of the bureau of criminal 407
identification and investigation shall conduct a criminal 408
records check in the manner described in division (B) of this 409
section to determine whether any information exists indicating 410
that the person who is the subject of the request has been 411
convicted of or pleaded guilty to a felony in this state or in 412
any other state. 413

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

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

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

(2) If the request received by the superintendent asks for 442
information from the federal bureau of investigation, the 443

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

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

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

(5) The superintendent shall send the results of the 470
criminal records check to the person to whom it is to be sent 471
not later than the following number of days after the date the 472
superintendent receives the request for the criminal records 473

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

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

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

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

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

(3) Subject to division (D) of this section, the 502

superintendent shall prescribe and charge a reasonable fee for 503
providing a criminal records check under this section. The 504
person requesting the criminal records check shall pay the fee 505
prescribed pursuant to this division. In the case of a request 506
under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 507
1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the 508
fee shall be paid in the manner specified in that section. 509

(4) The superintendent of the bureau of criminal 510
identification and investigation may prescribe methods of 511
forwarding fingerprint impressions and information necessary to 512
conduct a criminal records check, which methods shall include, 513
but not be limited to, an electronic method. 514

(D) The results of a criminal records check conducted 515
under this section, other than a criminal records check 516
specified in division (A) (7) of this section, are valid for the 517
person who is the subject of the criminal records check for a 518
period of one year from the date upon which the superintendent 519
completes the criminal records check. If during that period the 520
superintendent receives another request for a criminal records 521
check to be conducted under this section for that person, the 522
superintendent shall provide the results from the previous 523
criminal records check of the person at a lower fee than the fee 524
prescribed for the initial criminal records check. 525

(E) When the superintendent receives a request for 526
information from a registered private provider, the 527
superintendent shall proceed as if the request was received from 528
a school district board of education under section 3319.39 of 529
the Revised Code. The superintendent shall apply division (A) (1) 530
(c) of this section to any such request for an applicant who is 531
a teacher. 532

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

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

(G) As used in this section: 551

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

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

(3) "OVI or OVUAC violation" means a violation of section 558
4511.19 of the Revised Code or a violation of an existing or 559
former law of this state, any other state, or the United States 560
that is substantially equivalent to section 4511.19 of the 561

Revised Code. 562

(4) "Registered private provider" means a nonpublic school 563
or entity registered with the superintendent of public 564
instruction under section 3310.41 of the Revised Code to 565
participate in the autism scholarship program or section 3310.58 566
of the Revised Code to participate in the Jon Peterson special 567
needs scholarship program. 568

Sec. 2151.421. (A) (1) (a) No person described in division 569
(A) (1) (b) of this section who is acting in an official or 570
professional capacity and knows, or has reasonable cause to 571
suspect based on facts that would cause a reasonable person in a 572
similar position to suspect, that a child under eighteen years 573
of age, or a person under twenty-one years of age with a 574
developmental disability or physical impairment, has suffered or 575
faces a threat of suffering any physical or mental wound, 576
injury, disability, or condition of a nature that reasonably 577
indicates abuse or neglect of the child shall fail to 578
immediately report that knowledge or reasonable cause to suspect 579
to the entity or persons specified in this division. Except as 580
otherwise provided in this division or section 5120.173 of the 581
Revised Code, the person making the report shall make it to the 582
public children services agency or a peace officer in the county 583
in which the child resides or in which the abuse or neglect is 584
occurring or has occurred. If the person making the report is a 585
peace officer, the officer shall make it to the public children 586
services agency in the county in which the child resides or in 587
which the abuse or neglect is occurring or has occurred. In the 588
circumstances described in section 5120.173 of the Revised Code, 589
the person making the report shall make it to the entity 590
specified in that section. 591

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

its dissemination is otherwise permitted by law. 952

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

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

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

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

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

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

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

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

service or the senior juvenile judge's representative; 1012

(c) The county peace officer; 1013

(d) All chief municipal peace officers within the county; 1014

(e) Other law enforcement officers handling child abuse 1015
and neglect cases in the county; 1016

(f) The prosecuting attorney of the county; 1017

(g) If the public children services agency is not the 1018
county department of job and family services, the county 1019
department of job and family services; 1020

(h) The county humane society; 1021

(i) If the public children services agency participated in 1022
the execution of a memorandum of understanding under section 1023
2151.426 of the Revised Code establishing a children's advocacy 1024
center, each participating member of the children's advocacy 1025
center established by the memorandum. 1026

(2) A memorandum of understanding shall set forth the 1027
normal operating procedure to be employed by all concerned 1028
officials in the execution of their respective responsibilities 1029
under this section and division (C) of section 2919.21, division 1030
(B) (1) of section 2919.22, division (B) of section 2919.23, and 1031
section 2919.24 of the Revised Code and shall have as two of its 1032
primary goals the elimination of all unnecessary interviews of 1033
children who are the subject of reports made pursuant to 1034
division (A) or (B) of this section and, when feasible, 1035
providing for only one interview of a child who is the subject 1036
of any report made pursuant to division (A) or (B) of this 1037
section. A failure to follow the procedure set forth in the 1038
memorandum by the concerned officials is not grounds for, and 1039

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(P) As used in this section: 1192

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

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

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

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

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

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

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

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

(b) Conducts a criminal background check on the intended 1231
host family and all adults residing in the host family's 1232
household; 1233

(c) Requires a background check in the central registry of 1234
abuse and neglect of this state from the department of job and 1235
family services for the intended host family and all adults 1236
residing in the host family's household; 1237

(d) Ensures that the host family is trained on the rights, 1238
duties, responsibilities, and limitations as outlined in the 1239
host family agreement; 1240

(e) Conduct in-home supervision of a child who is the 1241
subject of the host family agreement while the agreement is in 1242
force as follows: 1243

(i) For shorter hostings, within forty-eight hours of 1244
placement and then at least once a week thereafter; 1245

(ii) For longer hostings, an option for less frequent 1246
supervision, as determined in accordance with the best interests 1247
of the child. 1248

(f) Plans for the return of the child who is the subject 1249
of the host family agreement to the child's parents. 1250

(3) "Temporary basis" means a period of time not to exceed 1251
one year, except as provided in section 2151.901 of the Revised 1252
Code. 1253

(B) A child may be hosted by a host family only when all 1254
of the following conditions are satisfied: 1255

(1) The hosting is done on a temporary basis. 1256

(2) The hosting is done under a host family agreement 1257
entered into with a qualified organization's assistance. 1258

(3) Either one or both parents are incarcerated, 1259
incapacitated, receiving medical, psychiatric, or psychological 1260
treatment, on active military service, or subject to other 1261
circumstances under which the hosting is appropriate. 1262

(4) The host family provides care only to that child or 1263
only to a single-family group, in addition to the host family's 1264
own child or children if applicable. 1265

(5) The host family possesses a current American red 1266
cross, American heart association, or equivalent first aid and 1267
cardiopulmonary resuscitation certification. 1268

Sec. 2151.901. A juvenile court may alter the period 1269
during which a host family agreement is in effect if the court 1270
determines there are extenuating circumstances. 1271

Sec. 2151.902. A public children services agency shall not 1272

file a complaint under section 2151.27 of the Revised Code 1273
because a child is hosted by a host family in compliance with 1274
section 2151.90 of the Revised Code, unless the agency 1275
determines that factors other than the hosting warrant filing 1276
the complaint. 1277

Sec. 2151.903. The presumption that a child hosted under a 1278
host family is abandoned under section 2151.011 of the Revised 1279
Code may be rebutted if the hosting complied with section 1280
2151.90 of the Revised Code. 1281

Sec. 2151.904. (A) Before a qualified organization 1282
provides for hosting of a child with a host family and every 1283
four years thereafter, the administrative director of the 1284
organization shall request the superintendent of the bureau of 1285
criminal identification and investigation to conduct a criminal 1286
records check with respect to the host family and with respect 1287
to all other persons eighteen years of age or older who reside 1288
in the home. 1289

(B) When the administrative director of an organization 1290
requests a criminal records check for a person under division 1291
(A) of this section before the organization provides for hosting 1292
of a child with a host family, the administrative director shall 1293
request that the superintendent of the bureau of criminal 1294
identification and investigation obtain information from the 1295
federal bureau of investigation as part of the criminal records 1296
check, including fingerprint-based checks of national crime 1297
information databases as described in 42 U.S.C. 671. In all 1298
other cases in which the administrative director of an 1299
organization requests a criminal records check under division 1300
(A) of this section, the administrative director may request 1301
that the superintendent of the bureau of criminal identification 1302

and investigation include information from the federal bureau of 1303
investigation in the criminal records check, including 1304
fingerprint-based checks of national crime information databases 1305
as described in 42 U.S.C. 671. 1306

Sec. 2151.905. (A) An administrative director of a 1307
qualified organization required by division (A) of section 1308
2151.904 of the Revised Code to request a criminal records check 1309
shall provide to each person subject to the criminal records 1310
check a copy of the form prescribed under division (C)(1) of 1311
section 109.572 of the Revised Code and a standard impression 1312
sheet to obtain fingerprint impressions prescribed under 1313
division (C)(2) of that section, obtain the completed form and 1314
impression sheet from the person, and forward the completed form 1315
and impression sheet to the superintendent of the bureau of 1316
criminal identification and investigation at the time the 1317
criminal records check is requested. 1318

(B) Any person subject to a criminal records check who 1319
receives a copy of the form prescribed under division (C)(1) of 1320
section 109.572 of the Revised Code and a copy of an impression 1321
sheet prescribed under division (C)(2) of that section and who 1322
is requested to complete the form and provide a set of 1323
fingerprint impressions shall complete the form or provide all 1324
the information necessary to complete the form and shall provide 1325
the impression sheet with the impressions of the person's 1326
fingerprints. If a person subject to a criminal records check, 1327
upon request, fails to provide the information necessary to 1328
complete the form or fails to provide impressions of the 1329
person's fingerprints, the organization shall not authorize 1330
hosting with the host family. 1331

Sec. 2151.906. A qualified organization shall not 1332

authorize hosting with a host family if any person eighteen 1333
years of age or older who resides with the prospective host 1334
family previously has been convicted of or pleaded guilty to any 1335
of the violations described in division (A) (4) of section 1336
109.572 of the Revised Code, unless all of the following 1337
conditions are satisfied: 1338

(A) If the offense was a misdemeanor, or would be a 1339
misdemeanor if the conviction occurred at the time that hosting 1340
is being considered, at least three years have elapsed from the 1341
date the person was fully discharged from any imprisonment or 1342
probation arising from the conviction. 1343

(B) If the offense was a felony, at least ten years have 1344
elapsed since the person was fully discharged from imprisonment 1345
or probation arising from the conviction. 1346

(C) The victim of the offense was not one of the 1347
following: 1348

(1) A person under the age of eighteen; 1349

(2) A functionally impaired person as defined in section 1350
2903.10 of the Revised Code; 1351

(3) A person with a developmental disability as defined in 1352
section 5123.01 of the Revised Code; 1353

(4) A person with a mental illness as defined in section 1354
5122.01 of the Revised Code; 1355

(5) A person sixty years of age or older. 1356

(D) Hosting in the host family's home will not jeopardize 1357
in any way the health, safety, or welfare of the child to be 1358
hosted. The following factors shall be considered in determining 1359
whether this condition is satisfied: 1360

- (1) The person's age at the time of the offense; 1361
- (2) The nature and seriousness of the offense; 1362
- (3) The circumstances under which the offense was 1363
committed; 1364
- (4) The degree of participation of the person involved in 1365
the offense; 1366
- (5) The time elapsed since the person was fully discharged 1367
from imprisonment or probation; 1368
- (6) The likelihood that the circumstances leading to the 1369
offense will recur; 1370
- (7) Whether the person is a repeat offender; 1371
- (8) The person's employment record; 1372
- (9) The person's efforts at rehabilitation and the results 1373
of those efforts; 1374
- (10) Whether any criminal proceedings are pending against 1375
the person; 1376
- (11) Any other factors the qualified agency considers 1377
relevant. 1378
- Sec. 2151.907.** The report of any criminal records check 1379
conducted by the bureau of criminal identification and 1380
investigation in accordance with section 109.572 of the Revised 1381
Code and pursuant to a request made under section 2151.904 of 1382
the Revised Code is not a public record for the purposes of 1383
section 149.43 of the Revised Code and shall not be made 1384
available to any person other than the following: 1385
- (A) The person who is the subject of the criminal records 1386
check or the person's representative; 1387

(B) The administrative director of the qualified 1388
organization that requested the criminal records check or the 1389
director's representative; 1390

(C) Any court, hearing officer, or other necessary 1391
individual involved in a case regarding a qualified 1392
organization's decision not to authorize hosting with the host 1393
family to which either of the following apply: 1394

(1) The host family was subject to the criminal records 1395
check. 1396

(2) The host family resided with the person subject to the 1397
criminal records check. 1398

Sec. 2151.908. A qualified organization shall develop and 1399
implement written policies and procedures for employees, 1400
including policies and procedures on all of the following 1401
topics: 1402

(A) Familiarization of the employee with emergency and 1403
safety procedures; 1404

(B) The principles and practices of child care; 1405

(C) Administrative structure, procedures, and overall 1406
program goals of the qualified organization; 1407

(D) Appropriate techniques of behavior management; 1408

(E) Techniques and methodologies for crisis management; 1409

(F) Familiarization of the employee with the disciplinary 1410
procedures outlined in rule 5101:2-9-21 of the Ohio 1411
Administrative Code, the discipline and behavior intervention 1412
policies required by rule 5101:2-5-13 of the Ohio Administrative 1413
Code, and any other similar requirements; 1414

<u>(G) Procedures for reporting suspected child abuse or</u>	1415
<u>neglect under section 2151.421 of the Revised Code;</u>	1416
<u>(H) An emergency medical plan;</u>	1417
<u>(I) Universal precautions;</u>	1418
<u>(J) Knowledge and skills to understand and address the</u>	1419
<u>issues confronting adolescents.</u>	1420
<u>Sec. 2151.909. A qualified organization shall develop and</u>	1421
<u>implement written policies and procedures for host family</u>	1422
<u>training. Training shall include all of the following topics:</u>	1423
<u>(A) The legal rights and responsibilities of host</u>	1424
<u>families;</u>	1425
<u>(B) The qualified organization's policies and procedures</u>	1426
<u>regarding host families;</u>	1427
<u>(C) The effects that separation and attachment issues have</u>	1428
<u>on children and their families;</u>	1429
<u>(D) The effects of physical abuse, sexual abuse, emotional</u>	1430
<u>abuse, neglect, and substance abuse on normal human growth and</u>	1431
<u>development, as well as information on reporting child abuse and</u>	1432
<u>neglect;</u>	1433
<u>(E) Behavior management techniques;</u>	1434
<u>(F) Cultural competence;</u>	1435
<u>(G) Prevention, recognition, and management of</u>	1436
<u>communicable diseases;</u>	1437
<u>(H) Community health and social services available to</u>	1438
<u>children and their families;</u>	1439
<u>(I) Training on appropriate and positive behavioral</u>	1440

intervention techniques; 1441

(J) Education advocacy training. 1442

Sec. 2151.9010. A host family shall not be subject to 1443
certification or supervision by the director of job and family 1444
services under section 5103.03 of the Revised Code. 1445

Sec. 5103.02. As used in sections 5103.03 to 5103.17 of 1446
the Revised Code: 1447

(A) (1) "Association" or "institution" includes all of the 1448
following: 1449

(a) Any incorporated or unincorporated organization, 1450
society, association, or agency, public or private, that 1451
receives or cares for children for two or more consecutive 1452
weeks; 1453

(b) Any individual, including the operator of a foster 1454
home, who, for hire, gain, or reward, receives or cares for 1455
children for two or more consecutive weeks, unless the 1456
individual is related to them by blood or marriage; 1457

(c) Any individual not in the regular employ of a court, 1458
or of an institution or association certified in accordance with 1459
section 5103.03 of the Revised Code, who in any manner becomes a 1460
party to the placing of children in foster homes, unless the 1461
individual is related to such children by blood or marriage or 1462
is the appointed guardian of such children; 1463

(d) A qualified organization as defined in section 2151.90 1464
of the Revised Code. 1465

(2) "Association" or "institution" does not include any of 1466
the following: 1467

(a) Any organization, society, association, school, 1468
agency, child guidance center, detention or rehabilitation 1469
facility, or children's clinic licensed, regulated, approved, 1470
operated under the direction of, or otherwise certified by the 1471
department of education, a local board of education, the 1472
department of youth services, the department of mental health 1473
and addiction services, or the department of developmental 1474
disabilities; 1475

(b) Any individual who provides care for only a single- 1476
family group, placed there by their parents or other relative 1477
having custody; 1478

(c) A private, nonprofit therapeutic wilderness camp. 1479

(B) "Family foster home" means a foster home that is not a 1480
specialized foster home. 1481

(C) "Foster caregiver" means a person holding a valid 1482
foster home certificate issued under section 5103.03 of the 1483
Revised Code. 1484

(D) "Foster home" means a private residence in which 1485
children are received apart from their parents, guardian, or 1486
legal custodian, by an individual reimbursed for providing the 1487
children nonsecure care, supervision, or training twenty-four 1488
hours a day. "Foster home" does not include care provided for a 1489
child in the home of a person other than the child's parent, 1490
guardian, or legal custodian while the parent, guardian, or 1491
legal custodian is temporarily away. Family foster homes and 1492
specialized foster homes are types of foster homes. 1493

(E) "Medically fragile foster home" means a foster home 1494
that provides specialized medical services designed to meet the 1495
needs of children with intensive health care needs who meet all 1496

of the following criteria: 1497

(1) Under rules adopted by the medicaid director governing 1498
medicaid payments for long-term care services, the children 1499
require a skilled level of care. 1500

(2) The children require the services of a doctor of 1501
medicine or osteopathic medicine at least once a week due to the 1502
instability of their medical conditions. 1503

(3) The children require the services of a registered 1504
nurse on a daily basis. 1505

(4) The children are at risk of institutionalization in a 1506
hospital, skilled nursing facility, or intermediate care 1507
facility for individuals with intellectual disabilities. 1508

(F) "Private, nonprofit therapeutic wilderness camp" means 1509
a structured, alternative residential setting for children who 1510
are experiencing emotional, behavioral, moral, social, or 1511
learning difficulties at home or school in which all of the 1512
following are the case: 1513

(1) The children spend the majority of their time, 1514
including overnight, either outdoors or in a primitive 1515
structure. 1516

(2) The children have been placed there by their parents 1517
or another relative having custody. 1518

(3) The camp accepts no public funds for use in its 1519
operations. 1520

(G) "Recommending agency" means a public children services 1521
agency, private child placing agency, or private noncustodial 1522
agency that recommends that the department of job and family 1523
services take any of the following actions under section 5103.03 1524

of the Revised Code regarding a foster home: 1525

(1) Issue a certificate; 1526

(2) Deny a certificate; 1527

(3) Renew a certificate; 1528

(4) Deny renewal of a certificate; 1529

(5) Revoke a certificate. 1530

(H) "Specialized foster home" means a medically fragile 1531
foster home or a treatment foster home. 1532

(I) "Treatment foster home" means a foster home that 1533
incorporates special rehabilitative services designed to treat 1534
the specific needs of the children received in the foster home 1535
and that receives and cares for children who are emotionally or 1536
behaviorally disturbed, who are chemically dependent, who have 1537
developmental disabilities, or who otherwise have exceptional 1538
needs. 1539

Section 2. That existing sections 109.572, 2151.421, and 1540
5103.02 of the Revised Code are hereby repealed. 1541

Section 3. Section 109.572 of the Revised Code is 1542
presented in section 1 of this act as a composite of the section 1543
as amended by Am. Sub. H.B. 49, Sub. H.B. 199, Sub. H.B. 213, 1544
Am. Sub. S.B. 51, Sub. S.B. 229, and Am. Sub. S.B. 255, all of 1545
the 132nd General Assembly. The General Assembly, applying the 1546
principle stated in division (B) of section 1.52 of the Revised 1547
Code that amendments are to be harmonized if reasonably capable 1548
of simultaneous operation, finds that the composite is the 1549
resulting version of the section in effect prior to the 1550
effective date of the section as presented in this act. 1551

Section 4. That the version of section 109.572 of the 1552
Revised Code that is scheduled to take effect on September 20, 1553
2019, be amended to read as follows: 1554

Sec. 109.572. (A) (1) Upon receipt of a request pursuant to 1555
section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised 1556
Code, a completed form prescribed pursuant to division (C) (1) of 1557
this section, and a set of fingerprint impressions obtained in 1558
the manner described in division (C) (2) of this section, the 1559
superintendent of the bureau of criminal identification and 1560
investigation shall conduct a criminal records check in the 1561
manner described in division (B) of this section to determine 1562
whether any information exists that indicates that the person 1563
who is the subject of the request previously has been convicted 1564
of or pleaded guilty to any of the following: 1565

(a) A violation of section 2903.01, 2903.02, 2903.03, 1566
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 1567
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 1568
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 1569
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 1570
2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 1571
2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 1572
2925.05, 2925.06, or 3716.11 of the Revised Code, felonious 1573
sexual penetration in violation of former section 2907.12 of the 1574
Revised Code, a violation of section 2905.04 of the Revised Code 1575
as it existed prior to July 1, 1996, a violation of section 1576
2919.23 of the Revised Code that would have been a violation of 1577
section 2905.04 of the Revised Code as it existed prior to July 1578
1, 1996, had the violation been committed prior to that date, or 1579
a violation of section 2925.11 of the Revised Code that is not a 1580
minor drug possession offense; 1581

(b) A violation of an existing or former law of this 1582
state, any other state, or the United States that is 1583
substantially equivalent to any of the offenses listed in 1584
division (A) (1) (a) of this section; 1585

(c) If the request is made pursuant to section 3319.39 of 1586
the Revised Code for an applicant who is a teacher, any offense 1587
specified in section 3319.31 of the Revised Code. 1588

(2) On receipt of a request pursuant to section 3712.09 or 1589
3721.121 of the Revised Code, a completed form prescribed 1590
pursuant to division (C) (1) of this section, and a set of 1591
fingerprint impressions obtained in the manner described in 1592
division (C) (2) of this section, the superintendent of the 1593
bureau of criminal identification and investigation shall 1594
conduct a criminal records check with respect to any person who 1595
has applied for employment in a position for which a criminal 1596
records check is required by those sections. The superintendent 1597
shall conduct the criminal records check in the manner described 1598
in division (B) of this section to determine whether any 1599
information exists that indicates that the person who is the 1600
subject of the request previously has been convicted of or 1601
pleaded guilty to any of the following: 1602

(a) A violation of section 2903.01, 2903.02, 2903.03, 1603
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 1604
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 1605
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 1606
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 1607
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 1608
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 1609
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 1610
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 1611

(b) An existing or former law of this state, any other 1612
state, or the United States that is substantially equivalent to 1613
any of the offenses listed in division (A) (2) (a) of this 1614
section. 1615

(3) On receipt of a request pursuant to section 173.27, 1616
173.38, 173.381, 3701.881, 5164.34, 5164.341, 5164.342, 1617
5123.081, or 5123.169 of the Revised Code, a completed form 1618
prescribed pursuant to division (C) (1) of this section, and a 1619
set of fingerprint impressions obtained in the manner described 1620
in division (C) (2) of this section, the superintendent of the 1621
bureau of criminal identification and investigation shall 1622
conduct a criminal records check of the person for whom the 1623
request is made. The superintendent shall conduct the criminal 1624
records check in the manner described in division (B) of this 1625
section to determine whether any information exists that 1626
indicates that the person who is the subject of the request 1627
previously has been convicted of, has pleaded guilty to, or 1628
(except in the case of a request pursuant to section 5164.34, 1629
5164.341, or 5164.342 of the Revised Code) has been found 1630
eligible for intervention in lieu of conviction for any of the 1631
following, regardless of the date of the conviction, the date of 1632
entry of the guilty plea, or (except in the case of a request 1633
pursuant to section 5164.34, 5164.341, or 5164.342 of the 1634
Revised Code) the date the person was found eligible for 1635
intervention in lieu of conviction: 1636

(a) A violation of section 959.13, 959.131, 2903.01, 1637
2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 1638
2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 1639
2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 1640
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 1641
2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 1642

2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 1643
2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 1644
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 1645
2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 1646
2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 1647
2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 1648
2919.121, 2919.123, 2919.22, 2919.23, 2919.24, 2919.25, 2921.03, 1649
2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 2921.32, 2921.321, 1650
2921.34, 2921.35, 2921.36, 2921.51, 2923.12, 2923.122, 2923.123, 1651
2923.13, 2923.161, 2923.162, 2923.21, 2923.32, 2923.42, 2925.02, 1652
2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.09, 2925.11, 1653
2925.13, 2925.14, 2925.141, 2925.22, 2925.23, 2925.24, 2925.36, 1654
2925.55, 2925.56, 2927.12, or 3716.11 of the Revised Code; 1655

(b) Felonious sexual penetration in violation of former 1656
section 2907.12 of the Revised Code; 1657

(c) A violation of section 2905.04 of the Revised Code as 1658
it existed prior to July 1, 1996; 1659

(d) A violation of section 2923.01, 2923.02, or 2923.03 of 1660
the Revised Code when the underlying offense that is the object 1661
of the conspiracy, attempt, or complicity is one of the offenses 1662
listed in divisions (A) (3) (a) to (c) of this section; 1663

(e) A violation of an existing or former municipal 1664
ordinance or law of this state, any other state, or the United 1665
States that is substantially equivalent to any of the offenses 1666
listed in divisions (A) (3) (a) to (d) of this section. 1667

(4) On receipt of a request pursuant to section 2151.86 or 1668
2151.904 of the Revised Code, a completed form prescribed 1669
pursuant to division (C) (1) of this section, and a set of 1670
fingerprint impressions obtained in the manner described in 1671

division (C) (2) of this section, the superintendent of the 1672
bureau of criminal identification and investigation shall 1673
conduct a criminal records check in the manner described in 1674
division (B) of this section to determine whether any 1675
information exists that indicates that the person who is the 1676
subject of the request previously has been convicted of or 1677
pleaded guilty to any of the following: 1678

(a) A violation of section 959.13, 2903.01, 2903.02, 1679
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 1680
2903.21, 2903.211, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 1681
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 1682
2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 1683
2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 1684
2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 1685
2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 1686
2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 1687
2927.12, or 3716.11 of the Revised Code, a violation of section 1688
2905.04 of the Revised Code as it existed prior to July 1, 1996, 1689
a violation of section 2919.23 of the Revised Code that would 1690
have been a violation of section 2905.04 of the Revised Code as 1691
it existed prior to July 1, 1996, had the violation been 1692
committed prior to that date, a violation of section 2925.11 of 1693
the Revised Code that is not a minor drug possession offense, 1694
two or more OVI or OVUAC violations committed within the three 1695
years immediately preceding the submission of the application or 1696
petition that is the basis of the request, or felonious sexual 1697
penetration in violation of former section 2907.12 of the 1698
Revised Code; 1699

(b) A violation of an existing or former law of this 1700
state, any other state, or the United States that is 1701
substantially equivalent to any of the offenses listed in 1702

division (A) (4) (a) of this section. 1703

(5) Upon receipt of a request pursuant to section 5104.013 1704
of the Revised Code, a completed form prescribed pursuant to 1705
division (C) (1) of this section, and a set of fingerprint 1706
impressions obtained in the manner described in division (C) (2) 1707
of this section, the superintendent of the bureau of criminal 1708
identification and investigation shall conduct a criminal 1709
records check in the manner described in division (B) of this 1710
section to determine whether any information exists that 1711
indicates that the person who is the subject of the request has 1712
been convicted of or pleaded guilty to any of the following: 1713

(a) A violation of section 2151.421, 2903.01, 2903.02, 1714
2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 1715
2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 1716
2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 1717
2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 1718
2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 1719
2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 1720
2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 1721
2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 1722
2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 1723
2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 1724
2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 1725
2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 1726
2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 1727
3716.11 of the Revised Code, felonious sexual penetration in 1728
violation of former section 2907.12 of the Revised Code, a 1729
violation of section 2905.04 of the Revised Code as it existed 1730
prior to July 1, 1996, a violation of section 2919.23 of the 1731
Revised Code that would have been a violation of section 2905.04 1732
of the Revised Code as it existed prior to July 1, 1996, had the 1733

violation been committed prior to that date, a violation of 1734
section 2925.11 of the Revised Code that is not a minor drug 1735
possession offense, a violation of section 2923.02 or 2923.03 of 1736
the Revised Code that relates to a crime specified in this 1737
division, or a second violation of section 4511.19 of the 1738
Revised Code within five years of the date of application for 1739
licensure or certification. 1740

(b) A violation of an existing or former law of this 1741
state, any other state, or the United States that is 1742
substantially equivalent to any of the offenses or violations 1743
described in division (A) (5) (a) of this section. 1744

(6) Upon receipt of a request pursuant to section 5153.111 1745
of the Revised Code, a completed form prescribed pursuant to 1746
division (C) (1) of this section, and a set of fingerprint 1747
impressions obtained in the manner described in division (C) (2) 1748
of this section, the superintendent of the bureau of criminal 1749
identification and investigation shall conduct a criminal 1750
records check in the manner described in division (B) of this 1751
section to determine whether any information exists that 1752
indicates that the person who is the subject of the request 1753
previously has been convicted of or pleaded guilty to any of the 1754
following: 1755

(a) A violation of section 2903.01, 2903.02, 2903.03, 1756
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 1757
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 1758
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 1759
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 1760
2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 1761
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 1762
2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised 1763

Code, felonious sexual penetration in violation of former 1764
section 2907.12 of the Revised Code, a violation of section 1765
2905.04 of the Revised Code as it existed prior to July 1, 1996, 1766
a violation of section 2919.23 of the Revised Code that would 1767
have been a violation of section 2905.04 of the Revised Code as 1768
it existed prior to July 1, 1996, had the violation been 1769
committed prior to that date, or a violation of section 2925.11 1770
of the Revised Code that is not a minor drug possession offense; 1771

(b) A violation of an existing or former law of this 1772
state, any other state, or the United States that is 1773
substantially equivalent to any of the offenses listed in 1774
division (A) (6) (a) of this section. 1775

(7) On receipt of a request for a criminal records check 1776
from an individual pursuant to section 4749.03 or 4749.06 of the 1777
Revised Code, accompanied by a completed copy of the form 1778
prescribed in division (C) (1) of this section and a set of 1779
fingerprint impressions obtained in a manner described in 1780
division (C) (2) of this section, the superintendent of the 1781
bureau of criminal identification and investigation shall 1782
conduct a criminal records check in the manner described in 1783
division (B) of this section to determine whether any 1784
information exists indicating that the person who is the subject 1785
of the request has been convicted of or pleaded guilty to a 1786
felony in this state or in any other state. If the individual 1787
indicates that a firearm will be carried in the course of 1788
business, the superintendent shall require information from the 1789
federal bureau of investigation as described in division (B) (2) 1790
of this section. Subject to division (F) of this section, the 1791
superintendent shall report the findings of the criminal records 1792
check and any information the federal bureau of investigation 1793
provides to the director of public safety. 1794

(8) On receipt of a request pursuant to section 1321.37, 1795
1321.53, or 4763.05 of the Revised Code, a completed form 1796
prescribed pursuant to division (C)(1) of this section, and a 1797
set of fingerprint impressions obtained in the manner described 1798
in division (C)(2) of this section, the superintendent of the 1799
bureau of criminal identification and investigation shall 1800
conduct a criminal records check with respect to any person who 1801
has applied for a license, permit, or certification from the 1802
department of commerce or a division in the department. The 1803
superintendent shall conduct the criminal records check in the 1804
manner described in division (B) of this section to determine 1805
whether any information exists that indicates that the person 1806
who is the subject of the request previously has been convicted 1807
of or pleaded guilty to any of the following: a violation of 1808
section 2913.02, 2913.11, 2913.31, 2913.51, or 2925.03 of the 1809
Revised Code; any other criminal offense involving theft, 1810
receiving stolen property, embezzlement, forgery, fraud, passing 1811
bad checks, money laundering, or drug trafficking, or any 1812
criminal offense involving money or securities, as set forth in 1813
Chapters 2909., 2911., 2913., 2915., 2921., 2923., and 2925. of 1814
the Revised Code; or any existing or former law of this state, 1815
any other state, or the United States that is substantially 1816
equivalent to those offenses. 1817

(9) On receipt of a request for a criminal records check 1818
from the treasurer of state under section 113.041 of the Revised 1819
Code or from an individual under section 4701.08, 4715.101, 1820
4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 4729.90, 1821
4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 1822
4731.171, 4731.222, 4731.281, 4731.296, 4731.531, 4732.091, 1823
4734.202, 4740.061, 4741.10, 4747.051, 4753.061, 4755.70, 1824
4757.101, 4759.061, 4760.032, 4760.06, 4761.051, 4762.031, 1825

4762.06, 4774.031, 4774.06, 4776.021, 4778.04, 4778.07, 1826
4779.091, or 4783.04 of the Revised Code, accompanied by a 1827
completed form prescribed under division (C)(1) of this section 1828
and a set of fingerprint impressions obtained in the manner 1829
described in division (C)(2) of this section, the superintendent 1830
of the bureau of criminal identification and investigation shall 1831
conduct a criminal records check in the manner described in 1832
division (B) of this section to determine whether any 1833
information exists that indicates that the person who is the 1834
subject of the request has been convicted of or pleaded guilty 1835
to any criminal offense in this state or any other state. 1836
Subject to division (F) of this section, the superintendent 1837
shall send the results of a check requested under section 1838
113.041 of the Revised Code to the treasurer of state and shall 1839
send the results of a check requested under any of the other 1840
listed sections to the licensing board specified by the 1841
individual in the request. 1842

(10) On receipt of a request pursuant to section 124.74, 1843
1121.23, 1315.141, 1733.47, or 1761.26 of the Revised Code, a 1844
completed form prescribed pursuant to division (C)(1) of this 1845
section, and a set of fingerprint impressions obtained in the 1846
manner described in division (C)(2) of this section, the 1847
superintendent of the bureau of criminal identification and 1848
investigation shall conduct a criminal records check in the 1849
manner described in division (B) of this section to determine 1850
whether any information exists that indicates that the person 1851
who is the subject of the request previously has been convicted 1852
of or pleaded guilty to any criminal offense under any existing 1853
or former law of this state, any other state, or the United 1854
States. 1855

(11) On receipt of a request for a criminal records check 1856

from an appointing or licensing authority under section 3772.07 1857
of the Revised Code, a completed form prescribed under division 1858
(C) (1) of this section, and a set of fingerprint impressions 1859
obtained in the manner prescribed in division (C) (2) of this 1860
section, the superintendent of the bureau of criminal 1861
identification and investigation shall conduct a criminal 1862
records check in the manner described in division (B) of this 1863
section to determine whether any information exists that 1864
indicates that the person who is the subject of the request 1865
previously has been convicted of or pleaded guilty or no contest 1866
to any offense under any existing or former law of this state, 1867
any other state, or the United States that is a disqualifying 1868
offense as defined in section 3772.07 of the Revised Code or 1869
substantially equivalent to such an offense. 1870

(12) On receipt of a request pursuant to section 2151.33 1871
or 2151.412 of the Revised Code, a completed form prescribed 1872
pursuant to division (C) (1) of this section, and a set of 1873
fingerprint impressions obtained in the manner described in 1874
division (C) (2) of this section, the superintendent of the 1875
bureau of criminal identification and investigation shall 1876
conduct a criminal records check with respect to any person for 1877
whom a criminal records check is required under that section. 1878
The superintendent shall conduct the criminal records check in 1879
the manner described in division (B) of this section to 1880
determine whether any information exists that indicates that the 1881
person who is the subject of the request previously has been 1882
convicted of or pleaded guilty to any of the following: 1883

(a) A violation of section 2903.01, 2903.02, 2903.03, 1884
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 1885
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 1886
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 1887

2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 1888
2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 1889
2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 1890
2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 1891
2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code; 1892

(b) An existing or former law of this state, any other 1893
state, or the United States that is substantially equivalent to 1894
any of the offenses listed in division (A) (12) (a) of this 1895
section. 1896

(13) On receipt of a request pursuant to section 3796.12 1897
of the Revised Code, a completed form prescribed pursuant to 1898
division (C) (1) of this section, and a set of fingerprint 1899
impressions obtained in a manner described in division (C) (2) of 1900
this section, the superintendent of the bureau of criminal 1901
identification and investigation shall conduct a criminal 1902
records check in the manner described in division (B) of this 1903
section to determine whether any information exists that 1904
indicates that the person who is the subject of the request 1905
previously has been convicted of or pleaded guilty to the 1906
following: 1907

(a) A disqualifying offense as specified in rules adopted 1908
under division (B) (2) (b) of section 3796.03 of the Revised Code 1909
if the person who is the subject of the request is an 1910
administrator or other person responsible for the daily 1911
operation of, or an owner or prospective owner, officer or 1912
prospective officer, or board member or prospective board member 1913
of, an entity seeking a license from the department of commerce 1914
under Chapter 3796. of the Revised Code; 1915

(b) A disqualifying offense as specified in rules adopted 1916
under division (B) (2) (b) of section 3796.04 of the Revised Code 1917

if the person who is the subject of the request is an 1918
administrator or other person responsible for the daily 1919
operation of, or an owner or prospective owner, officer or 1920
prospective officer, or board member or prospective board member 1921
of, an entity seeking a license from the state board of pharmacy 1922
under Chapter 3796. of the Revised Code. 1923

(14) On receipt of a request required by section 3796.13 1924
of the Revised Code, a completed form prescribed pursuant to 1925
division (C)(1) of this section, and a set of fingerprint 1926
impressions obtained in a manner described in division (C)(2) of 1927
this section, the superintendent of the bureau of criminal 1928
identification and investigation shall conduct a criminal 1929
records check in the manner described in division (B) of this 1930
section to determine whether any information exists that 1931
indicates that the person who is the subject of the request 1932
previously has been convicted of or pleaded guilty to the 1933
following: 1934

(a) A disqualifying offense as specified in rules adopted 1935
under division (B)(8)(a) of section 3796.03 of the Revised Code 1936
if the person who is the subject of the request is seeking 1937
employment with an entity licensed by the department of commerce 1938
under Chapter 3796. of the Revised Code; 1939

(b) A disqualifying offense as specified in rules adopted 1940
under division (B)(14)(a) of section 3796.04 of the Revised Code 1941
if the person who is the subject of the request is seeking 1942
employment with an entity licensed by the state board of 1943
pharmacy under Chapter 3796. of the Revised Code. 1944

(15) On receipt of a request pursuant to section 4768.06 1945
of the Revised Code, a completed form prescribed under division 1946
(C)(1) of this section, and a set of fingerprint impressions 1947

obtained in the manner described in division (C) (2) of this 1948
section, the superintendent of the bureau of criminal 1949
identification and investigation shall conduct a criminal 1950
records check in the manner described in division (B) of this 1951
section to determine whether any information exists indicating 1952
that the person who is the subject of the request has been 1953
convicted of or pleaded guilty to a felony in this state or in 1954
any other state. 1955

(16) On receipt of a request pursuant to division (B) of 1956
section 4764.07 of the Revised Code, a completed form prescribed 1957
under division (C) (1) of this section, and a set of fingerprint 1958
impressions obtained in the manner described in division (C) (2) 1959
of this section, the superintendent of the bureau of criminal 1960
identification and investigation shall conduct a criminal 1961
records check in the manner described in division (B) of this 1962
section to determine whether any information exists indicating 1963
that the person who is the subject of the request has been 1964
convicted of or pleaded guilty to any crime of moral turpitude, 1965
a felony, or an equivalent offense in any other state or the 1966
United States. 1967

(17) On receipt of a request for a criminal records check 1968
under section 147.022 of the Revised Code, a completed form 1969
prescribed under division (C) (1) of this section, and a set of 1970
fingerprint impressions obtained in the manner prescribed in 1971
division (C) (2) of this section, the superintendent of the 1972
bureau of criminal identification and investigation shall 1973
conduct a criminal records check in the manner described in 1974
division (B) of this section to determine whether any 1975
information exists that indicates that the person who is the 1976
subject of the request previously has been convicted of or 1977
pleaded guilty or no contest to any disqualifying offense, as 1978

defined in section 147.011 of the Revised Code, or to any 1979
offense under any existing or former law of this state, any 1980
other state, or the United States that is substantially 1981
equivalent to such a disqualifying offense. 1982

(B) Subject to division (F) of this section, the 1983
superintendent shall conduct any criminal records check to be 1984
conducted under this section as follows: 1985

(1) The superintendent shall review or cause to be 1986
reviewed any relevant information gathered and compiled by the 1987
bureau under division (A) of section 109.57 of the Revised Code 1988
that relates to the person who is the subject of the criminal 1989
records check, including, if the criminal records check was 1990
requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 1991
173.381, 1121.23, 1315.141, 1321.37, 1321.53, 1733.47, 1761.26, 1992
2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 1993
3721.121, 3772.07, 3796.12, 3796.13, 4729.071, 4729.53, 4729.90, 1994
4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 4768.06, 5104.013, 1995
5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 5153.111 of 1996
the Revised Code, any relevant information contained in records 1997
that have been sealed under section 2953.32 of the Revised Code; 1998

(2) If the request received by the superintendent asks for 1999
information from the federal bureau of investigation, the 2000
superintendent shall request from the federal bureau of 2001
investigation any information it has with respect to the person 2002
who is the subject of the criminal records check, including 2003
fingerprint-based checks of national crime information databases 2004
as described in 42 U.S.C. 671 if the request is made pursuant to 2005
section 2151.86 or 5104.013 of the Revised Code or if any other 2006
Revised Code section requires fingerprint-based checks of that 2007
nature, and shall review or cause to be reviewed any information 2008

the superintendent receives from that bureau. If a request under 2009
section 3319.39 of the Revised Code asks only for information 2010
from the federal bureau of investigation, the superintendent 2011
shall not conduct the review prescribed by division (B) (1) of 2012
this section. 2013

(3) The superintendent or the superintendent's designee 2014
may request criminal history records from other states or the 2015
federal government pursuant to the national crime prevention and 2016
privacy compact set forth in section 109.571 of the Revised 2017
Code. 2018

(4) The superintendent shall include in the results of the 2019
criminal records check a list or description of the offenses 2020
listed or described in division (A) (1), (2), (3), (4), (5), (6), 2021
(7), (8), (9), (10), (11), (12), (13), (14), (15), (16), or (17) 2022
of this section, whichever division requires the superintendent 2023
to conduct the criminal records check. The superintendent shall 2024
exclude from the results any information the dissemination of 2025
which is prohibited by federal law. 2026

(5) The superintendent shall send the results of the 2027
criminal records check to the person to whom it is to be sent 2028
not later than the following number of days after the date the 2029
superintendent receives the request for the criminal records 2030
check, the completed form prescribed under division (C) (1) of 2031
this section, and the set of fingerprint impressions obtained in 2032
the manner described in division (C) (2) of this section: 2033

(a) If the superintendent is required by division (A) of 2034
this section (other than division (A) (3) of this section) to 2035
conduct the criminal records check, thirty; 2036

(b) If the superintendent is required by division (A) (3) 2037

of this section to conduct the criminal records check, sixty. 2038

(C) (1) The superintendent shall prescribe a form to obtain 2039
the information necessary to conduct a criminal records check 2040
from any person for whom a criminal records check is to be 2041
conducted under this section. The form that the superintendent 2042
prescribes pursuant to this division may be in a tangible 2043
format, in an electronic format, or in both tangible and 2044
electronic formats. 2045

(2) The superintendent shall prescribe standard impression 2046
sheets to obtain the fingerprint impressions of any person for 2047
whom a criminal records check is to be conducted under this 2048
section. Any person for whom a records check is to be conducted 2049
under this section shall obtain the fingerprint impressions at a 2050
county sheriff's office, municipal police department, or any 2051
other entity with the ability to make fingerprint impressions on 2052
the standard impression sheets prescribed by the superintendent. 2053
The office, department, or entity may charge the person a 2054
reasonable fee for making the impressions. The standard 2055
impression sheets the superintendent prescribes pursuant to this 2056
division may be in a tangible format, in an electronic format, 2057
or in both tangible and electronic formats. 2058

(3) Subject to division (D) of this section, the 2059
superintendent shall prescribe and charge a reasonable fee for 2060
providing a criminal records check under this section. The 2061
person requesting the criminal records check shall pay the fee 2062
prescribed pursuant to this division. In the case of a request 2063
under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 2064
1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the 2065
fee shall be paid in the manner specified in that section. 2066

(4) The superintendent of the bureau of criminal 2067

identification and investigation may prescribe methods of 2068
forwarding fingerprint impressions and information necessary to 2069
conduct a criminal records check, which methods shall include, 2070
but not be limited to, an electronic method. 2071

(D) The results of a criminal records check conducted 2072
under this section, other than a criminal records check 2073
specified in division (A) (7) of this section, are valid for the 2074
person who is the subject of the criminal records check for a 2075
period of one year from the date upon which the superintendent 2076
completes the criminal records check. If during that period the 2077
superintendent receives another request for a criminal records 2078
check to be conducted under this section for that person, the 2079
superintendent shall provide the results from the previous 2080
criminal records check of the person at a lower fee than the fee 2081
prescribed for the initial criminal records check. 2082

(E) When the superintendent receives a request for 2083
information from a registered private provider, the 2084
superintendent shall proceed as if the request was received from 2085
a school district board of education under section 3319.39 of 2086
the Revised Code. The superintendent shall apply division (A) (1) 2087
(c) of this section to any such request for an applicant who is 2088
a teacher. 2089

(F) (1) Subject to division (F) (2) of this section, all 2090
information regarding the results of a criminal records check 2091
conducted under this section that the superintendent reports or 2092
sends under division (A) (7) or (9) of this section to the 2093
director of public safety, the treasurer of state, or the 2094
person, board, or entity that made the request for the criminal 2095
records check shall relate to the conviction of the subject 2096
person, or the subject person's plea of guilty to, a criminal 2097

offense. 2098

(2) Division (F)(1) of this section does not limit, 2099
restrict, or preclude the superintendent's release of 2100
information that relates to the arrest of a person who is 2101
eighteen years of age or older, to an adjudication of a child as 2102
a delinquent child, or to a criminal conviction of a person 2103
under eighteen years of age in circumstances in which a release 2104
of that nature is authorized under division (E)(2), (3), or (4) 2105
of section 109.57 of the Revised Code pursuant to a rule adopted 2106
under division (E)(1) of that section. 2107

(G) As used in this section: 2108

(1) "Criminal records check" means any criminal records 2109
check conducted by the superintendent of the bureau of criminal 2110
identification and investigation in accordance with division (B) 2111
of this section. 2112

(2) "Minor drug possession offense" has the same meaning 2113
as in section 2925.01 of the Revised Code. 2114

(3) "OVI or OVUAC violation" means a violation of section 2115
4511.19 of the Revised Code or a violation of an existing or 2116
former law of this state, any other state, or the United States 2117
that is substantially equivalent to section 4511.19 of the 2118
Revised Code. 2119

(4) "Registered private provider" means a nonpublic school 2120
or entity registered with the superintendent of public 2121
instruction under section 3310.41 of the Revised Code to 2122
participate in the autism scholarship program or section 3310.58 2123
of the Revised Code to participate in the Jon Peterson special 2124
needs scholarship program. 2125

Section 5. That existing section 109.572 of the Revised 2126

Code that is scheduled to take effect September 20, 2019, is 2127
hereby repealed. 2128

Section 6. That Sections 4, 5, and 7 of this act shall 2129
take effect September 20, 2019. 2130

Section 7. Section 109.572 of the Revised Code is 2131
presented in section 4 of this act as a composite of the section 2132
as amended by Am. Sub. H.B. 49, Sub. H.B. 199, Sub. H.B. 213, 2133
Am. Sub. S.B. 51, Sub. S.B. 229, Am. Sub. S.B. 255, and Sub. 2134
S.B. 263, all of the 132nd General Assembly. The General 2135
Assembly, applying the principle stated in division (B) of 2136
section 1.52 of the Revised Code that amendments are to be 2137
harmonized if reasonably capable of simultaneous operation, 2138
finds that the composite is the resulting version of the section 2139
in effect prior to the effective date of the section as 2140
presented in this act. 2141