

**As Reported by the Senate Health, Human Services and Medicaid
Committee**

133rd General Assembly

**Regular Session
2019-2020**

Sub. S. B. No. 6

Senators Coley, Hottinger

Cosponsors: Senators Hoagland, Schuring

A BILL

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

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

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

Sec. 109.572. (A) (1) Upon receipt of a request pursuant to 13
section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised 14
Code, a completed form prescribed pursuant to division (C) (1) of 15
this section, and a set of fingerprint impressions obtained in 16
the manner described in division (C) (2) of this section, the 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 child's custodial parent, 1219
guardian, or legal custodian, under a host family agreement. The 1220
individual also may provide care for the individual's own child 1221
or children. The term "host family" excludes a foster home. 1222

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

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

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

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

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

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

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

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

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

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

(3) "Temporary basis" means a period of time not to exceed 1256
one year, except as provided in section 2151.901 of the Revised 1257
Code. 1258

(B) A child may be hosted by a host family only when all 1259
of the following conditions are satisfied: 1260

(1) The hosting is done on a temporary basis. 1261

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

(3) Either one or both of the child's parents, or the 1264
child's guardian or legal custodian, are incarcerated, 1265
incapacitated, receiving medical, psychiatric, or psychological 1266
treatment, on active military service, or subject to other 1267
circumstances under which the hosting is appropriate. 1268

(4) The host family provides care only to that child or 1269
only to a single-family group, in addition to the host family's 1270
own child or children if applicable. 1271

Sec. 2151.901. Upon the request of the child's parent, 1272
guardian, legal custodian, host family, or the qualified 1273

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

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

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

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

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

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

services. 1303

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

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

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

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

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

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

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

or probation arising from the conviction. 1332

(C) The victim of the offense was not one of the 1333
following: 1334

(1) A person under the age of eighteen; 1335

(2) A functionally impaired person as defined in section 1336
2903.10 of the Revised Code; 1337

(3) A person with a developmental disability as defined in 1338
section 5123.01 of the Revised Code; 1339

(4) A person with a mental illness as defined in section 1340
5122.01 of the Revised Code; 1341

(5) A person sixty years of age or older. 1342

(D) Hosting in the host family's home will not jeopardize 1343
in any way the health, safety, or welfare of the child to be 1344
hosted. The following factors shall be considered in determining 1345
whether this condition is satisfied: 1346

(1) The person's age at the time of the offense; 1347

(2) The nature and seriousness of the offense; 1348

(3) The circumstances under which the offense was 1349
committed; 1350

(4) The degree of participation of the person involved in 1351
the offense; 1352

(5) The time elapsed since the person was fully discharged 1353
from imprisonment or probation; 1354

(6) The likelihood that the circumstances leading to the 1355
offense will recur; 1356

(7) Whether the person is a repeat offender; 1357

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

learning difficulties at home or school in which all of the 1495
following are the case: 1496

(1) The children spend the majority of their time, 1497
including overnight, either outdoors or in a primitive 1498
structure. 1499

(2) The children have been placed there by their parents 1500
or another relative having custody. 1501

(3) The camp accepts no public funds for use in its 1502
operations. 1503

(G) "Recommending agency" means a public children services 1504
agency, private child placing agency, or private noncustodial 1505
agency that recommends that the department of job and family 1506
services take any of the following actions under section 5103.03 1507
of the Revised Code regarding a foster home: 1508

(1) Issue a certificate; 1509

(2) Deny a certificate; 1510

(3) Renew a certificate; 1511

(4) Deny renewal of a certificate; 1512

(5) Revoke a certificate. 1513

(H) "Specialized foster home" means a medically fragile 1514
foster home or a treatment foster home. 1515

(I) "Treatment foster home" means a foster home that 1516
incorporates special rehabilitative services designed to treat 1517
the specific needs of the children received in the foster home 1518
and that receives and cares for children who are emotionally or 1519
behaviorally disturbed, who are chemically dependent, who have 1520
developmental disabilities, or who otherwise have exceptional 1521

needs. 1522

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

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

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

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

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

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

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

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

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

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

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

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

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

previously has been convicted of, has pleaded guilty to, or 1611
(except in the case of a request pursuant to section 5164.34,
5164.341, or 5164.342 of the Revised Code) has been found 1612
eligible for intervention in lieu of conviction for any of the 1613
following, regardless of the date of the conviction, the date of 1614
entry of the guilty plea, or (except in the case of a request 1615
pursuant to section 5164.34, 5164.341, or 5164.342 of the 1616
Revised Code) the date the person was found eligible for 1617
intervention in lieu of conviction: 1618
1619

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(G) As used in this section: 2091

(1) "Criminal records check" means any criminal records 2092
check conducted by the superintendent of the bureau of criminal 2093
identification and investigation in accordance with division (B) 2094
of this section. 2095

(2) "Minor drug possession offense" has the same meaning 2096
as in section 2925.01 of the Revised Code. 2097

(3) "OVI or OVUAC violation" means a violation of section 2098
4511.19 of the Revised Code or a violation of an existing or 2099
former law of this state, any other state, or the United States 2100
that is substantially equivalent to section 4511.19 of the 2101
Revised Code. 2102

(4) "Registered private provider" means a nonpublic school 2103
or entity registered with the superintendent of public 2104
instruction under section 3310.41 of the Revised Code to 2105
participate in the autism scholarship program or section 3310.58 2106
of the Revised Code to participate in the Jon Peterson special 2107
needs scholarship program. 2108

Section 5. That existing section 109.572 of the Revised 2109
Code that is scheduled to take effect September 20, 2019, is 2110
hereby repealed. 2111

Section 6. That Sections 4, 5, and 7 of this act shall 2112
take effect September 20, 2019. 2113

Section 7. Section 109.572 of the Revised Code is 2114
presented in section 4 of this act as a composite of the section 2115
as amended by Am. Sub. H.B. 49, Sub. H.B. 199, Sub. H.B. 213, 2116
Am. Sub. S.B. 51, Sub. S.B. 229, Am. Sub. S.B. 255, and Sub. 2117
S.B. 263, all of the 132nd General Assembly. The General 2118
Assembly, applying the principle stated in division (B) of 2119
section 1.52 of the Revised Code that amendments are to be 2120

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