

**As Passed by the House**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Sub. H. B. No. 238**

**Representatives Fowler Arthur, Klopfenstein**

**Cosponsors: Representatives John, Gross, Dean, Hillyer, Holmes, Hoops, Kick,  
Lorenz, Merrin, Peterson, Santucci, Williams, Willis**

---

**A BILL**

To amend sections 101.62, 103.27, 926.12, 926.19, 1  
3703.21, 3769.03, 3772.13, 4104.07, 4104.08, 2  
4104.18, 4517.02, 4517.04, 4517.10, 4517.14, 3  
4517.15, 4517.20, 4517.33, 4517.43, 4549.50, 4  
4703.16, 4735.01, 4735.07, 4735.09, 4738.05, 5  
4749.03, 4763.05, 4763.06, 4763.07, 4763.08, 6  
4763.09, 4781.08, 4781.17, and 5120.10; to enact 7  
new section 926.30 and sections 3769.031 and 8  
4743.06; and to repeal sections 926.30 and 9  
4517.09 of the Revised Code to revise and 10  
streamline the state's occupational regulations. 11

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

**Section 1.** That sections 101.62, 103.27, 926.12, 926.19, 12  
3703.21, 3769.03, 3772.13, 4104.07, 4104.08, 4104.18, 4517.02, 13  
4517.04, 4517.10, 4517.14, 4517.15, 4517.20, 4517.33, 4517.43, 14  
4549.50, 4703.16, 4735.01, 4735.07, 4735.09, 4738.05, 4749.03, 15  
4763.05, 4763.06, 4763.07, 4763.08, 4763.09, 4781.08, 4781.17, 16  
and 5120.10 be amended and new section 926.30 and sections 17  
3769.031 and 4743.06 of the Revised Code be enacted to read as 18

follows:

**Sec. 101.62.** (A) As used in sections 101.62 to 101.65 of  
the Revised Code:

(1) "Individual" means a natural person.

"Least (2) Except as provided in divisions (A) (3) and (4)  
of this section, "least restrictive regulation," "occupational  
license," and "occupational licensing board" have the meanings  
defined in section 4798.01 of the Revised Code.

(3) On and after the effective date of this amendment,  
"occupational license" means all of the following:

(a) An occupational license as that term is defined in  
section 4798.01 of the Revised Code;

(b) A certification as that term is defined in section  
4798.01 of the Revised Code;

(c) A business license that requires the applicant to  
satisfy a personal qualification.

(4) On and after the effective date of this amendment,  
"occupational licensing board" means any board, commission,  
committee, or council, or any other similar state public body,  
any administrative department enumerated under section 121.02 of  
the Revised Code, and any agency, division, or office of state  
government, that issues an occupational license. "Occupational  
licensing board" does not include a committee or office created  
under section 101.34 of the Revised Code.

(5) (a) Except as provided in division (A) (5) (b) of this  
section, "personal qualification" means criteria related to an  
applicant's personal background and characteristics including  
completion of an approved educational program, satisfactory

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

performance on an examination, work experience, other evidence 47  
of attainment of requisite skills or knowledge, moral standing, 48  
criminal history, and completion of continuing education. 49

(b) "Personal qualification" does not include a 50  
requirement that an owner or controlling persons of a business 51  
submit to a criminal records check or meet requirements related 52  
to criminal history or moral standing, unless that owner or 53  
controlling person is the applicant. 54

(B) An occupational licensing board shall be triggered to 55  
expire at the end of the thirty-first day of December of the 56  
sixth year after it became subject to review, was created or 57  
last renewed, or on December 31, 2024, whichever is later, and 58  
shall expire at the end of the thirtieth day of June of the 59  
following year after the board was triggered to expire. The 60  
expiration of an occupational licensing board under this section 61  
emancipates a person to lawfully engage in the profession, 62  
occupation, or occupational activity, which has been previously 63  
licensed by that board, without an occupational license, 64  
notwithstanding any law of the state that requires a person to 65  
possess a license to lawfully engage in that profession, 66  
occupation, or occupational activity. 67

(C) The director of budget and management shall not 68  
authorize the expenditure of any moneys for an occupational 69  
licensing board on or after the date of its expiration. 70

(D) The occupational licensing board shall operate after 71  
its expiration has been triggered, but not later than the end of 72  
the thirtieth day of June of the following year, to provide for 73  
the orderly, efficient, and expeditious conclusion of the 74  
board's business and operation. The orders, licenses, contracts, 75  
and other actions made, taken, granted, or performed by the 76

board continue in effect according to their terms 77  
notwithstanding the board's abolition, unless the general 78  
assembly provides otherwise by law. The general assembly may 79  
provide by law for the temporary or permanent transfer of some 80  
or all of an expired or abolished board's functions and 81  
personnel to a successor agency, board, or officer. 82

The expiration or abolition of a board does not cause the 83  
termination or dismissal of any claim pending against the board 84  
by any person, or any claim pending against any person by the 85  
board. Unless the general assembly provides otherwise by law for 86  
the substitution of parties, the attorney general shall succeed 87  
the board with reference to any pending claim. 88

(E) An occupational licensing board may be renewed by 89  
enactment of a law that continues the statutes creating, 90  
empowering, governing, or regulating the board. The amendment of 91  
a statute creating, empowering, governing, or regulating a 92  
board, between the time the board was last reviewed and the time 93  
it is next scheduled to be reviewed does not change the next 94  
scheduled review date of the board. The next scheduled review 95  
date changes only if the amendment expressly so provides. 96

(F) When an occupational licensing board performs 97  
functions other than licensing or regulating the licensing of an 98  
occupational license that expires under this section, the 99  
operation of sections 101.62 to 101.65 of the Revised Code shall 100  
not cause the board, or the statutes creating, empowering, 101  
governing, or regulating the board, to expire. The board and the 102  
statutes shall continue to the extent the board and the statutes 103  
apply to performing functions other than licensing or regulating 104  
the licensing of an occupational license. 105

**Sec. 103.27.** (A) As used in this section, "personal 106

qualification" has the same meaning as in section 101.62 of the 107  
Revised Code. 108

(B) Each biennium starting with an odd-numbered year, 109  
beginning in 2019, the director of the legislative service 110  
commission shall issue a report regarding approximately thirty- 111  
three per cent of occupations subject to regulation by the state 112  
and, beginning with the biennium that starts in 2025, business 113  
licenses that require the applicant to satisfy a personal 114  
qualification. The report shall compare the current regulatory 115  
scheme being utilized in this state with the policies expressed 116  
in section 4798.02 of the Revised Code. 117

(C) The director shall issue all reports performed during 118  
a biennium, not later than the first day of December of the 119  
even-numbered year of that biennium, to the general assembly and 120  
to the attorney general. 121

(D) The director may require that information be submitted 122  
by any department or board that regulates the occupation. 123

(E) The director shall, over a six-year period including 124  
calendar years 2019 through 2024, issue reports regarding all 125  
occupations subject to regulation by the state. Beginning with 126  
the biennium that starts in 2025, the director shall continue to 127  
issue reports regarding all occupations subject to regulation by 128  
the state, including business licenses that require the 129  
applicant to satisfy a personal qualification. 130

~~The director's report regarding an occupation~~ (F) A report 131  
required under division (B) of this section may be scheduled to 132  
coincide with, and be done in conjunction with, the review of an 133  
occupational licensing board being done by a standing committee 134  
of the general assembly under section 101.63 of the Revised 135

Code.	136
<b>Sec. 926.12.</b> Each licensed agricultural commodity handler	137
shall keep posted in a location at <del>his</del> <u>the handler's</u> facility	138
where it shall be accessible for observation and reading by	139
persons marketing agricultural commodities <del>+</del>	140
<del>(A) His <u>the handler's</u> license as an agricultural commodity</del>	141
<del>handler<del>+</del></del>	142
<del>(B) The certificates of persons who are certified under</del>	143
<del>section 926.30 of the Revised Code as testers of agricultural</del>	144
<del>commodities delivered to the handler.</del>	145
<b>Sec. 926.19.</b> (A) There is hereby created in the state	146
treasury the commodity handler regulatory program fund. The	147
moneys in the fund shall be used to pay the examination and	148
administrative costs of this chapter and shall consist of:	149
(1) All revenues collected by the director of agriculture	150
from distribution of the receipt forms under division (B) of	151
section 926.20 of the Revised Code and such other forms and	152
registration books as the director may require by rule for the	153
administration of this chapter;	154
(2) The application and examination fees collected under	155
division (B) of section 926.05 of the Revised Code;	156
(3) <del>The agricultural commodity tester certificate fees</del>	157
<del>collected under division (B) of section 926.30 of the Revised</del>	158
<del>Code<del>+</del></del>	159
<del>(4)</del> Any moneys transferred from the agricultural commodity	160
depositors fund under section 926.16 of the Revised Code;	161
<del>(5)</del> <u>(4)</u> All fines, penalties, and costs, except court	162
costs, that are collected under section 926.99 of the Revised	163

Code in consequence of a violation of this chapter; 164

~~(6)~~ (5) All sums collected by the director of agriculture 165  
under a contract described in section 926.36 of the Revised 166  
Code. 167

(B) The examination and administrative costs of this 168  
chapter shall be computed by the director not later than the 169  
thirty-first day of December of each even-numbered year to cover 170  
the biennium that begins on the following first day of July. The 171  
commodity advisory commission created in section 926.32 of the 172  
Revised Code shall approve, and may amend, the examination and 173  
administrative costs. The commission's decision shall be binding 174  
on the director. The commission also at any time may approve for 175  
presentation to the controlling board a request to increase or 176  
decrease the appropriation authority for the biennial 177  
examination and administrative costs if it determines that an 178  
increase or decrease in the cost is necessary to carry out the 179  
purpose of this chapter. 180

(C) If at any time the moneys deposited in the fund, 181  
including moneys transferred from the agricultural commodity 182  
depositors fund under section 926.16 of the Revised Code, are 183  
not sufficient to pay the examination and administrative costs 184  
of this chapter, the director shall request an appropriation 185  
from the general revenue fund to pay those costs. 186

**Sec. 926.30.** (A) No licensed handler or employee of a 187  
licensed handler who receives an agricultural commodity from a 188  
producer, either for sale or for storage under a bailment 189  
agreement, shall perform a quality test on the commodity for the 190  
purpose of applying a premium, discount, or conditioning charge 191  
unless the person making the test has successfully completed 192  
three hours of training. The training shall be based on the 193

United States department of agriculture's "Inspecting Grain  
Practical Procedures for Grain Handlers" manual and approved by  
the director of agriculture. A tester also shall successfully  
complete three hours of continuing education every five years  
that the tester tests agricultural commodities.

(B) A licensed handler shall submit to the director a list  
of names of individuals who complete the training and continuing  
education under division (A) of this section. The director shall  
maintain the list along with records of the handler's license.

**Sec. 3703.21.** (A) Within ninety days after September 16,  
2004, the superintendent of industrial compliance shall appoint  
a backflow advisory board consisting of not more than ten  
members, who shall serve at the pleasure of the superintendent.  
The superintendent shall appoint a representative from the  
plumbing section of the division of industrial compliance, three  
representatives recommended by the plumbing administrator of the  
division of industrial compliance, a representative of the  
drinking water program of the Ohio environmental protection  
agency, three representatives recommended by the director of  
environmental protection, and not more than two members who are  
not employed by the plumbing or water industry.

The board shall advise the superintendent on matters  
pertaining to the training and certification of backflow  
technicians.

~~(B)~~ (B) (1) The superintendent shall adopt rules in  
accordance with Chapter 119. of the Revised Code to provide for  
the certification of backflow technicians. The rules shall  
establish all of the following requirements, specifications, and  
procedures:



<del>(1)</del> <u>(a)</u> Requirements and procedures for the initial certification of backflow technicians, including eligibility criteria and application requirements and fees;	223 224 225
<del>(2)</del> <u>(b)</u> Specifications concerning and procedures for taking examinations required for certification as a backflow technician, including eligibility criteria to take the examination and application requirements and fees for taking the examination;	226 227 228 229 230
<del>(3)</del> <u>Specifications</u> <u>(c)</u> Subject to division (B) (2) of this section, specifications concerning and procedures for renewing a certification as a backflow technician, including eligibility criteria, application requirements, and fees for renewal;	231 232 233 234
<del>(4)</del> <u>(d)</u> Specifications concerning and procedures for both of the following:	235 236
<del>(a)</del> <u>(i)</u> Approval of training agencies authorized to teach required courses to candidates for certification as backflow technicians or continuing education courses to certified backflow technicians;	237 238 239 240
<del>(b)</del> <u>(ii)</u> Renewal of the approval described in division <del>(B)</del> <del>(4)</del> <del>(a)</del> <u>(B) (1) (d) (i)</u> of this section.	241 242
<del>(5)</del> <u>(e)</u> Education requirements that candidates for initial certification as backflow technicians must satisfy and continuing education requirements that certified backflow technicians must satisfy;	243 244 245 246
<del>(6)</del> <u>(f)</u> Grounds and procedures for denying, suspending, or revoking certification, or denying the renewal of certification, as a backflow technician;	247 248 249
<del>(7)</del> <u>(g)</u> Procedures for issuing administrative orders for	250

the remedy of any violation of this section or any rule adopted 251  
pursuant to division ~~(B)~~(B) (1) of this section, including, but 252  
not limited to, procedures for assessing a civil penalty 253  
authorized under division (E) of this section; 254

~~(g)~~(h) Any provision the superintendent determines is 255  
necessary to administer or enforce this section. 256

(2) In the rules the superintendent adopts under division 257  
(B) (1) (c) of this section, the superintendent shall do both of 258  
the following: 259

(a) Specify that a certification be renewed every five 260  
years; 261

(b) Establish a certification renewal fee of seventy-five 262  
dollars. 263

(C) The superintendent shall certify a backflow technician 264  
in accordance with Chapter 4796. of the Revised Code if either 265  
of the following applies: 266

(1) The individual holds a license or certification in 267  
another state. 268

(2) The individual has satisfactory work experience, a 269  
government certification, or a private certification as 270  
described in that chapter as a backflow technician in a state 271  
that does not issue that certification. 272

(D) No individual shall engage in the installation, 273  
testing, or repair of any isolation backflow prevention device 274  
unless that individual possesses a valid certification as a 275  
backflow technician. This division does not apply with respect 276  
to the installation, testing, or repair of any containment 277  
backflow prevention device. 278

(E) Whoever violates division (D) of this section or any rule adopted pursuant to division (B) (1) of this section shall pay a civil penalty of not more than five thousand dollars for each day that the violation continues. The superintendent may, by order, assess a civil penalty under this division, or may request the attorney general to bring a civil action to impose the civil penalty in the court of common pleas of the county in which the violation occurred or where the violator resides.

(F) Any action taken under a rule adopted pursuant to division ~~(B) (6)~~ (B) (1) (f) of this section is subject to the appeal process of Chapter 119. of the Revised Code. An administrative order issued pursuant to rules adopted under division ~~(B) (7)~~ (B) (1) (g) of this section and an appeal to that type of administrative order shall be executed in accordance with Chapter 119. of the Revised Code.

(G) As used in this section:

(1) "Isolation backflow prevention device" means a device for the prevention of the backflow of liquids, solids, or gases that is regulated by the building code adopted pursuant to section 3781.10 of the Revised Code and rules adopted pursuant to this section.

(2) "Containment backflow prevention device" means a device for the prevention of the backflow of liquids, solids, or gases that is installed by the supplier of, or as a requirement of, any public water system as defined in division (A) of section 6109.01 of the Revised Code.

**Sec. 3769.03.** The state racing commission shall prescribe the rules and conditions under which horse racing may be conducted and may issue, deny, suspend, diminish, or revoke

permits to conduct horse racing as authorized by sections 308  
3769.01 to 3769.14 of the Revised Code. The commission may 309  
impose, in addition to any other penalty imposed by the 310  
commission, fines in an amount not to exceed ten thousand 311  
dollars on any permit holder or any other person who violates 312  
the rules or orders of the commission. The commission may 313  
prescribe the forms of wagering that are permissible, the number 314  
of races, the procedures on wagering, and the wagering 315  
information to be provided to the public. 316

The commission may require totalizator equipment to 317  
display the amount of wagering in each wagering pool. The 318  
commission shall initiate safeguards as necessary to account for 319  
the amount of money wagered at each track in each wagering pool. 320  
It may require permit holders to install equipment that will 321  
provide a complete check and analysis of the functioning of any 322  
computers and require safeguards on their performance. The 323  
commission shall require all permit holders, except those 324  
holding state fair, county fair, or other fair permits, to 325  
provide a photographic recording, approved by the commission, of 326  
the entire running of all races conducted by the permit holder. 327

The state racing commission may issue, deny, suspend, or 328  
revoke licenses to those persons engaged in racing and to those 329  
employees of permit holders, ~~as is in the public interest for~~ 330  
~~the purpose of maintaining a proper control over horse racing~~ 331  
~~meetings~~ described in section 3769.031 of the Revised Code. The 332  
commission, as is in the public interest for the purpose of 333  
maintaining proper control over horse-racing meetings, also may 334  
rule any person off a permit holder's premises. ~~License fees~~ 335  
~~shall include registration fees and shall be set by the~~ 336  
~~commission. Each license issued by the commission, unless~~ 337  
~~revoked for cause, shall be for the period of one year from the~~ 338

~~first day of January of the year in which it is issued, except 339  
as otherwise provided in section 3769.07 of the Revised Code. 340  
Applicants for licenses issued by the commission shall submit 341  
their fingerprints to the commission, and the commission may 342  
forward the fingerprints to the federal bureau of investigation 343  
or to any other agency, or to both, for examination. The 344  
commission shall issue a license to a person engaged in racing 345  
or an employee of a permit holder in accordance with Chapter 346  
4796. of the Revised Code if that person or employee holds a 347  
license in another state, or that person or employee has 348  
satisfactory work experience, a government certification, or a 349  
private certification as described in that chapter in horse 350  
racing in a state that does not issue that license. 351~~

There is hereby created in the state treasury the state 352  
racing commission operating fund. All license fees established 353  
and collected by the commission pursuant to this section or 354  
section 3769.031 of the Revised Code, and the amounts specified 355  
in divisions (B) and (C) of section 3769.08 and division (A) (5) 356  
of section 3769.087 of the Revised Code, shall be paid into the 357  
state treasury to the credit of the fund. Moneys in the fund 358  
shall be expended by the commission to defray its operating 359  
costs, salaries and expenses, and the cost of administering and 360  
enforcing this chapter. 361

The commission may deny a permit to any permit holder that 362  
has defaulted in payments to the public, employees, or the 363  
horsemen and may deny a permit to any successor purchaser of a 364  
track for as long as any of those defaults have not been 365  
satisfied by either the seller or purchaser. 366

The commission shall deny a permit to any permit holder 367  
that has defaulted in payments to the state or has defaulted in 368

payments required under section 3769.089 or 3769.0810 of the Revised Code and shall deny a permit to any successor purchaser of a track for as long as those defaults have not been satisfied by either the seller or purchaser.

~~Any violation of this chapter, of any rule of racing adopted by the commission, or of any law or rule with respect to racing in any jurisdiction shall be sufficient reason for a refusal to issue a license, or a suspension or revocation of any license issued, pursuant to this section.~~

~~With respect to the issuance, denial, suspension, or revocation of a license to a participant in horse racing, the action of the commission shall be subject to Chapter 119. of the Revised Code.~~

The commission may sue and be sued in its own name. Any action against the commission shall be brought in the court of common pleas of Franklin county. Any appeal from a determination or decision of the commission rendered in the exercise of its powers and duties under this chapter shall be brought in the court of common pleas of Franklin county.

The commission, biennially, shall make a full report to the governor of its proceedings for the two-year period ending with the thirty-first day of December preceding the convening of the general assembly and shall include its recommendations in the report. The commission, semiannually, on the thirtieth day of June and on the thirty-first day of December of each year, shall make a report and accounting to the governor.

Sec. 3769.031. (A) The state racing commission may issue, deny, suspend, or revoke licenses to those persons engaged in racing and to those employees of permit holders as is in the

public interest for the purpose of maintaining a proper control 398  
over horse-racing meetings, subject to the requirements of this 399  
section. 400

(B)(1) The commission shall adopt rules under Chapter 119. 401  
of the Revised Code prescribing the following licenses to be 402  
issued, including the activities regulated under each license, 403  
the qualifications and other requirements to receive and 404  
maintain each license, and the fees that apply to the license: 405

(a) The following racing official licenses: state steward, 406  
steward, program director, director of racing, general manager, 407  
racing secretary, assistant racing secretary, horsemen's 408  
bookkeeper, identifier, presiding judge, paddock judge, placing 409  
judge, judge, clerk of course, clerk of scales, jockey room 410  
custodian, announcer, starter, timer, photographer, and 411  
videographer, provided that the license fee for a general 412  
manager shall not exceed seventy-five dollars; 413

(b) The following participant licenses: primary and 414  
secondary stable name, owner, partnership, person eligible to 415  
claim, authorized agent, thoroughbred breeder, trainer, 416  
assistant trainer, driver-trainer, driver, jockey, apprentice 417  
jockey, jockey agent, outrider, pony person, exercise rider, 418  
valet, and supply salesperson; 419

(c) The following equine care licenses: veterinarian, 420  
veterinarian's assistant, dentist, horseshoer, and groom; 421

(d) The following wagering licenses: totalizator company, 422  
totalizator company management supervisory employee, totalizator 423  
company employee, and mutuel employee; 424

(e) A fair license, which shall not require the payment of 425  
any fee, to be issued for the following positions: racing 426

official, owner, quarter horse participant, driver-trainer, 427  
groom, totalizator, and mutuel employee; 428

(f) The following race track facility licenses: security, 429  
medical and first aid, concession employee, and maintenance, 430  
provided that the license fee for a medical and first aid worker 431  
shall not exceed ten dollars. 432

(2) No license issued by the commission is required to 433  
hold any position that is not listed in division (B)(1) of this 434  
section or that is not indicated in the rules of the commission 435  
as requiring a license. 436

(C)(1) Applicants for licenses issued by the commission 437  
shall submit their fingerprints to the commission, and the 438  
commission may forward the fingerprints to the federal bureau of 439  
investigation or to any other agency, or to both, for 440  
examination. 441

(2) Each license issued by the commission, unless revoked 442  
for cause, shall be for the period of one year from the first 443  
day of January of the year in which it is issued, except as 444  
otherwise provided in section 3769.07 of the Revised Code. 445

(3) The commission shall issue a license to a person 446  
engaged in racing or an employee of a permit holder in 447  
accordance with Chapter 4796. of the Revised Code if that person 448  
or employee holds a license in another state, or that person or 449  
employee has satisfactory work experience, a government 450  
certification, or a private certification as described in that 451  
chapter in horse racing in a state that does not issue that 452  
license. 453

(4) Any violation of this chapter, of any rule of racing 454  
adopted by the commission, or of any law or rule with respect to 455



racing in any jurisdiction shall be sufficient reason for a 456  
 refusal to issue a license, or a suspension or revocation of any 457  
 license issued, pursuant to this section. With respect to the 458  
 issuance, denial, suspension, or revocation of a license to a 459  
 participant in horse racing, the action of the commission is 460  
 subject to Chapter 119. of the Revised Code. 461

(D) Notwithstanding any provision of section 121.95 of the 462  
 Revised Code to the contrary, a regulatory restriction contained 463  
 in a rule adopted under this section before the date that is one 464  
 year after the effective date of this section is not subject to 465  
 sections 121.95 to 121.953 of the Revised Code. 466

**Sec. 3772.13.** (A) No person may be employed as a key 467  
employee of a casino operator, management company, or holding 468  
company unless the person is the holder of a valid key employee 469  
license issued by the commission. 470

(B) No person may be employed as a key employee of a 471  
gaming-related vendor unless that person is either the holder of 472  
a valid key employee license issued by the commission, or the 473  
person, at least five business days prior to the first day of 474  
employment as a key employee, has filed a notification of 475  
employment with the commission and subsequently files a 476  
completed application for a key employee license within the 477  
first thirty days of employment as a key employee. 478

(C) Each applicant shall, before the issuance of any key 479  
employee license, produce information, documentation, and 480  
assurances as are required by this chapter and rules adopted 481  
thereunder. In addition, each applicant shall, in writing, 482  
authorize the examination of all bank accounts and records as 483  
may be deemed necessary by the commission. 484

(D) To be eligible for a key employee license, the 485  
applicant shall be at least twenty-one years of age and shall 486  
meet the criteria set forth by rule by the commission. 487

(E) Each application for a key employee license shall be 488  
on a form prescribed by the commission and shall contain all 489  
information required by the commission. The applicant shall set 490  
forth in the application if the applicant has been issued prior 491  
gambling-related licenses; if the applicant has been licensed in 492  
any other state under any other name, and, if so, the name under 493  
which the license was issued and the applicant's age at the time 494  
the license was issued; any criminal conviction the applicant 495  
has had; and if a permit or license issued to the applicant in 496  
any other state has been suspended, restricted, or revoked, and, 497  
if so, the cause and the duration of each action. The applicant 498  
also shall complete a cover sheet for the application on which 499  
the applicant shall disclose the applicant's name, the business 500  
address of the casino operator, management company, holding 501  
company, or gaming-related vendor employing the applicant, the 502  
business address and telephone number of such employer, and the 503  
county, state, and country in which the applicant's residence is 504  
located. 505

(F) Each applicant shall submit with each application, on 506  
a form provided by the commission, two sets of fingerprints. The 507  
commission shall charge each applicant an application fee set by 508  
the commission to cover all actual costs generated by each 509  
licensee and all background checks under this section and 510  
section 3772.07 of the Revised Code. The application fee shall 511  
be in the following amount: 512

(1) For an applicant who is a resident of this state, not 513  
more than one thousand seven hundred fifty dollars; 514

(2) For an applicant who is not a resident of this state, 515  
not less than five thousand dollars. 516

(G) (1) The casino operator, management company, or holding 517  
company by whom a person is employed as a key employee shall 518  
terminate the person's employment in any capacity requiring a 519  
license under this chapter and shall not in any manner permit 520  
the person to exercise a significant influence over the 521  
operation of a casino facility if: 522

(a) The person does not apply for and receive a key 523  
employee license within three months of being issued a 524  
provisional license, as established under commission rule. 525

(b) The person's application for a key employee license is 526  
denied by the commission. 527

(c) The person's key employee license is revoked by the 528  
commission. 529

The commission shall notify the casino operator, 530  
management company, or holding company who employs such a person 531  
by certified mail, personal service, common carrier service 532  
utilizing any form of delivery requiring a signed receipt or by 533  
an electronic means that provides evidence of delivery, of any 534  
such finding, denial, or revocation. 535

(2) A casino operator, management company, or holding 536  
company shall not pay to a person whose employment is terminated 537  
under division (G) (1) of this section, any remuneration for any 538  
services performed in any capacity in which the person is 539  
required to be licensed, except for amounts due for services 540  
rendered before notice was received under that division. A 541  
contract or other agreement for personal services or for the 542  
conduct of any casino gaming at a casino facility between a 543

casino operator, management company, or holding company and a 544  
person whose employment is terminated under division (G) (1) of 545  
this section may be terminated by the casino operator, 546  
management company, or holding company without further liability 547  
on the part of the casino operator, management company, or 548  
holding company. Any such contract or other agreement is deemed 549  
to include a term authorizing its termination without further 550  
liability on the part of the casino operator, management 551  
company, or holding company upon receiving notice under division 552  
(G) (1) of this section. That a contract or other agreement does 553  
not expressly include such a term is not a defense in any action 554  
brought to terminate the contract or other agreement, and is not 555  
grounds for relief in any action brought questioning termination 556  
of the contract or other agreement. 557

(3) A casino operator, management company, or holding 558  
company, without having obtained the prior approval of the 559  
commission, shall not enter into any contract or other agreement 560  
with a person who has been found unsuitable, who has been denied 561  
a license, or whose license has been revoked under division (G) 562  
(1) of this section, or with any business enterprise under the 563  
control of such a person, after the date on which the casino 564  
operator, management company, or holding company receives notice 565  
under that division. 566

(H) Notwithstanding the requirements for a license under 567  
this section, the commission shall issue a key employee license 568  
in accordance with Chapter 4796. of the Revised Code to an 569  
applicant if either of the following applies: 570

(1) The applicant holds a license in another state. 571

(2) The applicant has satisfactory work experience, a 572  
government certification, or a private certification as 573

described in that chapter as a key employee of a casino 574  
operator, management company, or holding company in a state that 575  
does not issue that license. 576

**Sec. 4104.07.** (A) Except as provided in division (E) of 577  
this section, an application for examination as an inspector of 578  
boilers and pressure vessels shall be in writing, accompanied by 579  
a fee of one hundred ~~fifty~~ dollars, upon a blank to be furnished 580  
by the superintendent of industrial compliance. Any moneys 581  
collected under this section shall be paid into the state 582  
treasury to the credit of the industrial compliance operating 583  
fund created in section 121.084 of the Revised Code. 584

(B) The superintendent shall determine if an applicant 585  
meets all the requirements for examination in accordance with 586  
rules adopted by the board of building standards under section 587  
4104.02 of the Revised Code. An application shall be rejected 588  
which contains any willful falsification, or untruthful 589  
statements. 590

(C) An applicant shall be examined by the superintendent, 591  
by a written examination, prescribed by the board, dealing with 592  
the construction, installation, operation, maintenance, and 593  
repair of boilers and pressure vessels and their appurtenances, 594  
and the applicant shall be accepted or rejected on the merits of 595  
the applicant's application and examination. 596

(D) Upon a favorable report by the superintendent of the 597  
result of an examination, the superintendent shall immediately 598  
issue to the successful applicant a certificate of competency to 599  
that effect. 600

(E) The superintendent shall issue a certificate of 601  
competency in accordance with Chapter 4796. of the Revised Code 602

to an applicant if either of the following applies: 603

(1) The applicant holds a license or certificate in 604  
another state. 605

(2) The applicant has satisfactory work experience, a 606  
government certification, or a private certification as 607  
described in that chapter as an inspector of boilers and 608  
pressure vessels in a state that does not issue that license or 609  
certificate. 610

**Sec. 4104.08.** (A) The director of commerce may appoint 611  
from the holders of certificates of competency provided for in 612  
section 4104.07 of the Revised Code, general inspectors of 613  
boilers and pressure vessels. 614

(B) Any company authorized to insure boilers and pressure 615  
vessels against explosion in this state may designate from 616  
holders of certificates of competency issued by the 617  
superintendent of industrial compliance, or holders of 618  
certificates of competency or commissions issued by other states 619  
or nations whose examinations for certificates or commissions 620  
have been approved by the board of building standards, persons 621  
to inspect and stamp boilers and pressure vessels covered by the 622  
company's policies, and the superintendent shall issue to such 623  
persons commissions authorizing them to act as special 624  
inspectors. Special inspectors shall be compensated by the 625  
company designating them. 626

(C) The director shall establish an annual fee to be 627  
charged by the superintendent for each certificate of competency 628  
or commission the superintendent issues. The director shall not 629  
establish an annual fee of more than fifty dollars under this 630  
division. 631

(D) The superintendent shall issue to each general or 632  
special inspector a commission to the effect that the holder 633  
thereof is authorized to inspect boilers and pressure vessels in 634  
this state. 635

(E) No person shall be authorized to act as a general 636  
inspector or a special inspector who is directly or indirectly 637  
interested in the manufacture or sale of boilers or pressure 638  
vessels. 639

**Sec. 4104.18.** (A) The owner or user of a boiler required 640  
under section 4104.12 of the Revised Code to be inspected upon 641  
installation, and the owner or user of a boiler for which a 642  
certificate of inspection has been issued that is replaced with 643  
an appropriate certificate of operation, shall pay to the 644  
superintendent of industrial compliance an initial certificate 645  
of operation fee in the following amount, as applicable: 646

(1) Fifty dollars for boilers subject to annual 647  
inspections under section 4104.11 of the Revised Code; 648

(2) One hundred dollars for boilers subject to biennial 649  
inspection under section 4104.13 of the Revised Code; 650

(3) One hundred fifty dollars for boilers subject to 651  
triennial inspection under section 4104.11 of the Revised Code; 652

(4) Two hundred fifty dollars for boilers subject to 653  
quinquennial inspection under section 4104.13 of the Revised 654  
Code. 655

(B) The owner or user of a boiler required under section 656  
4104.12 of the Revised Code to be inspected upon installation, 657  
and the owner or user of a boiler for which a certificate of 658  
inspection has been issued that is replaced with an appropriate 659  
certificate of operation, shall pay to the superintendent of 660

industrial compliance an annual certificate of operation renewal 661  
fee in the following amount, as applicable: 662

(1) Fifty dollars for boilers subject to annual 663  
inspections under section 4101.11 of the Revised Code; 664

(2) One hundred dollars for boilers subject to biennial 665  
inspections under section 4104.13 of the Revised Code; 666

(3) One hundred fifty dollars for boilers subject to 667  
triennial inspections under section 4104.11 of the Revised Code; 668

(4) Two hundred fifty dollars for boilers subject to 669  
quinquennial inspections under section 4104.13 of the Revised 670  
Code. 671

(C) The fee for complete inspection during construction by 672  
a general inspector on boilers and pressure vessels manufactured 673  
within the state shall be thirty-five dollars per hour. Boiler 674  
and pressure vessel manufacturers other than those located in 675  
the state may secure inspection by a general inspector on work 676  
during construction, upon application to the superintendent, and 677  
upon payment of a fee of thirty-five dollars per hour, plus the 678  
necessary traveling and hotel expenses incurred by the 679  
inspector. 680

(D) The application fee for applicants for steam engineer, 681  
high pressure boiler operator, or low pressure boiler operator 682  
licenses is ~~seventy-five~~ twenty-five dollars. The fee for each 683  
original or renewal steam engineer, high pressure boiler 684  
operator, or low pressure boiler operator license is fifty 685  
dollars. 686

(E) ~~The~~ Except as otherwise provided in this division, the 687  
superintendent of industrial compliance, by rule adopted in 688  
accordance with Chapter 119. of the Revised Code, may increase 689



the fees required by this section and may establish fees to pay 690  
the costs of the division to fulfill its duties established by 691  
this chapter. The fees shall bear some reasonable relationship 692  
to the cost of administering and enforcing the provisions of 693  
this chapter. The superintendent shall not adopt a rule 694  
increasing the application fee for steam engineer, high pressure 695  
boiler operator, or low pressure boiler operator licenses. 696

(F) Any moneys collected under this section shall be paid 697  
into the state treasury to the credit of the industrial 698  
compliance operating fund created in section 121.084 of the 699  
Revised Code. 700

~~(F)~~ (G) Any person who fails to pay an invoiced renewal 701  
fee or an invoiced inspection fee required for any inspection 702  
conducted by the division of industrial compliance pursuant to 703  
this chapter within forty-five days of the invoice date shall 704  
pay a late payment fee equal to twenty-five per cent of the 705  
invoiced fee. 706

~~(G)~~ (H) In addition to the fees assessed in divisions (A), 707  
(B), and (C) of this section, the board of building standards 708  
shall assess the owner or user a fee of three dollars and 709  
twenty-five cents for each certificate of operation or renewal 710  
thereof issued under divisions (A) and (B) of this section and 711  
for each inspection conducted under division (C) of this 712  
section. The board shall adopt rules, in accordance with Chapter 713  
119. of the Revised Code, specifying the manner by which the 714  
superintendent shall collect and remit to the board the fees 715  
assessed under this division and requiring that remittance of 716  
the fees be made at least quarterly. 717

**Sec. 4517.02.** (A) Except as otherwise provided in this 718  
section, no person shall do any of the following: 719

(1) Engage in the business of displaying or selling at 720  
retail new motor vehicles or assume to engage in that business, 721  
unless the person is licensed as a new motor vehicle dealer 722  
under sections 4517.01 to 4517.45 of the Revised Code, or is a 723  
salesperson ~~licensed under those sections and~~ employed by a 724  
licensed new motor vehicle dealer; 725

(2) Engage in the business of offering for sale, 726  
displaying for sale, or selling at retail or wholesale used 727  
motor vehicles or assume to engage in that business, unless the 728  
person is licensed as a dealer under sections 4517.01 to 4517.45 729  
of the Revised Code, is a salesperson ~~licensed under those~~ 730  
~~sections and~~ employed by a licensed used motor vehicle dealer or 731  
licensed new motor vehicle dealer, or the person holds a 732  
construction equipment auction license issued under section 733  
4517.17 of the Revised Code; 734

(3) Engage in the business of regularly making available, 735  
offering to make available, or arranging for another person to 736  
use a motor vehicle, in the manner described in division (M) of 737  
section 4517.01 of the Revised Code, unless the person is 738  
licensed as a motor vehicle leasing dealer under sections 739  
4517.01 to 4517.45 of the Revised Code; 740

(4) Engage in the business of motor vehicle auctioning or 741  
assume to engage in that business, unless the person is licensed 742  
as a motor vehicle auction owner under sections 4517.01 to 743  
4517.45 of the Revised Code and the person uses an auctioneer 744  
who is licensed under Chapter 4707. of the Revised Code to 745  
conduct the motor vehicle auctions or the person holds a 746  
construction equipment auction license issued under section 747  
4517.17 of the Revised Code; 748

(5) Engage in the business of distributing motor vehicles 749

or assume to engage in that business, unless the person is 750  
licensed as a distributor under sections 4517.01 to 4517.45 of 751  
the Revised Code; 752

(6) Make more than five casual sales of motor vehicles in 753  
a twelve-month period, commencing with the day of the month in 754  
which the first such sale is made, nor provide a location or 755  
space for the sale of motor vehicles at a flea market, without 756  
obtaining a license as a dealer under sections 4517.01 to 757  
4517.45 of the Revised Code, provided that nothing in this 758  
section shall be construed to prohibit the disposition without a 759  
license of a motor vehicle originally acquired and held for 760  
purposes other than sale, rental, or lease to an employee, 761  
retiree, officer, or director of the person making the 762  
disposition, to a corporation affiliated with the person making 763  
the disposition, or to a person licensed under sections 4517.01 764  
to 4517.45 of the Revised Code; 765

(7) Engage in the business of auctioning both large 766  
construction or transportation equipment and also motor vehicles 767  
incident thereto, unless the person is a construction equipment 768  
auctioneer or the person is licensed as a motor vehicle auction 769  
owner and the person uses an auctioneer who is licensed under 770  
Chapter 4707. of the Revised Code to conduct the auction. 771

(B) Nothing in this section shall be construed to require 772  
an auctioneer licensed under sections 4707.01 to 4707.19 of the 773  
Revised Code, ~~to obtain a motor vehicle salesperson's license~~ 774  
~~under sections 4517.01 to 4517.45 of the Revised Code when~~ 775  
~~conducting an auction sale for a licensed motor vehicle dealer~~ 776  
~~on the dealer's premises, or when conducting an auction sale for~~ 777  
~~a licensed motor vehicle auction owner; nor shall such an~~ 778  
~~auctioneer be required~~ to obtain a motor vehicle auction owner's 779

license under sections 4517.01 to 4517.45 of the Revised Code 780  
when engaged in auctioning for a licensed motor vehicle auction 781  
owner. 782

The establishment of a construction equipment auction 783  
license by Am. Sub. H.B. 114 of the 129th general assembly shall 784  
not in any way modify, limit, or restrict in any manner the 785  
conduct of auctions by persons licensed under Chapter 4707. of 786  
the Revised Code who are acting in compliance with that chapter. 787

(C) Sections 4517.01 to 4517.45 of the Revised Code do not 788  
apply to any of the following: 789

(1) Persons engaging in the business of selling commercial 790  
tractors, trailers, or semitrailers incidentally to engaging 791  
primarily in business other than the selling or leasing of motor 792  
vehicles; 793

(2) Mortgagees selling at retail only those motor vehicles 794  
that have come into their possession by a default in the terms 795  
of a mortgage contract; 796

(3) The leasing, rental, and interchange of motor vehicles 797  
used directly in the rendition of a public utility service by 798  
regulated motor carriers. 799

(D) When a partnership licensed under sections 4517.01 to 800  
4517.45 of the Revised Code is dissolved by death, the surviving 801  
partners may operate under the license for a period of sixty 802  
days, and the heirs or representatives of deceased persons and 803  
receivers or trustees in bankruptcy appointed by any competent 804  
authority may operate under the license of the person succeeded 805  
in possession by that heir, representative, receiver, or trustee 806  
in bankruptcy. 807

(E) No remanufacturer shall engage in the business of 808

selling at retail any new motor vehicle without having written 809  
authority from the manufacturer or distributor of the vehicle to 810  
sell new motor vehicles and to perform repairs under the terms 811  
of the manufacturer's or distributor's new motor vehicle 812  
warranty, unless, at the time of the sale of the vehicle, each 813  
customer is furnished with a binding agreement ensuring that the 814  
customer has the right to have the vehicle serviced or repaired 815  
by a new motor vehicle dealer who is franchised to sell and 816  
service vehicles of the same line-make as the chassis of the 817  
remanufactured vehicle purchased by the customer and whose 818  
service or repair facility is located within either twenty miles 819  
of the remanufacturer's location and place of business or twenty 820  
miles of the customer's residence or place of business. If there 821  
is no such new motor vehicle dealer located within twenty miles 822  
of the remanufacturer's location and place of business or the 823  
customer's residence or place of business, the binding agreement 824  
furnished to the customer may be with the new motor vehicle 825  
dealer who is franchised to sell and service vehicles of the 826  
same line-make as the chassis of the remanufactured vehicle 827  
purchased by the customer and whose service or repair facility 828  
is located nearest to the remanufacturer's location and place of 829  
business or the customer's residence or place of business. 830  
Additionally, at the time of sale of any vehicle, each customer 831  
of the remanufacturer shall be furnished with a warranty issued 832  
by the remanufacturer for a term of at least one year. 833

(F) Except as otherwise provided in this division, whoever 834  
violates this section is guilty of a minor misdemeanor and shall 835  
be subject to a mandatory fine of one hundred dollars. If the 836  
offender previously has been convicted of or pleaded guilty to a 837  
violation of this section, whoever violates this section is 838  
guilty of a misdemeanor of the first degree and shall be subject 839

to a mandatory fine of one thousand dollars. 840

**Sec. 4517.04.** Each person applying for a new motor vehicle 841  
dealer's license shall biennially make out and deliver to the 842  
registrar of motor vehicles, before the first day of April, and 843  
upon a blank to be furnished by the registrar for that purpose, 844  
a separate application for license for each county in which the 845  
business of selling new motor vehicles is to be conducted. The 846  
application shall be in the form prescribed by the registrar, 847  
shall be signed and sworn to by the applicant, and, in addition 848  
to any other information required by the registrar, shall 849  
include the following: 850

(A) Name of applicant and location of principal place of 851  
business; 852

(B) Name or style under which business is to be conducted 853  
and, if a corporation, the state of incorporation; 854

(C) Name and address of each owner or partner and, if a 855  
corporation, the names of the officers and directors; 856

(D) The county in which the business is to be conducted 857  
and the address of each place of business therein; 858

(E) A statement of the previous history, record, and 859  
association of the applicant and of each owner, partner, 860  
officer, and director, that shall be sufficient to establish to 861  
the satisfaction of the registrar the reputation in business of 862  
the applicant; 863

(F) A statement showing whether the applicant has 864  
previously applied for a motor vehicle dealer's license, motor 865  
vehicle leasing dealer's license, distributor's license, or 866  
motor vehicle auction owner's license, ~~or motor vehicle~~ 867  
~~salesperson's license,~~ and the result of the application, and 868

whether the applicant has ever been the holder of any such 869  
license that was revoked or suspended; 870

(G) If the applicant is a corporation or partnership, a 871  
statement showing whether any partner, employee, officer, or 872  
director has been refused a motor vehicle dealer's license, 873  
motor vehicle leasing dealer's license, distributor's license, 874  
or motor vehicle auction owner's license, ~~or motor vehicle~~ 875  
~~salesperson's license,~~ or has been the holder of any such 876  
license that was revoked or suspended; 877

(H) A statement of the makes of new motor vehicles to be 878  
handled. 879

The statement required by division (E) of this section 880  
shall indicate whether the applicant or, if applicable, any of 881  
the applicant's owners, partners, officers, or directors, 882  
individually, or as owner, partner, officer, or director of a 883  
business entity, has been convicted of, pleaded guilty, or 884  
pleaded no contest, in a criminal action, a disqualifying 885  
offense as determined under section 9.79 of the Revised Code, or 886  
had a judgment rendered against the person in a civil action for 887  
a violation of sections 4549.41 to 4549.46 of the Revised Code, 888  
of any substantively comparable provisions of the law of any 889  
other state, or of subchapter IV of the "Motor Vehicle 890  
Information and Cost Savings Act," 86 Stat. 961 (1972), 15 891  
U.S.C. 1981. 892

A true copy of the contract, agreement, or understanding 893  
the applicant has entered into or is about to enter into with 894  
the manufacturer or distributor of the new motor vehicles the 895  
applicant will handle shall be filed with the application. If 896  
the contract, agreement, or understanding is not in writing, a 897  
written statement of all the terms thereof shall be filed. Each 898

such copy or statement shall bear a certificate signed by each 899  
party to the contract, agreement, or understanding, to the 900  
effect that the copy or statement is true and complete and 901  
contains all of the agreements made or about to be made between 902  
the parties. 903

The application also shall be accompanied by a photograph, 904  
as prescribed by the registrar, of each place of business 905  
operated, or to be operated, by the applicant. 906

**Sec. 4517.10.** At the time the registrar of motor vehicles 907  
grants the application of any person for a license as motor 908  
vehicle dealer, motor vehicle leasing dealer, distributor, or 909  
motor vehicle auction owner, ~~or motor vehicle salesperson,~~ the 910  
registrar shall issue to the person a license. The registrar 911  
shall prescribe different forms for the licenses of motor 912  
vehicle dealers, motor vehicle leasing dealers, distributors, 913  
and motor vehicle auction owners, and motor vehicle 914  
~~salespersons,~~ and all licenses shall include the name and post- 915  
office address of the person licensed. 916

On and after the effective date of this amendment, the 917  
registrar shall not require a license to practice as a motor 918  
vehicle salesperson. Any motor vehicle salesperson license that 919  
was issued prior to the effective date of this amendment remains 920  
valid only until the expiration date of the license. The license 921  
shall not be renewed. 922

The fee for a motor vehicle dealer's license and a motor 923  
vehicle leasing dealer's license shall be fifty dollars. In 924  
addition to the license fee, the registrar shall collect from 925  
each applicant for an initial motor vehicle dealer's license and 926  
motor vehicle leasing dealer's license a separate fee in an 927  
amount equal to the last assessment required by section 4505.181 928



of the Revised Code for all motor vehicle dealers and motor 929  
vehicle leasing dealers. The registrar shall deposit the 930  
separate fee into the state treasury to the credit of the title 931  
defect recision fund created in section 1345.52 of the Revised 932  
Code. ~~The fee for a salesperson's license shall be ten dollars.~~ 933  
The fee for a motor vehicle auction owner's license shall be one 934  
hundred dollars for each location. The fee for a distributor's 935  
license shall be one hundred dollars for each distributorship. 936  
In all cases, the fee shall accompany the application for 937  
license. 938

The registrar may require each applicant for a license 939  
issued under this chapter to pay an additional fee, which shall 940  
be used by the registrar to pay the costs of obtaining a record 941  
of any arrests and convictions of the applicant from the Ohio 942  
bureau of identification and investigation. The amount of the 943  
fee shall be equal to that paid by the registrar to obtain such 944  
record. 945

If a motor vehicle dealer or a motor vehicle leasing 946  
dealer has more than one place of business in the county, the 947  
dealer shall make application, in such form as the registrar 948  
prescribes, for a certified copy of the license issued to the 949  
dealer for each place of business operated. In the event of the 950  
loss, mutilation, or destruction of a license issued under 951  
sections 4517.01 to 4517.65 of the Revised Code, any licensee 952  
may make application to the registrar, in such form as the 953  
registrar prescribes, for a duplicate copy thereof. The fee for 954  
a certified or duplicate copy of a motor vehicle dealer's, motor 955  
vehicle leasing dealer's, distributor's, or auction owner's 956  
license, is two dollars, ~~and the fee for a duplicate copy of a~~ 957  
~~salesperson's license is one dollar.~~ All fees for such copies 958  
shall accompany the applications. 959

Beginning on September 16, 2004, all motor vehicle 960  
dealers' licenses, motor vehicle leasing dealers' licenses, 961  
distributors' licenses, and auction owners' licenses, ~~and all~~ 962  
~~salespersons' licenses~~ issued or renewed shall expire biennially 963  
on a day within the two-year cycle that is prescribed by the 964  
registrar, unless sooner suspended or revoked. Before the first 965  
day after the day prescribed by the registrar in the year that 966  
the license expires, each licensed motor vehicle dealer, motor 967  
vehicle leasing dealer, distributor, and auction owner ~~and each~~ 968  
~~licensed salesperson,~~ in the year in which the license will 969  
expire, shall file an application, in such forms as the registrar 970  
prescribes, for the renewal of such license. The fee for 971  
renewing a motor vehicle dealer's license and a motor vehicle 972  
leasing dealer's license shall be fifty dollars. ~~The fee for~~ 973  
~~renewing a salesperson's license shall be ten dollars.~~ The fee 974  
for renewing a motor vehicle auction owner's license shall be 975  
one hundred dollars for each location. The fee for renewing a 976  
distributor's license shall be one hundred dollars for each 977  
distributorship. In all cases the license renewal fee shall 978  
accompany the renewal application. 979

~~Any salesperson's license shall be suspended upon the~~ 980  
~~termination, suspension, or revocation of the license of the~~ 981  
~~motor vehicle dealer for whom the salesperson is acting, or upon~~ 982  
~~the salesperson leaving the service of the motor vehicle dealer,~~ 983  
~~provided that upon the termination, suspension, or revocation of~~ 984  
~~the license of the motor vehicle dealer for whom the salesperson~~ 985  
~~is acting, or upon the salesperson leaving the service of a~~ 986  
~~licensed motor vehicle dealer, the licensed salesperson, upon~~ 987  
~~entering the service of any other licensed motor vehicle dealer,~~ 988  
~~shall make application to the registrar, in such form as the~~ 989  
~~registrar prescribes, to have the salesperson's license~~ 990

~~reinstated, transferred, and registered as a salesperson for the~~ 991  
~~other dealer. If the information contained in the application is~~ 992  
~~satisfactory to the registrar, the registrar shall have the~~ 993  
~~salesperson's license reinstated, transferred, and registered as~~ 994  
~~a salesperson for the other dealer. The fee for the~~ 995  
~~reinstatement and transfer of license shall be two dollars. No~~ 996  
~~license issued to a motor vehicle dealer, motor vehicle leasing~~ 997  
~~dealer, or auction owner, ~~or salesperson,~~ under sections 4517.01~~ 998  
~~to 4517.65 of the Revised Code shall be transferable to any~~ 999  
~~other person.~~ 1000

Each motor vehicle dealer, motor vehicle leasing dealer, 1001  
distributor, and auction owner shall keep the dealer's or 1002  
auction owner's license or a certified copy thereof posted in a 1003  
conspicuous place in each place of business. ~~A dealer shall keep~~ 1004  
~~a current list of the dealer's licensed salespersons, showing~~ 1005  
~~the names, addresses, and serial numbers of their licenses and~~ 1006  
~~shall make the list available upon request. Each salesperson~~ 1007  
~~shall keep the salesperson's license or a certified copy thereof~~ 1008  
~~at the salesperson's place of business and shall provide such~~ 1009  
~~license or copy upon demand to any inspector of the bureau of~~ 1010  
~~motor vehicles, state highway patrol trooper, police officer, or~~ 1011  
~~person with whom the salesperson seeks to transact business as a~~ 1012  
~~motor vehicle salesperson.~~ 1013

The notice of refusal to grant a license shall disclose 1014  
the reason for refusal. 1015

**Sec. 4517.14.** ~~The registrar of motor vehicles shall deny~~ 1016  
~~the application of any person for a license as a salesperson and~~ 1017  
~~refuse to issue the license if the registrar finds that the~~ 1018  
~~applicant:~~ 1019

~~(A) Has made any false statement of a material fact in the~~ 1020

application; 1021

~~(B) Has not complied with sections 4517.01 to 4517.45 of the Revised Code;~~ 1022  
1023

~~(C) Is of bad business repute or has habitually defaulted on financial obligations;~~ 1024  
1025

~~(D) Has been convicted of a disqualifying offense as determined in accordance with section 9.79 of the Revised Code;~~ 1026  
1027

~~(E) Has not been designated to act as salesperson for a motor vehicle dealer licensed to do business in this state under section 4517.10 of the Revised Code, or intends to~~ 1028  
No person shall act as salesperson for more than one licensed motor 1029  
vehicle dealer at the same time, except that a licensed 1030  
salesperson may act as a salesperson at any licensed dealership 1031  
owned or operated by the same company, regardless of the county 1032  
in which the dealership's facility is located; 1033  
1034  
1035

~~(F) Holds a current motor vehicle dealer's license issued under section 4517.10 of the Revised Code, and intends to act as salesperson for another licensed motor vehicle dealer;~~ 1036  
1037  
1038

~~(G) Has, less than twelve months prior to making application, been denied a salesperson's license or had a salesperson's license revoked.~~ 1039  
1040  
1041

~~The registrar may refuse to issue a salesperson's license to an applicant who was salesperson for, or in the employ of, a motor vehicle dealer at the time the dealer's license was revoked. The registrar's finding may be based upon any statement contained in the application or upon any facts within the registrar's knowledge, and, immediately upon refusing to issue a salesperson's license, the registrar shall enter a final order and shall certify the final order together with his findings to~~ 1042  
1043  
1044  
1045  
1046  
1047  
1048  
1049

~~the motor vehicle dealers board.~~ 1050

**Sec. 4517.15.** Any person who has been denied a license 1051  
under section 4517.12, or 4517.13, ~~or 4517.14~~ of the Revised 1052  
Code may appeal from the action of the registrar of motor 1053  
vehicles to the motor vehicle dealers board in the manner 1054  
provided in section 4517.33 of the Revised Code. 1055

**Sec. 4517.20.** (A) No motor vehicle dealer licensed under 1056  
Chapter 4517. of the Revised Code shall do any of the following: 1057

(1) Directly or indirectly, solicit the sale of a motor 1058  
vehicle through a pecuniarily interested person other than a 1059  
salesperson ~~licensed~~ in the employ of ~~a~~ the licensed dealer; 1060

(2) Pay any commission or compensation in any form to any 1061  
person in connection with the sale of a motor vehicle unless the 1062  
person is ~~licensed as a~~ salesperson in the employ of the dealer; 1063

(3) ~~Fail to immediately notify the registrar of motor~~ 1064  
~~vehicles upon termination of the employment of any person~~ 1065  
~~licensed as a salesperson to sell, display, offer for sale, or~~ 1066  
~~deal in motor vehicles for the dealer;~~ 1067

~~(4)~~ Knowingly engage in any wholesale motor vehicle 1068  
transaction with any salesperson, or with any person required to 1069  
be licensed pursuant to Chapter 4517. of the Revised Code, if 1070  
the person is not licensed pursuant to that chapter, if the 1071  
person's license to operate as a dealer has been suspended or 1072  
revoked, or if the person's application for a license to operate 1073  
as a dealer has been denied. 1074

(B) Whoever violates this section is guilty of a 1075  
misdemeanor of the fourth degree. 1076

**Sec. 4517.33.** The motor vehicle dealers board shall hear 1077

appeals which may be taken from an order of the registrar of 1078  
motor vehicles, refusing to issue a license. All appeals from 1079  
any order of the registrar refusing to issue any license upon 1080  
proper application must be taken within thirty days from the 1081  
date of the order, or the order is final and conclusive. All 1082  
appeals from orders of the registrar must be by petition in 1083  
writing and verified under oath by the applicant whose 1084  
application for license has been denied, and must set forth the 1085  
reason for the appeal and the reason why, in the petitioner's 1086  
opinion, the order of the registrar is not correct. In such 1087  
appeals the board may make investigation to determine the 1088  
correctness and legality of the order of the registrar. 1089

The board may make rules governing its actions relative to 1090  
the suspension and revocation of dealers', motor vehicle leasing 1091  
dealers', distributors', auction owners', ~~salespersons'~~, and 1092  
construction equipment auction licenses, and may, upon its own 1093  
motion, and shall, upon the verified complaint in writing of any 1094  
person, investigate the conduct of any licensee under sections 1095  
4517.01 to 4517.65 of the Revised Code. The board shall suspend 1096  
or revoke or notify the registrar to refuse to renew any 1097  
dealer's, motor vehicle leasing dealer's, distributor's, auction 1098  
owner's, ~~salesperson's~~, or construction equipment auction 1099  
license, if any ground existed upon which the license might have 1100  
been refused, or if a ground exists that would be cause for 1101  
refusal to issue a license. 1102

The board may suspend or revoke any license if the 1103  
licensee has in any manner violated the rules issued pursuant to 1104  
sections 4517.01 to 4517.65 of the Revised Code, or has violated 1105  
section 4501.02 of the Revised Code, or has been convicted of 1106  
committing a felony or violating any law that in any way relates 1107  
to the selling, taxing, licensing, or regulation of sales of 1108

motor vehicles. 1109

Within ten days after receipt of an abstract from a county 1110  
court judge, mayor of a mayor's court, or clerk of a court of 1111  
record indicating a violation of division (D) of section 1112  
4513.241 of the Revised Code, the board shall determine whether 1113  
the person named in the abstract is licensed under this chapter 1114  
and, if the person is so licensed, shall further determine 1115  
whether the person previously has been convicted of or pleaded 1116  
guilty to a violation of that section. If the person previously 1117  
has been convicted of or pleaded guilty to a violation of that 1118  
section, the board, in accordance with Chapter 119. of the 1119  
Revised Code but without a prior hearing, shall suspend the 1120  
person's license for a period of not more than one hundred 1121  
eighty days. 1122

**Sec. 4517.43.** (A) The applications for licenses and the 1123  
copies of contracts required by sections 4517.04, 4517.05, 1124  
4517.051, 4517.06, 4517.07, and 4517.08, ~~and 4517.09~~ of the 1125  
Revised Code are not part of the public records but are 1126  
confidential information for the use of the registrar of motor 1127  
vehicles and the motor vehicle dealers board. No person shall 1128  
divulge any information contained in such applications and 1129  
acquired by the person in the person's capacity as an official 1130  
or employee of the bureau of motor vehicles or of the board, 1131  
except in a report to the registrar, to the board, or when 1132  
called upon to testify in any court or proceeding. 1133

(B) Whoever violates this section is guilty of a minor 1134  
misdemeanor. 1135

**Sec. 4549.50.** Violation of sections 4549.41 to 4549.46 of 1136  
the Revised Code by any person licensed or granted a permit by 1137  
this state as a dealer, wholesaler, distributor, ~~salesman,~~ or 1138

auction owner under Chapter 4517. of the Revised Code, is prima- 1139  
facie evidence of intent to defraud and constitutes cause for 1140  
the revocation or denial of the license of such person to sell 1141  
any motor vehicle in this state. 1142

Any person who violates sections 4549.41 to 4549.46 of the 1143  
Revised Code, upon receiving notice from the registrar of motor 1144  
vehicles or motor vehicle dealers board of the intent to revoke 1145  
or suspend a license or permit, shall immediately post a surety 1146  
bond with the registrar in favor of the state in the amount of 1147  
twenty-five thousand dollars and shall maintain the bond while 1148  
the license or permit is in effect. The bond shall be for the 1149  
use, benefit, and protection of any transferee damaged by the 1150  
licensee's or ~~permittee's~~ permittee's violation of sections 1151  
4549.41 to 4549.46 of the Revised Code or for the payment of 1152  
civil penalties or costs resulting from enforcement actions. Any 1153  
transferee claiming against the bond or the attorney general may 1154  
maintain an action against the transferor or the surety, except 1155  
that the surety is liable only for actual damages. The aggregate 1156  
liability of the surety shall not exceed twenty-five thousand 1157  
dollars. Any money unclaimed by transferees after two years from 1158  
the date of the conviction of or judgment against the transferor 1159  
shall be deposited in the consumer protection enforcement fund 1160  
created by section 1345.51 of the Revised Code. The surety bond 1161  
shall remain in effect until the license or permit is revoked or 1162  
suspended by the motor vehicle dealers board pursuant to section 1163  
4517.33 of the Revised Code. Upon reinstatement of a license or 1164  
permit that has been suspended, or upon reissuance of a license 1165  
or permit after the period of revocation, the licensee or 1166  
~~permittee~~ permittee shall post an additional surety bond in 1167  
accordance with this section. The surety bond shall remain in 1168  
effect during the period in which the licensee or ~~permittee~~ 1169



permittee engages in business in the state. 1170

**Sec. 4703.16.** (A) ~~The architects board shall establish the application fee for obtaining registration under section 4703.07 and the fee for obtaining registration pursuant to section 4703.08 of the Revised Code.~~ 1171  
1172  
1173  
1174

~~(B)~~ The fee to restore a certificate of qualification to practice architecture is the renewal fee for the current certification period, plus the renewal fee for each two-year period in which the certificate was not renewed, plus a penalty the board establishes for each two-year period or part thereof in which the certificate was not renewed, provided that the maximum fee shall not exceed the amount established by the board. 1175  
1176  
1177  
1178  
1179  
1180  
1181  
1182

~~(C)~~ (B) The board ~~also~~ shall establish the following fees: 1183

(1) The fee for ~~an original and~~ a duplicate certificate of qualification to practice architecture and the biennial renewal of the certificate; 1184  
1185  
1186

(2) The fee for a duplicate renewal card; 1187

(3) The fee to restore a certificate of qualification to practice architecture or certificate of authorization revoked under section 4703.15 of the Revised Code or suspended under section 3123.47 of the Revised Code; 1188  
1189  
1190  
1191

(4) The fee for an original and duplicate certificate of authorization issued under division (L) of section 4703.18 of the Revised Code and the annual renewal of the certificate; 1192  
1193  
1194

(5) The fee to cover costs for checks or other instruments returned to the board by financial institutions due to insufficient funds. 1195  
1196  
1197

(C) The architects board shall not charge an application 1198  
fee for obtaining registration under section 4703.07 or a fee 1199  
for obtaining an initial certificate of qualification to 1200  
practice architecture under section 4703.08 of the Revised Code. 1201

**Sec. 4735.01.** As used in this chapter: 1202

(A) "Real estate broker" includes any person, partnership, 1203  
association, limited liability company, limited liability 1204  
partnership, or corporation, foreign or domestic, who for 1205  
another, whether pursuant to a power of attorney or otherwise, 1206  
and who for a fee, commission, or other valuable consideration, 1207  
or with the intention, or in the expectation, or upon the 1208  
promise of receiving or collecting a fee, commission, or other 1209  
valuable consideration does any of the following: 1210

(1) Sells, exchanges, purchases, rents, or leases, or 1211  
negotiates the sale, exchange, purchase, rental, or leasing of 1212  
any real estate; 1213

(2) Offers, attempts, or agrees to negotiate the sale, 1214  
exchange, purchase, rental, or leasing of any real estate; 1215

(3) Lists, or offers, attempts, or agrees to list, or 1216  
auctions, or offers, attempts, or agrees to auction, any real 1217  
estate; 1218

(4) Buys or offers to buy, sells or offers to sell, or 1219  
otherwise deals in options on real estate; 1220

(5) Operates, manages, or rents, or offers or attempts to 1221  
operate, manage, or rent, other than as custodian, caretaker, or 1222  
janitor, any building or portions of buildings to the public as 1223  
tenants; 1224

(6) Advertises or holds self out as engaged in the 1225

business of selling, exchanging, purchasing, renting, or leasing	1226
real estate;	1227
(7) Directs or assists in the procuring of prospects or	1228
the negotiation of any transaction, other than mortgage	1229
financing, which does or is calculated to result in the sale,	1230
exchange, leasing, or renting of any real estate;	1231
(8) Is engaged in the business of charging an advance fee	1232
or contracting for collection of a fee in connection with any	1233
contract whereby the broker undertakes primarily to promote the	1234
sale, exchange, purchase, rental, or leasing of real estate	1235
through its listing in a publication issued primarily for such	1236
purpose, or for referral of information concerning such real	1237
estate to brokers, or both, except that this division does not	1238
apply to a publisher of listings or compilations of sales of	1239
real estate by their owners;	1240
(9) Collects rental information for purposes of referring	1241
prospective tenants to rental units or locations of such units	1242
and charges the prospective tenants a fee.	1243
(B) "Real estate" includes leaseholds as well as any and	1244
every interest or estate in land situated in this state, whether	1245
corporeal or incorporeal, whether freehold or nonfreehold, and	1246
the improvements on the land, but does not include cemetery	1247
interment rights.	1248
(C) "Real estate salesperson" means any person associated	1249
with a licensed real estate broker to do or to deal in any acts	1250
or transactions set out or comprehended by the definition of a	1251
real estate broker, for compensation or otherwise.	1252
(D) "Institution of higher education" includes all of the	1253
following:	1254

(1) A state institution of higher education, as defined in section 3345.011 of the Revised Code;	1255 1256
(2) A nonprofit institution issued a certificate of authorization under Chapter 1713. of the Revised Code;	1257 1258
(3) A private institution exempt from regulation under Chapter 3332. of the Revised Code, as prescribed in section 3333.046 of the Revised Code.	1259 1260 1261
(4) An institution with a certificate of registration from the state board of career colleges and schools under Chapter 3332. of the Revised Code that is approved to offer degree <u>or</u> <u>certificate</u> programs in accordance with section 3332.05 of the Revised Code.	1262 1263 1264 1265 1266
(E) "Foreign real estate" means real estate not situated in this state and any interest in real estate not situated in this state.	1267 1268 1269
(F) "Foreign real estate dealer" includes any person, partnership, association, limited liability company, limited liability partnership, or corporation, foreign or domestic, who for another, whether pursuant to a power of attorney or otherwise, and who for a fee, commission, or other valuable consideration, or with the intention, or in the expectation, or upon the promise of receiving or collecting a fee, commission, or other valuable consideration, does or deals in any act or transaction specified or comprehended in division (A) of this section with respect to foreign real estate.	1270 1271 1272 1273 1274 1275 1276 1277 1278 1279
(G) "Foreign real estate salesperson" means any person associated with a licensed foreign real estate dealer to do or deal in any act or transaction specified or comprehended in division (A) of this section with respect to foreign real	1280 1281 1282 1283

estate, for compensation or otherwise. 1284

(H) Any person, partnership, association, limited 1285  
liability company, limited liability partnership, or 1286  
corporation, who, for another, in consideration of compensation, 1287  
by fee, commission, salary, or otherwise, or with the intention, 1288  
in the expectation, or upon the promise of receiving or 1289  
collecting a fee, does, or offers, attempts, or agrees to engage 1290  
in, any single act or transaction contained in the definition of 1291  
a real estate broker, whether an act is an incidental part of a 1292  
transaction, or the entire transaction, shall be constituted a 1293  
real estate broker or real estate salesperson under this 1294  
chapter. 1295

(I) (1) The terms "real estate broker," "real estate 1296  
salesperson," "foreign real estate dealer," and "foreign real 1297  
estate salesperson" do not include a person, partnership, 1298  
association, limited liability company, limited liability 1299  
partnership, or corporation, or the regular employees thereof, 1300  
who perform any of the acts or transactions specified or 1301  
comprehended in division (A) of this section, whether or not 1302  
for, or with the intention, in expectation, or upon the promise 1303  
of receiving or collecting a fee, commission, or other valuable 1304  
consideration: 1305

(a) With reference to real estate situated in this state 1306  
owned by such person, partnership, association, limited 1307  
liability company, limited liability partnership, or 1308  
corporation, or acquired on its own account in the regular 1309  
course of, or as an incident to the management of the property 1310  
and the investment in it; 1311

(b) As receiver or trustee in bankruptcy, as guardian, 1312  
executor, administrator, trustee, assignee, commissioner, or any 1313

person doing the things mentioned in this section, under 1314  
authority or appointment of, or incident to a proceeding in, any 1315  
court, or as a bona fide public officer, or as executor, 1316  
trustee, or other bona fide fiduciary under any trust agreement, 1317  
deed of trust, will, or other instrument that has been executed 1318  
in good faith creating a like bona fide fiduciary obligation; 1319

(c) As a public officer while performing the officer's 1320  
official duties; 1321

(d) As an attorney at law in the performance of the 1322  
attorney's duties; 1323

(e) As a person who engages in the brokering of the sale 1324  
of business assets, not including the sale, lease, exchange, or 1325  
assignment of any interest in real estate; 1326

(f) As a person who engages in the sale of manufactured 1327  
homes as defined in division (C) (4) of section 3781.06 of the 1328  
Revised Code, or of mobile homes as defined in division (O) of 1329  
section 4501.01 of the Revised Code, provided the sale does not 1330  
include the negotiation, sale, lease, exchange, or assignment of 1331  
any interest in real estate; 1332

(g) As a person who engages in the sale of commercial real 1333  
estate pursuant to the requirements of section 4735.022 of the 1334  
Revised Code; 1335

(h) As an oil and gas land professional in the performance 1336  
of the oil and gas land professional's duties, provided the oil 1337  
and gas land professional is not engaged in the purchase or sale 1338  
of a fee simple absolute interest in oil and gas or other real 1339  
estate and the oil and gas land professional complies with 1340  
division (A) of section 4735.023 of the Revised Code; 1341

(i) As an oil and gas land professional employed by the 1342

person, partnership, association, limited liability company, 1343  
limited liability partnership, or corporation for which the oil 1344  
and gas land professional is performing the oil and gas land 1345  
professional's duties. 1346

(2) A person, partnership, association, limited liability 1347  
company, limited liability partnership, or corporation exempt 1348  
under division (I)(1)(a) of this section shall be limited by the 1349  
legal interest in the real estate held by that person or entity 1350  
to performing any of the acts or transactions specified in or 1351  
comprehended by division (A) of this section. 1352

(J) "Disabled licensee" means a person licensed pursuant 1353  
to this chapter who is under a severe disability which is of 1354  
such a nature as to prevent the person from being able to attend 1355  
any instruction lasting at least three hours in duration. 1356

(K) "Division of real estate" may be used interchangeably 1357  
with, and for all purposes has the same meaning as, "division of 1358  
real estate and professional licensing." 1359

(L) "Superintendent" or "superintendent of real estate" 1360  
means the superintendent of the division of real estate and 1361  
professional licensing of this state. Whenever the division or 1362  
superintendent of real estate is referred to or designated in 1363  
any statute, rule, contract, or other document, the reference or 1364  
designation shall be deemed to refer to the division or 1365  
superintendent of real estate and professional licensing, as the 1366  
case may be. 1367

(M) "Inactive license" means the license status in which a 1368  
salesperson's license is in the possession of the division, 1369  
renewed as required under this chapter or rules adopted under 1370  
this chapter, and not associated with a real estate broker. 1371

(N) "Broker's license on deposit" means the license status 1372  
in which a broker's license is in the possession of the division 1373  
of real estate and professional licensing and renewed as 1374  
required under this chapter or rules adopted under this chapter. 1375

(O) "Suspended license" means the license status that 1376  
prohibits a licensee from providing services that require a 1377  
license under this chapter for a specified interval of time. 1378

(P) "Reactivate" means the process prescribed by the 1379  
superintendent of real estate and professional licensing to 1380  
remove a license from an inactive, suspended, or broker's 1381  
license on deposit status to allow a licensee to provide 1382  
services that require a license under this chapter. 1383

(Q) "Revoked" means the license status in which the 1384  
license is void and not eligible for reactivation. 1385

(R) "Commercial real estate" means any parcel of real 1386  
estate in this state other than real estate containing one to 1387  
four residential units. "Commercial real estate" does not 1388  
include single-family residential units such as condominiums, 1389  
townhouses, manufactured homes, or homes in a subdivision when 1390  
sold, leased, or otherwise conveyed on a unit-by-unit basis, 1391  
even when those units are a part of a larger building or parcel 1392  
of real estate containing more than four residential units. 1393

(S) "Out-of-state commercial broker" includes any person, 1394  
partnership, association, limited liability company, limited 1395  
liability partnership, or corporation that is licensed to do 1396  
business as a real estate broker in a jurisdiction other than 1397  
Ohio. 1398

(T) "Out-of-state commercial salesperson" includes any 1399  
person affiliated with an out-of-state commercial broker who is 1400



not licensed as a real estate salesperson in Ohio. 1401

(U) "Exclusive right to sell or lease listing agreement" 1402  
means an agency agreement between a seller and broker that meets 1403  
the requirements of section 4735.55 of the Revised Code and does 1404  
both of the following: 1405

(1) Grants the broker the exclusive right to represent the 1406  
seller in the sale or lease of the seller's property; 1407

(2) Provides the broker will be compensated if the broker, 1408  
the seller, or any other person or entity produces a purchaser 1409  
or tenant in accordance with the terms specified in the listing 1410  
agreement or if the property is sold or leased during the term 1411  
of the listing agreement to anyone other than to specifically 1412  
exempted persons or entities. 1413

(V) "Exclusive agency agreement" means an agency agreement 1414  
between a seller and broker that meets the requirements of 1415  
section 4735.55 of the Revised Code and does both of the 1416  
following: 1417

(1) Grants the broker the exclusive right to represent the 1418  
seller in the sale or lease of the seller's property; 1419

(2) Provides the broker will be compensated if the broker 1420  
or any other person or entity produces a purchaser or tenant in 1421  
accordance with the terms specified in the listing agreement or 1422  
if the property is sold or leased during the term of the listing 1423  
agreement, unless the property is sold or leased solely through 1424  
the efforts of the seller or to the specifically exempted 1425  
persons or entities. 1426

(W) "Exclusive purchaser agency agreement" means an agency 1427  
agreement between a purchaser and broker that meets the 1428  
requirements of section 4735.55 of the Revised Code and does 1429

both of the following: 1430

(1) Grants the broker the exclusive right to represent the 1431  
purchaser in the purchase or lease of property; 1432

(2) Provides the broker will be compensated in accordance 1433  
with the terms specified in the exclusive agency agreement or if 1434  
a property is purchased or leased by the purchaser during the 1435  
term of the agency agreement unless the property is specifically 1436  
exempted in the agency agreement. 1437

The agreement may authorize the broker to receive 1438  
compensation from the seller or the seller's agent and may 1439  
provide that the purchaser is not obligated to compensate the 1440  
broker if the property is purchased or leased solely through the 1441  
efforts of the purchaser. 1442

(X) "Seller" means a party in a real estate transaction 1443  
who is the potential transferor of property. "Seller" includes 1444  
an owner of property who is seeking to sell the property and a 1445  
landlord who is seeking to rent or lease property to another 1446  
person. 1447

(Y) "Resigned" means the license status in which a license 1448  
has been voluntarily and permanently surrendered to or is 1449  
otherwise in the possession of the division of real estate and 1450  
professional licensing, may not be renewed or reactivated in 1451  
accordance with the requirements specified in this chapter or 1452  
the rules adopted pursuant to it, and is not associated with a 1453  
real estate broker. 1454

(Z) "Bona fide" means made in good faith or without 1455  
purpose of circumventing license law. 1456

(AA) "Associate broker" means an individual licensed as a 1457  
real estate broker under this chapter who does not function as 1458

the principal broker or a management level licensee. 1459

(BB) "Brokerage" means a corporation, partnership, limited 1460  
partnership, association, limited liability company, limited 1461  
liability partnership, or sole proprietorship, foreign or 1462  
domestic, that has been issued a broker's license. "Brokerage" 1463  
includes the affiliated licensees who have been assigned 1464  
management duties that include supervision of licensees whose 1465  
duties may conflict with those of other affiliated licensees. 1466

(CC) "~~Credit eligible~~ Eligible course" means a credit or 1467  
~~noncredit-bearing course that is both of the following:~~ 1468

~~(1) The noncredit course is~~ offered by an institution of 1469  
higher education.— 1470

~~(2) The course is eligible for academic credit that that~~ 1471  
may be applied toward the requirements for a degree or 1472  
certificate at the institution ~~of higher education.~~ 1473

(DD) "Distance education" means courses required by 1474  
divisions (B) (6) and (G) of section 4735.07, divisions (F) (6) 1475  
and (J) of section 4735.09, and division (A) of section 4735.141 1476  
of the Revised Code in which instruction is accomplished through 1477  
use of interactive, electronic media and where the teacher and 1478  
student are separated by distance or time, or both. 1479

(EE) "Licensee" means any individual licensed as a real 1480  
estate broker or salesperson by the Ohio real estate commission 1481  
pursuant to this chapter. 1482

(FF) "Management level licensee" means a licensee who is 1483  
employed by or affiliated with a real estate broker and who has 1484  
supervisory responsibility over other licensees employed by or 1485  
affiliated with that real estate broker. 1486

(GG) "Oil and gas land professional" means a person 1487  
regularly engaged in the preparation and negotiation of 1488  
agreements for the purpose of exploring for, transporting, 1489  
producing, or developing oil and gas mineral interests, 1490  
including, but not limited to, oil and gas leases and pipeline 1491  
easements. 1492

(HH) "Principal broker" means an individual licensed as a 1493  
real estate broker under this chapter who oversees and directs 1494  
the operations of the brokerage. 1495

(II) "Right-to-list home sale agreement" means an 1496  
agreement whereby the owner of residential real estate agrees to 1497  
provide another person with exclusive rights to list the real 1498  
estate for sale at a future date in exchange for monetary 1499  
consideration, or an equivalent to monetary consideration, and 1500  
that meets one or both of the following: 1501

(1) The agreement states that it runs with the land or 1502  
otherwise purports to bind future owners of the residential real 1503  
estate; 1504

(2) The agreement purports to be a lien, encumbrance, or 1505  
other real property security interest. 1506

**Sec. 4735.07.** (A) The superintendent of real estate, with 1507  
the consent of the Ohio real estate commission, may enter into 1508  
agreements with recognized national testing services to 1509  
administer the real estate broker's examination under the 1510  
superintendent's supervision and control, consistent with the 1511  
requirements of this chapter as to the contents of such 1512  
examination. 1513

(B) No applicant for a real estate broker's license shall 1514  
take the broker's examination who has not established to the 1515

satisfaction of the superintendent that the applicant:	1516
(1) Is honest and truthful;	1517
(2) (a) Has not been convicted of a disqualifying offense	1518
as determined in accordance with section 9.79 of the Revised	1519
Code;	1520
(b) Has not been finally adjudged by a court to have	1521
violated any municipal, state, or federal civil rights laws	1522
relevant to the protection of purchasers or sellers of real	1523
estate or, if the applicant has been so adjudged, at least two	1524
years have passed since the court decision and the	1525
superintendent has disregarded the adjudication because the	1526
applicant has proven, by a preponderance of the evidence, that	1527
the applicant's activities and employment record since the	1528
adjudication show that the applicant is honest and truthful, and	1529
there is no basis in fact for believing that the applicant will	1530
again violate the laws involved.	1531
(3) Has not, during any period in which the applicant was	1532
licensed under this chapter, violated any provision of, or any	1533
rule adopted pursuant to, this chapter, or, if the applicant has	1534
violated any such provision or rule, has established to the	1535
satisfaction of the superintendent that the applicant will not	1536
again violate such provision or rule;	1537
(4) Is at least eighteen years of age;	1538
(5) Has been a licensed real estate broker or salesperson	1539
for at least two of the five years preceding the person's	1540
application, and has completed one of the following:	1541
(a) At least twenty real estate transactions, in which	1542
property was sold for another by the applicant while acting in	1543
the capacity of a real estate broker or salesperson;	1544

(b) Such equivalent experience as is defined by rules	1545
adopted by the commission.	1546
(6) (a) If licensed as a real estate salesperson prior to	1547
August 1, 2001, successfully has completed at an institution of	1548
higher education all of the following <del>credit-eligible</del> <u>eligible</u>	1549
courses by either classroom instruction or distance education:	1550
(i) Thirty hours of instruction in real estate practice;	1551
(ii) Thirty hours of instruction that includes the	1552
subjects of Ohio real estate law, municipal, state, and federal	1553
civil rights law, new case law on housing discrimination,	1554
desegregation issues, and methods of eliminating the effects of	1555
prior discrimination. If feasible, the instruction in Ohio real	1556
estate law shall be taught by a member of the faculty of an	1557
accredited law school. If feasible, the instruction in	1558
municipal, state, and federal civil rights law, new case law on	1559
housing discrimination, desegregation issues, and methods of	1560
eliminating the effects of prior discrimination shall be taught	1561
by a staff member of the Ohio civil rights commission who is	1562
knowledgeable with respect to those subjects. The requirements	1563
of this division do not apply to an applicant who is admitted to	1564
practice before the supreme court.	1565
(iii) Thirty hours of instruction in real estate	1566
appraisal;	1567
(iv) Thirty hours of instruction in real estate finance;	1568
(v) <del>Three quarter</del> <u>Thirty hours,</u> <del>or its equivalent in</del>	1569
<del>semester hours,</del> in financial management;	1570
(vi) <del>Three quarter</del> <u>Thirty hours,</u> <del>or its equivalent in</del>	1571
<del>semester hours,</del> in human resource or personnel management;	1572

(vii) <del>Three quarter</del> <u>Thirty</u> hours, <del>or its equivalent in</del> <del>semester hours,</del> in applied business economics;	1573 1574
(viii) <del>Three quarter</del> <u>Thirty</u> hours, <del>or its equivalent in</del> <del>semester hours,</del> in business law.	1575 1576
(b) If licensed as a real estate salesperson on or after August 1, 2001, successfully has completed at an institution of higher education all of the following <del>credit eligible</del> <u>eligible</u> courses by either classroom instruction or distance education:	1577 1578 1579 1580
(i) Forty hours of instruction in real estate practice;	1581
(ii) Forty hours of instruction that includes the subjects of Ohio real estate law, municipal, state, and federal civil rights law, new case law on housing discrimination, desegregation issues, and methods of eliminating the effects of prior discrimination. If feasible, the instruction in Ohio real estate law shall be taught by a member of the faculty of an accredited law school. If feasible, the instruction in municipal, state, and federal civil rights law, new case law on housing discrimination, desegregation issues, and methods of eliminating the effects of prior discrimination shall be taught by a staff member of the Ohio civil rights commission who is knowledgeable with respect to those subjects. The requirements of this division do not apply to an applicant who is admitted to practice before the supreme court.	1582 1583 1584 1585 1586 1587 1588 1589 1590 1591 1592 1593 1594 1595
(iii) Twenty hours of instruction in real estate appraisal;	1596 1597
(iv) Twenty hours of instruction in real estate finance;	1598
(v) The training in the amount of hours specified under divisions (B) (6) (a) (v), (vi), (vii), and (viii) of this section.	1599 1600

(c) Division (B) (6) (a) or (b) of this section does not 1601  
apply to any applicant who holds a valid real estate 1602  
salesperson's license issued prior to January 2, 1972. Divisions 1603  
(B) (6) (a) (v), (vi), (vii), and (viii) or division (B) (6) (b) (v) 1604  
of this section do not apply to any applicant who holds a valid 1605  
real estate salesperson's license issued prior to January 3, 1606  
1984. 1607

(d) Divisions (B) (6) (a) (iii) and (B) (6) (b) (iii) of this 1608  
section do not apply to any new applicant who holds a valid Ohio 1609  
real estate appraiser license or certificate issued prior to the 1610  
date of application for a real estate broker's license. 1611

(e) Successful completion of the instruction required by 1612  
division (B) (6) (a) or (b) of this section shall be determined by 1613  
the law in effect on the date the instruction was completed. 1614

~~(7) If licensed as a real estate salesperson on or after 1615  
January 3, 1984, satisfactorily has completed a minimum of two 1616  
years of post secondary education, or its equivalent in semester 1617  
or quarter hours, at an institution of higher education, and has 1618  
fulfilled the requirements of division (B) (6) (a) or (b) of this 1619  
section. The requirements of division (B) (6) (a) or (b) of this 1620  
section may be included in the two years of post secondary 1621  
education, or its equivalent in semester or quarter hours, that 1622  
is required by this division. The post secondary education 1623  
requirement may be satisfied by completing the credit eligible 1624  
courses using either classroom instruction or distance 1625  
education. Successful completion of any course required by this 1626  
section shall be determined by the law in effect on the date the 1627  
course was completed. 1628~~

(C) Each applicant for a broker's license shall be 1629  
examined in the principles of real estate practice, Ohio real 1630



estate law, and financing and appraisal, and as to the duties of 1631  
real estate brokers and real estate salespersons, the 1632  
applicant's knowledge of real estate transactions and 1633  
instruments relating to them, and the canons of business ethics 1634  
pertaining to them. The commission from time to time shall 1635  
promulgate such canons and cause them to be published in printed 1636  
form. 1637

(D) Examinations shall be administered with reasonable 1638  
accommodations in accordance with the requirements of the 1639  
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 1640  
U.S.C. 12101. The contents of an examination shall be consistent 1641  
with the requirements of division (B) (6) of this section and 1642  
with the other specific requirements of this section. An 1643  
applicant who has completed the requirements of division (B) (6) 1644  
of this section at the time of application shall be examined no 1645  
later than twelve months after the applicant is notified of 1646  
admission to the examination. 1647

(E) Notwithstanding any provision of this chapter or 1648  
Chapter 4796. of the Revised Code to the contrary, the 1649  
superintendent shall issue a real estate broker's license in 1650  
accordance with Chapter 4796. of the Revised Code to an 1651  
applicant if either of the following applies: 1652

(1) The applicant satisfies the requirements specified in 1653  
section 4796.03 or 4796.04 of the Revised Code, as applicable, 1654  
and all of the following apply: 1655

(a) The applicant has worked as a real estate broker for 1656  
at least two of the five years immediately preceding the date of 1657  
the application. 1658

(b) The applicant has completed not less than twenty real 1659

estate transactions in which the applicant acted in the capacity 1660  
of a real estate broker. 1661

(c) The applicant passes an examination on Ohio real 1662  
estate law. 1663

(2) The applicant satisfies the requirements specified in 1664  
section 4796.05 of the Revised Code and divisions (E) (1) (b) and 1665  
(c) of this section. 1666

(F) There shall be no limit placed on the number of times 1667  
an applicant may retake the examination. 1668

(G) (1) Not earlier than the date of issue of a real estate 1669  
broker's license to a licensee, but not later than twelve months 1670  
after the date of issue of a real estate broker's license to a 1671  
licensee, the licensee shall submit proof satisfactory to the 1672  
superintendent, on forms made available by the superintendent, 1673  
of the completion of ten hours of instruction that shall be 1674  
completed in schools, seminars, and educational institutions 1675  
that are approved by the commission. Approval of the curriculum 1676  
and providers shall be granted according to rules adopted 1677  
pursuant to section 4735.10 of the Revised Code and may be taken 1678  
through classroom instruction or distance education. 1679

If the required proof of completion is not submitted to 1680  
the superintendent within twelve months of the date a license is 1681  
issued under this section, the license of the real estate broker 1682  
is suspended automatically without the taking of any action by 1683  
the superintendent. The broker's license shall not be 1684  
reactivated by the superintendent until it is established, to 1685  
the satisfaction of the superintendent, that the requirements of 1686  
this division have been met and that the licensee is in 1687  
compliance with this chapter. A licensee's license is revoked 1688

automatically without the taking of any action by the 1689  
superintendent if the licensee fails to submit proof of 1690  
completion of the education requirements specified under 1691  
division (G) (1) of this section within twelve months of the date 1692  
the license is suspended. 1693

(2) If the license of a real estate broker is suspended 1694  
pursuant to division (G) (1) of this section, the license of a 1695  
real estate salesperson associated with that broker 1696  
correspondingly is suspended pursuant to division (H) of section 1697  
4735.20 of the Revised Code. However, the suspended license of 1698  
the associated real estate salesperson shall be reactivated and 1699  
no fee shall be charged or collected for that reactivation if 1700  
all of the following occur: 1701

(a) That broker subsequently submits satisfactory proof to 1702  
the superintendent that the broker has complied with the 1703  
requirements of division (G) (1) of this section and requests 1704  
that the broker's license as a real estate broker be 1705  
reactivated; 1706

(b) The superintendent then reactivates the broker's 1707  
license as a real estate broker; 1708

(c) The associated real estate salesperson intends to 1709  
continue to be associated with that broker and otherwise is in 1710  
compliance with this chapter. 1711

**Sec. 4735.09.** (A) Application for a license as a real 1712  
estate salesperson shall be made to the superintendent of real 1713  
estate on forms furnished by the superintendent and signed by 1714  
the applicant. The application shall be in the form prescribed 1715  
by the superintendent and shall contain such information as is 1716  
required by this chapter and the rules of the Ohio real estate 1717

commission. The application shall be accompanied by the 1718  
recommendation of the real estate broker with whom the applicant 1719  
is associated or with whom the applicant intends to be 1720  
associated, certifying that the applicant is honest and 1721  
truthful, and has not been finally adjudged by a court to have 1722  
violated any municipal, state, or federal civil rights laws 1723  
relevant to the protection of purchasers or sellers of real 1724  
estate, which conviction or adjudication the applicant has not 1725  
disclosed to the superintendent, and recommending that the 1726  
applicant be admitted to the real estate salesperson 1727  
examination. 1728

(B) A fee of eighty-one dollars shall accompany the 1729  
application, which fee includes the fee for the initial year of 1730  
the licensing period, if a license is issued. The initial year 1731  
of the licensing period commences at the time the license is 1732  
issued and ends on the applicant's first birthday thereafter. 1733  
The application fee shall be nonrefundable. A fee of eighty-one 1734  
dollars shall be charged by the superintendent for each 1735  
successive application made by the applicant. 1736

(C) There shall be no limit placed on the number of times 1737  
an applicant may retake the examination. 1738

(D) The superintendent, with the consent of the 1739  
commission, may enter into an agreement with a recognized 1740  
national testing service to administer the real estate 1741  
salesperson's examination under the superintendent's supervision 1742  
and control, consistent with the requirements of this chapter as 1743  
to the contents of the examination. 1744

If the superintendent, with the consent of the commission, 1745  
enters into an agreement with a national testing service to 1746  
administer the real estate salesperson's examination, the 1747

superintendent may require an applicant to pay the testing 1748  
service's examination fee directly to the testing service. If 1749  
the superintendent requires the payment of the examination fee 1750  
directly to the testing service, each applicant shall submit to 1751  
the superintendent a processing fee in an amount determined by 1752  
the Ohio real estate commission pursuant to division (A) (1) of 1753  
section 4735.10 of the Revised Code. 1754

(E) The superintendent shall issue a real estate 1755  
salesperson's license when satisfied that the applicant has 1756  
received a passing score on each portion of the salesperson's 1757  
examination as determined by rule by the real estate commission. 1758

(F) No applicant for a salesperson's license shall take 1759  
the salesperson's examination who has not established to the 1760  
satisfaction of the superintendent that the applicant: 1761

(1) Is honest and truthful; 1762

(2) (a) Has not been convicted of a disqualifying offense 1763  
as determined in accordance with section 9.79 of the Revised 1764  
Code; 1765

(b) Has not been finally adjudged by a court to have 1766  
violated any municipal, state, or federal civil rights laws 1767  
relevant to the protection of purchasers or sellers of real 1768  
estate or, if the applicant has been so adjudged, at least two 1769  
years have passed since the court decision and the 1770  
superintendent has disregarded the adjudication because the 1771  
applicant has proven, by a preponderance of the evidence, that 1772  
the applicant is honest and truthful, and there is no basis in 1773  
fact for believing that the applicant again will violate the 1774  
laws involved. 1775

(3) Has not, during any period in which the applicant was 1776

licensed under this chapter, violated any provision of, or any 1777  
rule adopted pursuant to this chapter, or, if the applicant has 1778  
violated such provision or rule, has established to the 1779  
satisfaction of the superintendent that the applicant will not 1780  
again violate such provision or rule; 1781

(4) Is at least eighteen years of age; 1782

(5) If born after the year 1950, has a high school diploma 1783  
or a certificate of high school equivalence issued under section 1784  
3301.80 of the Revised Code; 1785

(6) Has successfully completed at an institution of higher 1786  
education all of the following ~~credit-eligible~~ eligible courses 1787  
by either classroom instruction or distance education: 1788

(a) Forty hours of instruction in real estate practice; 1789

(b) Forty hours of instruction that includes the subjects 1790  
of Ohio real estate law, municipal, state, and federal civil 1791  
rights law, new case law on housing discrimination, 1792  
desegregation issues, and methods of eliminating the effects of 1793  
prior discrimination. If feasible, the instruction in Ohio real 1794  
estate law shall be taught by a member of the faculty of an 1795  
accredited law school. If feasible, the instruction in 1796  
municipal, state, and federal civil rights law, new case law on 1797  
housing discrimination, desegregation issues, and methods of 1798  
eliminating the effects of prior discrimination shall be taught 1799  
by a staff member of the Ohio civil rights commission who is 1800  
knowledgeable with respect to those subjects. The requirements 1801  
of this division do not apply to an applicant who is admitted to 1802  
practice before the supreme court. 1803

(c) Twenty hours of instruction in real estate appraisal; 1804

(d) Twenty hours of instruction in real estate finance. 1805

(G) (1) Successful completion of the instruction required 1806  
by division (F) (6) of this section shall be determined by the 1807  
law in effect on the date the instruction was completed. 1808

(2) Division (F) (6) (c) of this section does not apply to 1809  
any new applicant who holds a valid Ohio real estate appraiser 1810  
license or certificate issued prior to the date of application 1811  
for a real estate salesperson's license. 1812

(H) Only for noncredit course offerings, an institution of 1813  
higher education shall obtain approval from the appropriate 1814  
state authorizing entity prior to offering a real estate course 1815  
that is designed and marketed as satisfying the salesperson 1816  
license education requirements of division (F) (6) of this 1817  
section. The state authorizing entity may consult with the 1818  
superintendent in reviewing the course for compliance with this 1819  
section. 1820

(I) Any person who has not been licensed as a real estate 1821  
salesperson or broker within a four-year period immediately 1822  
preceding the person's current application for the salesperson's 1823  
examination shall have successfully completed the prelicensure 1824  
instruction required by division (F) (6) of this section within a 1825  
ten-year period immediately preceding the person's current 1826  
application for the salesperson's examination. 1827

(J) Not earlier than the date of issue of a real estate 1828  
salesperson's license to a licensee, but not later than twelve 1829  
months after the date of issue of a real estate salesperson 1830  
license to a licensee, the licensee shall submit proof 1831  
satisfactory to the superintendent, on forms made available by 1832  
the superintendent, of the completion of twenty hours of 1833  
instruction that shall be completed in schools, seminars, and 1834  
educational institutions approved by the commission. The 1835

instruction shall include, but is not limited to, current 1836  
practices relating to commercial real estate, property 1837  
management, short sales, and land contracts; contract law; 1838  
federal and state programs; economic conditions; and fiduciary 1839  
responsibility. Approval of the curriculum and providers shall 1840  
be granted according to rules adopted pursuant to section 1841  
4735.10 of the Revised Code and may be taken through classroom 1842  
instruction or distance education. 1843

If proof of completion of the required instruction is not 1844  
submitted within twelve months of the date a license is issued 1845  
under this section, the licensee's license is suspended 1846  
automatically without the taking of any action by the 1847  
superintendent. The superintendent immediately shall notify the 1848  
broker with whom such salesperson is associated of the 1849  
suspension of the salesperson's license. A salesperson whose 1850  
license has been suspended under this division shall have twelve 1851  
months after the date of the suspension of the salesperson's 1852  
license to submit proof of successful completion of the 1853  
instruction required under this division. No such license shall 1854  
be reactivated by the superintendent until it is established, to 1855  
the satisfaction of the superintendent, that the requirements of 1856  
this division have been met and that the licensee is in 1857  
compliance with this chapter. A licensee's license is revoked 1858  
automatically without the taking of any action by the 1859  
superintendent when the licensee fails to submit the required 1860  
proof of completion of the education requirements under division 1861  
(I) of this section within twelve months of the date the license 1862  
is suspended. 1863

(K) Examinations shall be administered with reasonable 1864  
accommodations in accordance with the requirements of the 1865  
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 1866



U.S.C. 12189. The contents of an examination shall be consistent 1867  
with the classroom instructional requirements of division (F) (6) 1868  
of this section. An applicant who has completed the classroom 1869  
instructional requirements of division (F) (6) of this section at 1870  
the time of application shall be examined no later than twelve 1871  
months after the applicant is notified of the applicant's 1872  
admission to the examination. 1873

(L) Notwithstanding any provision of this chapter or 1874  
Chapter 4796. of the Revised Code to the contrary, the 1875  
superintendent shall issue a real estate salesperson's license 1876  
in accordance with Chapter 4796. of the Revised Code to an 1877  
applicant if both of the following apply: 1878

(1) The applicant satisfies the requirements specified in 1879  
section 4796.03, 4796.04, or 4796.05 of the Revised Code, as 1880  
applicable. 1881

(2) The applicant passes an examination on Ohio real 1882  
estate law. 1883

**Sec. 4738.05.** At the time the registrar of motor vehicles 1884  
grants the application of any person for a license under this 1885  
chapter, the registrar shall issue to the person a license that 1886  
shall have provisional status for a period of one hundred eighty 1887  
days from the date of issuance. At the end of that period and 1888  
subject to the results of the inspection described in section 1889  
4738.071 of the Revised Code of the place of business of the 1890  
license holder, the license either shall be revoked or shall 1891  
remain valid and no longer have provisional status. The 1892  
registrar shall prescribe forms for licenses, and all licenses 1893  
shall include the name and post office address of the person 1894  
licensed. 1895

The fee for a motor vehicle salvage dealer's license,~~a~~ 1896  
~~salvage motor vehicle auction license,~~ or a salvage motor 1897  
vehicle pool license shall be one hundred dollars. In all cases 1898  
the fee shall accompany the application for license. No fee is 1899  
required for a salvage motor vehicle auction license. 1900

If a licensee has more than one place of business in the 1901  
county, the licensee shall make application, in a form as the 1902  
registrar prescribes, for a certified copy of the license issued 1903  
to the person for each place of business operated. In the event 1904  
of the loss, mutilation, or destruction of a license issued 1905  
under sections 4738.01 to 4738.16 of the Revised Code, any 1906  
licensee may make application to the registrar, in a form as the 1907  
registrar prescribes, for a duplicate copy thereof. The fee for 1908  
a certified or duplicate copy of a license is one dollar. All 1909  
fees for copies shall accompany the applications. 1910

~~Beginning on the effective date of this amendment~~ 1911  
September 16, 2004, all licenses issued or renewed shall expire 1912  
biennially on a day within the two-year license cycle that is 1913  
prescribed by the registrar, unless sooner suspended or revoked. 1914  
Before the first day after the day prescribed by the registrar 1915  
in the year that the license expires, each motor vehicle salvage 1916  
dealer, salvage motor vehicle auction, or salvage motor vehicle 1917  
pool in the year in which the license will expire, shall file an 1918  
application, in a form as the registrar prescribes, for the 1919  
renewal of the license. The fee provided in this section for the 1920  
original license shall accompany the application. 1921

**Sec. 4743.06.** (A) As used in this section: 1922

(1) "Occupational licensing board" has the same meaning as 1923  
in section 4798.01 of the Revised Code. "Occupational licensing 1924  
board" does not include the supreme court with respect to 1925

governing the practice of law pursuant to rules prescribed under 1926  
Ohio Constitution, Article IV, Section 5. 1927

(2) "Protected class" means an individual's race, color, 1928  
religion, sex, military status, national origin, disability, 1929  
age, or ancestry, as those terms are used in section 4112.02 of 1930  
the Revised Code. 1931

(B) Notwithstanding any provision of law to the contrary, 1932  
no occupational licensing board shall adopt, provide, approve 1933  
for credit, count for credit, or require completion of 1934  
continuing education curriculum or coursework, seminars, 1935  
webinars, or online instruction that promote any of the 1936  
following concepts: 1937

(1) An individual of a protected class is inherently 1938  
superior or inferior to another protected class, and members of 1939  
a protected class should be discriminated against solely or 1940  
partly because of the individual's membership in a protected 1941  
class. 1942

(2) An individual, by virtue of the individual's 1943  
membership in a protected class, is inherently racist, sexist, 1944  
or oppressive, whether consciously or unconsciously. 1945

(3) An individual's moral standing or worth is necessarily 1946  
determined by the individual's membership in any protected 1947  
class. 1948

(4) An individual, by virtue of the individual's 1949  
membership in any protected class, bears responsibility for the 1950  
actions committed in the past by other members of the same 1951  
protected class. 1952

(5) Meritocracy or traits such as hard work ethic are 1953  
racist or sexist, or were created by individuals of a particular 1954

protected class to oppress members of another protected class. 1955

**Sec. 4749.03.** (A) (1) Any individual, including a partner 1956  
in a partnership, may be licensed as a private investigator 1957  
under a class B license, or as a security guard provider under a 1958  
class C license, or as a private investigator and a security 1959  
guard provider under a class A license, if the individual meets 1960  
all of the following requirements: 1961

(a) Has not been adjudicated incompetent for the purpose 1962  
of holding the license, as provided in section 5122.301 of the 1963  
Revised Code, without having been restored to legal capacity for 1964  
that purpose. 1965

(b) Depending upon the class of license for which 1966  
application is made, for a continuous period of at least two 1967  
years immediately preceding application for a license, has been 1968  
engaged in investigatory or security services work for a law 1969  
enforcement or other public agency engaged in investigatory 1970  
activities, or for a private investigator or security guard 1971  
provider, or engaged in the practice of law, or has acquired 1972  
equivalent experience as determined by rule of the director of 1973  
public safety. 1974

(c) Demonstrates competency as a private investigator or 1975  
security guard provider by passing an examination devised for 1976  
this purpose by the director, except that any individually 1977  
licensed person who qualifies a corporation for licensure shall 1978  
not be required to be reexamined if the person qualifies the 1979  
corporation in the same capacity that the person was 1980  
individually licensed. 1981

(d) Submits evidence of comprehensive general liability 1982  
insurance coverage, or other equivalent guarantee approved by 1983

the director in such form and in principal amounts satisfactory 1984  
to the director, but not less than one hundred thousand dollars 1985  
for each person and three hundred thousand dollars for each 1986  
occurrence for bodily injury liability, and one hundred thousand 1987  
dollars for property damage liability. 1988

(e) Pays the requisite examination and license fees. 1989

(2) A corporation may be licensed as a private 1990  
investigator under a class B license, or as a security guard 1991  
provider under a class C license, or as a private investigator 1992  
and a security guard provider under a class A license, if an 1993  
application for licensure is filed by an officer of the 1994  
corporation and the officer, another officer, or the qualifying 1995  
agent of the corporation satisfies the requirements of divisions 1996  
(A) (1) and (F) (1) of this section. Officers and the statutory 1997  
agent of a corporation shall be determined in accordance with 1998  
Chapter 1701. of the Revised Code. 1999

(3) At least one partner in a partnership shall be 2000  
licensed as a private investigator, or as a security guard 2001  
provider, or as a private investigator and a security guard 2002  
provider. Partners in a partnership shall be determined as 2003  
provided for in Chapter 1775. or 1776. of the Revised Code. 2004

(B) An application for a class A, B, or C license shall be 2005  
completed in the form the director prescribes. In the case of an 2006  
individual, the application shall state the applicant's name, 2007  
birth date, citizenship, current residence, residences for the 2008  
preceding ten years, current employment, employment for the 2009  
preceding seven years, experience qualifications, the location 2010  
of each of the applicant's offices in this state, and any other 2011  
information that is necessary in order for the director to 2012  
comply with the requirements of this chapter. In the case of a 2013

corporation, the application shall state the name of the officer 2014  
or qualifying agent filing the application; the state in which 2015  
the corporation is incorporated and the date of incorporation; 2016  
the states in which the corporation is authorized to transact 2017  
business; the name of its qualifying agent; the name of the 2018  
officer or qualifying agent of the corporation who satisfies the 2019  
requirements of divisions (A)(1) and (F)(1) of this section and 2020  
the birth date, citizenship, physical description, current 2021  
residence, residences for the preceding ten years, current 2022  
employment, employment for the preceding seven years, and 2023  
experience qualifications of that officer or qualifying agent; 2024  
and other information that the director requires. A corporation 2025  
may specify in its application information relative to one or 2026  
more individuals who satisfy the requirements of divisions (A) 2027  
(1) and (F)(1) of this section. 2028

The application described in this division shall be 2029  
accompanied by both of the following: 2030

(1) References from at least five reputable citizens for 2031  
the applicant or, in the case of a corporation, for each officer 2032  
or qualifying agent specified in the application as satisfying 2033  
the requirements of divisions (A)(1) and (F)(1) of this section, 2034  
each of whom has known the applicant, officer, or qualifying 2035  
agent for at least five years preceding the application, and 2036  
none of whom are connected with the applicant, officer, or 2037  
qualifying agent by blood or marriage; 2038

(2) An examination fee of twenty-five dollars for the 2039  
applicant or, in the case of a corporation, for each officer or 2040  
qualifying agent specified in the application as satisfying the 2041  
requirements of divisions (A)(1) and (F)(1) of this section, and 2042  
a license fee in the amount the director determines, not to 2043

exceed ~~three~~ two hundred ~~seventy five~~ dollars. The license fee 2044  
shall be refunded if a license is not issued. 2045

(C) (1) Each individual applying for a license and each 2046  
individual specified by a corporation as an officer or 2047  
qualifying agent in an application shall submit one complete set 2048  
of fingerprints directly to the superintendent of the bureau of 2049  
criminal identification and investigation for the purpose of 2050  
conducting a criminal records check. The individual shall 2051  
provide the fingerprints using a method the superintendent 2052  
prescribes pursuant to division (C) (2) of section 109.572 of the 2053  
Revised Code and fill out the form the superintendent prescribes 2054  
pursuant to division (C) (1) of section 109.572 of the Revised 2055  
Code. An applicant who intends to carry a firearm as defined in 2056  
section 2923.11 of the Revised Code in the course of business or 2057  
employment shall so notify the superintendent. This notification 2058  
is in addition to any other requirement related to carrying a 2059  
firearm that applies to the applicant. The individual or 2060  
corporation requesting the criminal records check shall pay the 2061  
fee the superintendent prescribes. 2062

(2) The superintendent shall conduct the criminal records 2063  
check as set forth in division (B) of section 109.572 of the 2064  
Revised Code. If an applicant intends to carry a firearm in the 2065  
course of business or employment, the superintendent shall make 2066  
a request to the federal bureau of investigation for any 2067  
information and review the information the bureau provides 2068  
pursuant to division (B) (2) of section 109.572 of the Revised 2069  
Code. The superintendent shall submit all results of the 2070  
completed investigation to the director of public safety. 2071

(3) If the director determines that the applicant, 2072  
officer, or qualifying agent meets the requirements of divisions 2073

(A) (1) (a), (b), and (d) of this section and that an officer or 2074  
qualifying agent meets the requirement of division (F) (1) of 2075  
this section, the director shall notify the applicant, officer, 2076  
or agent of the time and place for the examination. If the 2077  
director determines that an applicant does not meet the 2078  
requirements of divisions (A) (1) (a), (b), and (d) of this 2079  
section, the director shall notify the applicant that the 2080  
applicant's application is refused and refund the license fee. 2081  
If the director determines that none of the individuals 2082  
specified in the application of a corporation as satisfying the 2083  
requirements of divisions (A) (1) and (F) (1) of this section meet 2084  
the requirements of divisions (A) (1) (a), (b), and (d) and (F) (1) 2085  
of this section, the director shall notify the corporation that 2086  
its application is refused and refund the license fee. If the 2087  
bureau assesses the director a fee for any investigation, the 2088  
director, in addition to any other fee assessed pursuant to this 2089  
chapter, may assess the applicant, officer, or qualifying agent, 2090  
as appropriate, a fee that is equal to the fee assessed by the 2091  
bureau. 2092

(4) (a) Subject to division (C) (4) (c) of this section, the 2093  
director shall not adopt, maintain, renew, or enforce any rule, 2094  
or otherwise preclude in any way, an individual from renewing a 2095  
license under this chapter due to any past criminal activity or 2096  
interpretation of moral character. If the director denies an 2097  
individual a license renewal, the reasons for such denial shall 2098  
be put in writing. 2099

(b) The director may refuse to issue a license to an 2100  
applicant because of a conviction of or plea of guilty to an 2101  
offense if the refusal is in accordance with section 9.79 of the 2102  
Revised Code. 2103



(c) In considering a renewal of an individual's license, 2104  
the director shall not consider any conviction or plea of guilty 2105  
prior to the initial licensing. However, the director may 2106  
consider a conviction or plea of guilty if it occurred after the 2107  
individual was initially licensed, or after the most recent 2108  
license renewal. 2109

(d) The director may grant an individual a conditional 2110  
license that lasts for one year. After the one-year period has 2111  
expired, the license is no longer considered conditional, and 2112  
the individual shall be considered fully licensed. 2113

(D) If upon application, investigation, and examination, 2114  
the director finds that the applicant or, in the case of a 2115  
corporation, any officer or qualifying agent specified in the 2116  
application as satisfying the requirements of divisions (A) (1) 2117  
and (F) (1) of this section, meets the applicable requirements, 2118  
the director shall issue the applicant or the corporation a 2119  
class A, B, or C license. The director also shall issue an 2120  
identification card to an applicant, but not an officer or 2121  
qualifying agent of a corporation, who meets the applicable 2122  
requirements. The license and identification card shall state 2123  
the licensee's name, the classification of the license, the 2124  
location of the licensee's principal place of business in this 2125  
state, and the expiration date of the license, and, in the case 2126  
of a corporation, it also shall state the name of each officer 2127  
or qualifying agent who satisfied the requirements of divisions 2128  
(A) (1) and (F) (1) of this section. 2129

Licenses issued before the effective date of this 2130  
amendment expire on the first day of March following the date 2131  
of initial issue, and on the first day of March of each year 2132  
every two years thereafter. Licenses issued on or after the 2133

effective date of this amendment expire two years after the date 2134  
of initial issue. ~~Annual renewals~~ Renewals shall be according to 2135  
the standard renewal procedures contained in Chapter 4745. of 2136  
the Revised Code, upon payment of ~~an annual~~ a renewal fee the 2137  
director determines, not to exceed ~~two~~ five hundred ~~seventy five~~ 2138  
fifty dollars. No license shall be renewed if the licensee or, 2139  
in the case of a corporation, each officer or qualifying agent 2140  
who qualified the corporation for licensure no longer meets the 2141  
applicable requirements of this section. No license shall be 2142  
renewed unless the licensee provides evidence of workers' 2143  
compensation risk coverage and unemployment compensation 2144  
insurance coverage, other than for clerical employees and 2145  
excepting sole proprietors who are exempted therefrom, as 2146  
provided for in Chapters 4123. and 4141. of the Revised Code, 2147  
respectively, as well as the licensee's state tax identification 2148  
number. No reexamination shall be required for renewal of a 2149  
current license. 2150

For purposes of this chapter, a class A, B, or C license 2151  
issued to a corporation shall be considered as also having 2152  
licensed the individuals who qualified the corporation for 2153  
licensure, for as long as they are associated with the 2154  
corporation. 2155

For purposes of this division, "sole proprietor" means an 2156  
individual licensed under this chapter who does not employ any 2157  
other individual. 2158

(E) The director may issue a duplicate copy of a license 2159  
issued under this section for the purpose of replacement of a 2160  
lost, spoliated, or destroyed license, upon payment of a fee the 2161  
director determines, not exceeding twenty-five dollars. Any 2162  
change in license classification requires new application and 2163

application fees. 2164

(F) (1) In order to qualify a corporation for a class A, B, 2165  
or C license, an officer or qualifying agent may qualify another 2166  
corporation for similar licensure, provided that the officer or 2167  
qualifying agent is actively engaged in the business of both 2168  
corporations. 2169

(2) Each officer or qualifying agent who qualifies a 2170  
corporation for class A, B, or C licensure shall surrender any 2171  
personal license of a similar nature that the officer or 2172  
qualifying agent possesses. 2173

(3) Upon written notification to the director, completion 2174  
of an application similar to that for original licensure, 2175  
surrender of the corporation's current license, and payment of a 2176  
twenty-five-dollar fee, a corporation's class A, B, or C license 2177  
may be transferred to another corporation. 2178

(4) Upon written notification to the director, completion 2179  
of an application similar to that for an individual seeking 2180  
class A, B, or C licensure, payment of a twenty-five-dollar fee, 2181  
and, if the individual was the only individual that qualified a 2182  
corporation for licensure, surrender of the corporation's 2183  
license, any officer or qualifying agent who qualified a 2184  
corporation for licensure under this chapter may obtain a 2185  
similar license in the individual's own name without 2186  
reexamination. A request by an officer or qualifying agent for 2187  
an individual license shall not affect a corporation's license 2188  
unless the individual is the only individual that qualified the 2189  
corporation for licensure or all the other individuals who 2190  
qualified the corporation for licensure submit such requests. 2191

(G) If a corporation is for any reason no longer 2192

associated with an individual who qualified it for licensure 2193  
under this chapter, an officer of the corporation shall notify 2194  
the director of that fact by certified mail, return receipt 2195  
requested, within ten days after the association terminates. If 2196  
the notification is so given, the individual was the only 2197  
individual that qualified the corporation for licensure, and the 2198  
corporation submits the name of another officer or qualifying 2199  
agent to qualify the corporation for the license within thirty 2200  
days after the association terminates, the corporation may 2201  
continue to operate in the business of private investigation, 2202  
the business of security services, or both businesses in this 2203  
state under that license for ninety days after the association 2204  
terminates. If the officer or qualifying agent whose name is 2205  
submitted satisfies the requirements of divisions (A) (1) and (F) 2206  
(1) of this section, the director shall issue a new license to 2207  
the corporation within that ninety-day period. The names of more 2208  
than one individual may be submitted. 2209

**Sec. 4763.05.** (A) (1) (a) A person shall make application 2210  
for an initial state-certified general real estate appraiser 2211  
certificate, an initial state-certified residential real estate 2212  
appraiser certificate, an initial state-licensed residential 2213  
real estate appraiser license, or an initial state-registered 2214  
real estate appraiser assistant registration in writing to the 2215  
superintendent of real estate on a form the superintendent 2216  
prescribes. The application shall include the address of the 2217  
applicant's principal place of business and all other addresses 2218  
at which the applicant currently engages in the business of 2219  
performing real estate appraisals and the address of the 2220  
applicant's current residence. The superintendent shall retain 2221  
the applicant's current residence address in a separate record 2222  
which does not constitute a public record for purposes of 2223

section 149.43 of the Revised Code. The application shall 2224  
indicate whether the applicant seeks certification as a general 2225  
real estate appraiser or as a residential real estate appraiser, 2226  
licensure as a residential real estate appraiser, or 2227  
registration as a real estate appraiser assistant and be 2228  
accompanied by the prescribed examination and certification, 2229  
registration, or licensure fees set forth in section 4763.09 of 2230  
the Revised Code. The application also shall include a pledge, 2231  
signed by the applicant, that the applicant will comply with the 2232  
standards set forth in this chapter; and a statement that the 2233  
applicant understands the types of misconduct for which 2234  
disciplinary proceedings may be initiated against the applicant 2235  
pursuant to this chapter. 2236

(b) Upon the filing of an application and payment of any 2237  
examination and certification, registration, or licensure fees, 2238  
the superintendent of real estate shall request the 2239  
superintendent of the bureau of criminal identification and 2240  
investigation, or a vendor approved by the bureau, to conduct a 2241  
criminal records check based on the applicant's fingerprints in 2242  
accordance with section 109.572 of the Revised Code. 2243  
Notwithstanding division (L) of section 121.08 of the Revised 2244  
Code, the superintendent of real estate shall request that 2245  
criminal record information from the federal bureau of 2246  
investigation be obtained as part of the criminal records check. 2247  
Any fee required under division (C) (3) of section 109.572 of the 2248  
Revised Code shall be paid by the applicant. 2249

(2) For purposes of providing funding for the real estate 2250  
appraiser recovery fund established by section 4763.16 of the 2251  
Revised Code, the real estate appraiser board shall levy an 2252  
assessment against each person issued an initial certificate, 2253  
registration, or license and against current licensees, 2254

registrants, and certificate holders, as required by board rule. 2255  
The assessment is in addition to the application and examination 2256  
fees for initial applicants required by division (A) (1) of this 2257  
section and the renewal fees required for current certificate 2258  
holders, registrants, and licensees. The superintendent of real 2259  
estate shall deposit the assessment into the state treasury to 2260  
the credit of the real estate appraiser recovery fund. The 2261  
assessment for initial certificate holders, registrants, and 2262  
licensees shall be paid prior to the issuance of a certificate, 2263  
registration, or license, and for current certificate holders, 2264  
registrants, and licensees, at the time of renewal. 2265

(B) An applicant for an initial general real estate 2266  
appraiser certificate, residential real estate appraiser 2267  
certificate, or residential real estate appraiser license shall 2268  
possess experience in real estate appraisal as the board 2269  
prescribes by rule. In addition to any other information 2270  
required by the board, the applicant shall furnish, under oath, 2271  
a detailed listing of the appraisal reports or file memoranda 2272  
for each year for which experience is claimed and, upon request 2273  
of the superintendent or the board, shall make available for 2274  
examination a sample of the appraisal reports prepared by the 2275  
applicant in the course of the applicant's practice. 2276

(C) An applicant for an initial certificate, registration, 2277  
or license shall be at least eighteen years of age, honest, and 2278  
truthful and shall present satisfactory evidence to the 2279  
superintendent that the applicant has successfully completed any 2280  
education requirements the board prescribes by rule. 2281

(D) An applicant for an initial general real estate 2282  
appraiser or residential real estate appraiser certificate or 2283  
residential real estate appraiser license shall take and 2284

successfully complete a written examination in order to qualify 2285  
for the certificate or license. 2286

The board shall prescribe the examination requirements by 2287  
rule. 2288

(E) (1) The board shall issue a residential real estate 2289  
appraiser license, a residential real estate appraiser 2290  
certificate, real estate appraiser assistant registration, or a 2291  
general real estate appraiser certificate in accordance with 2292  
Chapter 4796. of the Revised Code to an applicant if either of 2293  
the following applies: 2294

(a) The applicant holds a certificate, license, or 2295  
registration in another state. 2296

(b) The applicant has satisfactory work experience, a 2297  
government certification, or a private certification as 2298  
described in that chapter as a residential real estate 2299  
appraiser, real estate appraiser assistant, or general real 2300  
estate appraiser in a state that does not issue that 2301  
certificate, license, or registration. 2302

(2) (a) The board shall recognize on a temporary basis a 2303  
certification or license issued in another state and shall 2304  
register on a temporary basis an appraiser who is certified or 2305  
licensed in another state if all of the following apply: 2306

(i) The temporary registration is to perform an appraisal 2307  
assignment that is part of a federally related transaction. 2308

(ii) The appraiser's business in this state is of a 2309  
temporary nature. 2310

(iii) The appraiser registers with the board pursuant to 2311  
this division. 2312

(b) An appraiser who is certified or licensed in another 2313  
state shall register with the board for temporary practice 2314  
before performing an appraisal assignment in this state in 2315  
connection with a federally related transaction. 2316

(c) The board shall adopt rules relating to registration 2317  
for the temporary recognition of certification and licensure of 2318  
appraisers from another state. The registration for temporary 2319  
recognition of certified or licensed appraisers from another 2320  
state shall not authorize completion of more than one appraisal 2321  
assignment in this state. The board shall not issue more than 2322  
two registrations for temporary practice to any one applicant in 2323  
any calendar year. The application for obtaining a registration 2324  
under this division may include any of the following: 2325

(i) A pledge, signed by the applicant, that the applicant 2326  
will comply with the standards set forth in this chapter; 2327

(ii) A statement that the applicant understands the types 2328  
of misconduct for which disciplinary proceedings may be 2329  
initiated against the applicant pursuant to this chapter; 2330

(iii) A consent to service of process. 2331

(d) A nonresident appraiser whose certification or license 2332  
has been recognized by the board on a temporary basis and who is 2333  
acting in accordance with this section and the board's rules is 2334  
not required to obtain a license in accordance with Chapter 2335  
4796. of the Revised Code. 2336

(F) The superintendent shall not issue a certificate, 2337  
registration, or license to, or recognize on a temporary basis 2338  
an appraiser from another state that is a corporation, 2339  
partnership, or association. This prohibition shall not be 2340  
construed to prevent a certificate holder or licensee from 2341



signing an appraisal report on behalf of a corporation, 2342  
partnership, or association. 2343

(G) Every person licensed, registered, or certified under 2344  
this chapter shall notify the superintendent, on a form provided 2345  
by the superintendent, of a change in the address of the 2346  
licensee's, registrant's, or certificate holder's principal 2347  
place of business or residence within thirty days of the change. 2348  
If a licensee's, registrant's, or certificate holder's license, 2349  
registration, or certificate is revoked or not renewed, the 2350  
licensee, registrant, or certificate holder immediately shall 2351  
return the ~~annual and any renewal~~ certificate, registration, or 2352  
license to the superintendent. 2353

(H) (1) The superintendent shall not issue a certificate, 2354  
registration, or license to any person, or recognize on a 2355  
temporary basis an appraiser from another state, who does not 2356  
meet applicable minimum criteria for state certification, 2357  
registration, or licensure prescribed by federal law or rule. 2358

(2) The superintendent shall not refuse to issue a general 2359  
real estate appraiser certificate, residential real estate 2360  
appraiser certificate, residential real estate appraiser 2361  
license, or real estate appraiser assistant registration to any 2362  
person because of a conviction of or plea of guilty to any 2363  
criminal offense unless the refusal is in accordance with 2364  
section 9.79 of the Revised Code. 2365

**Sec. 4763.06.** (A) A person licensed, registered, or 2366  
certified under this chapter may obtain a renewal certificate, 2367  
registration, or license by filing a renewal application with 2368  
and paying the renewal fee set forth in section 4763.09 of the 2369  
Revised Code and any amount assessed pursuant to division (A) (2) 2370  
of section 4763.05 of the Revised Code to the superintendent of 2371

real estate. The renewal application shall include a statement, 2372  
signed by the certificate holder, registrant, or licensee, that 2373  
the certificate holder, registrant, or licensee has not, ~~during~~ 2374  
~~the immediately preceding twelve month period,~~ been convicted of 2375  
or pleaded guilty to any criminal offense described in division 2376  
(H) (2) of section 4763.05 of the Revised Code since the issuance 2377  
or renewal of the individual's most recent certificate, 2378  
registration, or license. The certificate holder, registrant, or 2379  
licensee shall file the renewal application at least thirty 2380  
days, but no earlier than one hundred twenty days, prior to 2381  
expiration of the certificate holder's, registrant's, or 2382  
licensee's current certificate, registration, or license. The 2383  
superintendent shall establish a method by which a certificate 2384  
holder, registrant, or licensee may electronically file the 2385  
renewal application and pay the fee and the assessed amount 2386  
required for renewal. 2387

(B) A certificate holder, registrant, or licensee who 2388  
fails to renew a certificate, registration, or license prior to 2389  
its expiration is ineligible to obtain a renewal certificate, 2390  
registration, or license and shall comply with section 4763.05 2391  
of the Revised Code in order to regain certification, 2392  
registration, or licensure, except that a certificate holder, 2393  
registrant, or licensee may renew the certificate, registration, 2394  
or license without having to comply with section 4763.05 of the 2395  
Revised Code by doing either of the following: 2396

(1) Filing a renewal application and submitting payment of 2397  
all fees for renewal and payment of the late filing fee set 2398  
forth in section 4763.09 of the Revised Code within three months 2399  
after the expiration of the certificate holder's, registrant's, 2400  
or licensee's certificate, registration, or license; 2401

(2) Obtaining a medical exception under division (C) of 2402  
this section, filing a renewal application, and submitting 2403  
payment of all fees for renewal and payment of the late filing 2404  
fee set forth in section 4763.09 of the Revised Code. A 2405  
certificate holder, registrant, or licensee who applies for late 2406  
renewal of the certificate holder's, registrant's, or licensee's 2407  
certificate, registration, or license may not engage in any 2408  
activities permitted by the certification, registration, or 2409  
license being renewed during the three-month period following 2410  
the certificate's, registration's, or license's normal 2411  
expiration date, or during the time period for which a medical 2412  
exception applies, until all renewal fees and the late filing 2413  
fee have been paid. 2414

(C) The superintendent may grant a medical exception upon 2415  
application by a person certified, registered, or licensed under 2416  
this chapter. To receive an exception, the certificate holder, 2417  
registrant, or licensee shall submit a request to the 2418  
superintendent with proof satisfactory that a medical exception 2419  
is warranted. If the superintendent makes a determination that 2420  
satisfactory proof has not been presented, within fifteen days 2421  
of the date of the denial of the medical exception the 2422  
certificate holder, registrant, or licensee may file with the 2423  
division of real estate a request that the real estate appraiser 2424  
board review the determination. The board may adopt reasonable 2425  
rules in accordance with Chapter 119. of the Revised Code to 2426  
implement this division. 2427

**Sec. 4763.07.** ~~(A)~~ (A) (1) Every state-certified general real 2428  
estate appraiser, ~~state-certified residential real estate~~ 2429  
~~appraiser~~ and state-licensed residential real estate appraiser 2430  
shall submit proof of successfully completing a minimum of 2431  
fourteen classroom hours of continuing education instruction in 2432

courses or seminars approved by the real estate appraiser board. 2433  
The certificate holder and licensee shall have satisfied the 2434  
fourteen-hour continuing education requirements within the one- 2435  
year period immediately following the issuance of the initial 2436  
certificate or license and shall satisfy those requirements 2437  
annually thereafter. 2438

~~In~~ (2) Beginning on and after the effective date of this 2439  
amendment, in accordance with federal law, each state-certified 2440  
residential real estate appraiser and state-registered real 2441  
estate appraiser assistant shall submit proof of successfully 2442  
completing a minimum of ~~fourteen~~ twenty-eight classroom hours of 2443  
continuing education instruction in courses or seminars approved 2444  
by the real estate appraiser board. Each registrant shall 2445  
satisfy the ~~fourteen-hour~~ twenty-eight-hour continuing education 2446  
requirements ~~annually~~ every two years. 2447

~~This division~~ (3) Continuing education required under this 2448  
section does not apply to an appraiser with a certification or 2449  
license from another state that is temporarily recognized in 2450  
this state pursuant to division (E) (2) of section 4763.05 of the 2451  
Revised Code. 2452

(4) A certificate holder, licensee, or registrant who 2453  
fails to submit proof to the superintendent of meeting these 2454  
requirements is ineligible to obtain a renewal certificate, 2455  
license, or registration and shall comply with section 4763.05 2456  
of the Revised Code in order to regain a certificate, license, 2457  
or registration, except that the certificate holder, licensee, 2458  
or registrant may submit proof to the superintendent of meeting 2459  
these requirements within three months after the date of 2460  
expiration of the certificate, license, or registration, or by 2461  
obtaining a medical exception under division (E) of this 2462

section, without having to comply with section 4763.05 of the Revised Code. A certificate holder, licensee, or registrant may not engage in any activities permitted by the certificate, license, or registration during the three-month period following the certificate's, license's, or registration's normal expiration date or during the time period for which a medical exception applies.

(5) A certificate holder, licensee, or registrant may satisfy all or a portion of the required hours of classroom instruction in the following manner:

~~(1)~~ (a) Completion of an educational program of study determined by the board to be equivalent, for continuing education purposes, to courses or seminars approved by the board;

~~(2)~~ (b) Participation, other than as a student, in educational processes or programs approved by the board that relate to real estate appraisal theory, practices, or techniques.

(6) A certificate holder, licensee, or registrant shall present to the superintendent of real estate evidence of the manner in which the certificate holder, licensee, or registrant satisfied the requirements of division (A) of this section.

(B) The board shall adopt rules for implementing a continuing education program for state-certified general real estate appraisers, state-certified residential real estate appraisers, state-licensed residential real estate appraisers, and state-registered real estate appraiser assistants for the purpose of assuring that certificate holders, licensees, and registrants have current knowledge of real estate appraisal

theories, practices, and techniques that will provide a high 2492  
degree of service and protection to members of the public. In 2493  
addition to any other provisions the board considers 2494  
appropriate, the rules adopted by the board shall prescribe the 2495  
following: 2496

(1) Policies and procedures for obtaining board approval 2497  
of courses of instruction and seminars; 2498

(2) Standards, policies, and procedures to be applied in 2499  
evaluating the alternative methods of complying with continuing 2500  
education requirements set forth in divisions ~~(A) (1) and (2)~~ (A) 2501  
(5) (a) and (b) of this section; 2502

(3) Standards, monitoring methods, and systems for 2503  
recording attendance to be employed by course sponsors as a 2504  
prerequisite to approval of courses for continuing education 2505  
credit. 2506

(C) No amendment or rescission of a rule the board adopts 2507  
pursuant to division (B) of this section shall operate to 2508  
deprive a certificate holder or licensee of credit toward 2509  
renewal of certification or licensure for any course of 2510  
instruction completed by the certificate holder or licensee 2511  
prior to the effective date of the amendment or rescission that 2512  
would have qualified for credit under the rule as it existed 2513  
prior to amendment or rescission. 2514

(D) The superintendent of real estate shall not issue a 2515  
renewal certificate, registration, or license to any person who 2516  
does not meet applicable minimum criteria for state 2517  
certification, registration, or licensure prescribed by federal 2518  
law or rule. 2519

(E) The superintendent may grant a medical exception upon 2520

application by a person certified, registered, or licensed under 2521  
this chapter. To receive an exception, the certificate holder, 2522  
registrant, or licensee shall submit a request to the 2523  
superintendent with proof satisfactory that a medical exception 2524  
is warranted. If the superintendent makes a determination that 2525  
satisfactory proof has not been presented, within fifteen days 2526  
of the date of the denial of the medical exception, the 2527  
certificate holder, registrant, or licensee may file with the 2528  
division of real estate a request that the real estate appraiser 2529  
board review the determination. The board may adopt reasonable 2530  
rules in accordance with Chapter 119. of the Revised Code to 2531  
implement this division. 2532

~~Sec. 4763.08. On and after December 22, 1992, each (A) (1) 2533  
Each general real estate appraiser certificate, registration, 2534  
and residential real estate appraiser license issued under this 2535  
chapter, other than a temporary certificate or license issued 2536  
under division (E) (2) of section 4763.05 of the Revised Code, is 2537  
valid for a period of one year from its date of issuance. The 2538~~

(2) Beginning on and after the effective date of this 2539  
amendment, each residential real estate appraiser certificate 2540  
and real estate appraiser assistant registration is valid for a 2541  
period of two years from its date of issuance. 2542

(B) The superintendent of real estate shall provide 2543  
renewal notices to certificate holders, registrants, and 2544  
licensees no later than thirty days prior to the expiration of 2545  
the certificate, registration, or license. The superintendent 2546  
shall issue to each person initially certified, registered, or 2547  
licensed under this chapter a certificate, registration, or 2548  
license in the form and size the superintendent prescribes. The 2549  
initial certificate, registration, and license shall indicate 2550

the name of the certificate holder, registrant, or licensee, 2551  
bear the signatures of the members of the real estate appraiser 2552  
board, be issued under the seal prescribed in section 121.20 of 2553  
the Revised Code, and contain a certificate, registration, or 2554  
license number assigned by the superintendent. The 2555  
superintendent shall issue to each person who renews a 2556  
certificate, registration, or license a renewal certificate, 2557  
registration, or license in the size and form the superintendent 2558  
prescribes. The renewal certificate, registration, or license 2559  
shall contain the name of the certificate holder, registrant, or 2560  
licensee and the expiration and number of the certificate, 2561  
registration, or license. Each certificate holder and licensee 2562  
shall place the certificate holder's or licensee's certificate 2563  
or license number adjacent to the title "state-licensed 2564  
residential real estate appraiser," "state-certified residential 2565  
real estate appraiser," or "state-certified general real estate 2566  
appraiser," when issuing an appraisal report or in a contract or 2567  
other instrument used in conducting real estate appraisal 2568  
activities as required by section 4763.12 of the Revised Code. 2569  
If a state-registered real estate appraiser assistant 2570  
participated in the appraisal or specialized service report, the 2571  
certificate holder or licensee shall also place the registrant's 2572  
name, registration number, and the title "state-registered real 2573  
estate appraiser assistant" on the report. 2574

**Sec. 4763.09.** (A) The real estate appraiser board shall 2575  
adopt rules, in accordance with Chapter 119. of the Revised 2576  
Code, for the establishment of the following fees: 2577

(1) The examination fee required under division (A) of 2578  
section 4763.05 of the Revised Code, up to a maximum of one 2579  
hundred fifty dollars, which fee shall be nonrefundable; 2580



(2) The initial state-certified general real estate 2581  
appraiser and ~~state-certified residential real estate appraiser-~~ 2582  
~~certification and state-~~licensed residential real estate 2583  
appraiser license fees, and the annual renewal thereof, up to a 2584  
maximum of one hundred seventy-five dollars each; 2585

(3) The initial state-certified residential real estate 2586  
appraiser certification fee up to a maximum of three hundred 2587  
dollars, and renewal thereof up to a maximum of three hundred 2588  
fifty dollars; 2589

(4) The initial real estate appraiser assistant 2590  
registration fee, and ~~the annual renewal~~ thereof, up to a 2591  
maximum of one hundred dollars; 2592

~~(4)~~ (5) The late filing fee for renewal of a 2593  
certification, registration, or license, which shall be one-half 2594  
of the certification, registration, and licensure fees 2595  
established pursuant to divisions (A) (2) ~~and~~, (3), and (4) of 2596  
this section; 2597

~~(5)~~ (6) The amount to be charged to cover the cost of the 2598  
issuance of a temporary certificate or license under division 2599  
(E) (2) of section 4763.05 of the Revised Code; 2600

~~(6)~~ (7) Other reasonable fees as needed, including any 2601  
annual pass-through charges imposed by the federal government. 2602

(B) An applicant for certification or licensure under this 2603  
chapter shall pay the examination fee directly to a testing 2604  
service if so prescribed and in such amount as the 2605  
superintendent of real estate prescribes. The balance, if any, 2606  
of the examination fee shall accompany the application. 2607

**Sec. 4781.08.** (A) The division of industrial compliance 2608  
shall issue a manufactured housing installer license to any 2609

applicant who is at least eighteen years of age and meets all of 2610  
the following requirements: 2611

(1) Submits an application to the division on a form the 2612  
division prescribes ~~and pays the fee the division requires;~~ 2613

(2) Completes all training requirements the division 2614  
prescribes; 2615

(3) Meets the experience requirements the division 2616  
prescribes by rule; 2617

(4) Has at least one year of experience installing 2618  
manufactured housing under the supervision of a licensed 2619  
manufactured home installer if applying for licensure after 2620  
January 1, 2006; 2621

(5) Has completed an installation training course the 2622  
division approves, which may be offered by the Ohio manufactured 2623  
homes association or other entity; 2624

(6) Receives a passing score on the licensure examination 2625  
the division administers; 2626

(7) Provides information the division requires to 2627  
demonstrate compliance with this chapter and the rules the 2628  
division adopts; 2629

(8) Provides the division with three references from 2630  
persons who are retailers, manufacturers, or manufactured home 2631  
park operators familiar with the person's installation work 2632  
experience and competency, with at least two of the three 2633  
references provided after January 1, 2006, being from persons 2634  
who are licensed manufactured housing installers; 2635

(9) Has liability insurance or a surety bond that is 2636  
issued by an insurance or surety company authorized to transact 2637

business in Ohio, in the amount the division specifies, and 2638  
containing the terms and conditions the division requires; 2639

(10) Is in compliance with section 4123.35 of the Revised 2640  
Code; 2641

(11) Pays the division a licensure fee of one hundred 2642  
fifty dollars. 2643

(B) The division of industrial compliance shall not grant 2644  
a license to any person who the division finds has engaged in 2645  
actions during the previous two years that constitute a ground 2646  
for denial, suspension, or revocation of a license or who has 2647  
had a license revoked or disciplinary action imposed by the 2648  
licensing or certification board of another state or 2649  
jurisdiction during the previous two years in connection with 2650  
the installation of manufactured housing. 2651

(C) Any person who is licensed, certified, or otherwise 2652  
approved under the laws of another state to perform functions 2653  
substantially similar to those of a manufactured housing 2654  
installer may apply to the division for licensure on a form the 2655  
division prescribes. The division shall issue a license in 2656  
accordance with Chapter 4796. of the Revised Code to an 2657  
applicant if either of the following applies: 2658

(1) The applicant holds a license in another state. 2659

(2) The applicant has satisfactory work experience, a 2660  
government certification, or a private certification as 2661  
described in that chapter as a manufactured housing installer in 2662  
a state that does not issue that license. 2663

(D) Any license issued pursuant to this section shall bear 2664  
the licensee's name and post-office address, the issue date, a 2665  
serial number the division designates, and the signature of the 2666

person the division designates pursuant to rules. 2667

(E) A manufactured housing installer license expires two 2668  
years after it is issued. The division of industrial compliance 2669  
shall renew a license if the applicant does all of the 2670  
following: 2671

(1) Meets the requirements of division (A) of this 2672  
section; 2673

(2) Demonstrates compliance with the requirements of this 2674  
chapter and the rules adopted pursuant to it; 2675

(3) Meets the division's continuing education 2676  
requirements. 2677

(F) No manufactured housing installer license may be 2678  
transferred to another person. 2679

**Sec. 4781.17.** (A) Each person applying for a manufactured 2680  
housing dealer's license or manufactured housing broker's 2681  
license shall complete and deliver to the department of 2682  
commerce, division of real estate, before the first day of 2683  
April, a separate application for license for each county in 2684  
which the business of selling or brokering manufactured or 2685  
mobile homes is to be conducted. The application shall be in the 2686  
form prescribed by the division of real estate and accompanied 2687  
by the fee established by the division of real estate. The 2688  
applicant shall sign and swear to the application that shall 2689  
include all of the following: 2690

(1) Name of applicant and location of principal place of 2691  
business; 2692

(2) Name or style under which business is to be conducted 2693  
and, if a corporation, the state of incorporation; 2694

- (3) Name and address of each owner or partner and, if a corporation, the names of the officers and directors; 2695  
2696
- (4) The county in which the business is to be conducted and the address of each place of business therein; 2697  
2698
- (5) A statement of the previous history, record, and association of the applicant and of each owner, partner, officer, and director, that is sufficient to establish to the satisfaction of the division of real estate the reputation in business of the applicant; 2699  
2700  
2701  
2702  
2703
- (6) A statement showing whether the applicant has previously applied for a manufactured housing dealer's license, manufactured housing broker's license, manufactured housing salesperson's license, or, prior to July 1, 2010, a motor vehicle dealer's license, or manufactured home broker's license, ~~or motor vehicle salesperson's license,~~ and the result of the application, and whether the applicant has ever been the holder of any such license that was revoked or suspended; 2704  
2705  
2706  
2707  
2708  
2709  
2710  
2711
- (7) If the applicant is a corporation or partnership, a statement showing whether any partner, employee, officer, or director has been refused a manufactured housing dealer's license, manufactured housing broker's license, manufactured housing salesperson's license, or, prior to July 1, 2010, a motor vehicle dealer's license, or manufactured home broker's license, ~~or motor vehicle salesperson's license,~~ or has been the holder of any such license that was revoked or suspended; 2712  
2713  
2714  
2715  
2716  
2717  
2718  
2719
- (8) Any other information required by the division of real estate. 2720  
2721
- (B) Each person applying for a manufactured housing salesperson's license shall complete and deliver to the division 2722  
2723

of real estate before the first day of July an application for 2724  
license. The application shall be in the form prescribed by the 2725  
division of real estate and shall be accompanied by the fee 2726  
established by the division. The applicant shall sign and swear 2727  
to the application that shall include all of the following: 2728

(1) Name and post-office address of the applicant; 2729

(2) Name and post-office address of the manufactured 2730  
housing dealer or manufactured housing broker for whom the 2731  
applicant intends to act as salesperson; 2732

(3) A statement of the applicant's previous history, 2733  
record, and association, that is sufficient to establish to the 2734  
satisfaction of the division of real estate the applicant's 2735  
reputation in business; 2736

(4) A statement as to whether the applicant intends to 2737  
engage in any occupation or business other than that of a 2738  
manufactured housing salesperson; 2739

(5) A statement as to whether the applicant has ever had 2740  
any previous application for a manufactured housing salesperson 2741  
license refused ~~or, prior to July 1, 2010, any application for a~~ 2742  
~~motor vehicle salesperson license refused,~~ and whether the 2743  
applicant has previously had a manufactured housing salesperson 2744  
~~or motor vehicle salesperson~~ license revoked or suspended; 2745

(6) A statement as to whether the applicant was an 2746  
employee of or salesperson for a manufactured housing dealer or 2747  
manufactured housing broker whose license was suspended or 2748  
revoked; 2749

(7) A statement of the manufactured housing dealer or 2750  
manufactured housing broker named therein, designating the 2751  
applicant as the dealer's or broker's salesperson; 2752

(8) Any other information required by the division of real estate.	2753 2754
(C) Any application for a manufactured housing dealer or manufactured housing broker delivered to the division of real estate under this section also shall be accompanied by a photograph, as prescribed by the division, of each place of business operated, or to be operated, by the applicant.	2755 2756 2757 2758 2759
(D) The division of real estate shall deposit all license fees into the state treasury to the credit of the real estate operating fund created under section 4735.211 of the Revised Code.	2760 2761 2762 2763
(E) Notwithstanding any provision of this chapter to the contrary, the division shall issue a manufactured housing dealer's license or manufactured housing broker's license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:	2764 2765 2766 2767 2768
(1) The applicant holds a license in another state.	2769
(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a manufactured housing dealer or manufactured housing broker in a state that does not issue that license.	2770 2771 2772 2773 2774
<b>Sec. 5120.10.</b> (A) (1) <del>The</del> <u>Except as provided in this division, the</u> director of rehabilitation and correction, by rule, shall promulgate minimum standards for jails in Ohio, including minimum security jails dedicated under section 341.34 or 753.21 of the Revised Code. Whenever the director files a rule or an amendment to a rule in final form with both the secretary of state and the director of the legislative service	2775 2776 2777 2778 2779 2780 2781

commission pursuant to section 111.15 of the Revised Code, the 2782  
director of rehabilitation and correction promptly shall send a 2783  
copy of the rule or amendment, if the rule or amendment pertains 2784  
to minimum jail standards, by ordinary mail to the political 2785  
subdivisions or affiliations of political subdivisions that 2786  
operate jails to which the standards apply. The director shall 2787  
not adopt any rule requiring support staff in a jail to obtain 2788  
an occupational license as defined in section 4798.01 of the 2789  
Revised Code. 2790

(2) The rules promulgated in accordance with division (A) 2791  
(1) of this section shall serve as criteria for the 2792  
investigative and supervisory powers and duties vested by 2793  
division (D) of this section in the division of parole and 2794  
community services of the department of rehabilitation and 2795  
correction or in another division of the department to which 2796  
those powers and duties are assigned. 2797

(B) The director may initiate an action in the court of 2798  
common pleas of the county in which a facility that is subject 2799  
to the rules promulgated under division (A) (1) of this section 2800  
is situated to enjoin compliance with the minimum standards for 2801  
jails or with the minimum standards and minimum renovation, 2802  
modification, and construction criteria for jails. 2803

(C) Upon the request of an administrator of a jail 2804  
facility, the chief executive of a municipal corporation, or a 2805  
board of county commissioners, the director of rehabilitation 2806  
and correction or the director's designee shall grant a variance 2807  
from the minimum standards for jails in Ohio for a facility that 2808  
is subject to one of those minimum standards when the director 2809  
determines that strict compliance with the minimum standards 2810  
would cause unusual, practical difficulties or financial 2811



hardship, that existing or alternative practices meet the intent 2812  
of the minimum standards, and that granting a variance would not 2813  
seriously affect the security of the facility, the supervision 2814  
of the inmates, or the safe, healthful operation of the 2815  
facility. If the director or the director's designee denies a 2816  
variance, the applicant may appeal the denial pursuant to 2817  
section 119.12 of the Revised Code. 2818

(D) The following powers and duties shall be exercised by 2819  
the division of parole and community services unless assigned to 2820  
another division by the director: 2821

(1) The investigation and supervision of county and 2822  
municipal jails, workhouses, minimum security jails, and other 2823  
correctional institutions and agencies; 2824

(2) The review and approval of plans submitted to the 2825  
department of rehabilitation and correction pursuant to division 2826  
(E) of this section; 2827

(3) The management and supervision of the adult parole 2828  
authority created by section 5149.02 of the Revised Code; 2829

(4) The review and approval of proposals for community- 2830  
based correctional facilities and programs and district 2831  
community-based correctional facilities and programs that are 2832  
submitted pursuant to division (B) of section 2301.51 of the 2833  
Revised Code; 2834

(5) The distribution of funds made available to the 2835  
division for purposes of assisting in the renovation, 2836  
maintenance, and operation of community-based correctional 2837  
facilities and programs and district community-based 2838  
correctional facilities and programs in accordance with section 2839  
5120.112 of the Revised Code; 2840

(6) The performance of the duty imposed upon the 2841  
department of rehabilitation and correction in section 5149.31 2842  
of the Revised Code to establish and administer a program of 2843  
subsidies to eligible municipal corporations, counties, and 2844  
groups of contiguous counties for the development, 2845  
implementation, and operation of community-based corrections 2846  
programs; 2847

(7) Licensing halfway houses and community residential 2848  
centers for the care and treatment of adult offenders in 2849  
accordance with section 2967.14 of the Revised Code; 2850

(8) Contracting with a public or private agency or a 2851  
department or political subdivision of the state that operates a 2852  
licensed halfway house or community residential center for the 2853  
provision of housing, supervision, and other services to 2854  
parolees, releasees, persons placed under a residential 2855  
sanction, persons under transitional control, and other eligible 2856  
offenders in accordance with section 2967.14 of the Revised 2857  
Code. 2858

Other powers and duties may be assigned by the director of 2859  
rehabilitation and correction to the division of parole and 2860  
community services. This section does not apply to the 2861  
department of youth services or its institutions or employees. 2862

(E) No plan for any new jail, workhouse, or lockup, and no 2863  
plan for a substantial addition or alteration to an existing 2864  
jail, workhouse, or lockup, shall be adopted unless the 2865  
officials responsible for adopting the plan have submitted the 2866  
plan to the department of rehabilitation and correction for 2867  
approval, and the department has approved the plan as provided 2868  
in division (D) (2) of this section. 2869

**Section 2.** That existing sections 101.62, 103.27, 926.12, 2870  
926.19, 3703.21, 3769.03, 3772.13, 4104.07, 4104.08, 4104.18, 2871  
4517.02, 4517.04, 4517.10, 4517.14, 4517.15, 4517.20, 4517.33, 2872  
4517.43, 4549.50, 4703.16, 4735.01, 4735.07, 4735.09, 4738.05, 2873  
4749.03, 4763.05, 4763.06, 4763.07, 4763.08, 4763.09, 4781.08, 2874  
4781.17, and 5120.10 of the Revised Code are hereby repealed. 2875

**Section 3.** That sections 926.30 and 4517.09 of the Revised 2876  
Code are hereby repealed. 2877

**Section 4.** (A) For the purposes of this section, 2878  
"occupational licensing board" has the same meaning as in 2879  
section 4798.01 of the Revised Code. 2880

(B) Pursuant to division (E) of section 101.62 of the 2881  
Revised Code, the following occupational licensing boards are 2882  
hereby renewed and, subject to the revisions prescribed by this 2883  
act, the statutes creating, empowering, governing, and 2884  
regulating those boards are continued: 2885

(1) The Ohio Peace Officer Training Commission created 2886  
under section 109.71 of the Revised Code; 2887

(2) The State Cosmetology and Barber Board created under 2888  
section 4713.02 of the Revised Code; 2889

(3) The Accountancy Board created under section 4701.02 of 2890  
the Revised Code; 2891

(4) The Department of Agriculture described in Chapter 2892  
901. of the Revised Code; 2893

(5) The Architects Board created under section 4703.01 of 2894  
the Revised Code; 2895

(6) The Ohio Landscape Architects Board created under 2896  
section 4703.31 of the Revised Code; 2897

(7) The Ohio Casino Control Commission created under section 3772.02 of the Revised Code;	2898 2899
(8) The Department of Commerce Division of Financial Institutions created under section 121.08 of the Revised Code;	2900 2901
(9) The Department of Commerce Division of Real Estate and Professional Licensing created under section 121.08 of the Revised Code;	2902 2903 2904
(10) The Department of Commerce Division of Industrial Compliance created under section 121.08 of the Revised Code;	2905 2906
(11) The Department of Commerce Division of Unclaimed Funds created under section 121.08 of the Revised Code;	2907 2908
(12) The Department of Public Safety Bureau of Motor Vehicles created under section 4501.02 of the Revised Code;	2909 2910
(13) The Department of Public Safety described in Chapter 5502. of the Revised Code;	2911 2912
(14) The State Board of Registration for Professional Engineers and Surveyors created under section 4733.03 of the Revised Code;	2913 2914 2915
(15) The Department of Mental Health and Addiction Services described in Chapter 5119. of the Revised Code;	2916 2917
(16) The State Racing Commission created under section 3769.02 of the Revised Code;	2918 2919
(17) The Secretary of State described in Chapter 111. of the Revised Code.	2920 2921
(C) The occupational licensing boards listed in this section shall be triggered to expire under division (B) of section 101.62 of the Revised Code at the end of the thirty	2922 2923 2924

first day of December of the sixth year following enactment of 2925  
this section. 2926

**Section 5.** A backflow technician certification issued 2927  
before the effective date of this section pursuant to the rules 2928  
adopted by the Superintendent of Industrial Compliance under 2929  
section 3703.21 of the Revised Code expires on the date it would 2930  
have expired under the rules in effect before the effective date 2931  
of this section. 2932

**Section 6.** A license issued pursuant to Chapter 4749. of 2933  
the Revised Code before the effective date of this section 2934  
expires on the date it would have expired under the version of 2935  
section 4749.03 of the Revised Code in effect before the 2936  
effective date of this section. 2937

**Section 7.** A residential real estate appraiser certificate 2938  
and real estate appraiser assistant registration issued pursuant 2939  
to Chapter 4763. of the Revised Code before the effective date 2940  
of this section expires on the date it would have expired under 2941  
the version of section 4763.08 of the Revised Code in effect 2942  
before the effective date of this section. 2943