

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 213**

**Representative Brinkman**

**Cosponsors: Representatives Hood, Boose, Becker, Brenner, Thompson, Terhar,  
Blessing, Vitale, Green, Zeltwanger**

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**A BILL**

To amend sections 1321.05, 1321.08, 1321.20, 1  
1321.52, 1321.532, 1321.536, 1322.041, 1322.052, 2  
3773.36, 3773.42, 3773.43, 4707.071, 4707.10, 3  
4725.16, 4725.17, 4725.171, 4725.34, 4725.51, 4  
4727.03, 4727.19, 4728.03, 4729.11, 4729.12, 5  
4729.15, 4729.52, 4729.54, 4735.06, 4735.09, 6  
4735.14, 4735.141, 4735.27, 4735.29, 4736.11, 7  
4736.12, 4740.04, 4740.05, 4740.06, 4747.05, 8  
4747.06, 4749.03, 4749.031, 4751.06, 4751.07, 9  
4759.06, 4759.08, 4763.05, 4763.06, 4763.07, 10  
4763.08, 4763.09, 4779.19, and 4779.23 of the 11  
Revised Code to make occupational licenses 12  
subject to annual renewal become biennial 13  
licenses and to permit a licensee to take 14  
continuing education courses online. 15

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

**Section 1.** That sections 1321.05, 1321.08, 1321.20, 16  
1321.52, 1321.532, 1321.536, 1322.041, 1322.052, 3773.36, 17  
3773.42, 3773.43, 4707.071, 4707.10, 4725.16, 4725.17, 4725.171, 18

4725.34, 4725.51, 4727.03, 4727.19, 4728.03, 4729.11, 4729.12, 19  
4729.15, 4729.52, 4729.54, 4735.06, 4735.09, 4735.14, 4735.141, 20  
4735.27, 4735.29, 4736.11, 4736.12, 4740.04, 4740.05, 4740.06, 21  
4747.05, 4747.06, 4749.03, 4749.031, 4751.06, 4751.07, 4759.06, 22  
4759.08, 4763.05, 4763.06, 4763.07, 4763.08, 4763.09, 4779.19, 23  
and 4779.23 of the Revised Code be amended to read as follows: 24

**Sec. 1321.05.** Each license shall state the address at 25  
which the business is to be conducted and shall state fully the 26  
name of the licensee. Each license shall be kept conspicuously 27  
posted in the place of business of the licensee and is not 28  
transferable or assignable. 29

Each license shall remain in effect until surrendered, 30  
revoked, or suspended under section 1321.08 or 3123.47 of the 31  
Revised Code. Every licensee shall ~~each year~~ biennially pay to 32  
the division of financial institutions a license fee and an 33  
assessment as determined by the superintendent pursuant to 34  
section 1321.20 of the Revised Code. Payment of such renewal fee 35  
shall be according to the provisions of this section and the 36  
standard renewal procedure of sections 4745.01 to 4745.03 of the 37  
Revised Code. No other or further license fee or assessment 38  
shall be required from any such licensee by the state or any 39  
political subdivision in the state. 40

Every licensee shall maintain for each license current 41  
assets of at least ten thousand dollars, either in use or 42  
readily available for use in the conduct of the business. 43

**Sec. 1321.08.** In accordance with Chapter 119. of the 44  
Revised Code: 45

(A) The division of financial institutions shall, upon 46  
written notice to the licensee stating the contemplated action 47

and the grounds therefor, and upon reasonable opportunity to be 48  
heard, suspend or revoke any license issued by the division if 49  
it finds that: 50

(1) The licensee is in default in the payment of the 51  
~~annual~~biennial license fee or assessment prescribed in section 52  
1321.20 of the Revised Code or has failed to comply with any 53  
order of the division made and entered under division (A) of 54  
section 1321.10 of the Revised Code; 55

(2) The licensee has continued to violate any of the 56  
provisions of sections 1321.01 to 1321.19 of the Revised Code or 57  
any rule promulgated under division (A) of section 1321.10 of 58  
the Revised Code after receiving notice of such violation or 59  
violations from the division; 60

(3) Any fact or condition exists which if it had existed 61  
or had been known to exist at the time of the original 62  
application for such license, which fact or condition was not 63  
then known to the division, clearly would have warranted the 64  
division in refusing originally to issue such license. 65

(B) If the division finds that there exists probable cause 66  
for the suspension or revocation of any license under division 67  
(A) of this section and that enforcement of sections 1321.01 to 68  
1321.19 of the Revised Code requires immediate suspension of the 69  
license pending complete investigation, it may, upon three days' 70  
written notice, and hearing, enter an order suspending the 71  
license for a period not exceeding thirty days, during which 72  
period of suspension no loans may be made under the license, but 73  
the licensee may receive payments on existing loans. Upon 74  
completion of such investigation the division shall either 75  
reinstate the license or further suspend the license for a 76  
further period or give the licensee notice of the contemplated 77

revocation of the license, the grounds for the revocation, and 78  
the licensee's reasonable opportunity to be heard on the action 79  
in accordance with Chapter 119. of the Revised Code. 80

(C) Any licensee may surrender any license by delivering 81  
it to the division with written notice of its surrender. Such 82  
surrender shall not affect the licensee's civil or criminal 83  
liability for acts committed prior to the surrender. 84

(D) No revocation or suspension of any license shall 85  
impair or affect the obligation of any pre-existing lawful 86  
contract between the licensee and any borrower nor shall such 87  
action affect the right of the licensee to collect the amounts 88  
due under the contract, or to enforce the contract. 89

(E) The division may reinstate or issue a new license to a 90  
person whose license has been revoked if no fact or condition 91  
then exists which clearly would have warranted the division in 92  
refusing originally to issue the license. 93

**Sec. 1321.20.** (A) Every person licensed or registered 94  
under this chapter shall pay to the superintendent of financial 95  
institutions, ~~prior to the last day of June, an annual~~ a license 96  
or certificate of registration fee. A license under this chapter 97  
shall be renewed biennially prior to the last day of June of the 98  
expiration year and a certificate of registration under this 99  
chapter shall be renewed annually prior to the last day of June 100  
each year. On or about the fifteenth day of April of ~~each~~ the 101  
expiration year, the superintendent shall determine the license 102  
or certificate fees to be charged, pursuant to sections 1321.03, 103  
1321.05, and 1321.73 of the Revised Code. Such determination 104  
shall be made by dividing the appropriation for the consumer 105  
finance section of the division of financial institutions for 106  
the current fiscal year by the number of licenses and 107

certificates issued as of the date of the computation. In no 108  
event shall the amount of the fee relating to a license exceed 109  
~~three-six~~ hundred dollars, except that the maximum fee which may 110  
be charged insurance premium finance companies licensed under 111  
section 1321.73 of the Revised Code shall not exceed ~~three-seven~~ 112  
hundred ~~seventy-five-fifty~~ dollars. In no event shall the amount 113  
of the fee for a certificate of registration exceed three 114  
hundred dollars. Prior to the first day of June of ~~each-the~~ 115  
expiration year, the superintendent shall inform each person 116  
licensed or registered under this chapter of the amount of the 117  
license or certificate fee for the succeeding ~~fiscal year~~ 118  
license or registration period as determined by this section. 119

~~(B) (1) Each person licensed under Chapter 4727. of the~~ 120  
~~Revised Code who is subject to annual license renewal under~~ 121  
~~division (E) (1) of section 4727.03 of the Revised Code shall,~~ 122  
~~prior to the last day of June, pay to the superintendent a fee~~ 123  
~~equal to twice the amount of the fee determined by the~~ 124  
~~superintendent pursuant to division (A) of this section.~~ 125  
~~However, in no event shall the amount of the fee exceed three-~~ 126  
~~hundred dollars.~~ 127

~~(2)~~ Each person licensed under Chapter 4727. of the 128  
Revised Code who is subject to biennial license renewal under 129  
division (E) ~~(2)~~ of section 4727.03 of the Revised Code shall, 130  
prior to the date the license expires, pay to the superintendent 131  
a fee equal to four times the amount of the fee determined by 132  
the superintendent pursuant to division (A) of this section. 133  
However, in no event shall the amount of the fee exceed six 134  
hundred dollars. 135

(C) The fee for a license or certificate issued pursuant 136  
to Chapter 4727. or 4728. of the Revised Code after the first 137

day of January of the year the license or certificate expires 138  
shall be equal to one-half the amount determined according to 139  
divisions (A) and (B) of this section or in accordance with 140  
section 4728.03 of the Revised Code. 141

(D) If the renewal fees billed by the superintendent 142  
pursuant to divisions (A) and (B) of this section are less than 143  
the estimated expenditures of the consumer finance section of 144  
the division of financial institutions, as determined by the 145  
superintendent, for the following fiscal year, the 146  
superintendent may assess each person licensed pursuant to 147  
section 1321.04 of the Revised Code at a rate sufficient to 148  
equal in the aggregate the difference between the renewal fees 149  
billed and the estimated expenditures. Each person shall pay the 150  
assessed amount to the superintendent prior to the last day of 151  
June. In no case shall the assessment exceed ten cents per each 152  
one hundred dollars of interest (excluding charge-off 153  
recoveries), points, loan origination charges, and credit line 154  
charges collected by that person during the previous calendar 155  
year. If an assessment is imposed under this division, it shall 156  
not be less than two hundred fifty dollars per licensee or 157  
registrant and shall not exceed thirty thousand dollars less the 158  
total renewal fees paid pursuant to division (A) of this section 159  
by each licensee or registrant. 160

**Sec. 1321.52.** (A) (1) No person, on that person's own 161  
behalf or on behalf of any other person, shall do any of the 162  
following without having first obtained a certificate of 163  
registration from the division of financial institutions: 164

(a) Advertise, solicit, or hold out that the person is 165  
engaged in the business of making residential mortgage loans 166  
secured by a mortgage on a borrower's real estate which is other 167

than a first lien on the real estate;	168
(b) Engage in the business of lending or collecting the person's own or another person's money, credit, or choses in action for non-first lien residential mortgage loans;	169 170 171
(c) Employ or compensate mortgage loan originators licensed or who should be licensed under sections 1321.51 to 1321.60 of the Revised Code to conduct the business of making residential mortgage loans;	172 173 174 175
(d) Make loans in this state of the type set forth in division (C) of this section that are unsecured or are secured by other than real property, which loans are for more than five thousand dollars at a rate of interest greater than permitted by section 1343.01 or other specific provisions of the Revised Code.	176 177 178 179 180 181
(2) Each person issued a certificate of registration or license is subject to all the rules prescribed under sections 1321.51 to 1321.60 of the Revised Code.	182 183 184
(B) (1) All loans made to persons who at the time are residents of this state are considered as made within this state and subject to the laws of this state, regardless of any statement in the contract or note to the contrary, except as follows:	185 186 187 188 189
(a) If the loan is primarily secured by a lien on real property in another state and is arranged by a mortgage loan originator licensed by that state, the borrower may by choice of law designate that the transaction be governed by the law where the real property is located if the other state has consumer protection laws covering the borrower that are applicable to the transaction.	190 191 192 193 194 195 196

(b) If the loan is for the purpose of purchasing goods 197  
acquired by the borrower when the borrower is outside of this 198  
state, the loan may be governed by the laws of the other state. 199

(2) Nothing in division (B) (1) of this section prevents a 200  
choice of law or requires registration or licensure of persons 201  
outside of this state in a transaction involving the 202  
solicitation of residents of this state to obtain non-real 203  
estate secured loans that require the borrowers to physically 204  
visit a lender's out-of-state office to apply for and obtain the 205  
disbursement of loan funds. 206

(C) A registrant may make unsecured loans, loans secured 207  
by a mortgage on a borrower's real estate which is a first lien 208  
or other than a first lien on the real estate, loans secured by 209  
other than real estate, and loans secured by any combination of 210  
mortgages and security interests, on terms and conditions 211  
provided by sections 1321.51 to 1321.60 of the Revised Code. 212

(D) (1) If a lender that is subject to sections 1321.51 to 213  
1321.60 of the Revised Code makes a loan in violation of 214  
division (A) (1) of this section, the lender has no right to 215  
collect, receive, or retain any interest or charges on that 216  
loan. 217

(2) If a registrant applies to the division for a renewal 218  
of the registrant's certificate after the date required by 219  
division (A) (7) of section 1321.53 of the Revised Code, but 220  
prior to the first day of February of that year, and the 221  
division approves the application, division (D) (1) of this 222  
section does not apply with respect to any loan made by the 223  
registrant while the registrant's certificate was expired. 224

(3) If a person's registration under sections 1321.51 to 225



1321.60 of the Revised Code terminates due to nonrenewal or 226  
otherwise but the person continues to engage in the business of 227  
collecting or servicing non-first lien residential mortgage 228  
loans in violation of division (A) (1) of this section, the 229  
superintendent of financial institutions may take administrative 230  
action, including action on any subsequent application for a 231  
certificate of registration. In addition, no late fee, bad check 232  
charge except as incurred, charge related to default or cost to 233  
realize on its security interest, or prepayment penalty on non- 234  
first lien residential mortgage loans shall be collected or 235  
retained by a person who is in violation of division (A) (1) (b) 236  
of this section for the period of time in which the person was 237  
in violation. Nothing in division (D) (3) of this section 238  
prevents or otherwise precludes any other actions or penalties 239  
provided by law or modifies a defense of holder in due course 240  
that a subsequent purchaser servicing the residential mortgage 241  
loan may raise. 242

(E) (1) No individual shall engage in the business of a 243  
mortgage loan originator without first obtaining and maintaining 244  
~~annually~~biennially a license pursuant to section 1321.532 of 245  
the Revised Code from the division of financial institutions. A 246  
mortgage loan originator shall be employed or associated with a 247  
registrant or entity exempt from registration under sections 248  
1321.51 to 1321.60 of the Revised Code, but shall not be 249  
employed by or associated with more than one registrant or 250  
exempt entity at any one time. 251

(2) An individual acting under the individual's authority 252  
as a registered mortgage loan originator shall not be required 253  
to be licensed under division (E) (1) of this section. 254

(3) An individual who holds a valid temporary mortgage 255

loan originator license issued pursuant to section 1321.537 of 256  
the Revised Code may engage in the business of a mortgage loan 257  
originator in accordance with sections 1321.51 to 1321.60 of the 258  
Revised Code during the term of the temporary license. 259

(F) (1) Each licensee shall register with, and maintain a 260  
valid unique identifier issued by, the nationwide mortgage 261  
licensing system and registry. 262

(2) No person shall use a licensee's unique identifier for 263  
any purpose other than as set forth in the "Secure and Fair 264  
Enforcement for Mortgage Licensing Act of 2008," 122 Stat. 2810, 265  
12 U.S.C. 5101. 266

(G) (1) If a person that is subject to sections 1321.51 to 267  
1321.60 of the Revised Code makes a loan in violation of 268  
division (A) (1) (d) of this section and subsequently sells or 269  
assigns that loan, the person is liable to the borrower for any 270  
interest paid on that loan to the holder or assignee in excess 271  
of the rate that would be applicable in the absence of sections 272  
1321.51 to 1321.60 of the Revised Code, in addition to any 273  
interest or charges paid on that loan to the unauthorized lender 274  
as provided by division (D) (1) of this section. 275

(2) If a person that is subject to sections 1321.51 to 276  
1321.60 of the Revised Code makes a residential mortgage loan in 277  
violation of division (A) (1) (b) or (c) of this section and 278  
subsequently sells or assigns that loan, the lender is liable to 279  
the borrower for any interest paid on that loan to the holder or 280  
assignee in excess of the rate set forth in division (B) (4) of 281  
section 1343.01 of the Revised Code, in addition to any interest 282  
or charges paid on that loan to the unauthorized lender as 283  
provided by division (D) (1) of this section. 284

**Sec. 1321.532.** (A) Upon the conclusion of the 285  
investigation required under division (E) of section 1321.531 of 286  
the Revised Code, the superintendent of financial institutions 287  
shall issue a mortgage loan originator license to the applicant 288  
if the superintendent finds that all of the following conditions 289  
are met: 290

(1) The application is accompanied by the application fee 291  
and any additional fee required by the nationwide mortgage 292  
licensing system and registry. 293

If a check or other draft instrument is returned to the 294  
superintendent for insufficient funds, the superintendent shall 295  
notify the licensee by certified mail, return receipt requested, 296  
that the license issued in reliance on the check or other draft 297  
instrument will be canceled unless the licensee, within thirty 298  
days after receipt of the notice, submits the application fee 299  
and a one-hundred-dollar penalty to the superintendent. If the 300  
licensee does not submit the application fee and penalty within 301  
that time period, or if any check or other draft instrument used 302  
to pay the fee or penalty is returned to the superintendent for 303  
insufficient funds, the license shall be canceled immediately 304  
without a hearing, and the licensee shall cease activity as a 305  
mortgage loan originator. 306

(2) The applicant complies with sections 1321.51 to 307  
1321.60 of the Revised Code. 308

(3) The applicant has not had a mortgage loan originator 309  
license, or comparable authority, revoked in any governmental 310  
jurisdiction. 311

(4) The applicant has not been convicted of, or pleaded 312  
guilty or nolo contendere to, any of the following in a 313

domestic, foreign, or military court: 314

(a) During the seven-year period immediately preceding the 315  
date of application for licensure, a misdemeanor involving theft 316  
or any felony; 317

(b) At any time prior to the date of application for 318  
licensure, a felony involving an act of fraud, dishonesty, a 319  
breach of trust, theft, or money laundering. 320

(5) Based on the totality of the circumstances and 321  
information submitted in the application, the applicant has 322  
proven to the division of financial institutions, by a 323  
preponderance of the evidence, that the applicant is of good 324  
business repute, appears qualified to act as a mortgage loan 325  
originator, and has fully complied with sections 1321.51 to 326  
1321.60 of the Revised Code and rules adopted thereunder, and 327  
that the applicant meets all of the conditions for issuing a 328  
mortgage loan originator license. 329

(6) The applicant successfully completed the written test 330  
required under section 1321.535 of the Revised Code and the 331  
education requirements set forth in section 1321.534 of the 332  
Revised Code. 333

(7) The applicant is covered under a valid bond in 334  
compliance with section 1321.533 of the Revised Code. 335

(8) The applicant's financial responsibility, character, 336  
and general fitness command the confidence of the public and 337  
warrant the belief that the mortgage loan originator will 338  
operate honestly and fairly in compliance with the purposes of 339  
sections 1321.51 to 1321.60 of the Revised Code. The 340  
superintendent shall not use a credit score as the sole basis 341  
for a license denial. 342

(B) The license issued under division (A) of this section 343  
may be renewed ~~annually~~ biennially on or before the thirty-first 344  
day of December of the expiration year if the superintendent 345  
finds that all of the following conditions are met: 346

(1) The renewal application is accompanied by a 347  
nonrefundable renewal fee of ~~one~~ three hundred ~~fifty~~ dollars, 348  
and any additional fee required by the nationwide mortgage 349  
licensing system and registry. If a check or other draft 350  
instrument is returned to the superintendent for insufficient 351  
funds, the superintendent shall notify the licensee by certified 352  
mail, return receipt requested, that the license renewed in 353  
reliance on the check or other draft instrument will be canceled 354  
unless the licensee, within thirty days after receipt of the 355  
notice, submits the renewal fee and a one-hundred-dollar penalty 356  
to the superintendent. If the licensee does not submit the 357  
renewal fee and penalty within that time period, or if any check 358  
or other draft instrument used to pay the fee or penalty is 359  
returned to the superintendent for insufficient funds, the 360  
license shall be canceled immediately without a hearing, and the 361  
licensee shall cease activity as a mortgage loan originator. 362

(2) The applicant has completed at least ~~eight~~ sixteen 363  
hours of continuing education as required under section 1321.536 364  
of the Revised Code. 365

(3) The applicant meets the conditions set forth in 366  
divisions (A) (2) to (8) of this section. 367

(4) The applicant's license is not subject to an order of 368  
suspension or an unpaid and past due fine imposed by the 369  
superintendent. 370

(C) (1) Subject to division (C) (2) of this section, if a 371

license renewal application or fee, including any additional fee 372  
required by nationwide mortgage licensing system and registry, 373  
is received by the superintendent after the thirty-first day of 374  
December of the expiration year, the license shall not be 375  
considered renewed, and the applicant shall cease activity as a 376  
mortgage loan originator. 377

(2) Division (C) (1) of this section shall not apply if the 378  
applicant, no later than the thirty-first day of January 379  
immediately following the expiration year, submits the renewal 380  
application and fee, including any additional fee required by 381  
nationwide mortgage licensing system and registry, and a one- 382  
hundred-dollar penalty to the superintendent. 383

(D) Mortgage loan originator licenses issued on or after 384  
July 1, 2010, shall ~~annually~~ expire on the thirty-first day of 385  
December biennially. 386

(E) If a renewal application does not contain all of the 387  
information required under this section, and if that information 388  
is not submitted to the superintendent or to the nationwide 389  
mortgage licensing system and registry within ninety days after 390  
the superintendent or the nationwide mortgage licensing system 391  
and registry requests the information in writing, including by 392  
electronic transmission or facsimile, the superintendent may 393  
consider the application withdrawn. 394

**Sec. 1321.536.** (A) Each mortgage loan originator licensee 395  
shall complete at least ~~eight~~ sixteen hours of continuing 396  
education every ~~calendar year~~ two years. To fulfill this 397  
requirement, the ~~eight~~ sixteen hours of continuing education 398  
must be offered in a course or program of study that includes 399  
all of the following: 400

- (1) ~~Three~~Six hours of applicable federal law and regulations; 401  
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- (2) ~~Two~~Four hours of ethics, which shall include instruction on fraud, consumer protection, and fair lending issues; 403  
404  
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- (3) ~~Two~~Four hours of training related to lending standards for the nontraditional mortgage product marketplace. 406  
407
- (B) Continuing education courses shall be reviewed and approved by the nationwide mortgage licensing system and registry based upon reasonable standards. 408  
409  
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- (C) The following conditions shall apply to the continuing education required by this section: 411  
412
- (1) An individual cannot take the same approved course in the same or successive years to meet the ~~annual~~ requirement for continuing education. 413  
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- (2) An individual can only receive credit for a continuing education course in the ~~year~~license period in which the course is taken, unless the individual is making up a deficiency in continuing education as permitted by rule or order of the superintendent of financial institutions. 416  
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- (3) An individual who subsequently becomes unlicensed must complete the continuing education requirement for the last ~~year~~license period in which the license was held prior to the issuance of a new or renewed license. 421  
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- (4) A licensee who is approved as an instructor of an approved continuing education course may receive credit for the licensee's own ~~annual~~ continuing education requirement at the rate of two credit hours for every one hour taught. 425  
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(5) A person having successfully completed a continuing education course approved by the nationwide mortgage licensing system and registry for any state shall receive credit toward completion of the continuing education requirement of this state.

(D) Notwithstanding division (B) of this section, until the nationwide mortgage licensing system and registry implements a review and approval process, the superintendent shall require evidence that the licensee has successfully completed at least ~~eight~~ sixteen hours of continuing education in a course or program of study approved by the superintendent.

(E) (1) Unless online continuing education is prohibited by the superintendent in rule, a licensee may take up to half of the required continuing education hours online.

(2) A licensee may take more than half of the required continuing education hours online if permitted by the superintendent.

(3) Nothing in this section requires the superintendent to offer or permit online continuing education courses.

**Sec. 1322.041.** (A) Upon the conclusion of the investigation required under division (D) of section 1322.031 of the Revised Code, the superintendent of financial institutions shall issue a loan originator license to the applicant if the superintendent finds that the following conditions are met:

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

(a) If a check or other draft instrument is returned to the superintendent for insufficient funds, the superintendent



shall notify the applicant by certified mail, return receipt 458  
requested, that the application will be withdrawn unless the 459  
applicant, within thirty days after receipt of the notice, 460  
submits the application fee and a one-hundred-dollar penalty to 461  
the superintendent. If the applicant does not submit the 462  
application fee and penalty within that time period, or if any 463  
check or other draft instrument used to pay the fee or penalty 464  
is returned to the superintendent for insufficient funds, the 465  
application shall be withdrawn. 466

(b) If a check or other draft instrument is returned to 467  
the superintendent for insufficient funds after the license has 468  
been issued, the superintendent shall notify the licensee by 469  
certified mail, return receipt requested, that the license 470  
issued in reliance on the check or other draft instrument will 471  
be canceled unless the licensee, within thirty days after 472  
receipt of the notice, submits the application fee and a one- 473  
hundred-dollar penalty to the superintendent. If the licensee 474  
does not submit the application fee and penalty within that time 475  
period, or if any check or other draft instrument used to pay 476  
the fee or penalty is returned to the superintendent for 477  
insufficient funds, the license shall be canceled immediately 478  
without a hearing, and the licensee shall cease activity as a 479  
loan originator. 480

(2) The applicant complies with sections 1322.01 to 481  
1322.12 of the Revised Code and the rules adopted thereunder. 482

(3) The applicant has not been convicted of or pleaded 483  
guilty or nolo contendere to any of the following in a domestic, 484  
foreign, or military court: 485

(a) During the seven-year period immediately preceding the 486  
date of application for the license, a misdemeanor involving 487

theft or any felony; 488

(b) At any time prior to the date the application for the 489  
license is approved, a felony involving an act of fraud, 490  
dishonesty, a breach of trust, theft, or money laundering. 491

(4) Based on the totality of the circumstances and 492  
information submitted in the application, the applicant has 493  
proven to the superintendent, by a preponderance of the 494  
evidence, that the applicant is of good business repute, appears 495  
qualified to act as a loan originator, has fully complied with 496  
sections 1322.01 to 1322.12 of the Revised Code and the rules 497  
adopted thereunder, and meets all of the conditions for issuing 498  
a loan originator license. 499

(5) The applicant successfully completed the written test 500  
required by section 1322.051 of the Revised Code and completed 501  
the prelicensing instruction set forth in division (B) of 502  
section 1322.031 of the Revised Code. 503

(6) The applicant's financial responsibility, character, 504  
and general fitness command the confidence of the public and 505  
warrant the belief that the business will be operated honestly 506  
and fairly in compliance with the purposes of sections 1322.01 507  
to 1322.12 of the Revised Code. The superintendent shall not use 508  
a credit score as the sole basis for a license denial. 509

(7) The applicant is in compliance with the surety bond 510  
requirements of section 1322.05 of the Revised Code. 511

(8) The applicant has not had a loan originator license, 512  
or comparable authority, revoked in any governmental 513  
jurisdiction. 514

(B) The license issued under division (A) of this section 515  
may be renewed ~~annually~~ biennially on or before the thirty-first 516

day of December of the expiration year if the superintendent 517  
finds that all of the following conditions are met: 518

(1) The renewal application is accompanied by a 519  
nonrefundable renewal fee of ~~one~~ three hundred ~~fifty~~ dollars and 520  
any fee required by the nationwide mortgage licensing system and 521  
registry. If a check or other draft instrument is returned to 522  
the superintendent for insufficient funds, the superintendent 523  
shall notify the licensee by certified mail, return receipt 524  
requested, that the license renewed in reliance on the check or 525  
other draft instrument will be canceled unless the licensee, 526  
within thirty days after receipt of the notice, submits the 527  
renewal fee and a one-hundred-dollar penalty to the 528  
superintendent. If the licensee does not submit the renewal fee 529  
and penalty within that time period, or if any check or other 530  
draft instrument used to pay the fee or penalty is returned to 531  
the superintendent for insufficient funds, the license shall be 532  
canceled immediately without a hearing, and the licensee shall 533  
cease activity as a loan originator. 534

(2) The applicant has completed at least ~~eight~~ sixteen 535  
hours of continuing education as required under section 1322.052 536  
of the Revised Code. 537

(3) The applicant meets the conditions set forth in 538  
divisions (A) (2) to (8) of this section; provided, however, that 539  
an applicant who was issued a loan officer license prior to 540  
January 1, 2010, and has continuously maintained that license 541  
shall not be required to meet the condition described in 542  
division (B) (1) (b) of section 1322.031 of the Revised Code. 543

(4) The applicant's license is not subject to an order of 544  
suspension or an unpaid and past due fine imposed by the 545  
superintendent. 546

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

(2) Division (C) (1) of this section shall not apply if the applicant, no later than the thirty-first day of January immediately following the expiration year, submits the renewal application and fees and a one-hundred-dollar penalty to the superintendent.

(D) Loan originator licenses issued on or after May 1, 2010, ~~annually~~ biennially expire on the thirty-first day of December of the expiration year.

**Sec. 1322.052.** (A) Each licensee and each person designated under division (A) (3) of section 1322.03 of the Revised Code to act as operations manager for a mortgage broker business shall complete at least ~~eight~~ sixteen hours of continuing education every ~~calendar year~~ two years. To fulfill this requirement, the ~~eight~~ sixteen hours of continuing education must be offered in a course or program of study reviewed and approved by the nationwide mortgage licensing system and registry. The course or program of study shall include all of the following:

(1) ~~Three~~ Six hours of applicable federal law and regulations;

(2) ~~Two~~ Four hours of ethics, which shall include instruction on fraud, consumer protection, and fair lending

issues; 576

(3) ~~Two~~ Four hours of training related to lending 577  
standards for the nontraditional mortgage product marketplace. 578

(B) Continuing education courses shall be reviewed and 579  
approved by the nationwide mortgage licensing system and 580  
registry based upon reasonable standards. 581

(C) The following conditions shall apply to the continuing 582  
education required by this section: 583

(1) An individual cannot take the same approved course in 584  
the same or successive years to meet the ~~annual~~ biennial 585  
requirement for continuing education. 586

(2) An individual can only receive credit for a continuing 587  
education course in the ~~year~~ license period in which the course 588  
is taken, unless the individual is making up a deficiency in 589  
continuing education as permitted by rule or order of the 590  
superintendent of financial institutions. 591

(3) A licensee who subsequently becomes unlicensed must 592  
complete the continuing education requirement for the last ~~year~~ 593  
license period in which the license was held prior to the 594  
issuance of a new or renewed license. 595

(4) A licensee who is approved as an instructor of a 596  
continuing education course receives credit for the licensee's 597  
own ~~annual~~ continuing education requirement at the rate of two 598  
credit hours for every one hour taught. 599

(5) If an individual successfully completed a continuing 600  
education course reviewed and approved by the nationwide 601  
mortgage licensing system and registry as required by another 602  
state, the individual can receive credit toward completion of 603

the continuing education requirement of this state. 604

(D) Notwithstanding division (A) of this section, until 605  
the nationwide mortgage licensing system and registry implements 606  
a review and approval process, each licensee or person 607  
designated under division (A) (3) of section 1322.03 of the 608  
Revised Code shall provide evidence that the licensee or person 609  
has successfully completed at least ~~eight~~-sixteen hours of 610  
continuing education in a course or program of study approved by 611  
the superintendent of financial institutions. 612

(E) (1) Unless online continuing education is prohibited by 613  
the superintendent in rule, a licensee may take up to half of 614  
the required continuing education hours online. 615

(2) A licensee may take more than half of the required 616  
continuing education hours online if permitted by the 617  
superintendent. 618

(3) Nothing in this section requires the superintendent to 619  
offer or permit online continuing education courses. 620

**Sec. 3773.36.** Upon the proper filing of an application to 621  
conduct any public or private competition that involves boxing, 622  
mixed martial arts, kick boxing, tough man contests, tough guy 623  
contests, or any other form of boxing or martial arts, 624  
accompanied by the surety bond and the application fee, or upon 625  
the proper filing of an application to conduct any public or 626  
private competition that involves wrestling accompanied by the 627  
application fee, the Ohio athletic commission shall issue a 628  
promoter's license to the applicant if it finds that the 629  
applicant is not in default on any payment, obligation, or debt 630  
payable to the state under sections 3773.31 to 3773.57 of the 631  
Revised Code, is financially responsible, and is knowledgeable 632

in the proper conduct of such matches or exhibitions. 633

Each license issued pursuant to this section shall bear 634  
the name of the licensee, the post office address of the 635  
licensee, the date of expiration, an identification number 636  
designated by the commission, and the seal of the commission. 637

A promoter's license shall expire ~~twelve~~twenty-four 638  
months after its date of issuance and shall become invalid on 639  
that date unless renewed. A promoter's license may be renewed 640  
upon application to the commission and upon payment of the 641  
renewal fee prescribed in section 3773.43 of the Revised Code. 642  
The commission shall renew the license unless it denies the 643  
application for renewal for one or more reasons stated in 644  
section 3123.47 or 3773.53 of the Revised Code. 645

**Sec. 3773.42.** Upon the proper filing of an application for 646  
a referee's, judge's, matchmaker's, timekeeper's, manager's, 647  
trainer's, contestant's, or second's license and payment of the 648  
applicable application fee, the Ohio athletic commission shall 649  
issue the license to the applicant if it determines that the 650  
applicant is of good moral character, is not likely to engage in 651  
acts detrimental to the fair and honest conduct of public boxing 652  
matches or exhibitions, and is qualified to hold such a license 653  
by reason of the applicant's knowledge and experience. 654

A person shall not be determined to possess the knowledge 655  
and experience necessary to qualify that person to hold a 656  
referee's license unless all of the following conditions are 657  
met: 658

(A) The person has completed such referee training 659  
requirements as the commission prescribes by rule; 660

(B) The person possesses such experience requirements as 661

the commission prescribes by rule; 662

(C) The person has obtained a passing grade on an 663  
examination administered by the commission and designed to test 664  
the examinee's knowledge of the rules of the particular sport 665  
that the person seeks to referee, the commission's rules 666  
applicable to the conduct of matches and exhibitions in the 667  
particular sport that the person seeks to referee, and such 668  
other aspects of officiating as the commission determines 669  
appropriate to its determination as to whether the applicant 670  
possesses the qualifications and capabilities to act as a 671  
referee. 672

The commission shall issue a referee's license to each 673  
person who meets the requirements of divisions (A) to (C) of 674  
this section. 675

If upon the proper filing of an application for a 676  
contestant's license the commission determines that the 677  
applicant is of good moral character, is not likely to engage in 678  
acts detrimental to the conduct of public boxing matches or 679  
exhibitions, and possesses sufficient knowledge and experience 680  
and, in the opinion of the licensed physician, physician 681  
assistant, clinical nurse specialist, certified nurse 682  
practitioner, or certified nurse-midwife who examined the 683  
applicant pursuant to section 3773.41 of the Revised Code, is 684  
physically fit to engage in public boxing matches or 685  
exhibitions, the commission shall issue the license to the 686  
applicant. 687

Each license issued pursuant to this section shall bear 688  
the correct name and ring or assumed name, if any, of the 689  
licensee, the address of the licensee, the date of issue, a 690  
serial number designated by the commission, the seal of the 691



commission, and the signature of the commission chairperson. 692

A license issued pursuant to this section shall expire 693  
~~twelve~~twenty-four months after its date of issue unless 694  
renewed. Upon application for renewal and payment of the renewal 695  
fee prescribed in section 3773.43 of the Revised Code, the 696  
commission shall renew the license unless it denies the 697  
application for one or more reasons stated in section 3123.47 or 698  
3773.53 of the Revised Code. If the application is for renewal 699  
of a contestant's license, the commission shall also require the 700  
applicant to submit the results of a physical examination that a 701  
licensed physician, physician assistant, clinical nurse 702  
specialist, certified nurse practitioner, or certified nurse- 703  
midwife conducted not more than sixty days prior to the date of 704  
the application. 705

**Sec. 3773.43.** The Ohio athletic commission shall charge 706  
the following fees: 707

(A) For an application for or renewal of a promoter's 708  
license for a public or private competition that involves 709  
boxing, mixed martial arts, kick boxing, tough man contests, 710  
tough guy contests, or any other form of boxing or martial arts, 711  
~~one~~two hundred dollars. 712

(B) For an application for or renewal of a license to 713  
participate in a public boxing match or exhibition as a 714  
contestant, or as a referee, judge, matchmaker, manager, 715  
timekeeper, trainer, or second of a contestant, ~~twenty~~forty 716  
dollars. 717

(C) For a permit to conduct a public boxing match or 718  
exhibition, fifty dollars. 719

(D) For an application for or renewal of a promoter's 720

license for a public or private competition that involves 721  
wrestling, ~~two~~four hundred dollars. 722

(E) For a permit to conduct a professional wrestling match 723  
or exhibition, one hundred dollars. 724

The commission, subject to the approval of the controlling 725  
board, may establish fees in excess of the amounts provided in 726  
this section, provided that such fees do not exceed the amounts 727  
permitted by this section by more than fifty per cent. 728

The fees prescribed by this section shall be paid to the 729  
treasurer of state, who shall deposit the fees in the 730  
occupational licensing and regulatory fund. 731

**Sec. 4707.071.** (A) On May 1, 1991, all persons licensed as 732  
auction companies under former section 4707.071 of the Revised 733  
Code shall comply with all provisions of this chapter that are 734  
applicable to auctioneers except as provided in divisions (B) 735  
and (C) of this section. Such persons, however, do not have to 736  
serve an apprenticeship or attend a course of study under 737  
section 4707.09 of the Revised Code or submit to an examination 738  
under section 4707.08 of the Revised Code as long as they do not 739  
engage in the calling for, recognition of, and the acceptance 740  
of, offers for the purchase of personal property at auction and 741  
do not conduct auctions at any location other than the definite 742  
place of business required in section 4707.14 of the Revised 743  
Code. 744

(B) The principal owner of each auction company that is 745  
licensed as of May 1, 1991, who pays the ~~annual~~biennial renewal 746  
fee specified in division (B) of section 4707.10 of the Revised 747  
Code during the first renewal period following May 1, 1991, 748  
shall be issued a special auctioneer's license, for the auction 749

of personal property subject to division (A) of this section. 750  
Each principal owner shall apply for ~~an annual~~ a biennial 751  
license. In applying for ~~an annual~~ a biennial license, each 752  
person licensed as an auction company on May 1, 1991, shall 753  
designate an individual as principal owner by submitting 754  
documentation substantiating that the individual is in fact the 755  
principal owner and shall identify a definite place of business 756  
as required in section 4707.14 of the Revised Code. A person 757  
licensed as an auctioneer shall not be entitled to a special 758  
auctioneer's license. 759

(C) A special auctioneer's license issued under this 760  
section to the principal owner of a former auction company does 761  
not entitle the principal owner or former auction company to 762  
conduct auctions at any location other than the definite place 763  
of business required in section 4707.14 of the Revised Code. 764  
Notwithstanding section 4707.10 of the Revised Code, the 765  
department of agriculture shall not issue a new special 766  
auctioneer's license if the definite place of business 767  
identified by the licensee in the licensee's initial application 768  
for a ~~special-auctioneer~~ special-auctioneer's license has changed or if 769  
the name under which the licensee is doing business has changed. 770  
No person other than an owner, officer, member, or agent of the 771  
former auction company who personally has passed the examination 772  
prescribed in section 4707.08 of the Revised Code and been 773  
licensed as an auctioneer shall engage in the calling for, 774  
recognition of, and the acceptance of, offers for the purchase 775  
of real or personal property, goods, or chattels at auction in 776  
connection with a former auction company that has been issued a 777  
special auctioneer's license. 778

(D) A person licensed as a special auctioneer shall not 779  
engage in the sale of real property at auction. 780

(E) As used in this section, "auction company" means 781  
"auction company" as defined in section 4707.01 of the Revised 782  
Code prior to its amendment by Sub. S.B. 209 of the 125th 783  
general assembly. 784

**Sec. 4707.10.** (A) (1) The fee for each apprentice 785  
auctioneer's ~~or~~ license issued by the department of agriculture 786  
is two hundred dollars. The renewal fee for any apprentice 787  
auctioneer's license is two hundred dollars and shall be renewed 788  
biennially. 789

(2) The fee for each auction firm license issued by the 790  
department of agriculture is one hundred dollars, ~~and the~~ 791  
annual. The renewal fee for any ~~such~~ auction firm license is one 792  
hundred dollars and shall be renewed annually. All licenses ~~are~~ 793

(3) The auction firm license shall expire annually on the 794  
last day of June of each year, and the apprentice auctioneer's 795  
license shall expire biennially on the last day of June. All 796  
licenses shall be renewed according to the standard renewal 797  
procedures of Chapter 4745. of the Revised Code, or the 798  
procedures of this section. Any licensee under this chapter who 799  
wishes to renew the licensee's license, but fails to do so 800  
before the first day of July following the license's expiration, 801  
shall reapply for licensure in the same manner and pursuant to 802  
the same requirements as for initial licensure, unless before 803  
the first day of September of the year of expiration, the former 804  
licensee pays to the department, in addition to the regular 805  
renewal fee, a late renewal penalty of one hundred dollars. 806

(B) (1) Each person to whom the department issues an 807  
auctioneer's license or special auctioneer's license shall pay a 808  
licensure fee. Those licenses are biennial and expire in 809  
accordance with the schedule established in division (B) (2) of 810

this section. If such a license is issued during the first year 811  
of a biennium, the licensee shall pay a fee in the amount of two 812  
hundred dollars. If the license is issued during the second year 813  
of a biennium, the licensee shall pay a fee in the amount of one 814  
hundred dollars. With respect to an auctioneer's license, the 815  
fees apply regardless of whether the license is issued to an 816  
individual under section 4707.07 of the Revised Code or to a 817  
corporation, limited liability company, partnership, or 818  
association under section 4707.073 of the Revised Code. 819

All auctioneer's licenses and special auctioneer's 820  
licenses expire on the last day of June of the biennium. The 821  
licenses shall be renewed in accordance with the standard 822  
renewal procedures of Chapter 4745. of the Revised Code or the 823  
procedures in this section and upon the licensee's payment to 824  
the department of a renewal fee of two hundred dollars. A 825  
licensee who wishes to renew the licensee's license, but who 826  
fails to do so before the first day of July following the 827  
license's expiration, shall reapply for licensure in the same 828  
manner and pursuant to the same requirements as for the initial 829  
licensure unless before the first day of September following the 830  
expiration, the former licensee pays to the department, in 831  
addition to the regular renewal fee, a late renewal penalty of 832  
one hundred dollars. 833

(2) The biennial expiration of an auctioneer's license or 834  
special auctioneer's license shall occur in accordance with the 835  
following schedule: 836

(a) The license shall expire in odd-numbered years if the 837  
business name or last name, as applicable, of the licensee 838  
begins with the letters "A" through "J" or with the letters "X" 839  
through "Z." 840

(b) The license shall expire in even-numbered years if the 841  
business name or last name, as applicable, of the licensee 842  
begins with the letters "K" through "W." 843

(C) Any person who fails to renew the person's license 844  
before the first day of July is prohibited from engaging in any 845  
activity specified or comprehended in section 4707.01 of the 846  
Revised Code until such time as the person's license is renewed 847  
or a new license is issued. Renewal of a license between the 848  
first day of July and the first day of September does not 849  
relieve any person from complying with this division. The 850  
department may refuse to renew the license of or issue a new 851  
license to any person who violates this division. 852

(D) The department shall prepare and deliver to each 853  
licensee a permanent license certificate and an identification 854  
card, the appropriate portion of which shall be carried on the 855  
person of the licensee at all times when engaged in any type of 856  
auction activity, and part of which shall be posted with the 857  
permanent certificate in a conspicuous location at the 858  
licensee's place of business. 859

(E) Notice in writing shall be given to the department by 860  
each auctioneer or apprentice auctioneer licensee of any change 861  
of principal business location or any change or addition to the 862  
name or names under which business is conducted, whereupon the 863  
department shall issue a new license for the unexpired period. 864  
Any change of business location or change or addition of names 865  
without notification to the department shall automatically 866  
cancel any license previously issued. For each new auctioneer's 867  
or apprentice auctioneer's license issued upon the occasion of a 868  
change in business location or a change in or an addition of 869  
names under which business is conducted, the department may 870

collect a fee of ten dollars for each change in location, or 871  
name or each added name unless the notification of the change 872  
occurs concurrently with the renewal application or unless 873  
otherwise provided in section 4707.07 of the Revised Code. 874

**Sec. 4725.16.** (A) (1) Each certificate of licensure issued 875  
by the state board of optometry shall expire biennially on the 876  
last day of December. Each topical ocular pharmaceutical agents 877  
certificate, and therapeutic pharmaceutical agents certificate 878  
issued by the state board of optometry shall expire annually on 879  
the last day of December, ~~and~~. All certificates and licenses 880  
may be renewed in accordance with this section and the standard 881  
renewal procedure established under Chapter 4745. of the Revised 882  
Code. 883

(2) An optometrist seeking to continue to practice 884  
optometry shall file with the board an application for license 885  
renewal. The application shall be in such form and require such 886  
pertinent professional biographical data as the board may 887  
require. 888

(3) (a) Except as provided in division (A) (3) (b) of this 889  
section, in the case of an optometrist seeking renewal who holds 890  
a therapeutic pharmaceutical agents certificate and who 891  
prescribes or personally furnishes analgesic controlled 892  
substances authorized pursuant to section 4725.091 of the 893  
Revised Code that are opioid analgesics, as defined in section 894  
3719.01 of the Revised Code, the optometrist shall certify to 895  
the board whether the optometrist has been granted access to the 896  
drug database established and maintained by the state board of 897  
pharmacy pursuant to section 4729.75 of the Revised Code. 898

(b) The requirement in division (A) (3) (a) of this section 899  
does not apply if any of the following is the case: 900

(i) The state board of pharmacy notifies the state board 901  
of optometry pursuant to section 4729.861 of the Revised Code 902  
that the certificate holder has been restricted from obtaining 903  
further information from the drug database. 904

(ii) The state board of pharmacy no longer maintains the 905  
drug database. 906

(iii) The certificate holder does not practice optometry 907  
in this state. 908

(c) If an optometrist certifies to the state board of 909  
optometry that the optometrist has been granted access to the 910  
drug database and the board finds through an audit or other 911  
means that the optometrist has not been granted access, the 912  
board may take action under section 4725.19 of the Revised Code. 913

(B) (1) All licensed optometrists shall ~~annually~~biennially 914  
complete continuing education in subjects relating to the 915  
practice of optometry, to the end that the utilization and 916  
application of new techniques, scientific and clinical advances, 917  
and the achievements of research will assure comprehensive care 918  
to the public. The board shall prescribe by rule the continuing 919  
optometric education that licensed optometrists must complete. 920  
The length of study shall be ~~twenty-five~~fifty clock hours each 921  
~~year~~two-year period, including ~~ten~~twenty clock hours of 922  
instruction in pharmacology to be completed by all licensed 923  
optometrists. 924

Unless the continuing education required under this 925  
division is waived or deferred under division (D) of this 926  
section, the continuing education must be completed during the 927  
~~twelve-month~~twenty-four-month period beginning on the first day 928  
of October and ending on the last day of September of the 929



optometrist's expiration year. If the board receives notice from 930  
a continuing education program indicating that an optometrist 931  
completed the program after the last day of September, and the 932  
optometrist wants to use the continuing education completed 933  
after that day to renew the license that expires on the last day 934  
of December of that year, the optometrist shall pay the penalty 935  
specified under section 4725.34 of the Revised Code for late 936  
completion of continuing education. 937

At least once annually, the board shall post on its web 938  
site and shall mail, or send by electronic mail, to each 939  
licensed optometrist a list of courses approved in accordance 940  
with standards prescribed by board rule. Upon the request of a 941  
licensed optometrist, the executive director of the board shall 942  
supply a list of additional courses that the board has approved 943  
subsequent to the most recent web site posting, electronic mail 944  
transmission, or mailing of the list of approved courses. 945

(2) Unless online continuing education is prohibited by 946  
board rule, a licensee may take up to half of the required 947  
continuing education hours online. 948

(3) A licensee may take more than half of the required 949  
continuing education hours online if permitted by the board. 950

(3) Nothing in this section requires the board to offer or 951  
permit online continuing education courses. 952

(C) (1) Annually, not later than the first day of November, 953  
the board shall mail or send by electronic mail a notice 954  
regarding license renewal to each licensed optometrist who may 955  
be eligible for renewal. The notice shall be sent to the 956  
optometrist's most recent electronic mail or mailing address 957  
shown in the board's records. If the board knows that the 958

optometrist has completed the required continuing optometric 959  
education for the ~~year~~biennium, the board may include with the 960  
notice an application for license renewal. 961

(2) Filing a license renewal application with the board 962  
shall serve as notice by the optometrist that the continuing 963  
optometric education requirement has been successfully 964  
completed. If the board finds that an optometrist has not 965  
completed the required continuing optometric education, the 966  
board shall disapprove the optometrist's application. The 967  
board's disapproval of renewal is effective without a hearing, 968  
unless a hearing is requested pursuant to Chapter 119. of the 969  
Revised Code. 970

(3) The board shall refuse to accept an application for 971  
renewal from any applicant whose license is not in good standing 972  
or who is under disciplinary review pursuant to section 4725.19 973  
of the Revised Code. 974

(4) Notice of an applicant's failure to qualify for 975  
renewal shall be served upon the applicant by mail. The notice 976  
shall be sent not later than the fifteenth day of November of 977  
the expiration year to the applicant's last address shown in the 978  
board's records. 979

(D) In cases of certified illness or undue hardship, the 980  
board may waive or defer for up to twelve months the requirement 981  
of continuing optometric education, except that in such cases 982  
the board may not waive or defer the continuing education in 983  
pharmacology required to be completed by optometrists who hold 984  
topical ocular pharmaceutical agents certificates or therapeutic 985  
pharmaceutical agents certificates. The board shall waive the 986  
requirement of continuing optometric education for any 987  
optometrist who is serving on active duty in the armed forces of 988

the United States or a reserve component of the armed forces of 989  
the United States, including the Ohio national guard or the 990  
national guard of any other state or who has received an initial 991  
certificate of licensure during the nine-month period which 992  
ended on the last day of September. 993

(E) An optometrist whose renewal application has been 994  
approved may renew each certificate held by paying to the 995  
treasurer of state the fees for renewal specified under section 996  
4725.34 of the Revised Code. On payment of all applicable fees, 997  
the board shall issue a renewal of the optometrist's certificate 998  
of licensure, topical ocular pharmaceutical agents certificate, 999  
and therapeutic pharmaceutical agents certificate, as 1000  
appropriate. 1001

(F) Not later than the fifteenth day of December of the 1002  
expiration year, the board shall mail or send by electronic mail 1003  
a second notice regarding license renewal to each licensed 1004  
optometrist who may be eligible for renewal but did not respond 1005  
to the notice sent under division (C) (1) of this section. The 1006  
notice shall be sent to the optometrist's most recent electronic 1007  
mail or mailing address shown in the board's records. If an 1008  
optometrist fails to file a renewal application after the second 1009  
notice is sent, the board shall send a third notice regarding 1010  
license renewal prior to any action under division (I) of this 1011  
section to classify the optometrist's certificates as 1012  
delinquent. 1013

(G) The failure of an optometrist to apply for license 1014  
renewal or the failure to pay the applicable ~~annual~~ biennial 1015  
renewal fees on or before the date of expiration, shall 1016  
automatically work a forfeiture of the optometrist's authority 1017  
to practice optometry in this state. 1018

(H) The board shall accept renewal applications and 1019  
renewal fees that are submitted from the first day of January to 1020  
the last day of April of the year next succeeding the date of 1021  
expiration. An individual who submits such a late renewal 1022  
application or fee shall pay the late renewal fee specified in 1023  
section 4725.34 of the Revised Code. 1024

(I) (1) If the certificates issued by the board to an 1025  
individual have expired and the individual has not filed a 1026  
complete application during the late renewal period, the 1027  
individual's certificates shall be classified in the board's 1028  
records as delinquent. 1029

(2) Any optometrist subject to delinquent classification 1030  
may submit a written application to the board for reinstatement. 1031  
For reinstatement to occur, the applicant must meet all of the 1032  
following conditions: 1033

(a) Submit to the board evidence of compliance with board 1034  
rules requiring continuing optometric education in a sufficient 1035  
number of hours to make up for any delinquent compliance; 1036

(b) Pay the renewal fees for the ~~year~~ biennium in which 1037  
application for reinstatement is made and the reinstatement fee 1038  
specified under division (A) (8) of section 4725.34 of the 1039  
Revised Code; 1040

(c) Pass all or part of the licensing examination accepted 1041  
by the board under section 4725.11 of the Revised Code as the 1042  
board considers appropriate to determine whether the application 1043  
for reinstatement should be approved; 1044

(d) If the applicant has been practicing optometry in 1045  
another state or country, submit evidence that the applicant's 1046  
license to practice optometry in the other state or country is 1047

in good standing. 1048

(3) The board shall approve an application for 1049  
reinstatement if the conditions specified in division (I) (2) of 1050  
this section are met. An optometrist who receives reinstatement 1051  
is subject to the continuing education requirements specified 1052  
under division (B) of this section for the year in which 1053  
reinstatement occurs. 1054

**Sec. 4725.17.** (A) An optometrist who intends not to 1055  
continue practicing optometry in this state due to retirement or 1056  
a decision to practice in another state or country may apply to 1057  
the state board of optometry to have the certificates issued to 1058  
the optometrist placed on inactive status. Application for 1059  
inactive status shall consist of a written notice to the board 1060  
of the optometrist's intention to no longer practice in this 1061  
state. The board may not accept an application submitted after 1062  
the applicant's certificate of licensure and any other 1063  
certificates have expired. The board may approve an application 1064  
for placement on inactive status only if the applicant's 1065  
certificates are in good standing and the applicant is not under 1066  
disciplinary review pursuant to section 4725.19 of the Revised 1067  
Code. 1068

(B) An individual whose certificates have been placed on 1069  
inactive status may submit a written application to the board 1070  
for reinstatement. For reinstatement to occur, the applicant 1071  
must meet all of the following conditions: 1072

(1) Pay the renewal fees for the ~~year~~ biennium in which 1073  
application for reinstatement is made and the reinstatement fee 1074  
specified under division (A) (9) of section 4725.34 of the 1075  
Revised Code; 1076

(2) Pass all or part of the licensing examination accepted 1077  
by the board under section 4725.11 of the Revised Code as the 1078  
board considers appropriate, if the board considers examination 1079  
necessary to determine whether the application for reinstatement 1080  
should be approved; 1081

(3) If the applicant has been practicing optometry in 1082  
another state or country, submit evidence of being in the active 1083  
practice of optometry in the other state or country and evidence 1084  
that the applicant's license to practice in the other state or 1085  
country is in good standing. 1086

(C) The board shall approve an application for 1087  
reinstatement if the conditions specified in division (B) of 1088  
this section are met. An optometrist who receives reinstatement 1089  
is subject to the continuing education requirements specified 1090  
under section 4725.16 of the Revised Code for the ~~year~~biennium 1091  
in which reinstatement occurs. 1092

**Sec. 4725.171.** (A) An optometrist who discontinued 1093  
practicing optometry in this state due to retirement or a 1094  
decision to practice in another state or country before the 1095  
state board of optometry accepted applications for placement of 1096  
certificates to practice on inactive status pursuant to section 1097  
4725.17 of the Revised Code may apply to the board to have the 1098  
optometrist's certificates reinstated. The board may accept an 1099  
application for reinstatement only if, at the time the 1100  
optometrist's certificates expired, the certificates were in 1101  
good standing and the optometrist was not under disciplinary 1102  
review by the board. 1103

(B) For reinstatement to occur, the applicant must meet 1104  
all of the following conditions: 1105

(1) Pay the renewal fees for the ~~year~~period in which 1106  
application for reinstatement is made and the reinstatement fee 1107  
specified under division (A) (10) of section 4725.34 of the 1108  
Revised Code; 1109

(2) Pass all or part of the licensing examination accepted 1110  
by the board under section 4725.11 of the Revised Code as the 1111  
board considers appropriate, if the board considers examination 1112  
necessary to determine whether the application for reinstatement 1113  
should be approved; 1114

(3) If the applicant has been practicing optometry in 1115  
another state or country, submit evidence of being in the active 1116  
practice of optometry in the other state or country and evidence 1117  
that the applicant's license to practice in the other state or 1118  
country is in good standing. 1119

(C) The board shall approve an application for 1120  
reinstatement if the conditions specified in division (B) of 1121  
this section are met. An optometrist who receives reinstatement 1122  
is subject to the continuing education requirements specified 1123  
under section 4725.16 of the Revised Code for the ~~year~~biennium 1124  
in which reinstatement occurs. 1125

**Sec. 4725.34.** (A) The state board of optometry shall 1126  
charge the following nonrefundable fees: 1127

(1) ~~One~~Two hundred ~~thirty~~sixty dollars for application 1128  
for a certificate of licensure; 1129

(2) Forty-five dollars for application for a therapeutic 1130  
pharmaceutical agents certificate, except when the certificate 1131  
is to be issued pursuant to division (A) (3) of section 4725.13 1132  
of the Revised Code, in which case the fee shall be thirty-five 1133  
dollars; 1134

- (3) ~~One~~Two hundred ~~thirty-sixty~~ dollars for renewal of a certificate of licensure; 1135  
1136
- (4) Forty-five dollars for renewal of a topical ocular pharmaceutical agents certificate; 1137  
1138
- (5) Forty-five dollars for renewal of a therapeutic pharmaceutical agents certificate; 1139  
1140
- (6) One hundred twenty-five dollars for late completion or submission, or both, of continuing optometric education; 1141  
1142
- (7) One hundred twenty-five dollars for late renewal of one or more certificates that have expired; 1143  
1144
- (8) Seventy-five dollars for reinstatement of one or more certificates classified as delinquent under section 4725.16 of the Revised Code, multiplied by the number of years the one or more certificates have been classified as delinquent; 1145  
1146  
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1148
- (9) Seventy-five dollars for reinstatement of one or more certificates placed on inactive status under section 4725.17 of the Revised Code; 1149  
1150  
1151
- (10) Seventy-five dollars for reinstatement under section 4725.171 of the Revised Code of one or more expired certificates; 1152  
1153  
1154
- (11) Additional fees to cover administrative costs incurred by the board, including fees for replacing licenses issued by the board and providing rosters of currently licensed optometrists. Such fees shall be established at a regular meeting of the board and shall comply with any applicable guidelines or policies set by the department of administrative services or the office of budget and management. 1155  
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1161
- (B) The board, subject to the approval of the controlling 1162



board, may establish fees in excess of the amounts specified in 1163  
division (A) of this section if the fees do not exceed the 1164  
amounts specified by more than fifty per cent. 1165

(C) All receipts of the board, from any source, shall be 1166  
deposited in the state treasury to the credit of the 1167  
occupational licensing and regulatory fund. 1168

**Sec. 4725.51.** (A) Each license issued under sections 1169  
4725.40 to 4725.59 of the Revised Code shall expire on the first 1170  
day of January in the second year after it was issued. Each 1171  
person holding a valid, current license may apply to the Ohio 1172  
optical dispensers board for the extension of the license under 1173  
the standard renewal procedures of Chapter 4745. of the Revised 1174  
Code. Each application for renewal shall be accompanied by a 1175  
renewal fee the board shall establish by rule. In addition, the 1176  
application shall contain evidence that the applicant has 1177  
completed continuing education within the immediately preceding 1178  
~~one year~~ two-year period as follows: 1179

(1) Licensed spectacle dispensing opticians shall have 1180  
pursued both of the following, approved by the board: 1181

(a) ~~Four~~ Eight hours of study in spectacle dispensing; 1182

(b) ~~Two~~ Four hours of study in the form of contact lens 1183  
dispensing described in section 4725.411 of the Revised Code. 1184

(2) Licensed contact lens dispensing opticians shall have 1185  
pursued ~~eight~~ sixteen hours of study in contact lens dispensing, 1186  
approved by the board. 1187

(3) Licensed spectacle-contact lens dispensing opticians 1188  
shall have pursued both of the following, approved by the board: 1189

(a) ~~Four~~ Eight hours of study in spectacle dispensing; 1190

(b) ~~Eight-Sixteen~~ hours of study in contact lens dispensing. 1191  
1192

(4) Licensed ocularists shall have pursued courses of study as prescribed by rule of the board. 1193  
1194

(5) (a) Unless online continuing education is prohibited by board rule, a licensee may take up to half of the required continuing education hours online. 1195  
1196  
1197

(b) A licensee may take more than half of the required continuing education hours online if permitted by the board. 1198  
1199

(c) Nothing in this section requires the board to offer or permit online continuing education courses. 1200  
1201

(B) No person who fails to renew the person's license under division (A) of this section shall be required to take a qualifying examination under section 4725.48 of the Revised Code as a condition of renewal, provided that the application for renewal and proof of the requisite continuing education hours are submitted within ninety days from the date the license expired and the applicant pays the ~~annual~~-biennial renewal fee and a penalty of seventy-five dollars. The board may provide, by rule, for an extension of the grace period for licensed dispensing opticians who are serving in the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio national guard or the national guard of any other state and for waiver of the continuing education requirements or the penalty in cases of hardship or illness. 1202  
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(C) The board shall approve continuing education programs and shall adopt rules as necessary for approving the programs. 1217  
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Approved programs shall be scheduled, sponsored, and conducted 1219

in accordance with the board's rules. 1220

**Sec. 4727.03.** (A) As used in this section, "experience and 1221  
fitness in the capacity involved" means that the applicant for a 1222  
pawnbroker's license demonstrates sufficient financial 1223  
responsibility, reputation, and experience in the pawnbroker 1224  
business, or in a related business, to act as a pawnbroker in 1225  
compliance with this chapter. "Experience and fitness in the 1226  
capacity involved" shall be determined by: 1227

(1) Prior or current ownership or management of, or 1228  
employment in, a pawnshop; 1229

(2) Demonstration to the satisfaction of the 1230  
superintendent of financial institutions of a thorough working 1231  
knowledge of all pawnbroker laws and rules as they relate to the 1232  
actual operation of a pawnshop. 1233

A demonstration shall include a demonstration of an 1234  
ability to properly complete forms, knowledge of how to properly 1235  
calculate interest and storage charges, and knowledge of legal 1236  
notice and forfeiture procedures. The final determination of 1237  
whether an applicant's demonstration is adequate rests with the 1238  
superintendent. 1239

(3) A submission by the applicant and any stockholders, 1240  
owners, managers, directors, or officers of the pawnshop, and 1241  
employees of the applicant to a police record check; and 1242

(4) Liquid assets in a minimum amount of one hundred 1243  
thousand dollars at the time of applying for initial licensure 1244  
and demonstration of the ability to maintain the liquid assets 1245  
at a minimum amount of fifty thousand dollars for the duration 1246  
of holding a valid pawnbroker's license. 1247

(B) The superintendent may grant a license to act as a 1248

pawnbroker to any person of good character and having experience 1249  
and fitness in the capacity involved to engage in the business 1250  
of pawnbroking upon the payment to the superintendent of a 1251  
license fee determined by the superintendent pursuant to section 1252  
1321.20 of the Revised Code. A license is not transferable or 1253  
assignable. 1254

(C) The superintendent may consider an application 1255  
withdrawn and may retain the investigation fee required under 1256  
division (D) of this section if both of the following are true: 1257

(1) An application for a license does not contain all of 1258  
the information required under division (B) of this section. 1259

(2) The information is not submitted to the superintendent 1260  
within ninety days after the superintendent requests the 1261  
information from the applicant in writing. 1262

(D) The superintendent shall require an applicant for a 1263  
pawnbroker's license to pay to the superintendent a 1264  
nonrefundable initial investigation fee of two hundred dollars, 1265  
which is for the exclusive use of the state. 1266

~~(E) (1) Except as otherwise provided in division (E) (2) of~~ 1267  
~~this section, a pawnbroker's license issued by the~~ 1268  
~~superintendent expires on the thirtieth day of June next~~ 1269  
~~following the date of its issuance, and may be renewed annually~~ 1270  
~~by the thirtieth day of June in accordance with the standard~~ 1271  
~~renewal procedure set forth in Chapter 4745. of the Revised~~ 1272  
~~Code. Fifty per cent of the annual license fee shall be for the~~ 1273  
~~use of the state, and fifty per cent shall be paid by the state~~ 1274  
~~to the municipal corporation, or if outside the limits of any~~ 1275  
~~municipal corporation, to the county, in which the office of the~~ 1276  
~~licensee is located. All such fees payable to municipal~~ 1277

~~corporations or counties shall be paid annually.~~ 1278

(2) A pawnbroker's license issued or renewed by the 1279  
superintendent ~~on or after January 1, 2006,~~ expires on the 1280  
thirtieth day of June in the even-numbered year next following 1281  
the date of its issuance or renewal, as applicable, and may be 1282  
renewed biennially by the thirtieth day of June in accordance 1283  
with the standard renewal procedure set forth in Chapter 4745. 1284  
of the Revised Code. Fifty per cent of the biennial license fee 1285  
shall be for the use of the state, and fifty per cent shall be 1286  
paid by the state to the municipal corporation, or if outside 1287  
the limits of any municipal corporation, to the county, in which 1288  
the office of the licensee is located. All such fees payable to 1289  
municipal corporations or counties shall be paid biennially. 1290

(F) The fee for renewal of a license shall be equivalent 1291  
to the fee for an initial license established by the 1292  
superintendent pursuant to section 1321.20 of the Revised Code. 1293  
Any licensee who wishes to renew the pawnbroker's license but 1294  
who fails to do so on or before the date the license expires 1295  
shall reapply for licensure in the same manner and pursuant to 1296  
the same requirements as for initial licensure, unless the 1297  
licensee pays to the superintendent on or before the thirty- 1298  
first day of August of the year the license expires, a late 1299  
renewal penalty of one hundred dollars in addition to the 1300  
regular renewal fee. Any licensee who fails to renew the license 1301  
on or before the date the license expires is prohibited from 1302  
acting as a pawnbroker until the license is renewed or a new 1303  
license is issued under this section. Any licensee who renews a 1304  
license between the first day of July and the thirty-first day 1305  
of August of the year the license expires is not relieved from 1306  
complying with this division. The superintendent may refuse to 1307  
issue to or renew the license of any licensee who violates this 1308

division. 1309

(G) No license shall be granted to any person not a 1310  
resident of or the principal office of which is not located in 1311  
the municipal corporation or county designated in such license 1312  
unless that applicant, in writing and in due form approved by 1313  
and filed with the superintendent, first appoints an agent, a 1314  
resident of the state, and city or county where the office is to 1315  
be located, upon whom all judicial and other process, or legal 1316  
notice, directed to the applicant may be served. In case of the 1317  
death, removal from the state, or any legal disability or any 1318  
disqualification of any such agent, service of such process or 1319  
notice may be made upon the superintendent. 1320

The superintendent may, upon notice to the licensee and 1321  
reasonable opportunity to be heard, suspend or revoke any 1322  
license or assess a penalty against the licensee if the 1323  
licensee, or the licensee's officers, agents, or employees, has 1324  
violated this chapter. Any penalty shall be appropriate to the 1325  
violation but in no case shall the penalty be less than two 1326  
hundred nor more than two thousand dollars. Whenever, for any 1327  
cause, a license is suspended or revoked, the superintendent 1328  
shall not issue another license to the licensee nor to the legal 1329  
spouse of the licensee, nor to any business entity of which the 1330  
licensee is an officer or member or partner, nor to any person 1331  
employed by the licensee, until the expiration of at least two 1332  
years from the date of revocation or suspension of the license. 1333  
The superintendent shall deposit all penalties allocated 1334  
pursuant to this section into the state treasury to the credit 1335  
of the consumer finance fund. 1336

Any proceedings for the revocation or suspension of a 1337  
license or to assess a penalty against a licensee are subject to 1338

Chapter 119. of the Revised Code. 1339

(H) If a licensee surrenders or chooses not to renew the 1340  
pawnbroker's license, the licensee shall notify the 1341  
superintendent thirty days prior to the date on which the 1342  
licensee intends to close the licensee's business as a 1343  
pawnbroker. Prior to the date, the licensee shall do either of 1344  
the following with respect to all active loans: 1345

(1) Dispose of an active loan by selling the loan to 1346  
another person holding a valid pawnbroker's license issued under 1347  
this section; 1348

(2) Reduce the rate of interest on pledged articles held 1349  
as security for a loan to eight per cent per annum or less 1350  
effective on the date that the pawnbroker's license is no longer 1351  
valid. 1352

**Sec. 4727.19.** (A) Effective with the two-year period that 1353  
begins June 30, 2000, and every two-year period thereafter, each 1354  
person licensed as a pawnbroker under this chapter shall 1355  
complete by the end of the period at least twelve hours of 1356  
continuing education instruction offered in a course or program 1357  
approved by the superintendent of financial institutions after 1358  
consultation with an industry representative selected by the 1359  
superintendent. 1360

(B) Any person licensed under this chapter who has more 1361  
than three employees shall designate an individual to the 1362  
superintendent as a salesperson. Effective with the two-year 1363  
period that begins June 30, 2000, and every two-year period 1364  
thereafter, a salesperson shall complete by the end of the 1365  
period at least eight hours of continuing education instruction 1366  
offered in a course or program approved by the superintendent in 1367

consultation with a designated industry representative. 1368

(C) Each location of those persons licensed under this 1369  
chapter who have three or more employees shall have at least one 1370  
salesperson who meets the continuing education requirements of 1371  
this section. 1372

(D) The superintendent, in accordance with ~~chapter~~ Chapter 1373  
119. of the Revised Code, may suspend, revoke, or refuse to 1374  
renew the license of any licensee who fails to comply with this 1375  
section. 1376

(E) The superintendent, in accordance with ~~chapter~~ Chapter 1377  
119. of the Revised Code, may adopt rules regarding continuing 1378  
education fees, locations, times, frequency, and waivers of 1379  
requirements. 1380

(F) (1) Unless online continuing education is prohibited by 1381  
the superintendent of financial institutions in rule, a licensed 1382  
pawnbroker may take up to half of the required continuing 1383  
education hours online. 1384

(2) A licensed pawnbroker may take more than half of the 1385  
required continuing education hours online if permitted by the 1386  
superintendent. 1387

(3) Nothing in this section requires the superintendent to 1388  
offer or permit online continuing education courses. 1389

**Sec. 4728.03.** (A) As used in this section, "experience and 1390  
fitness in the capacity involved" means that the applicant for a 1391  
precious metals dealer's license has had sufficient financial 1392  
responsibility, reputation, and experience in the business of 1393  
precious metals dealer, or a related business, to act as a 1394  
precious metals dealer in compliance with this chapter. 1395



(B) (1) The division of financial institutions in the 1396  
department of commerce may grant a precious metals dealer's 1397  
license to any person of good character, having experience and 1398  
fitness in the capacity involved, who demonstrates a net worth 1399  
of at least ten thousand dollars and the ability to maintain 1400  
that net worth during the licensure period. The superintendent 1401  
of financial institutions shall compute the applicant's net 1402  
worth according to generally accepted accounting principles. 1403

(2) In place of the demonstration of net worth required by 1404  
division (B) (1) of this section, an applicant may obtain a 1405  
surety bond issued by a surety company authorized to do business 1406  
in this state if all of the following conditions are met: 1407

(a) A copy of the surety bond is filed with the division; 1408

(b) The bond is in favor of any person, and of the state 1409  
for the benefit of any person, injured by any violation of this 1410  
chapter; 1411

(c) The bond is in the amount of not less than ten 1412  
thousand dollars. 1413

(3) Before granting a license under this division, the 1414  
division shall determine that the applicant meets the 1415  
requirements of division (B) (1) or (2) of this section. 1416

(C) The division shall require an applicant for a precious 1417  
metals dealer's license to pay to the division a nonrefundable, 1418  
initial investigation fee of two hundred dollars which shall be 1419  
for the exclusive use of the state. The license fee for a 1420  
precious metals dealer's license and the renewal fee shall be 1421  
determined by the superintendent, provided that the fee may not 1422  
exceed ~~three~~six hundred dollars. A license issued by the 1423  
division shall expire on the last day of June ~~next~~on the second 1424

year following the date of its issuance. Fifty per cent of 1425  
license fees shall be for the use of the state, and fifty per 1426  
cent shall be paid to the municipal corporation, or if outside 1427  
the limits of any municipal corporation, to the county in which 1428  
the office of the licensee is located. All portions of license 1429  
fees payable to municipal corporations or counties shall be paid 1430  
as they accrue, by the treasurer of state, on vouchers issued by 1431  
the director of budget and management. 1432

(D) Every such license shall be renewed ~~annually~~ 1433  
biennially by the last day of June of the expiration year 1434  
according to the standard renewal procedure of Chapter 4745. of 1435  
the Revised Code. No license shall be granted to any person not 1436  
a resident of or the principal office of which is not located in 1437  
the municipal corporation or county designated in such license, 1438  
unless, and until such applicant shall, in writing and in due 1439  
form, to be first approved by and filed with the division, 1440  
appoint an agent, a resident of the state, and city or county 1441  
where the office is to be located, upon whom all judicial and 1442  
other process, or legal notice, directed to the applicant may be 1443  
served; and in case of the death, removal from the state, or any 1444  
legal disability or any disqualification of any agent, service 1445  
of process or notice may be made upon the superintendent. 1446

(E) The division may, pursuant to Chapter 119. of the 1447  
Revised Code, upon notice to the licensee and after giving the 1448  
licensee reasonable opportunity to be heard, revoke or suspend 1449  
any license, if the licensee or the licensee's officers, agents, 1450  
or employees violate this chapter. Whenever, for any cause, the 1451  
license is revoked or suspended, the division shall not issue 1452  
another license to the licensee nor to the husband or wife of 1453  
the licensee, nor to any copartnership or corporation of which 1454  
the licensee is an officer, nor to any person employed by the 1455

licensee, until the expiration of at least one year from the 1456  
date of revocation of the license. 1457

(F) In conducting an investigation to determine whether an 1458  
applicant satisfies the requirements for licensure under this 1459  
section, the superintendent may request that the superintendent 1460  
of the bureau of criminal identification and investigation 1461  
investigate and determine whether the bureau has procured any 1462  
information pursuant to section 109.57 of the Revised Code 1463  
pertaining to the applicant. 1464

If the superintendent of financial institutions determines 1465  
that conducting an investigation to determine whether an 1466  
applicant satisfies the requirements for licensure under this 1467  
section will require procuring information outside the state, 1468  
then, in addition to the fee established under division (C) of 1469  
this section, the superintendent may require the applicant to 1470  
pay any of the actual expenses incurred by the division to 1471  
conduct such an investigation, provided that the superintendent 1472  
shall assess the applicant a total no greater than one thousand 1473  
dollars for such expenses. The superintendent may require the 1474  
applicant to pay in advance of the investigation, sufficient 1475  
funds to cover the estimated cost of the actual expenses. If the 1476  
superintendent requires the applicant to pay investigation 1477  
expenses, the superintendent shall provide to the applicant an 1478  
itemized statement of the actual expenses incurred by the 1479  
division to conduct the investigation. 1480

(G) (1) Except as otherwise provided in division (G) (2) of 1481  
this section a precious metals dealer licensed under this 1482  
section shall maintain a net worth of at least ten thousand 1483  
dollars, computed as required under division (B) (1) of this 1484  
section, for as long as the licensee holds a valid precious 1485

metals dealer's license issued pursuant to this section. 1486

(2) A licensee who obtains a surety bond under division 1487  
(B)(2) of this section is exempt from the requirement of 1488  
division (G)(1) of this section, but shall maintain the bond for 1489  
at least two years after the date on which the licensee ceases 1490  
to conduct business in this state. 1491

**Sec. 4729.11.** The state board of pharmacy shall establish 1492  
a pharmacy internship program for the purpose of providing the 1493  
practical experience necessary to practice as a pharmacist. Any 1494  
individual who desires to become a pharmacy intern shall apply 1495  
for licensure to the board. An application filed under this 1496  
section may not be withdrawn without the approval of the board. 1497

Each applicant shall be issued an identification card and 1498  
license as a pharmacy intern if in the opinion of the board the 1499  
applicant is actively pursuing an educational program in 1500  
preparation for licensure as a pharmacist and meets the other 1501  
requirements as determined by the board. An identification card 1502  
and license shall be valid until the next ~~annual~~biennial 1503  
renewal date and shall be renewed only if the intern is meeting 1504  
the requirements and rules of the board. 1505

The state board of pharmacy may appoint a director of 1506  
pharmacy internship who is a licensed pharmacist and who is not 1507  
directly or indirectly connected with a school or college of 1508  
pharmacy or department of pharmacy of a university. The director 1509  
of pharmacy internship shall be responsible to the board for the 1510  
operation and direction of the pharmacy internship program 1511  
established by the board under this section, and for such other 1512  
duties as the board may assign. 1513

**Sec. 4729.12.** An identification card issued by the state 1514

board of pharmacy under section 4729.08 of the Revised Code 1515  
entitles the individual to whom it is issued to practice as a 1516  
pharmacist or as a pharmacy intern in this state until the next 1517  
~~annual~~ biennial renewal date. 1518

Identification cards shall be renewed ~~annually~~ biennially 1519  
on the fifteenth day of September of the expiration year, 1520  
according to the standard renewal procedure of Chapter 4745. of 1521  
the Revised Code. 1522

Each pharmacist and pharmacy intern shall carry the 1523  
identification card or renewal identification card while engaged 1524  
in the practice of pharmacy. The license shall be conspicuously 1525  
exposed at the principal place where the pharmacist or pharmacy 1526  
intern practices pharmacy. 1527

A pharmacist or pharmacy intern who desires to continue in 1528  
the practice of pharmacy shall file with the board an 1529  
application in such form and containing such data as the board 1530  
may require for renewal of an identification card. In the case 1531  
of a pharmacist who dispenses or plans to dispense controlled 1532  
substances in this state, the pharmacist shall certify, as part 1533  
of the application, that the pharmacist has been granted access 1534  
to the drug database established and maintained by the board 1535  
pursuant to section 4729.75 of the Revised Code, unless the 1536  
board has restricted the pharmacist from obtaining further 1537  
information from the database or the board no longer maintains 1538  
the database. If the pharmacist certifies to the board that the 1539  
applicant has been granted access to the drug database and the 1540  
board finds through an audit or other means that the pharmacist 1541  
has not been granted access, the board may take action under 1542  
section 4729.16 of the Revised Code. 1543

An application filed under this section for renewal of an 1544

identification card may not be withdrawn without the approval of 1545  
the board. 1546

If the board finds that an applicant's identification card 1547  
has not been revoked or placed under suspension and that the 1548  
applicant has paid the renewal fee, has continued pharmacy 1549  
education in accordance with the rules of the board, and is 1550  
entitled to continue in the practice of pharmacy, the board 1551  
shall issue a renewal identification card to the applicant. 1552

When an identification card has lapsed for more than sixty 1553  
days but application is made within three years after the 1554  
expiration of the card, the applicant shall be issued a renewal 1555  
identification card without further examination if the applicant 1556  
meets the requirements of this section and pays the fee 1557  
designated under division (A) (5) of section 4729.15 of the 1558  
Revised Code. 1559

**Sec. 4729.15.** (A) Except as provided in division (B) of 1560  
this section, the state board of pharmacy shall charge the 1561  
following fees: 1562

(1) For applying for a license to practice as a 1563  
pharmacist, an amount adequate to cover all rentals, 1564  
compensation for proctors, and other expenses of the board 1565  
related to examination except the expenses of procuring and 1566  
grading the examination, which fee shall not be returned if the 1567  
applicant fails to pass the examination; 1568

(2) For the examination of an applicant for licensure as a 1569  
pharmacist, an amount adequate to cover any expenses to the 1570  
board of procuring and grading the examination or any part 1571  
thereof, which fee shall not be returned if the applicant fails 1572  
to pass the examination; 1573

(3) For issuing a license and an identification card to an individual who passes the examination described in section 4729.07 of the Revised Code, an amount that is adequate to cover the expense;

(4) For a pharmacist applying for renewal of an identification card within sixty days after the expiration date, ~~ninety seven one hundred ninety-five dollars and fifty cents,~~ which fee shall not be returned if the applicant fails to qualify for renewal;

(5) For a pharmacist applying for renewal of an identification card that has lapsed for more than sixty days, but for less than three years, ~~one two hundred thirty five seventy~~ seventy dollars, which fee shall not be returned if the applicant fails to qualify for renewal;

(6) For a pharmacist applying for renewal of an identification card that has lapsed for more than three years, ~~three six hundred thirty seven seventy-five~~ six hundred thirty seven ~~seventy-five~~ dollars and ~~fifty cents,~~ which fee shall not be returned if the applicant fails to qualify for renewal;

(7) For a pharmacist applying for a license and identification card, on presentation of a pharmacist license granted by another state, three hundred thirty-seven dollars and fifty cents, which fee shall not be returned if the applicant fails to qualify for licensure.

(8) For a license and identification card to practice as a pharmacy intern, ~~twenty two forty-five~~ forty-five dollars and ~~fifty cents,~~ which fee shall not be returned if the applicant fails to qualify for licensure;

(9) For the renewal of a pharmacy intern identification

card, ~~twenty-two~~ forty-five dollars ~~and fifty cents~~, which fee 1603  
shall not be returned if the applicant fails to qualify for 1604  
renewal; 1605

(10) For issuing a replacement license to a pharmacist, 1606  
twenty-two dollars and fifty cents; 1607

(11) For issuing a replacement license to a pharmacy 1608  
intern, seven dollars and fifty cents; 1609

(12) For issuing a replacement identification card to a 1610  
pharmacist, thirty-seven dollars and fifty cents, or pharmacy 1611  
intern, seven dollars and fifty cents; 1612

(13) For certifying licensure and grades for reciprocal 1613  
licensure, ten dollars; 1614

(14) For making copies of any application, affidavit, or 1615  
other document filed in the state board of pharmacy office, an 1616  
amount fixed by the board that is adequate to cover the expense, 1617  
except that for copies required by federal or state agencies or 1618  
law enforcement officers for official purposes, no charge need 1619  
be made; 1620

(15) For certifying and affixing the seal of the board, an 1621  
amount fixed by the board that is adequate to cover the expense, 1622  
except that for certifying and affixing the seal of the board to 1623  
a document required by federal or state agencies or law 1624  
enforcement officers for official purposes, no charge need be 1625  
made; 1626

(16) For each copy of a book or pamphlet that includes 1627  
laws administered by the state board of pharmacy, rules adopted 1628  
by the board, and chapters of the Revised Code with which the 1629  
board is required to comply, an amount fixed by the board that 1630  
is adequate to cover the expense of publishing and furnishing 1631



the book or pamphlet. 1632

(B) (1) Subject to division (B) (2) of this section, the 1633  
fees described in divisions (A) (1) to (13) of this section do 1634  
not apply to an individual who is on active duty in the armed 1635  
forces of the United States or to an individual who served in 1636  
the armed forces of the United States and presents a valid copy 1637  
of the individual's DD-214 form or an equivalent document issued 1638  
by the United States department of defense indicating that the 1639  
individual is an honorably discharged veteran. 1640

(2) The state board of pharmacy may establish limits with 1641  
respect to the individuals for whom fees are not applicable 1642  
under division (B) (1) of this section. 1643

**Sec. 4729.52.** (A) A person desiring to be registered as a 1644  
wholesale distributor of dangerous drugs shall file with the 1645  
executive director of the state board of pharmacy a verified 1646  
application containing such information as the board requires of 1647  
the applicant relative to the qualifications to be registered as 1648  
a wholesale distributor of dangerous drugs set forth in section 1649  
4729.53 of the Revised Code and the rules adopted under that 1650  
section. The board shall register as a wholesale distributor of 1651  
dangerous drugs each applicant who has paid the required 1652  
registration fee, if the board determines that the applicant 1653  
meets the qualifications to be registered as a wholesale 1654  
distributor of dangerous drugs set forth in section 4729.53 of 1655  
the Revised Code and the rules adopted under that section. 1656

(B) The board may register and issue to a person who does 1657  
not reside in this state a registration certificate as a 1658  
wholesale distributor of dangerous drugs if the person possesses 1659  
a current and valid wholesale distributor of dangerous drugs 1660  
registration certificate or license issued by another state that 1661

has qualifications for licensure or registration comparable to 1662  
the registration requirements in this state and pays the 1663  
required registration fee. 1664

(C) All registration certificates issued pursuant to this 1665  
section are effective for a period of ~~twelve~~twenty-four months 1666  
from the first day of July of each year. A registration 1667  
certificate shall be renewed ~~annually~~biennially by the board 1668  
for a like period, pursuant to this section and the standard 1669  
renewal procedure of Chapter 4745. of the Revised Code. A person 1670  
desiring to renew a registration certificate shall submit an 1671  
application for renewal and pay the required renewal fee before 1672  
the first day of July ~~each~~of the expiration year. 1673

(D) Each registration certificate and its application 1674  
shall describe not more than one establishment or place where 1675  
the registrant or applicant may engage in the sale of dangerous 1676  
drugs at wholesale. No registration certificate shall authorize 1677  
or permit the wholesale distributor of dangerous drugs named 1678  
therein to engage in the sale of drugs at wholesale or to 1679  
maintain possession, custody, or control of dangerous drugs for 1680  
any purpose other than for the registrant's own use and 1681  
consumption at any establishment or place other than that 1682  
described in the certificate. 1683

(E) (1) The registration fee is ~~seven hundred fifty one~~  
thousand five hundred dollars and shall accompany each 1684  
application for registration. The registration renewal fee is 1685  
~~seven hundred fifty one thousand five hundred~~ dollars and shall 1686  
accompany each renewal application. 1687  
1688

A registration certificate that has not been renewed in 1689  
~~any~~an expiration year by the first day of August may be 1690  
reinstated upon payment of the renewal fee and a penalty of one 1691

hundred fifty dollars. 1692

(2) Renewal fees and penalties assessed under division (E) 1693  
(1) of this section shall not be returned if the applicant fails 1694  
to qualify for renewal. 1695

(F) The registration of any person as a wholesale 1696  
distributor of dangerous drugs subjects the person and the 1697  
person's agents and employees to the jurisdiction of the board 1698  
and to the laws of this state for the purpose of the enforcement 1699  
of this chapter and the rules of the board. However, the filing 1700  
of an application for registration as a wholesale distributor of 1701  
dangerous drugs by, or on behalf of, any person or the 1702  
registration of any person as a wholesale distributor of 1703  
dangerous drugs shall not, of itself, constitute evidence that 1704  
the person is doing business within this state. 1705

**Sec. 4729.54.** (A) As used in this section: 1706

(1) "Category I" means single-dose injections of 1707  
intravenous fluids, including saline, Ringer's lactate, five per 1708  
cent dextrose and distilled water, and other intravenous fluids 1709  
or parenteral solutions included in this category by rule of the 1710  
state board of pharmacy, that have a volume of one hundred 1711  
milliliters or more and that contain no added substances, or 1712  
single-dose injections of epinephrine to be administered 1713  
pursuant to sections 4765.38 and 4765.39 of the Revised Code. 1714

(2) "Category II" means any dangerous drug that is not 1715  
included in category I or III. 1716

(3) "Category III" means any controlled substance that is 1717  
contained in schedule I, II, III, IV, or V. 1718

(4) "Emergency medical service organization" has the same 1719  
meaning as in section 4765.01 of the Revised Code. 1720

(5) "Person" includes an emergency medical service organization. 1721  
1722

(6) "Schedule I, schedule II, schedule III, schedule IV, and schedule V" mean controlled substance schedules I, II, III, IV, and V, respectively, as established pursuant to section 3719.41 of the Revised Code and as amended. 1723  
1724  
1725  
1726

(B) (1) A person who desires to be licensed as a terminal distributor of dangerous drugs shall file with the executive director of the state board of pharmacy a verified application. After it is filed, the application may not be withdrawn without approval of the board. 1727  
1728  
1729  
1730  
1731

(2) An application shall contain all the following that apply in the applicant's case: 1732  
1733

(a) Information that the board requires relative to the qualifications of a terminal distributor of dangerous drugs set forth in section 4729.55 of the Revised Code; 1734  
1735  
1736

(b) A statement that the person wishes to be licensed as a category I, category II, category III, limited category I, limited category II, or limited category III terminal distributor of dangerous drugs; 1737  
1738  
1739  
1740

(c) If the person wishes to be licensed as a limited category I, limited category II, or limited category III terminal distributor of dangerous drugs, a notarized list of the dangerous drugs that the person wishes to possess, have custody or control of, and distribute, which list shall also specify the purpose for which those drugs will be used and their source; 1741  
1742  
1743  
1744  
1745  
1746

(d) If the person is an emergency medical service organization, the information that is specified in division (C) (1) of this section; 1747  
1748  
1749

(e) Except for an emergency medical service organization, 1750  
the identity of the one establishment or place at which the 1751  
person intends to engage in the sale or other distribution of 1752  
dangerous drugs at retail, and maintain possession, custody, or 1753  
control of dangerous drugs for purposes other than the person's 1754  
own use or consumption; 1755

(f) If the application pertains to a pain management 1756  
clinic, information that demonstrates, to the satisfaction of 1757  
the board, compliance with division (A) of section 4729.552 of 1758  
the Revised Code. 1759

(C) (1) An emergency medical service organization that 1760  
wishes to be licensed as a terminal distributor of dangerous 1761  
drugs shall list in its application for licensure the following 1762  
additional information: 1763

(a) The units under its control that the organization 1764  
determines will possess dangerous drugs for the purpose of 1765  
administering emergency medical services in accordance with 1766  
Chapter 4765. of the Revised Code; 1767

(b) With respect to each such unit, whether the dangerous 1768  
drugs that the organization determines the unit will possess are 1769  
in category I, II, or III. 1770

(2) An emergency medical service organization that is 1771  
licensed as a terminal distributor of dangerous drugs shall file 1772  
a new application for such licensure if there is any change in 1773  
the number, or location of, any of its units or any change in 1774  
the category of the dangerous drugs that any unit will possess. 1775

(3) A unit listed in an application for licensure pursuant 1776  
to division (C) (1) of this section may obtain the dangerous 1777  
drugs it is authorized to possess from its emergency medical 1778

service organization or, on a replacement basis, from a hospital 1779  
pharmacy. If units will obtain dangerous drugs from a hospital 1780  
pharmacy, the organization shall file, and maintain in current 1781  
form, the following items with the pharmacist who is responsible 1782  
for the hospital's terminal distributor of dangerous drugs 1783  
license: 1784

(a) A copy of its standing orders or protocol; 1785

(b) A list of the personnel employed or used by the 1786  
organization to provide emergency medical services in accordance 1787  
with Chapter 4765. of the Revised Code, who are authorized to 1788  
possess the drugs, which list also shall indicate the personnel 1789  
who are authorized to administer the drugs. 1790

(D) Each emergency medical service organization that 1791  
applies for a terminal distributor of dangerous drugs license 1792  
shall submit with its application the following: 1793

(1) A notarized copy of its standing orders or protocol, 1794  
which orders or protocol shall be signed by a physician and 1795  
specify the dangerous drugs that its units may carry, expressed 1796  
in standard dose units; 1797

(2) A list of the personnel employed or used by the 1798  
organization to provide emergency medical services in accordance 1799  
with Chapter 4765. of the Revised Code. 1800

An emergency medical service organization that is licensed 1801  
as a terminal distributor shall notify the board immediately of 1802  
any changes in its standing orders or protocol. 1803

(E) There shall be six categories of terminal distributor 1804  
of dangerous drugs licenses, which categories shall be as 1805  
follows: 1806

(1) Category I license. A person who obtains this license 1807  
may possess, have custody or control of, and distribute only the 1808  
dangerous drugs described in category I. 1809

(2) Limited category I license. A person who obtains this 1810  
license may possess, have custody or control of, and distribute 1811  
only the dangerous drugs described in category I that were 1812  
listed in the application for licensure. 1813

(3) Category II license. A person who obtains this license 1814  
may possess, have custody or control of, and distribute only the 1815  
dangerous drugs described in category I and category II. 1816

(4) Limited category II license. A person who obtains this 1817  
license may possess, have custody or control of, and distribute 1818  
only the dangerous drugs described in category I or category II 1819  
that were listed in the application for licensure. 1820

(5) Category III license, which may include a pain 1821  
management clinic classification issued under section 4729.552 1822  
of the Revised Code. A person who obtains this license may 1823  
possess, have custody or control of, and distribute the 1824  
dangerous drugs described in category I, category II, and 1825  
category III. If the license includes a pain management clinic 1826  
classification, the person may operate a pain management clinic. 1827

(6) Limited category III license. A person who obtains 1828  
this license may possess, have custody or control of, and 1829  
distribute only the dangerous drugs described in category I, 1830  
category II, or category III that were listed in the application 1831  
for licensure. 1832

(F) Except for an application made on behalf of an animal 1833  
shelter, if an applicant for licensure as a limited category I, 1834  
II, or III terminal distributor of dangerous drugs intends to 1835

administer dangerous drugs to a person or animal, the applicant 1836  
shall submit, with the application, a notarized copy of its 1837  
protocol or standing orders, which protocol or orders shall be 1838  
signed by a licensed health professional authorized to prescribe 1839  
drugs, specify the dangerous drugs to be administered, and list 1840  
personnel who are authorized to administer the dangerous drugs 1841  
in accordance with federal law or the law of this state. An 1842  
application made on behalf of an animal shelter shall include a 1843  
notarized list of the dangerous drugs to be administered to 1844  
animals and the personnel who are authorized to administer the 1845  
drugs to animals in accordance with section 4729.532 of the 1846  
Revised Code. After obtaining a terminal distributor license, a 1847  
licensee shall notify the board immediately of any changes in 1848  
its protocol or standing orders, or in such personnel. 1849

(G) (1) Except as provided in division (G) (2) of this 1850  
section, each applicant for licensure as a terminal distributor 1851  
of dangerous drugs shall submit, with the application, a license 1852  
fee determined as follows: 1853

(a) For a category I or limited category I license, ~~forty-~~ 1854  
~~five-ninety~~ dollars; 1855

(b) For a category II or limited category II license, ~~one-~~ 1856  
~~two hundred twelve-twenty-five~~ dollars ~~and fifty cents~~; 1857

(c) For a category III license, including a license with a 1858  
pain management clinic classification issued under section 1859  
4729.552 of the Revised Code, or a limited category III license, 1860  
~~one-three~~ hundred ~~fifty~~ dollars. 1861

(2) For a professional association, corporation, 1862  
partnership, or limited liability company organized for the 1863  
purpose of practicing veterinary medicine, the fee shall be 1864



forty dollars. 1865

(3) Fees assessed under divisions (G) (1) and (2) of this 1866  
section shall not be returned if the applicant fails to qualify 1867  
for registration. 1868

(H) (1) The board shall issue a terminal distributor of 1869  
dangerous drugs license to each person who submits an 1870  
application for such licensure in accordance with this section, 1871  
pays the required license fee, is determined by the board to 1872  
meet the requirements set forth in section 4729.55 of the 1873  
Revised Code, and satisfies any other applicable requirements of 1874  
this section. 1875

(2) The license of a person other than an emergency 1876  
medical service organization shall describe the one 1877  
establishment or place at which the licensee may engage in the 1878  
sale or other distribution of dangerous drugs at retail and 1879  
maintain possession, custody, or control of dangerous drugs for 1880  
purposes other than the licensee's own use or consumption. The 1881  
one establishment or place shall be that which is described in 1882  
the application for licensure. 1883

No such license shall authorize or permit the terminal 1884  
distributor of dangerous drugs named in it to engage in the sale 1885  
or other distribution of dangerous drugs at retail or to 1886  
maintain possession, custody, or control of dangerous drugs for 1887  
any purpose other than the distributor's own use or consumption, 1888  
at any establishment or place other than that described in the 1889  
license, except that an agent or employee of an animal shelter 1890  
may possess and use dangerous drugs in the course of business as 1891  
provided in division (D) of section 4729.532 of the Revised 1892  
Code. 1893

(3) The license of an emergency medical service organization shall cover and describe all the units of the organization listed in its application for licensure.

(4) The license of every terminal distributor of dangerous drugs shall indicate, on its face, the category of licensure. If the license is a limited category I, II, or III license, it shall specify, and shall authorize the licensee to possess, have custody or control of, and distribute only, the dangerous drugs that were listed in the application for licensure.

(I) All licenses issued pursuant to this section shall be effective for a period of ~~twelve-twenty-four~~ months from the first day of April of each ~~year~~ biennium. A license shall be renewed by the board for a like period, ~~annually~~ biennially, according to the provisions of this section, and the standard renewal procedure of Chapter 4745. of the Revised Code. A person who desires to renew a license shall submit an application for renewal and pay the required fee on or before the thirty-first day of March ~~each of the expiration~~ year. The fee required for the renewal of a license shall be the same as the fee paid for the license being renewed, and shall accompany the application for renewal.

A license that has not been renewed during March ~~in any of the expiration~~ year and by the first day of May of the same year may be reinstated only upon payment of the required renewal fee and a penalty fee of fifty-five dollars.

(J) (1) No emergency medical service organization that is licensed as a terminal distributor of dangerous drugs shall fail to comply with division (C) (2) or (3) of this section.

(2) No emergency medical service organization that is

licensed as a terminal distributor of dangerous drugs shall fail 1923  
to comply with division (D) of this section. 1924

(3) No licensed terminal distributor of dangerous drugs 1925  
shall possess, have custody or control of, or distribute 1926  
dangerous drugs that the terminal distributor is not entitled to 1927  
possess, have custody or control of, or distribute by virtue of 1928  
its category of licensure. 1929

(4) No licensee that is required by division (F) of this 1930  
section to notify the board of changes in its protocol or 1931  
standing orders, or in personnel, shall fail to comply with that 1932  
division. 1933

**Sec. 4735.06.** (A) Application for a license as a real 1934  
estate broker shall be made to the superintendent of real estate 1935  
on forms furnished by the superintendent and filed with the 1936  
superintendent and shall be signed by the applicant or its 1937  
members or officers. Each application shall state the name of 1938  
the person applying and the location of the place of business 1939  
for which the license is desired, and give such other 1940  
information as the superintendent requires in the form of 1941  
application prescribed by the superintendent. 1942

If the applicant is a partnership, limited liability 1943  
company, limited liability partnership, or association, the 1944  
names of all the members also shall be stated, and, if the 1945  
applicant is a corporation, the names of its president and of 1946  
each of its officers also shall be stated. The superintendent 1947  
has the right to reject the application of any partnership, 1948  
association, limited liability company, limited liability 1949  
partnership, or corporation if the name proposed to be used by 1950  
such partnership, association, limited liability company, 1951  
limited liability partnership, or corporation is likely to 1952

mislead the public or if the name is not such as to distinguish 1953  
it from the name of any existing partnership, association, 1954  
limited liability company, limited liability partnership, or 1955  
corporation licensed under this chapter, unless there is filed 1956  
with the application the written consent of such existing 1957  
partnership, association, limited liability company, limited 1958  
liability partnership, or corporation, executed by a duly 1959  
authorized representative of it, permitting the use of the name 1960  
of such existing partnership, association, limited liability 1961  
company, limited liability partnership, or corporation. 1962

(B) A fee of ~~one~~two hundred dollars shall accompany the 1963  
application for a real estate broker's license. The initial 1964  
licensing period commences at the time the license is issued and 1965  
ends on the applicant's ~~first~~second birthday thereafter. 1966  
However, if the applicant was an inactive or active salesperson 1967  
immediately preceding application for a broker's license, then 1968  
the initial licensing period shall commence at the time the 1969  
broker's license is issued and ends on the date the licensee's 1970  
continuing education is due as set when the applicant was a 1971  
salesperson. The application fee shall be nonrefundable. A fee 1972  
of ~~one~~two hundred dollars shall be charged by the 1973  
superintendent for each successive application made by an 1974  
applicant. In the case of issuance of a three-year license, upon 1975  
passing the examination, or upon waiver of the examination 1976  
requirement, if the superintendent determines it is necessary, 1977  
the applicant shall submit an additional fee determined by the 1978  
superintendent based upon the number of years remaining in a 1979  
real estate salesperson's licensing period. 1980

(C) ~~One dollar~~Two dollars of each application fee for a 1981  
real estate broker's license shall be credited to the real 1982  
estate education and research fund, which is hereby created in 1983

the state treasury. The Ohio real estate commission may use the 1984  
fund in discharging the duties prescribed in divisions (E), (F), 1985  
(G), and (H) of section 4735.03 of the Revised Code and shall 1986  
use it in the advancement of education and research in real 1987  
estate at any institution of higher education in the state, or 1988  
in contracting with any such institution or a trade organization 1989  
for a particular research or educational project in the field of 1990  
real estate, or in advancing loans, not exceeding two thousand 1991  
dollars, to applicants for salesperson licenses, to defray the 1992  
costs of satisfying the educational requirements of division (F) 1993  
of section 4735.09 of the Revised Code. Such loans shall be made 1994  
according to rules established by the commission under the 1995  
procedures of Chapter 119. of the Revised Code, and they shall 1996  
be repaid to the fund within three years of the time they are 1997  
made. No more than ten thousand dollars shall be lent from the 1998  
fund in any one year. 1999

The governor may appoint a representative from the 2000  
executive branch to be a member ex officio of the commission for 2001  
the purpose of advising on research requests or educational 2002  
projects. The commission shall report to the general assembly on 2003  
the third Tuesday after the third Monday in January of each year 2004  
setting forth the total amount contained in the fund and the 2005  
amount of each research grant that it has authorized and the 2006  
amount of each research grant requested. A copy of all research 2007  
reports shall be submitted to the state library of Ohio and the 2008  
library of the legislative service commission. 2009

(D) If the superintendent, with the consent of the 2010  
commission, enters into an agreement with a national testing 2011  
service to administer the real estate broker's examination, 2012  
pursuant to division (A) of section 4735.07 of the Revised Code, 2013  
the superintendent may require an applicant to pay the testing 2014

service's examination fee directly to the testing service. If 2015  
the superintendent requires the payment of the examination fee 2016  
directly to the testing service, each applicant shall submit to 2017  
the superintendent a processing fee in an amount determined by 2018  
the Ohio real estate commission pursuant to division (A) (2) of 2019  
section 4735.10 of the Revised Code. 2020

**Sec. 4735.09.** (A) Application for a license as a real 2021  
estate salesperson shall be made to the superintendent of real 2022  
estate on forms furnished by the superintendent and signed by 2023  
the applicant. The application shall be in the form prescribed 2024  
by the superintendent and shall contain such information as is 2025  
required by this chapter and the rules of the Ohio real estate 2026  
commission. The application shall be accompanied by the 2027  
recommendation of the real estate broker with whom the applicant 2028  
is associated or with whom the applicant intends to be 2029  
associated, certifying that the applicant is honest, truthful, 2030  
and of good reputation, has not been convicted of a felony or a 2031  
crime involving moral turpitude, and has not been finally 2032  
adjudged by a court to have violated any municipal, state, or 2033  
federal civil rights laws relevant to the protection of 2034  
purchasers or sellers of real estate, which conviction or 2035  
adjudication the applicant has not disclosed to the 2036  
superintendent, and recommending that the applicant be admitted 2037  
to the real estate salesperson examination. 2038

(B) A fee of ~~sixty~~ one hundred twenty dollars shall 2039  
accompany the application, which fee includes the fee for the 2040  
initial ~~year of the~~ licensing period, if a license is issued. 2041  
The initial ~~year of the~~ licensing period commences at the time 2042  
the license is issued and ends on the applicant's ~~first~~ second 2043  
birthday thereafter. The application fee shall be nonrefundable. 2044  
A fee of ~~sixty~~ one hundred twenty dollars shall be charged by 2045

the superintendent for each successive application made by the 2046  
applicant. ~~One dollar~~ Two dollars of each application fee shall 2047  
be credited to the real estate education and research fund. 2048

(C) There shall be no limit placed on the number of times 2049  
an applicant may retake the examination. 2050

(D) The superintendent, with the consent of the 2051  
commission, may enter into an agreement with a recognized 2052  
national testing service to administer the real estate 2053  
salesperson's examination under the superintendent's supervision 2054  
and control, consistent with the requirements of this chapter as 2055  
to the contents of the examination. 2056

If the superintendent, with the consent of the commission, 2057  
enters into an agreement with a national testing service to 2058  
administer the real estate salesperson's examination, the 2059  
superintendent may require an applicant to pay the testing 2060  
service's examination fee directly to the testing service. If 2061  
the superintendent requires the payment of the examination fee 2062  
directly to the testing service, each applicant shall submit to 2063  
the superintendent a processing fee in an amount determined by 2064  
the Ohio real estate commission pursuant to division (A) (1) of 2065  
section 4735.10 of the Revised Code. 2066

(E) The superintendent shall issue a real estate 2067  
salesperson's license when satisfied that the applicant has 2068  
received a passing score on each portion of the salesperson's 2069  
examination as determined by rule by the real estate commission, 2070  
except that the superintendent may waive one or more of the 2071  
requirements of this section in the case of an applicant who is 2072  
a licensed real estate salesperson in another state pursuant to 2073  
a reciprocity agreement with the licensing authority of the 2074  
state from which the applicant holds a valid real estate 2075

salesperson's license. 2076

(F) No applicant for a salesperson's license shall take 2077  
the salesperson's examination who has not established to the 2078  
satisfaction of the superintendent that the applicant: 2079

(1) Is honest, truthful, and of good reputation; 2080

(2) (a) Has not been convicted of a felony or crime of 2081  
moral turpitude or, if the applicant has been so convicted, the 2082  
superintendent has disregarded the conviction because the 2083  
applicant has proven to the superintendent, by a preponderance 2084  
of the evidence, that the applicant's activities and employment 2085  
record since the conviction show that the applicant is honest, 2086  
truthful, and of good reputation, and there is no basis in fact 2087  
for believing that the applicant again will violate the laws 2088  
involved; 2089

(b) Has not been finally adjudged by a court to have 2090  
violated any municipal, state, or federal civil rights laws 2091  
relevant to the protection of purchasers or sellers of real 2092  
estate or, if the applicant has been so adjudged, at least two 2093  
years have passed since the court decision and the 2094  
superintendent has disregarded the adjudication because the 2095  
applicant has proven, by a preponderance of the evidence, that 2096  
the applicant is honest, truthful, and of good reputation, and 2097  
there is no basis in fact for believing that the applicant again 2098  
will violate the laws involved. 2099

(3) Has not, during any period in which the applicant was 2100  
licensed under this chapter, violated any provision of, or any 2101  
rule adopted pursuant to this chapter, or, if the applicant has 2102  
violated such provision or rule, has established to the 2103  
satisfaction of the superintendent that the applicant will not 2104



again violate such provision or rule; 2105

(4) Is at least eighteen years of age; 2106

(5) If born after the year 1950, has a high school diploma 2107  
or its equivalent as recognized by the state department of 2108  
education; 2109

(6) Has successfully completed at an institution of higher 2110  
education all of the following: 2111

(a) Forty hours of classroom instruction in real estate 2112  
practice; 2113

(b) Forty hours of classroom instruction that includes the 2114  
subjects of Ohio real estate law, municipal, state, and federal 2115  
civil rights law, new case law on housing discrimination, 2116  
desegregation issues, and methods of eliminating the effects of 2117  
prior discrimination. If feasible, the classroom instruction in 2118  
Ohio real estate law shall be taught by a member of the faculty 2119  
of an accredited law school. If feasible, the classroom 2120  
instruction in municipal, state, and federal civil rights law, 2121  
new case law on housing discrimination, desegregation issues, 2122  
and methods of eliminating the effects of prior discrimination 2123  
shall be taught by a staff member of the Ohio civil rights 2124  
commission who is knowledgeable with respect to those subjects. 2125  
The requirements of this division do not apply to an applicant 2126  
who is admitted to practice before the supreme court. 2127

(c) Twenty hours of classroom instruction in real estate 2128  
appraisal; 2129

(d) Twenty hours of classroom instruction in real estate 2130  
finance. 2131

(G) Division (F) (6) (c) of this section does not apply to 2132

any new applicant who holds a valid Ohio real estate appraiser 2133  
license or certificate issued prior to the date of application 2134  
for a real estate salesperson's license. 2135

(H) Any person who has not been licensed as a real estate 2136  
salesperson or broker within a four-year period immediately 2137  
preceding the person's current application for the salesperson's 2138  
examination shall have successfully completed the prelicensure 2139  
classroom instruction required by division (F)(6) of this 2140  
section within a ten-year period immediately preceding the 2141  
person's current application for the salesperson's examination. 2142

(I) Not earlier than the date of issue of a real estate 2143  
salesperson's license to a licensee, but not later than ~~twelve-~~ 2144  
twenty-four months after the date of issue of a real estate 2145  
salesperson license to a licensee, the licensee shall submit 2146  
proof satisfactory to the superintendent, on forms made 2147  
available by the superintendent, of the completion of ~~ten-~~twenty 2148  
hours of classroom instruction that shall be completed in 2149  
schools, seminars, and educational institutions approved by the 2150  
commission. Approval of the curriculum and providers shall be 2151  
granted according to rules adopted pursuant to section 4735.10 2152  
of the Revised Code. 2153

If proof of completion of the required instruction is not 2154  
submitted within ~~twelve-~~twenty-four months of the date a license 2155  
is issued under this section, the licensee's license is 2156  
suspended automatically without the taking of any action by the 2157  
superintendent. The superintendent immediately shall notify the 2158  
broker with whom such salesperson is associated of the 2159  
suspension of the salesperson's license. A salesperson whose 2160  
license has been suspended under this division shall have twelve 2161  
months after the date of the suspension of the salesperson's 2162

license to submit proof of successful completion of the 2163  
instruction required under this division. No such license shall 2164  
be reactivated by the superintendent until it is established, to 2165  
the satisfaction of the superintendent, that the requirements of 2166  
this division have been met and that the licensee is in 2167  
compliance with this chapter. A licensee's license is revoked 2168  
automatically without the taking of any action by the 2169  
superintendent when the licensee fails to submit the required 2170  
proof of completion of the education requirements under division 2171  
(I) of this section within twelve months of the date the license 2172  
is suspended. 2173

(J) Examinations shall be administered with reasonable 2174  
accommodations in accordance with the requirements of the 2175  
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 2176  
U.S.C. 12189. The contents of an examination shall be consistent 2177  
with the classroom instructional requirements of division (F) (6) 2178  
of this section. An applicant who has completed the classroom 2179  
instructional requirements of division (F) (6) of this section at 2180  
the time of application shall be examined no later than twelve 2181  
months after the applicant is notified of the applicant's 2182  
admission to the examination. 2183

**Sec. 4735.14.** (A) Each license issued under this chapter, 2184  
shall be valid without further recommendation or examination 2185  
until it is placed in an inactive or resigned status, is revoked 2186  
or suspended, or such license expires by operation of law. 2187

(B) Except for a licensee who has placed the licensee's 2188  
license in resigned status pursuant to section 4735.142 of the 2189  
Revised Code, each licensed broker, brokerage, or salesperson 2190  
shall file, on or before the date the Ohio real estate 2191  
commission has adopted by rule for that licensee in accordance 2192

with division (A) (2) (f) of section 4735.10 of the Revised Code, 2193  
a notice of renewal on a form prescribed by the superintendent 2194  
of real estate. The notice of renewal shall be mailed by the 2195  
superintendent two months prior to the filing deadline to the 2196  
personal residence address of each broker or salesperson that is 2197  
on file with the division. If the licensee is a partnership, 2198  
association, limited liability company, limited liability 2199  
partnership, or corporation, the notice of renewal shall be 2200  
mailed by the superintendent two months prior to the filing 2201  
deadline to the brokerage's business address on file with the 2202  
division. A licensee shall not renew the licensee's license any 2203  
earlier than two months prior to the filing deadline. 2204

(C) Except as otherwise provided in division (B) of this 2205  
section, the license of any real estate broker, brokerage, or 2206  
salesperson that fails to file a notice of renewal on or before 2207  
the filing deadline of each ensuing ~~year~~-biennium shall be 2208  
suspended automatically without the taking of any action by the 2209  
superintendent. A suspended license may be reactivated within 2210  
twelve months of the date of suspension, provided that the 2211  
renewal fee plus a penalty fee of fifty per cent of the renewal 2212  
fee is paid to the superintendent. Failure to reactivate the 2213  
license as provided in this division shall result in automatic 2214  
revocation of the license without the taking of any action by 2215  
the superintendent. No person, partnership, association, 2216  
corporation, limited liability company, or limited partnership 2217  
shall engage in any act or acts for which a real estate license 2218  
is required while that entity's license is placed in an inactive 2219  
or resigned status, or is suspended, or revoked. The commission 2220  
shall adopt rules in accordance with Chapter 119. of the Revised 2221  
Code to provide to licensees notice of suspension or revocation 2222  
or both. 2223

(D) Each licensee shall notify the superintendent of a 2224  
change in personal residence address. A licensee's failure to 2225  
notify the superintendent of a change in personal residence 2226  
address does not negate the requirement to file the license 2227  
renewal by the required deadline established by the commission 2228  
by rule under division (A) (2) (f) of section 4735.10 of the 2229  
Revised Code. 2230

(E) The superintendent shall not renew a license if the 2231  
licensee fails to comply with section 4735.141 of the Revised 2232  
Code or is otherwise not in compliance with this chapter. 2233

(F) The superintendent shall make notice of successful 2234  
renewal available electronically to licensees as soon as 2235  
practicable, but not later than thirty days after receipt by the 2236  
division of a complete application and renewal fee. This notice 2237  
shall serve as a notice of renewal for purposes of section 2238  
4745.02 of the Revised Code. 2239

**Sec. 4735.141.** (A) Except as otherwise provided in this 2240  
division and except for a licensee who has placed the licensee's 2241  
license in resigned status pursuant to section 4735.142 of the 2242  
Revised Code, each person licensed under section 4735.07 or 2243  
4735.09 of the Revised Code shall submit proof satisfactory to 2244  
the superintendent of real estate that the licensee has 2245  
satisfactorily completed thirty hours of continuing education, 2246  
as prescribed by the Ohio real estate commission pursuant to 2247  
section 4735.10 of the Revised Code, on or before the licensee's 2248  
birthday occurring three years after the licensee's date of 2249  
initial licensure, and on or before the licensee's birthday 2250  
every three years thereafter. 2251

Persons licensed as real estate salespersons who 2252  
subsequently become licensed real estate brokers shall continue 2253

to submit proof of continuing education in accordance with the 2254  
time period established in this section. 2255

The requirements of this section shall not apply to any 2256  
disabled licensee as provided in division (E) of this section. 2257

Each licensee who is seventy years of age or older, within 2258  
a continuing education reporting period, shall submit proof 2259  
satisfactory to the superintendent of real estate that the 2260  
licensee has satisfactorily completed a total of nine classroom 2261  
hours of continuing education, including instruction in Ohio 2262  
real estate law; recently enacted state and federal laws 2263  
affecting the real estate industry; municipal, state, and 2264  
federal civil rights law; and canons of ethics for the real 2265  
estate industry as adopted by the commission. The required proof 2266  
of completion shall be submitted on or before the licensee's 2267  
birthday that falls in the third year of that continuing 2268  
education reporting period. A licensee who is seventy years of 2269  
age or older whose license is in an inactive status is exempt 2270  
from the continuing education requirements specified in this 2271  
section. The commission shall adopt reasonable rules in 2272  
accordance with Chapter 119. of the Revised Code to carry out 2273  
the purposes of this paragraph. 2274

(B) (1) The continuing education requirements of this 2275  
section shall be completed in schools, seminars, and educational 2276  
institutions approved by the commission. Such approval shall be 2277  
given according to rules established by the commission under the 2278  
procedures of Chapter 119. of the Revised Code, and shall not be 2279  
limited to institutions providing two-year or four-year degrees. 2280  
Each school, seminar, or educational institution approved under 2281  
this division shall be open to all licensees on an equal basis. 2282

(2) Unless online continuing education is prohibited by 2283

commission rule, a licensee may take up to half of the required 2284  
continuing education hours online. 2285

(3) A licensee may take more than half of the required 2286  
continuing education hours online if permitted by the 2287  
commission. 2288

(4) Nothing in this section requires the commission to 2289  
offer or permit online continuing education courses. 2290

(C) If the requirements of this section are not met by a 2291  
licensee within the period specified, the licensee's license 2292  
shall be suspended automatically without the taking of any 2293  
action by the superintendent. The superintendent shall notify 2294  
the licensee of the license suspension, and such notification 2295  
shall be sent by regular mail to the personal residence address 2296  
of the licensee that is on file with the division. Any license 2297  
so suspended shall remain suspended until it is reactivated by 2298  
the superintendent. No such license shall be reactivated until 2299  
it is established, to the satisfaction of the superintendent, 2300  
that the requirements of this section have been met. If the 2301  
requirements of this section are not met within twelve months 2302  
from the date the license was suspended, the license shall be 2303  
revoked automatically without the taking of any action by the 2304  
superintendent. 2305

(D) If the license of a real estate broker is suspended 2306  
pursuant to division (C) of this section, the license of a real 2307  
estate salesperson associated with that broker correspondingly 2308  
is suspended pursuant to division (H) of section 4735.20 of the 2309  
Revised Code. A sole broker shall notify affiliated salespersons 2310  
of the suspension in writing within three days of receiving the 2311  
notice required by division (C) of this section. 2312

(1) The suspended license of the associated real estate salesperson shall be reactivated and no fee shall be charged or collected for that reactivation if that broker subsequently submits proof to the superintendent that the broker has complied with the requirements of this section and requests that the broker's license as a real estate broker be reactivated, and the superintendent then reactivates the broker's license as a real estate broker.

(2) If the real estate salesperson submits an application to leave the association of the suspended broker in order to associate with a different broker, the suspended license of the associated real estate salesperson shall be reactivated and no fee shall be charged or collected for that reactivation. The superintendent may process the application regardless of whether the licensee's license is returned to the superintendent.

Any person whose license is reactivated pursuant to this division shall comply with the requirements of this section and otherwise be in compliance with this chapter.

(E) Any licensee who is a disabled licensee at any time during the last three months of the third year of the licensee's continuing education reporting period may receive an extension of time as deemed appropriate by the superintendent to submit proof to the superintendent that the licensee has satisfactorily completed the required thirty hours of continuing education. To receive an extension of time, the licensee shall submit a request to the division of real estate for the extension and proof satisfactory to the commission that the licensee was a disabled licensee at some time during the last three months of the three-year reporting period. The proof shall include, but is not limited to, a signed statement by the licensee's attending



physician describing the disability, certifying that the 2343  
licensee's disability is of such a nature as to prevent the 2344  
licensee from attending any instruction lasting at least three 2345  
hours in duration, and stating the expected duration of the 2346  
disability. The licensee shall request the extension and provide 2347  
the physician's statement to the division no later than one 2348  
month prior to the end of the licensee's three-year continuing 2349  
education reporting period, unless the disability did not arise 2350  
until the last month of the three-year reporting period, in 2351  
which event the licensee shall request the extension and provide 2352  
the physician's statement as soon as practical after the 2353  
occurrence of the disability. A licensee granted an extension 2354  
pursuant to this division who is no longer a disabled licensee 2355  
and who submits proof of completion of the continuing education 2356  
during the extension period, shall submit, for future continuing 2357  
education reporting periods, proof of completion of the 2358  
continuing education requirements according to the schedule 2359  
established in division (A) of this section. 2360

(F) The superintendent shall not renew a license if the 2361  
licensee fails to comply with this section, and the licensee 2362  
shall be required to pay the penalty fee provided in section 2363  
4735.14 of the Revised Code. 2364

(G) A licensee shall submit proof of completion of the 2365  
required continuing education with the licensee's notice of 2366  
renewal. The proof shall be submitted in the manner provided by 2367  
the superintendent. 2368

**Sec. 4735.27.** (A) An application to act as a foreign real 2369  
estate dealer shall be in writing and filed with the 2370  
superintendent of real estate. It shall be in the form the 2371  
superintendent prescribes and shall contain the following 2372

information:	2373
(1) The name and address of the applicant;	2374
(2) A description of the applicant, including, if the applicant is a partnership, unincorporated association, or any similar form of business organization, the names and the residence and business addresses of all partners, officers, directors, trustees, or managers of the organization, and the limitation of the liability of any partner or member; and if the applicant is a corporation, a list of its officers and directors, and the residence and business addresses of each, and, if it is a foreign corporation, a copy of its articles of incorporation in addition;	2375 2376 2377 2378 2379 2380 2381 2382 2383 2384
(3) The location and addresses of the principal office and all other offices of the applicant;	2385 2386
(4) A general description of the business of the applicant prior to the application, including a list of states in which the applicant is a licensed foreign real estate dealer;	2387 2388 2389
(5) The names and addresses of all <del>salesmen</del> <u>salespersons</u> of the applicant at the date of the application;	2390 2391
(6) The nature of the business of the applicant, and its places of business, for the ten-year period preceding the date of application.	2392 2393 2394
(B) Every nonresident applicant shall name a person within this state upon whom process against the applicant may be served and shall give the complete residence and business address of the person designated. Every applicant shall file an irrevocable written consent, executed and acknowledged by an individual duly authorized to give such consent, that actions growing out of a fraud committed by the applicant in connection with the sale in	2395 2396 2397 2398 2399 2400 2401

this state of foreign real estate may be commenced against it, 2402  
in the proper court of any county in this state in which a cause 2403  
of action for such fraud may arise or in which the plaintiff in 2404  
such action may reside, by serving on the secretary of state any 2405  
proper process or pleading authorized by the laws of this state, 2406  
in the event that the applicant if a resident of this state, or 2407  
the person designated by the nonresident applicant, cannot be 2408  
found at the address given. The consent shall stipulate that the 2409  
service of process on the secretary of state shall be taken in 2410  
all courts to be as valid and binding as if service had been 2411  
made upon the foreign real estate dealer. If the applicant is a 2412  
corporation or an unincorporated association, the consent shall 2413  
be accompanied by a certified copy of the resolution of the 2414  
board of directors, trustees, or managers of the corporation or 2415  
association, authorizing such individual to execute the consent. 2416

(C) The superintendent may investigate any applicant for a 2417  
dealer's license, and may require any additional information ~~he~~ 2418  
the superintendent considers necessary to determine the business 2419  
repute and qualifications of the applicant to act as a foreign 2420  
real estate dealer. If the application for a dealer's license 2421  
involves investigation outside this state, the superintendent 2422  
may require the applicant to advance sufficient funds to pay any 2423  
of the actual expenses of the investigation, and an itemized 2424  
statement of such expense shall be furnished to the applicant. 2425

(D) Every applicant shall take a written examination, 2426  
prescribed and conducted by the superintendent, which covers ~~his~~ 2427  
the applicant's knowledge of the principles of real estate 2428  
practice, real estate law, financing and appraisal, real estate 2429  
transactions and instruments relating to them, canons of 2430  
business ethics relating to real estate transactions, and the 2431  
duties of foreign real estate dealers and ~~salesmen~~ salespersons. 2432

The fee for the examination, when administered by the 2433  
superintendent, is seventy-five dollars. If the applicant does 2434  
not appear for the examination, the fee shall be forfeited and a 2435  
new application and fee shall be filed, unless good cause for 2436  
the failure to appear is shown to the superintendent. The 2437  
requirement of an examination may be waived in whole or in part 2438  
by the superintendent if an applicant is licensed as a real 2439  
estate broker by any state. 2440

Any applicant who fails the examination twice shall wait 2441  
six months before applying to retake the examination. 2442

(E) No person shall take the foreign real estate dealer's 2443  
examination who has not established to the satisfaction of the 2444  
superintendent that ~~he~~ the person: 2445

(1) Has not been convicted of a felony or a crime of moral 2446  
turpitude or, if ~~he~~ the applicant has been so convicted, the 2447  
superintendent has disregarded the conviction because the 2448  
applicant has proven to the superintendent, by a preponderance 2449  
of the evidence, that ~~his~~ the applicant's activities and 2450  
employment record since the conviction show that ~~he~~ the 2451  
applicant is honest, truthful, and of good reputation, and there 2452  
is no basis in fact for believing that ~~he~~ the applicant again 2453  
will violate the laws involved; 2454

(2) Has not been finally adjudged by a court to have 2455  
violated any municipal, state, or federal civil rights laws 2456  
relevant to the protection of purchasers or sellers of real 2457  
estate or, if ~~he~~ the applicant has been so adjudged, at least 2458  
two years have passed since the court decision and the 2459  
superintendent has disregarded the adjudication because the 2460  
applicant has proven, by a preponderance of the evidence, that 2461  
~~his~~ the applicant's activities and employment record since the 2462

adjudication show that ~~he~~ the applicant is honest, truthful, and 2463  
of good reputation, and there is no basis in fact for believing 2464  
that ~~he~~ the applicant again will violate the laws involved; 2465

(3) Has not, during any period for which ~~he~~ the applicant 2466  
was licensed under this chapter or any former section of the 2467  
Revised Code applicable to licensed foreign real estate dealers 2468  
or ~~salesmen~~ salespersons, violated any provision of, or any rule 2469  
adopted pursuant to, this chapter or that section, or, if ~~he~~ the 2470  
applicant has violated any such provision or rule, has 2471  
established to the satisfaction of the superintendent that ~~he~~ 2472  
the applicant will not again violate the provision or rule. 2473

(F) If the superintendent finds that an applicant for a 2474  
license as a foreign real estate dealer, or each named member, 2475  
manager, or officer of a partnership, association, or corporate 2476  
applicant is at least eighteen years of age, is of good business 2477  
repute, has passed the examination required under this section 2478  
or has had the requirement of an examination waived, and appears 2479  
otherwise qualified, the superintendent shall issue a license to 2480  
the applicant to engage in business in this state as a foreign 2481  
real estate dealer. Dealers licensed pursuant to this section 2482  
shall employ as ~~salesmen~~ salespersons of foreign real estate 2483  
only persons licensed pursuant to section 4735.28 of the Revised 2484  
Code. If at any time such ~~salesmen~~ salespersons resign or are 2485  
discharged or new ~~salesmen~~ salespersons are added, the dealer 2486  
forthwith shall notify the superintendent and shall file with 2487  
the division of real estate the names and addresses of new 2488  
~~salesmen~~ salespersons. 2489

(G) If the applicant merely is renewing ~~his~~ the 2490  
applicant's license ~~for the previous year~~, the application need 2491  
contain only the information required by divisions (A) (2), (3), 2492

and (6) of this section. 2493

**Sec. 4735.29.** The license of every foreign real estate 2494  
dealer and ~~salesman~~ salesperson shall expire biennially on the 2495  
thirty-first day of December ~~of each year~~, and may be renewed 2496  
upon the filing with the superintendent of real estate of an 2497  
application for renewal, and the payment of the fee prescribed 2498  
in section 4735.15 of the Revised Code, not less than fifteen or 2499  
more than sixty days before the expiration of the old license. 2500  
The superintendent may accept an application for renewal less 2501  
than fifteen days before the expiration of any calendar year. ~~He~~ 2502  
The superintendent shall give notice, without unreasonable 2503  
delay, of ~~his~~ the superintendent's action on any application for 2504  
renewal of a foreign real estate dealer's or ~~salesman's~~ 2505  
salesperson's license. 2506

A foreign real estate dealer's license may be issued at 2507  
any time for the remainder of the ~~calendar year~~ biennial period. 2508  
In such event, the ~~annual~~ biennial fee prescribed in section 2509  
4735.15 of the Revised Code shall not be reduced. 2510

**Sec. 4736.11.** The state board of sanitarian registration 2511  
shall issue a certificate of registration to any applicant whom 2512  
it registers as a sanitarian or a sanitarian-in-training. Such 2513  
certificate shall bear: 2514

(A) The name of the person; 2515

(B) The date of issue; 2516

(C) A serial number, designated by the board; 2517

(D) The seal of the board and signature of the chairperson 2518  
of the board; 2519

(E) The designation "registered sanitarian" or 2520

"sanitarian-in-training." 2521

Certificates of registration shall expire ~~annually~~ 2522  
biennially on the date fixed by the board and become invalid on 2523  
that date unless renewed pursuant to this section. All 2524  
registered sanitarians shall be required ~~annually~~biennially to 2525  
complete a continuing education program in subjects relating to 2526  
practices of the profession as a sanitarian to the end that the 2527  
utilization and application of new techniques, scientific 2528  
advancements, and research findings will assure comprehensive 2529  
service to the public. The board shall prescribe by rule a 2530  
continuing education program for registered sanitarians to meet 2531  
this requirement. The length of study for this program shall be 2532  
determined by the board but shall be not less than ~~six~~twelve 2533  
nor more than ~~twenty-five~~fifty hours during the ~~calendar year~~ 2534  
biennium. At least once annually the board shall provide to each 2535  
registered sanitarian a list of courses approved by the board as 2536  
satisfying the program prescribed by rule. Upon the request of a 2537  
registered sanitarian, the secretary shall supply a list of 2538  
applicable courses that the board has approved. A certificate 2539  
may be renewed for a period of ~~one year~~two years at any time 2540  
prior to the date of expiration upon payment of the renewal fee 2541  
prescribed by section 4736.12 of the Revised Code and upon 2542  
showing proof of having complied with the continuing education 2543  
requirements of this section. The state board of sanitarian 2544  
registration may waive the continuing education requirement in 2545  
cases of certified illness or disability which prevents the 2546  
attendance at any qualified educational seminars during the 2547  
~~twelve~~twenty-four months immediately preceding the ~~annual~~ 2548  
biennial certificate of registration renewal date. Certificates 2549  
which expire may be reinstated under rules adopted by the board. 2550

(F) (1) Unless online continuing education is prohibited by 2551

board rule, a registered sanitarian may take up to half of the 2552  
required continuing education hours online. 2553

(2) A registered sanitarian may take more than half of the 2554  
required continuing education hours online if permitted by the 2555  
board. 2556

(3) Nothing in this section requires the board to offer or 2557  
permit online continuing education courses. 2558

**Sec. 4736.12.** (A) The state board of sanitarian 2559  
registration shall charge the following fees: 2560

(1) To apply as a sanitarian-in-training, ~~eighty-one~~ 2561  
hundred sixty dollars; 2562

(2) For sanitarians-in-training to apply for registration 2563  
as sanitarians, ~~eighty-one hundred sixty~~ dollars. The applicant 2564  
shall pay this fee only once regardless of the number of times 2565  
the applicant takes an examination required under section 2566  
4736.08 of the Revised Code. 2567

(3) For persons other than sanitarians-in-training to 2568  
apply for registration as sanitarians, including persons meeting 2569  
the requirements of section 4736.16 of the Revised Code, ~~one~~ 2570  
three hundred sixty-two dollars. The applicant shall pay this 2571  
fee only once regardless of the number of times the applicant 2572  
takes an examination required under section 4736.08 of the 2573  
Revised Code. 2574

(4) The renewal fee for registered sanitarians shall be 2575  
~~eighty-one hundred sixty~~ dollars. 2576

(5) The renewal fee for sanitarians-in-training shall be 2577  
~~eighty-one hundred sixty~~ dollars. 2578

(6) For late application for renewal, an additional fifty 2579



dollars. 2580

The board of sanitarian registration, with the approval of 2581  
the controlling board, may establish fees in excess of the 2582  
amounts provided in this section, provided that such fees do not 2583  
exceed the amounts permitted by this section by more than fifty 2584  
per cent. 2585

(B) The board of sanitarian registration shall charge 2586  
separate fees for examinations as required by section 4736.08 of 2587  
the Revised Code, provided that the fees are not in excess of 2588  
the actual cost to the board of conducting the examinations. 2589

(C) The board of sanitarian registration may adopt rules 2590  
establishing fees for all of the following: 2591

(1) Application for the registration of a training agency 2592  
approved under rules adopted by the board pursuant to section 2593  
4736.11 of the Revised Code and for the annual-biennial 2594  
registration renewal of an approved training agency; 2595

(2) Application for the review of continuing education 2596  
hours submitted for the board's approval by approved training 2597  
agencies or by registered sanitarians or sanitarians-in- 2598  
training; 2599

(3) Additional copies of pocket identification cards and 2600  
wall certificates. 2601

**Sec. 4740.04.** The administrative section of the Ohio 2602  
construction industry licensing board is responsible for the 2603  
administration of this chapter and shall do all of the 2604  
following: 2605

(A) Schedule the contractor examinations each of the other 2606  
sections of the board directs. Each type of examination shall be 2607

held at least four times per year. 2608

(B) Select and contract with one or more persons to do all 2609  
of the following relative to the examinations: 2610

(1) Prepare, administer, score, and maintain the 2611  
confidentiality of the examinations; 2612

(2) Be responsible for all the expenses required to 2613  
fulfill division (B)(1) of this section; 2614

(3) Charge an applicant a fee in an amount the 2615  
administrative section of the board authorizes for administering 2616  
the examination. 2617

(C) Issue and renew licenses as follows: 2618

(1) Issue a license to any individual who the appropriate 2619  
specialty section of the board determines is qualified pursuant 2620  
to section 4740.06 of the Revised Code to hold a license and has 2621  
attained, within the twelve months preceding the individual's 2622  
application for licensure, a score on the examination that the 2623  
appropriate specialty section authorizes for the licensed trade. 2624

(a) Each license shall include the contractor's name, 2625  
license number, expiration date, and the name of the contracting 2626  
company associated with the individual, as applicable. 2627

(b) Each license issued to an individual who holds more 2628  
than one valid license shall contain the same license number and 2629  
expiration date as the original license issued to that 2630  
individual. 2631

(2) Renew licenses for individuals who meet the renewal 2632  
requirements of section 4740.06 of the Revised Code. 2633

(D) Make an annual written report to the director of 2634

commerce on proceedings had by or before the board for the 2635  
previous year and make an annual statement of all money received 2636  
and expended by the board during the year; 2637

(E) Keep a record containing the name, address, the date 2638  
on which the board issues or renews a license to, and the 2639  
license number of, every heating, ventilating, and air 2640  
conditioning contractor, refrigeration contractor, electrical 2641  
contractor, plumbing contractor, and hydronics contractor issued 2642  
a license pursuant to this chapter; 2643

(F) Regulate a contractor's use and display of a license 2644  
issued pursuant to this chapter and of any information contained 2645  
in that license; 2646

(G) Adopt rules in accordance with Chapter 119. of the 2647  
Revised Code as necessary to properly discharge the 2648  
administrative section's duties under this chapter. The rules 2649  
shall include, but not be limited to, the following: 2650

(1) Application procedures for examinations; 2651

(2) Specifications for continuing education requirements 2652  
for license renewal that address all of the following: 2653

(a) A requirement that an individual who holds any number 2654  
of valid and unexpired licenses accrue a total of ~~ten~~twenty 2655  
hours of continuing education courses ~~per-year~~ biennium; 2656

(b) Fees the board charges to persons who provide 2657  
continuing education courses, in an amount of twenty-five 2658  
dollars annually for each person approved to provide courses, 2659  
not more than ten dollars plus one dollar per credit hour for 2660  
each course submitted to a specialty section of the board for 2661  
approval according to division (F) of section 4740.05 of the 2662  
Revised Code, and one dollar per credit hour of instruction per 2663

attendee;	2664
(c) A provision limiting approval of continuing education courses to <del>one year</del> <u>two years</u> .	2665 2666
(3) Requirements for criminal records checks of applicants under section 4776.03 of the Revised Code.	2667 2668
(H) Adopt any continuing education curriculum as the other sections of the board establish or approve pursuant to division (F) of section 4740.05 of the Revised Code;	2669 2670 2671
(I) Keep a record of its proceedings and do all things necessary to carry out this chapter.	2672 2673
<b>Sec. 4740.05.</b> Each specialty section of the Ohio construction industry licensing board, other than the administrative section, shall do all of the following:	2674 2675 2676
(A) Adopt rules in accordance with Chapter 119. of the Revised Code that are limited to the following:	2677 2678
(1) Criteria for the section to use in evaluating the qualifications of an individual;	2679 2680
(2) Criteria for the section to use in deciding whether to issue, renew, suspend, revoke, or refuse to issue or renew a license;	2681 2682 2683
(3) The determinations and approvals the section makes under the reciprocity provision of section 4740.08 of the Revised Code;	2684 2685 2686
(4) Criteria for continuing education courses conducted pursuant to this chapter;	2687 2688
(5) A requirement that any training agency seeking approval to provide continuing education courses submit the	2689 2690

required information to the appropriate specialty section of the board at least thirty days, but not more than one year, prior to the date on which the course is proposed to be offered;

(6) A prohibition against any training agency providing a continuing education course unless the administrative section of the board approved that training agency not more than one year prior to the date the course is offered;

(7) A list of disqualifying offenses pursuant to sections 4740.06, 4740.10, and 4776.10 of the Revised Code.

(B) Investigate allegations in reference to violations of this chapter and the rules adopted pursuant to it that pertain to the specialty section and determine by rule a procedure to conduct investigations and hearings on these allegations;

(C) Maintain a record of its proceedings;

(D) Grant approval to a training agency to offer continuing education courses pursuant to rules the board adopts;

(E) As required, do all things necessary to carry out this chapter;

(F) Establish or approve a continuing education curriculum for license renewal for each class of contractors for which the section has primary responsibility. No curriculum may require more than ~~five-ten~~ hours per ~~year-biennium~~ in specific course requirements. No contractor may be required to take more than ~~ten-twenty~~ hours per ~~year-biennium~~ in continuing education courses. The ~~ten-twenty~~ hours shall be the aggregate of hours of continuing education for all licenses the contractor holds.

(G) Design the examination for the type of contractor the specialty section licenses to determine an applicant's

competence to perform that type of contracting. 2719

**Sec. 4740.06.** (A) Any individual who applies for a license 2720  
shall file a written application with the appropriate specialty 2721  
section of the Ohio construction industry licensing board, 2722  
accompanied with the application fee as determined pursuant to 2723  
section 4740.09 of the Revised Code. The application shall be on 2724  
the form the section prescribes and verified by the applicant's 2725  
oath. The applicant shall provide information satisfactory to 2726  
the section showing that the applicant meets the requirements of 2727  
division (B) of this section. 2728

(B) To qualify to take an examination, an individual 2729  
shall: 2730

(1) Be at least eighteen years of age; 2731

(2) Be a United States citizen or legal alien who produces 2732  
valid documentation to demonstrate the individual is a legal 2733  
resident of the United States; 2734

(3) Either have been a tradesperson in the type of 2735  
licensed trade for which the application is filed for not less 2736  
than five years immediately prior to the date the application is 2737  
filed, be a currently registered engineer in this state with 2738  
three years of business experience in the construction industry 2739  
in the trade for which the engineer is applying to take an 2740  
examination, or have other experience acceptable to the 2741  
appropriate specialty section of the board; 2742

(4) Maintain contractor's liability insurance in an amount 2743  
the appropriate specialty section of the board determines and 2744  
only in one contracting company name; 2745

(5) Not have done any of the following: 2746

(a) Been convicted of or pleaded guilty to a crime of moral turpitude or a disqualifying offense as those terms are defined in section 4776.10 of the Revised Code;	2747 2748 2749
(b) Violated this chapter or any rule adopted pursuant to it;	2750 2751
(c) Obtained or renewed a license issued pursuant to this chapter, or any order, ruling, or authorization of the board or a section of the board by fraud, misrepresentation, or deception;	2752 2753 2754 2755
(d) Engaged in fraud, misrepresentation, or deception in the conduct of business.	2756 2757
(C) When an applicant for licensure as a contractor in a licensed trade meets the qualifications set forth in division (B) of this section and passes the required examination, the appropriate specialty section of the board, within ninety days after the application was filed, shall authorize the administrative section of the board to license the applicant for the type of contractor's license for which the applicant qualifies. A specialty section of the board may withdraw its authorization to the administrative section for issuance of a license for good cause shown, on the condition that notice of that withdrawal is given prior to the administrative section's issuance of the license.	2758 2759 2760 2761 2762 2763 2764 2765 2766 2767 2768 2769
(D) (1) Except as provided in division (D) (2) of this section, if an applicant does not pass the required examination, the applicant may retake the examination not less than sixty days after the applicant's most recent examination.	2770 2771 2772 2773
(2) An applicant who does not pass the required examination after taking the examination five times under this	2774 2775

section shall reapply for a license under division (A) of this 2776  
section before retaking the required examination any subsequent 2777  
time. 2778

(E) All licenses a contractor holds pursuant to this 2779  
chapter shall expire ~~annually~~biennially on the same date, which 2780  
shall be the expiration date of the original license the 2781  
contractor holds. An individual holding a valid, unexpired 2782  
license may renew the license, without reexamination, by 2783  
submitting an application to the appropriate specialty section 2784  
of the board not more than ninety calendar days before the 2785  
expiration of the license, along with the renewal fee the 2786  
specialty section requires and proof of compliance with the 2787  
applicable continuing education requirements. The applicant 2788  
shall provide information in the renewal application 2789  
satisfactory to demonstrate to the appropriate specialty section 2790  
that the applicant continues to meet the requirements of 2791  
division (B) of this section. 2792

Upon application and within one calendar year after a 2793  
license has expired, a section may waive any of the requirements 2794  
for renewal of a license upon finding that an applicant 2795  
substantially meets the renewal requirements or that failure to 2796  
timely apply for renewal is due to excusable neglect. A section 2797  
that waives requirements for renewal of a license may impose 2798  
conditions upon the licensee and assess a late filing fee of not 2799  
more than double the usual renewal fee. An applicant shall 2800  
satisfy any condition the section imposes before a license is 2801  
reissued. 2802

(F) An individual holding a valid license may request the 2803  
section of the board that authorized that license to place the 2804  
license in inactive status under conditions, and for a period of 2805



time, as that section determines. 2806

(G) Except for the ninety-day extension provided for a 2807  
license assigned to a contracting company under division (D) of 2808  
section 4740.07 of the Revised Code, a license held by an 2809  
individual immediately terminates upon the death of the 2810  
individual. 2811

(H) Nothing in any license issued by the Ohio construction 2812  
industry licensing board shall be construed to limit or 2813  
eliminate any requirement of or any license issued by the Ohio 2814  
fire marshal. 2815

(I) (1) Subject to divisions (I) (2), (3), and (4) of this 2816  
section, no specialty section of the board shall adopt, 2817  
maintain, renew, or enforce any rule, or otherwise preclude in 2818  
any way, an individual from receiving or renewing a license 2819  
under this chapter due to any past criminal activity or 2820  
interpretation of moral character, except as pursuant to 2821  
division (B) (5) (a) of this section. If the specialty section 2822  
denies an individual a license or license renewal, the reasons 2823  
for such denial shall be put in writing. 2824

(2) Except as otherwise provided in this division, if an 2825  
individual applying for a license has been convicted of or 2826  
pleaded guilty to a misdemeanor that is not a crime of moral 2827  
turpitude or a disqualifying offense less than one year prior to 2828  
making the application, the section may use its discretion in 2829  
granting or denying the individual a license. Except as 2830  
otherwise provided in this division, if an individual applying 2831  
for a license has been convicted of or pleaded guilty to a 2832  
felony that is not a crime of moral turpitude or a disqualifying 2833  
offense less than three years prior to making the application, 2834  
the section may use its discretion in granting or denying the 2835

individual a license. The provisions in this paragraph do not 2836  
apply with respect to any offense unless the section, prior to 2837  
September 28, 2012, was required or authorized to deny the 2838  
application based on that offense. 2839

In all other circumstances, the section shall follow the 2840  
procedures it adopts by rule that conform to division (I)(1) of 2841  
this section. 2842

(3) In considering a renewal of an individual's license, 2843  
the section shall not consider any conviction or plea of guilty 2844  
prior to the initial licensing. However, the board may consider 2845  
a conviction or plea of guilty if it occurred after the 2846  
individual was initially licensed, or after the most recent 2847  
license renewal. 2848

(4) The section may grant an individual a conditional 2849  
license that lasts for one year. After the one-year period has 2850  
expired, the license is no longer considered conditional, and 2851  
the individual shall be considered fully licensed. 2852

~~(I)~~(J) Notwithstanding divisions ~~(D)~~(E) and ~~(H)~~(I) of this 2853  
section and sections 4740.04 and 4740.05 of the Revised Code, 2854  
the board may establish rules that amend the continuing 2855  
education requirements and license renewal schedule for 2856  
licensees as provided in or adopted pursuant to those sections 2857  
for the purpose of establishing a compliance incentive program. 2858  
These rules may include provisions for the creation of the 2859  
program and the qualifications, continuing education 2860  
requirements, and renewal schedule for the program. 2861

(K) (1) Unless online continuing education is prohibited by 2862  
board rule, a licensed contractor required to take continuing 2863  
education courses under this section may take up to half of the 2864

required continuing education hours online. 2865

(2) A licensed contractor may take more than half of the 2866  
required continuing education hours online if permitted by the 2867  
board. 2868

(3) Nothing in this section requires the board to offer or 2869  
permit online continuing education courses. 2870

**Sec. 4747.05.** (A) The hearing aid dealers and fitters 2871  
licensing board shall issue to each applicant, within sixty days 2872  
of receipt of a properly completed application and payment of 2873  
~~two-five~~ hundred ~~sixty-two~~ ~~twenty-four~~ dollars, a hearing aid 2874  
dealer's or fitter's license if the applicant, if an individual: 2875

(1) Is at least eighteen years of age; 2876

(2) Has not committed a disqualifying offense or a crime 2877  
of moral turpitude, as those terms are defined in section 2878  
4776.10 of the Revised Code; 2879

(3) Is free of contagious or infectious disease; 2880

(4) Has successfully passed a qualifying examination 2881  
specified and administered by the board. 2882

(B) If the applicant is a firm, partnership, association, 2883  
or corporation, the application, in addition to such information 2884  
as the board requires, shall be accompanied by an application 2885  
for a license for each person, whether owner or employee, of the 2886  
firm, partnership, association, or corporation, who engages in 2887  
dealing in or fitting of hearing aids, or shall contain a 2888  
statement that such applications are submitted separately. No 2889  
firm, partnership, association, or corporation licensed pursuant 2890  
to this chapter shall permit any unlicensed person to sell or 2891  
fit hearing aids. 2892

(C) (1) Subject to divisions (C) (2), (3), and (4) of this 2893  
section, the board shall not adopt, maintain, renew, or enforce 2894  
any rule that precludes an individual from receiving or renewing 2895  
a license issued under this chapter due to any past criminal 2896  
activity or interpretation of moral character, unless the 2897  
individual has committed a crime of moral turpitude or a 2898  
disqualifying offense as those terms are defined in section 2899  
4776.10 of the Revised Code. If the board denies an individual a 2900  
license or license renewal, the reasons for such denial shall be 2901  
put in writing. 2902

(2) Except as otherwise provided in this division, if an 2903  
individual applying for a license has been convicted of or 2904  
pleaded guilty to a misdemeanor that is not a crime of moral 2905  
turpitude or a disqualifying offense less than one year prior to 2906  
making the application, the board may use the board's discretion 2907  
in granting or denying the individual a license. Except as 2908  
otherwise provided in this division, if an individual applying 2909  
for a license has been convicted of or pleaded guilty to a 2910  
felony that is not a crime of moral turpitude or a disqualifying 2911  
offense less than three years prior to making the application, 2912  
the board may use the board's discretion in granting or denying 2913  
the individual a license. The provisions in this paragraph do 2914  
not apply with respect to any offense unless the board, prior to 2915  
~~the effective date of this amendment~~ September 28, 2012, was 2916  
required or authorized to deny the application based on that 2917  
offense. 2918

In all other circumstances, the board shall follow the 2919  
procedures it adopts by rule that conform to division (C) (1) of 2920  
this section. 2921

(3) In considering a renewal of an individual's license, 2922

the board shall not consider any conviction or plea of guilty 2923  
prior to the initial licensing. However, the board may consider 2924  
a conviction or plea of guilty if it occurred after the 2925  
individual was initially licensed, or after the most recent 2926  
license renewal. 2927

(4) The board may grant an individual a conditional 2928  
license that lasts for one year. After the one-year period has 2929  
expired, the license is no longer considered conditional, and 2930  
the individual shall be considered fully licensed. 2931

(D) Each license issued expires on the thirtieth day of 2932  
January of the second year following that in which it was 2933  
issued. 2934

**Sec. 4747.06.** (A) Each person engaged in the practice of 2935  
dealing in or fitting of hearing aids who holds a valid hearing 2936  
aid dealer's or fitter's license shall apply ~~annually~~ biennially 2937  
to the hearing aid dealers and fitters licensing board for 2938  
renewal of such license under the standard renewal procedure 2939  
specified in Chapter 4745. of the Revised Code. The board shall 2940  
issue to each applicant, on proof of completion of the 2941  
continuing education required by division (B) of this section 2942  
and payment of ~~one-three~~ hundred ~~fifty-seven-fourteen~~ 2943  
dollars on or before the first day of February, ~~one-three~~ hundred ~~eighty-~~ 2944  
~~three~~ sixty-six dollars on or before the first day of March, or 2945  
~~two-four~~ hundred ~~ten-twenty~~ dollars thereafter, a renewed 2946  
hearing aid dealer's or fitter's license. No person who applies 2947  
for renewal of a hearing aid dealer's or fitter's license that 2948  
has expired shall be required to take any examination as a 2949  
condition of renewal provided application for renewal is made 2950  
within two years of the date such license expired. 2951

(B) Each person engaged in the practice of dealing in or 2952

fitting of hearing aids who holds a valid hearing aid dealer's 2953  
or fitter's license shall complete ~~each year~~ biennially not less 2954  
than ~~ten~~ twenty hours of continuing professional education 2955  
approved by the board. On a form provided by the board, the 2956  
person shall certify to the board, at the time of license 2957  
renewal pursuant to division (A) of this section, that in the 2958  
preceding ~~year~~ two years the person has completed continuing 2959  
education in compliance with this division and shall submit any 2960  
additional information required by rule of the board regarding 2961  
the continuing education. The board shall adopt rules in 2962  
accordance with Chapter 119. of the Revised Code establishing 2963  
the standards continuing education programs must meet to obtain 2964  
board approval and continuing education reporting requirements. 2965

Continuing education may be applied to meet the 2966  
requirement of this division if it is provided or certified by 2967  
any of the following: 2968

(1) The national institute of hearing instruments studies 2969  
committee of the international hearing society; 2970

(2) The American speech-language hearing association; 2971

(3) The American academy of audiology. 2972

The board may excuse persons licensed under this chapter, 2973  
as a group or as individuals, from all or any part of the 2974  
requirements of this division because of an unusual 2975  
circumstance, emergency, or special hardship. 2976

(C) (1) Unless online continuing education is prohibited by 2977  
board rule, a licensee may take up to half of the required 2978  
continuing education hours online. 2979

(2) A licensee may take more than half of the required 2980  
continuing education hours online if permitted by the board. 2981

(3) Nothing in this section requires the board to offer or 2982  
permit online continuing education courses. 2983

**Sec. 4749.03.** (A) (1) Any individual, including a partner 2984  
in a partnership, may be licensed as a private investigator 2985  
under a class B license, or as a security guard provider under a 2986  
class C license, or as a private investigator and a security 2987  
guard provider under a class A license, if the individual meets 2988  
all of the following requirements: 2989

(a) Has a good reputation for integrity, has not been 2990  
convicted of a disqualifying offense as defined in section 2991  
4776.10 of the Revised Code within the last three years or any 2992  
crime of moral turpitude as that term is defined in section 2993  
4776.10 of the Revised Code, and has not been adjudicated 2994  
incompetent for the purpose of holding the license, as provided 2995  
in section 5122.301 of the Revised Code, without having been 2996  
restored to legal capacity for that purpose. 2997

(b) Depending upon the class of license for which 2998  
application is made, for a continuous period of at least two 2999  
years immediately preceding application for a license, has been 3000  
engaged in investigatory or security services work for a law 3001  
enforcement or other public agency engaged in investigatory 3002  
activities, or for a private investigator or security guard 3003  
provider, or engaged in the practice of law, or has acquired 3004  
equivalent experience as determined by rule of the director of 3005  
public safety. 3006

(c) Demonstrates competency as a private investigator or 3007  
security guard provider by passing an examination devised for 3008  
this purpose by the director, except that any individually 3009  
licensed person who qualifies a corporation for licensure shall 3010  
not be required to be reexamined if the person qualifies the 3011

corporation in the same capacity that the person was 3012  
individually licensed. 3013

(d) Submits evidence of comprehensive general liability 3014  
insurance coverage, or other equivalent guarantee approved by 3015  
the director in such form and in principal amounts satisfactory 3016  
to the director, but not less than one hundred thousand dollars 3017  
for each person and three hundred thousand dollars for each 3018  
occurrence for bodily injury liability, and one hundred thousand 3019  
dollars for property damage liability. 3020

(e) Pays the requisite examination and license fees. 3021

(2) A corporation may be licensed as a private 3022  
investigator under a class B license, or as a security guard 3023  
provider under a class C license, or as a private investigator 3024  
and a security guard provider under a class A license, if an 3025  
application for licensure is filed by an officer of the 3026  
corporation and the officer, another officer, or the qualifying 3027  
agent of the corporation satisfies the requirements of divisions 3028  
(A) (1) and (F) (1) of this section. Officers and the statutory 3029  
agent of a corporation shall be determined in accordance with 3030  
Chapter 1701. of the Revised Code. 3031

(3) At least one partner in a partnership shall be 3032  
licensed as a private investigator, or as a security guard 3033  
provider, or as a private investigator and a security guard 3034  
provider. Partners in a partnership shall be determined as 3035  
provided for in Chapter 1775. or 1776. of the Revised Code. 3036

(B) An application for a class A, B, or C license shall be 3037  
completed in the form the director prescribes. In the case of an 3038  
individual, the application shall state the applicant's name, 3039  
birth date, citizenship, physical description, current 3040



residence, residences for the preceding ten years, current 3041  
employment, employment for the preceding seven years, experience 3042  
qualifications, the location of each of the applicant's offices 3043  
in this state, and any other information that is necessary in 3044  
order for the director to comply with the requirements of this 3045  
chapter. In the case of a corporation, the application shall 3046  
state the name of the officer or qualifying agent filing the 3047  
application; the state in which the corporation is incorporated 3048  
and the date of incorporation; the states in which the 3049  
corporation is authorized to transact business; the name of its 3050  
qualifying agent; the name of the officer or qualifying agent of 3051  
the corporation who satisfies the requirements of divisions (A) 3052  
(1) and (F) (1) of this section and the birth date, citizenship, 3053  
physical description, current residence, residences for the 3054  
preceding ten years, current employment, employment for the 3055  
preceding seven years, and experience qualifications of that 3056  
officer or qualifying agent; and other information that the 3057  
director requires. A corporation may specify in its application 3058  
information relative to one or more individuals who satisfy the 3059  
requirements of divisions (A) (1) and (F) (1) of this section. 3060

The application described in this division shall be 3061  
accompanied by all of the following: 3062

(1) One recent full-face photograph of the applicant or, 3063  
in the case of a corporation, of each officer or qualifying 3064  
agent specified in the application as satisfying the 3065  
requirements of divisions (A) (1) and (F) (1) of this section; 3066

(2) Character references from at least five reputable 3067  
citizens for the applicant or, in the case of a corporation, for 3068  
each officer or qualifying agent specified in the application as 3069  
satisfying the requirements of divisions (A) (1) and (F) (1) of 3070

this section, each of whom has known the applicant, officer, or 3071  
qualifying agent for at least five years preceding the 3072  
application, and none of whom are connected with the applicant, 3073  
officer, or qualifying agent by blood or marriage; 3074

(3) An examination fee of twenty-five dollars for the 3075  
applicant or, in the case of a corporation, for each officer or 3076  
qualifying agent specified in the application as satisfying the 3077  
requirements of divisions (A)(1) and (F)(1) of this section, and 3078  
a license fee in the amount the director determines, not to 3079  
exceed ~~three~~seven hundred ~~seventy-five~~fifty dollars. The 3080  
license fee shall be refunded if a license is not issued. 3081

(C)(1) Each individual applying for a license and each 3082  
individual specified by a corporation as an officer or 3083  
qualifying agent in an application shall submit one complete set 3084  
of fingerprints directly to the superintendent of the bureau of 3085  
criminal identification and investigation for the purpose of 3086  
conducting a criminal records check. The individual shall 3087  
provide the fingerprints using a method the superintendent 3088  
prescribes pursuant to division (C)(2) of section 109.572 of the 3089  
Revised Code and fill out the form the superintendent prescribes 3090  
pursuant to division (C)(1) of section 109.572 of the Revised 3091  
Code. An applicant who intends to carry a firearm as defined in 3092  
section 2923.11 of the Revised Code in the course of business or 3093  
employment shall so notify the superintendent. This notification 3094  
is in addition to any other requirement related to carrying a 3095  
firearm that applies to the applicant. The individual or 3096  
corporation requesting the criminal records check shall pay the 3097  
fee the superintendent prescribes. 3098

(2) The superintendent shall conduct the criminal records 3099  
check as set forth in division (B) of section 109.572 of the 3100

Revised Code. If an applicant intends to carry a firearm in the course of business or employment, the superintendent shall make a request to the federal bureau of investigation for any information and review the information the bureau provides pursuant to division (B)(2) of section 109.572 of the Revised Code. The superintendent shall submit all results of the completed investigation to the director of public safety.

(3) If the director determines that the applicant, officer, or qualifying agent meets the requirements of divisions (A)(1)(a), (b), and (d) of this section and that an officer or qualifying agent meets the requirement of division (F)(1) of this section, the director shall notify the applicant, officer, or agent of the time and place for the examination. If the director determines that an applicant does not meet the requirements of divisions (A)(1)(a), (b), and (d) of this section, the director shall notify the applicant that the applicant's application is refused and refund the license fee. If the director determines that none of the individuals specified in the application of a corporation as satisfying the requirements of divisions (A)(1) and (F)(1) of this section meet the requirements of divisions (A)(1)(a), (b), and (d) and (F)(1) of this section, the director shall notify the corporation that its application is refused and refund the license fee. If the bureau assesses the director a fee for any investigation, the director, in addition to any other fee assessed pursuant to this chapter, may assess the applicant, officer, or qualifying agent, as appropriate, a fee that is equal to the fee assessed by the bureau.

(4)(a) Subject to divisions (C)(4)(b), (c), and (d) of this section, the director shall not adopt, maintain, renew, or enforce any rule, or otherwise preclude in any way, an

individual from receiving or renewing a license under this 3132  
chapter due to any past criminal activity or interpretation of 3133  
moral character, except as pursuant to division (A)(1)(a) of 3134  
this section. If the director denies an individual a license or 3135  
license renewal, the reasons for such denial shall be put in 3136  
writing. 3137

(b) Except as otherwise provided in this division, if an 3138  
individual applying for a license has been convicted of or 3139  
pleaded guilty to a misdemeanor that is not a crime of moral 3140  
turpitude or a disqualifying offense less than one year prior to 3141  
making the application, the director may use the director's 3142  
discretion in granting or denying the individual a license. 3143  
Except as otherwise provided in this division, if an individual 3144  
applying for a license has been convicted of or pleaded guilty 3145  
to a felony that is not a crime of moral turpitude or a 3146  
disqualifying offense less than three years prior to making the 3147  
application, the director may use the director's discretion in 3148  
granting or denying the individual a license. The provisions in 3149  
this paragraph do not apply with respect to any offense unless 3150  
the director, ~~prior to the effective date of this amendment~~ 3151  
September 28, 2012, was required or authorized to deny the 3152  
application based on that offense. 3153

In all other circumstances, the director shall follow the 3154  
procedures the director adopts by rule that conform to division 3155  
(C)(4)(a) of this section. 3156

(c) In considering a renewal of an individual's license, 3157  
the director shall not consider any conviction or plea of guilty 3158  
prior to the initial licensing. However, the director may 3159  
consider a conviction or plea of guilty if it occurred after the 3160  
individual was initially licensed, or after the most recent 3161

license renewal. 3162

(d) The director may grant an individual a conditional 3163  
license that lasts for one year. After the one-year period has 3164  
expired, the license is no longer considered conditional, and 3165  
the individual shall be considered fully licensed. 3166

(D) If upon application, investigation, and examination, 3167  
the director finds that the applicant or, in the case of a 3168  
corporation, any officer or qualifying agent specified in the 3169  
application as satisfying the requirements of divisions (A) (1) 3170  
and (F) (1) of this section, meets the applicable requirements, 3171  
the director shall issue the applicant or the corporation a 3172  
class A, B, or C license. The director also shall issue an 3173  
identification card to an applicant, but not an officer or 3174  
qualifying agent of a corporation, who meets the applicable 3175  
requirements. The license and identification card shall state 3176  
the licensee's name, the classification of the license, the 3177  
location of the licensee's principal place of business in this 3178  
state, and the expiration date of the license, and, in the case 3179  
of a corporation, it also shall state the name of each officer 3180  
or qualifying agent who satisfied the requirements of divisions 3181  
(A) (1) and (F) (1) of this section. 3182

Licenses expire on the first day of March on the second 3183  
year following the date of initial issue, and biennially on the 3184  
first day of March ~~of each year~~ thereafter. ~~Annual~~ Biennial 3185  
renewals shall be according to the standard renewal procedures 3186  
contained in Chapter 4745. of the Revised Code, upon payment of 3187  
~~an annual~~ a biennial renewal fee the director determines, not to 3188  
exceed ~~two~~ five hundred ~~seventy five~~ fifty dollars. No license 3189  
shall be renewed if the licensee or, in the case of a 3190  
corporation, each officer or qualifying agent who qualified the 3191

corporation for licensure no longer meets the applicable 3192  
requirements of this section. No license shall be renewed unless 3193  
the licensee provides evidence of workers' compensation risk 3194  
coverage and unemployment compensation insurance coverage, other 3195  
than for clerical employees and excepting sole proprietors who 3196  
are exempted therefrom, as provided for in Chapters 4123. and 3197  
4141. of the Revised Code, respectively, as well as the 3198  
licensee's state tax identification number. No reexamination 3199  
shall be required for renewal of a current license. 3200

For purposes of this chapter, a class A, B, or C license 3201  
issued to a corporation shall be considered as also having 3202  
licensed the individuals who qualified the corporation for 3203  
licensure, for as long as they are associated with the 3204  
corporation. 3205

For purposes of this division, "sole proprietor" means an 3206  
individual licensed under this chapter who does not employ any 3207  
other individual. 3208

(E) The director may issue a duplicate copy of a license 3209  
issued under this section for the purpose of replacement of a 3210  
lost, spoliated, or destroyed license, upon payment of a fee the 3211  
director determines, not exceeding twenty-five dollars. Any 3212  
change in license classification requires new application and 3213  
application fees. 3214

(F) (1) In order to qualify a corporation for a class A, B, 3215  
or C license, an officer or qualifying agent may qualify another 3216  
corporation for similar licensure, provided that the officer or 3217  
qualifying agent is actively engaged in the business of both 3218  
corporations. 3219

(2) Each officer or qualifying agent who qualifies a 3220

corporation for class A, B, or C licensure shall surrender any 3221  
personal license of a similar nature that the officer or 3222  
qualifying agent possesses. 3223

(3) Upon written notification to the director, completion 3224  
of an application similar to that for original licensure, 3225  
surrender of the corporation's current license, and payment of a 3226  
twenty-five-dollar fee, a corporation's class A, B, or C license 3227  
may be transferred to another corporation. 3228

(4) Upon written notification to the director, completion 3229  
of an application similar to that for an individual seeking 3230  
class A, B, or C licensure, payment of a twenty-five-dollar fee, 3231  
and, if the individual was the only individual that qualified a 3232  
corporation for licensure, surrender of the corporation's 3233  
license, any officer or qualifying agent who qualified a 3234  
corporation for licensure under this chapter may obtain a 3235  
similar license in the individual's own name without 3236  
reexamination. A request by an officer or qualifying agent for 3237  
an individual license shall not affect a corporation's license 3238  
unless the individual is the only individual that qualified the 3239  
corporation for licensure or all the other individuals who 3240  
qualified the corporation for licensure submit such requests. 3241

(G) If a corporation is for any reason no longer 3242  
associated with an individual who qualified it for licensure 3243  
under this chapter, an officer of the corporation shall notify 3244  
the director of that fact by certified mail, return receipt 3245  
requested, within ten days after the association terminates. If 3246  
the notification is so given, the individual was the only 3247  
individual that qualified the corporation for licensure, and the 3248  
corporation submits the name of another officer or qualifying 3249  
agent to qualify the corporation for the license within thirty 3250

days after the association terminates, the corporation may 3251  
continue to operate in the business of private investigation, 3252  
the business of security services, or both businesses in this 3253  
state under that license for ninety days after the association 3254  
terminates. If the officer or qualifying agent whose name is 3255  
submitted satisfies the requirements of divisions (A) (1) and (F) 3256  
(1) of this section, the director shall issue a new license to 3257  
the corporation within that ninety-day period. The names of more 3258  
than one individual may be submitted. 3259

**Sec. 4749.031.** (A) The department of public safety shall 3260  
be a participating public office for purposes of the retained 3261  
applicant fingerprint database established under section 3262  
109.5721 of the Revised Code. The department shall elect to 3263  
participate in the continuous record monitoring service for all 3264  
persons licensed or registered under this chapter. When the 3265  
superintendent of the bureau of criminal identification and 3266  
investigation, under section 109.57 of the Revised Code, 3267  
indicates that an individual in the retained applicant 3268  
fingerprint database has been arrested for, convicted of, or 3269  
pleaded guilty to any offense, the superintendent promptly shall 3270  
notify the department either electronically or by mail that 3271  
additional arrest or conviction information is available. 3272

(B) In addition to any other fees charged by the 3273  
department under this chapter, an applicant for a license under 3274  
section 4749.03 of the Revised Code, at the time of making an 3275  
initial or renewal application, shall pay any initial or ~~annual~~ 3276  
biennial fee charged by the superintendent pursuant to rules 3277  
adopted under division (F) of section 109.5721 of the Revised 3278  
Code. 3279

**Sec. 4751.06.** (A) An applicant for licensure as a nursing 3280



home administrator who has successfully completed the 3281  
requirements of section 4751.05 of the Revised Code, passed the 3282  
examination administered by the board of executives of long-term 3283  
services and supports or a government or private entity under 3284  
contract with the board, and paid to the board an original 3285  
license fee of ~~two~~five hundred ~~fifty~~ dollars shall be issued a 3286  
license on a form provided by the board. Such license shall 3287  
certify that the applicant has met the licensure requirements of 3288  
Chapter 4751. of the Revised Code and is entitled to practice as 3289  
a licensed nursing home administrator. 3290

(B) A temporary license for a period not to exceed one 3291  
hundred eighty days may be issued to an individual temporarily 3292  
filling the position of a nursing home administrator vacated by 3293  
reason of death, illness, or other unexpected cause, pursuant to 3294  
regulations adopted by the board. 3295

(C) The fee for a temporary license is one hundred 3296  
dollars. Said fee must accompany the application for the 3297  
temporary license. 3298

(D) Any license or temporary license issued by the board 3299  
pursuant to this section shall be under the hand of the 3300  
chairperson and the secretary of the board. 3301

(E) A duplicate of the original certificate of 3302  
registration or license may be secured to replace one that has 3303  
been lost or destroyed by submitting to the board a notarized 3304  
statement explaining the conditions of the loss, mutilation, or 3305  
destruction of the certificate or license and by paying a fee of 3306  
twenty-five dollars. 3307

(F) A duplicate certificate of registration and license 3308  
may be issued in the event of a legal change of name by 3309

submitting to the board a certified copy of the court order or 3310  
marriage license establishing the change of name, by returning 3311  
at the same time the original license and certificate of 3312  
registration, and by paying a fee of twenty-five dollars. 3313

**Sec. 4751.07.** (A) (1) Every individual who holds a valid 3314  
license as a nursing home administrator issued under division 3315  
(A) of section 4751.06 of the Revised Code, shall immediately 3316  
upon issuance thereof be registered with the board of executives 3317  
of long-term services and supports and be issued a certificate 3318  
of registration. Such individual shall ~~annually~~ biennially apply 3319  
to the board for a new certificate of registration on forms 3320  
provided for such purpose prior to the expiration of the 3321  
certificate of registration and shall at the same time submit 3322  
satisfactory evidence to the board of having attended such 3323  
continuing education programs or courses of study as may be 3324  
prescribed in rules adopted by the board. 3325

(2) Unless online continuing education is prohibited by 3326  
board rule, each individual who holds a valid license as a 3327  
nursing home administrator issued under division (A) of section 3328  
4751.06 of the Revised Code and who is required to take 3329  
continuing education courses as prescribed in the rules adopted 3330  
by the board may take up to half of the required continuing 3331  
education hours online. 3332

(3) A licensee may take more than half of the required 3333  
continuing education hours online if permitted by the board. 3334

(4) Nothing in this section requires the board to offer or 3335  
permit online continuing education courses. 3336

(B) Upon making an application for a new certificate of 3337  
registration such individual shall pay the ~~annual~~ biennial 3338

registration fee of ~~three~~six hundred dollars. 3339

(C) Upon receipt of such application for registration and 3340  
the registration fee required by divisions (A) and (B) of this 3341  
section, the board shall issue a certificate of registration to 3342  
such nursing home administrator. 3343

(D) The license of a nursing home administrator who fails 3344  
to comply with this section shall automatically lapse. 3345

(E) A nursing home administrator who has been licensed and 3346  
registered in this state who determines to temporarily abandon 3347  
the practice of nursing home administration shall notify the 3348  
board in writing immediately; provided, that such individual may 3349  
thereafter register to resume the practice of nursing home 3350  
administration within the state upon complying with the 3351  
requirements of this section regarding ~~annual~~biennial 3352  
registration. 3353

(F) Only an individual who has qualified as a licensed and 3354  
registered nursing home administrator under Chapter 4751. of the 3355  
Revised Code and the rules adopted thereunder, and who holds a 3356  
valid current registration certificate pursuant to this section, 3357  
may use the title "nursing home administrator," or the 3358  
abbreviation "N.H.A." after the individual's name. No other 3359  
person shall use such title or such abbreviation or any other 3360  
words, letters, sign, card, or device tending to indicate or to 3361  
imply that the person is a licensed and registered nursing home 3362  
administrator. 3363

(G) Every person holding a valid license entitling the 3364  
person to practice nursing home administration in this state 3365  
shall display said license in the nursing home which is the 3366  
person's principal place of employment, and while engaged in the 3367

practice of nursing home administration shall have at hand the 3368  
current registration certificate. 3369

(H) Every person holding a valid temporary license shall 3370  
have such license at hand while engaged in the practice of 3371  
nursing home administration. 3372

**Sec. 4759.06.** (A) The Ohio board of dietetics shall issue 3373  
or renew a license to practice dietetics to an applicant who: 3374

(1) Has satisfactorily completed an application for 3375  
licensure in accordance with division (A) of section 4759.05 of 3376  
the Revised Code; 3377

(2) Has paid the fee required under division (A) of 3378  
section 4759.08 of the Revised Code; 3379

(3) Is a resident of the state or performs or plans to 3380  
perform dietetic services within the state; 3381

(4) Is of good moral character; 3382

(5) Has received a baccalaureate or higher degree from an 3383  
institution of higher education that is approved by the board or 3384  
a regional accreditation agency that is recognized by the 3385  
council on postsecondary accreditation, and has completed a 3386  
program consistent with the academic standards for dietitians 3387  
established by the academy of nutrition and dietetics; 3388

(6) Has successfully completed a pre-professional dietetic 3389  
experience approved by the academy of nutrition and dietetics, 3390  
or experience approved by the board under division (A) (3) of 3391  
section 4759.05 of the Revised Code; 3392

(7) Has passed the examination approved by the board under 3393  
division (A) (1) of section 4759.05 of the Revised Code; 3394

(8) Is an applicant for renewal of a license, and has 3395  
fulfilled the continuing education requirements adopted under 3396  
division (A) (6) of section 4759.05 of the Revised Code. 3397

(B) The board shall waive the requirements of divisions 3398  
(A) (5), (6), and (7) of this section and any rules adopted under 3399  
division (A) (7) of section 4759.05 of the Revised Code if the 3400  
applicant presents satisfactory evidence to the board of current 3401  
registration as a registered dietitian with the commission on 3402  
dietetic registration. 3403

(C) The board shall waive the requirements of division (A) 3404  
(7) of this section if the application for renewal is made 3405  
within two years after the date of license expiration. 3406

(D) The board may waive the requirements of division (A) 3407  
(5), (6), or (7) of this section or any rules adopted under 3408  
division (A) (7) of section 4759.05 of the Revised Code, if the 3409  
applicant presents satisfactory evidence of education, 3410  
experience, or passing an examination in another state or a 3411  
foreign country, that the board considers the equivalent of the 3412  
requirements stated in those divisions or rules. 3413

(E) The board shall issue an initial license to practice 3414  
dietetics to an applicant who meets the requirements of division 3415  
(A) of this section. An initial license shall be valid from the 3416  
date of issuance through the thirtieth day of June on the second 3417  
year following issuance of the license. Each subsequent license 3418  
shall be valid biennially from the first day of July through the 3419  
thirtieth day of June on the second year following the renewal 3420  
date. The board shall renew the license of an applicant who is 3421  
licensed to practice dietetics and who meets the continuing 3422  
education requirements of division (A) (6) of section 4759.05 of 3423  
the Revised Code. The renewal shall be pursuant to the standard 3424

renewal procedure of sections 4745.01 to 4745.03 of the Revised Code. 3425  
3426

(F) The board may grant a limited permit to a person who 3427  
has completed the education and pre-professional requirements of 3428  
divisions (A) (5) and (6) of this section and who presents 3429  
evidence to the board of having applied to take the examination 3430  
approved by the board under division (A) (1) of section 4759.05 3431  
of the Revised Code. A person holding a limited permit who has 3432  
failed the examination shall practice only under the direct 3433  
supervision of a licensed dietitian. 3434

(G) A licensed dietitian may place the license in inactive 3435  
status. 3436

(H) (1) Unless online continuing education is prohibited by 3437  
board rule, a licensed dietitian who is required to take 3438  
continuing education courses may take up to half of the required 3439  
continuing education hours online. 3440

(2) A licensed dietitian may take more than half of the 3441  
required continuing education hours online if permitted by the 3442  
board. 3443

(3) Nothing in this section requires the board to offer or 3444  
permit online continuing education courses. 3445

**Sec. 4759.08.** (A) The Ohio board of dietetics shall charge 3446  
and collect fees as described in this section for issuing the 3447  
following: 3448

(1) An application for an initial dietitian license, or an 3449  
application for reactivation of an inactive license, ~~one two~~ 3450  
hundred ~~twenty five fifty~~ dollars, and for reinstatement of a 3451  
lapsed, revoked, or suspended license, one hundred eighty 3452  
dollars; 3453

(2) License renewal, <del>ninety-five</del> <u>one hundred ninety</u>	3454
dollars;	3455
(3) A limited permit, and renewal of the permit, sixty-	3456
five dollars;	3457
(4) A duplicate license or permit, twenty dollars;	3458
(5) For processing a late application for renewal of any	3459
license or permit, an additional fee equal to fifty per cent of	3460
the fee for the renewal.	3461
(B) The board shall not require a licensed dietitian	3462
holding an inactive license to pay the renewal fee.	3463
(C) Subject to the approval of the controlling board, the	3464
Ohio board of dietetics may establish fees in excess of the	3465
amounts provided in division (A) of this section, provided that	3466
the fees do not exceed the amounts by greater than fifty per	3467
cent.	3468
(D) The board may adopt rules pursuant to Chapter 119. of	3469
the Revised Code to waive all or part of the fee for an initial	3470
license if the license is issued within one hundred days of the	3471
date of expiration of the license.	3472
(E) All receipts of the board shall be deposited in the	3473
state treasury to the credit of the occupational licensing and	3474
regulatory fund. All vouchers of the board shall be approved by	3475
the chairperson or secretary of the board, or both, as	3476
authorized by the board.	3477
<b>Sec. 4763.05.</b> (A) (1) (a) A person shall make application	3478
for an initial state-certified general real estate appraiser	3479
certificate, an initial state-certified residential real estate	3480
appraiser certificate, an initial state-licensed residential	3481

real estate appraiser license, or an initial state-registered 3482  
real estate appraiser assistant registration in writing to the 3483  
superintendent of real estate on a form the superintendent 3484  
prescribes. The application shall include the address of the 3485  
applicant's principal place of business and all other addresses 3486  
at which the applicant currently engages in the business of 3487  
preparing real estate appraisals and the address of the 3488  
applicant's current residence. The superintendent shall retain 3489  
the applicant's current residence address in a separate record 3490  
which does not constitute a public record for purposes of 3491  
section 149.43 of the Revised Code. The application shall 3492  
indicate whether the applicant seeks certification as a general 3493  
real estate appraiser or as a residential real estate appraiser, 3494  
licensure as a residential real estate appraiser, or 3495  
registration as a real estate appraiser assistant and be 3496  
accompanied by the prescribed examination and certification, 3497  
registration, or licensure fees set forth in section 4763.09 of 3498  
the Revised Code. The application also shall include a pledge, 3499  
signed by the applicant, that the applicant will comply with the 3500  
standards set forth in this chapter; and a statement that the 3501  
applicant understands the types of misconduct for which 3502  
disciplinary proceedings may be initiated against the applicant 3503  
pursuant to this chapter. 3504

(b) Upon the filing of an application and payment of any 3505  
examination and certification, registration, or licensure fees, 3506  
the superintendent of real estate shall request the 3507  
superintendent of the bureau of criminal identification and 3508  
investigation, or a vendor approved by the bureau, to conduct a 3509  
criminal records check based on the applicant's fingerprints in 3510  
accordance with section 109.572 of the Revised Code. 3511  
Notwithstanding division (K) of section 121.08 of the Revised 3512



Code, the superintendent of real estate shall request that 3513  
criminal record information from the federal bureau of 3514  
investigation be obtained as part of the criminal records check. 3515  
Any fee required under division (C) (3) of section 109.572 of the 3516  
Revised Code shall be paid by the applicant. 3517

(2) For purposes of providing funding for the real estate 3518  
appraiser recovery fund established by section 4763.16 of the 3519  
Revised Code, the real estate appraiser board shall levy an 3520  
assessment against each person issued an initial certificate, 3521  
registration, or license and against current licensees, 3522  
registrants, and certificate holders, as required by board rule. 3523  
The assessment is in addition to the application and examination 3524  
fees for initial applicants required by division (A) (1) of this 3525  
section and the renewal fees required for current certificate 3526  
holders, registrants, and licensees. The superintendent of real 3527  
estate shall deposit the assessment into the state treasury to 3528  
the credit of the real estate appraiser recovery fund. The 3529  
assessment for initial certificate holders, registrants, and 3530  
licensees shall be paid prior to the issuance of a certificate, 3531  
registration, or license, and for current certificate holders, 3532  
registrants, and licensees, at the time of renewal. 3533

(B) An applicant for an initial general real estate 3534  
appraiser certificate, residential real estate appraiser 3535  
certificate, or residential real estate appraiser license shall 3536  
possess experience in real estate appraisal as the board 3537  
prescribes by rule. In addition to any other information 3538  
required by the board, the applicant shall furnish, under oath, 3539  
a detailed listing of the appraisal reports or file memoranda 3540  
for each year for which experience is claimed and, upon request 3541  
of the superintendent or the board, shall make available for 3542  
examination a sample of the appraisal reports prepared by the 3543

applicant in the course of the applicant's practice. 3544

(C) An applicant for an initial certificate, registration, 3545  
or license shall be at least eighteen years of age, honest, 3546  
truthful, and of good reputation and shall present satisfactory 3547  
evidence to the superintendent that the applicant has 3548  
successfully completed any education requirements the board 3549  
prescribes by rule. 3550

(D) An applicant for an initial general real estate 3551  
appraiser or residential real estate appraiser certificate or 3552  
residential real estate appraiser license shall take and 3553  
successfully complete a written examination in order to qualify 3554  
for the certificate or license. 3555

The board shall prescribe the examination requirements by 3556  
rule. 3557

(E) (1) A nonresident, natural person of this state who has 3558  
complied with this section may obtain a certificate, 3559  
registration, or license. The board shall adopt rules relating 3560  
to the certification, registration, and licensure of a 3561  
nonresident applicant whose state of residence the board 3562  
determines to have certification, registration, or licensure 3563  
requirements that are substantially similar to those set forth 3564  
in this chapter and the rules adopted thereunder. 3565

(2) The board shall recognize on a temporary basis a 3566  
certification or license issued in another state and shall 3567  
register on a temporary basis an appraiser who is certified or 3568  
licensed in another state if all of the following apply: 3569

(a) The temporary registration is to perform an appraisal 3570  
assignment that is part of a federally related transaction. 3571

(b) The appraiser's business in this state is of a 3572

temporary nature. 3573

(c) The appraiser registers with the board pursuant to 3574  
this division. 3575

An appraiser who is certified or licensed in another state 3576  
shall register with the board for temporary practice before 3577  
performing an appraisal assignment in this state in connection 3578  
with a federally related transaction. 3579

The board shall adopt rules relating to registration for 3580  
the temporary recognition of certification and licensure of 3581  
appraisers from another state. The registration for temporary 3582  
recognition of certified or licensed appraisers from another 3583  
state shall not authorize completion of more than one appraisal 3584  
assignment in this state. The board shall not issue more than 3585  
two registrations for temporary practice to any one applicant in 3586  
any calendar year. 3587

(3) In addition to any other information required to be 3588  
submitted with the nonresident applicant's or appraiser's 3589  
application for a certificate, registration, license, or 3590  
temporary recognition of a certificate or license, each 3591  
nonresident applicant or appraiser shall submit a statement 3592  
consenting to the service of process upon the nonresident 3593  
applicant or appraiser by means of delivering that process to 3594  
the secretary of state if, in an action against the applicant, 3595  
certificate holder, registrant, or licensee arising from the 3596  
applicant's, certificate holder's, registrant's, or licensee's 3597  
activities as a certificate holder, registrant, or licensee, the 3598  
plaintiff, in the exercise of due diligence, cannot effect 3599  
personal service upon the applicant, certificate holder, 3600  
registrant, or licensee. 3601

(F) The superintendent shall not issue a certificate, 3602  
registration, or license to, or recognize on a temporary basis 3603  
an appraiser from another state that is a corporation, 3604  
partnership, or association. This prohibition shall not be 3605  
construed to prevent a certificate holder or licensee from 3606  
signing an appraisal report on behalf of a corporation, 3607  
partnership, or association. 3608

(G) Every person licensed, registered, or certified under 3609  
this chapter shall notify the superintendent, on a form provided 3610  
by the superintendent, of a change in the address of the 3611  
licensee's, registrant's, or certificate holder's principal 3612  
place of business or residence within thirty days of the change. 3613  
If a licensee's, registrant's, or certificate holder's license, 3614  
registration, or certificate is revoked or not renewed, the 3615  
licensee, registrant, or certificate holder immediately shall 3616  
return the ~~annual and any renewal~~ certificate, registration, or 3617  
license to the superintendent. 3618

(H) (1) The superintendent shall not issue a certificate, 3619  
registration, or license to any person, or recognize on a 3620  
temporary basis an appraiser from another state, who does not 3621  
meet applicable minimum criteria for state certification, 3622  
registration, or licensure prescribed by federal law or rule. 3623

(2) The superintendent shall not issue a general real 3624  
estate appraiser certificate, residential real estate appraiser 3625  
certificate, residential real estate appraiser license, or real 3626  
estate appraiser assistant registration to any person who has 3627  
been convicted of or pleaded guilty to any criminal offense 3628  
involving theft, receiving stolen property, embezzlement, 3629  
forgery, fraud, passing bad checks, money laundering, or drug 3630  
trafficking, or any criminal offense involving money or 3631

securities, including a violation of an existing or former law 3632  
of this state, any other state, or the United States that 3633  
substantially is equivalent to such an offense. However, if the 3634  
applicant has pleaded guilty to or been convicted of such an 3635  
offense, the superintendent shall not consider the offense if 3636  
the applicant has proven to the superintendent, by a 3637  
preponderance of the evidence, that the applicant's activities 3638  
and employment record since the conviction show that the 3639  
applicant is honest, truthful, and of good reputation, and there 3640  
is no basis in fact for believing that the applicant will commit 3641  
such an offense again. 3642

**Sec. 4763.06.** (A) A person licensed, registered, or 3643  
certified under this chapter may obtain a renewal certificate, 3644  
registration, or license by filing a renewal application with 3645  
and paying the renewal fee set forth in section 4763.09 of the 3646  
Revised Code and any amount assessed pursuant to division (A) (2) 3647  
of section 4763.05 of the Revised Code to the superintendent of 3648  
real estate. The renewal application shall include a statement, 3649  
signed by the certificate holder, registrant, or licensee, that 3650  
the certificate holder, registrant, or licensee has not, during 3651  
the immediately preceding ~~twelve-month~~ license or registration 3652  
period, been convicted of or pleaded guilty to any criminal 3653  
offense described in division (H) (2) of section 4763.05 of the 3654  
Revised Code. The certificate holder, registrant, or licensee 3655  
shall file the renewal application at least thirty days, but no 3656  
earlier than one hundred twenty days, prior to expiration of the 3657  
certificate holder's, registrant's, or licensee's current 3658  
certificate, registration, or license. 3659

(B) A certificate holder, registrant, or licensee who 3660  
fails to renew a certificate, registration, or license prior to 3661  
its expiration is ineligible to obtain a renewal certificate, 3662

registration, or license and shall comply with section 4763.05 3663  
of the Revised Code in order to regain certification, 3664  
registration, or licensure, except that a certificate holder, 3665  
registrant, or licensee may renew the certificate, registration, 3666  
or license without having to comply with section 4763.05 of the 3667  
Revised Code by doing either of the following: 3668

(1) Filing a renewal application and submitting payment of 3669  
all fees for renewal and payment of the late filing fee set 3670  
forth in section 4763.09 of the Revised Code within three months 3671  
after the expiration of the certificate holder's, registrant's, 3672  
or licensee's certificate, registration, or license; 3673

(2) Obtaining a medical exception under division (C) of 3674  
this section, filing a renewal application, and submitting 3675  
payment of all fees for renewal and payment of the late filing 3676  
fee set forth in section 4763.09 of the Revised Code. A 3677  
certificate holder, registrant, or licensee who applies for late 3678  
renewal of the certificate holder's, registrant's, or licensee's 3679  
certificate, registration, or license may not engage in any 3680  
activities permitted by the certification, registration, or 3681  
license being renewed during the three-month period following 3682  
the certificate's, registration's, or license's normal 3683  
expiration date, or during the time period for which a medical 3684  
exception applies, until all renewal fees and the late filing 3685  
fee have been paid. 3686

(C) The superintendent may grant a medical exception upon 3687  
application by a person certified, registered, or licensed under 3688  
this chapter. To receive an exception, the certificate holder, 3689  
registrant, or licensee shall submit a request to the 3690  
superintendent with proof satisfactory that a medical exception 3691  
is warranted. If the superintendent makes a determination that 3692

satisfactory proof has not been presented, within fifteen days 3693  
of the date of the denial of the medical exception the 3694  
certificate holder, registrant, or licensee may file with the 3695  
division of real estate a request that the real estate appraiser 3696  
board review the determination. The board may adopt reasonable 3697  
rules in accordance with Chapter 119. of the Revised Code to 3698  
implement this division. 3699

**Sec. 4763.07.** (A) Every state-certified general real 3700  
estate appraiser, state-certified residential real estate 3701  
appraiser, and state-licensed residential real estate appraiser 3702  
shall submit proof of successfully completing a minimum of 3703  
~~fourteen-twenty-eight~~ classroom hours of continuing education 3704  
instruction in courses or seminars approved by the real estate 3705  
appraiser board. The certificate holder and licensee shall have 3706  
satisfied the ~~fourteen-hour-twenty-eight-hour~~ continuing 3707  
education requirements within the ~~one-year-two-year~~ period 3708  
immediately following the issuance of the initial certificate or 3709  
license and shall satisfy those requirements ~~annually-biennially~~ 3710  
thereafter. A state-registered real estate appraiser assistant 3711  
who remains in this classification for more than two years shall 3712  
satisfy in the third and successive years this section's 3713  
requirements. A certificate holder, licensee, or registrant who 3714  
fails to submit proof to the superintendent of meeting these 3715  
requirements is ineligible to obtain a renewal certificate, 3716  
license, or registration and shall comply with section 4763.05 3717  
of the Revised Code in order to regain a certificate, license, 3718  
or registration, except that the certificate holder, licensee, 3719  
or registrant may submit proof to the superintendent of meeting 3720  
these requirements within three months after the date of 3721  
expiration of the certificate, license, or registration, or by 3722  
obtaining a medical exception under division (E) of this 3723

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.

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

(1) 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) 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.

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



degree of service and protection to members of the public. In 3753  
addition to any other provisions the board considers 3754  
appropriate, the rules adopted by the board shall prescribe the 3755  
following: 3756

(1) Policies and procedures for obtaining board approval 3757  
of courses of instruction and seminars; 3758

(2) Standards, policies, and procedures to be applied in 3759  
evaluating the alternative methods of complying with continuing 3760  
education requirements set forth in divisions (A) (1) and (2) of 3761  
this section; 3762

(3) Standards, monitoring methods, and systems for 3763  
recording attendance to be employed by course sponsors as a 3764  
prerequisite to approval of courses for continuing education 3765  
credit. 3766

(C) No amendment or rescission of a rule the board adopts 3767  
pursuant to division (B) of this section shall operate to 3768  
deprive a certificate holder or licensee of credit toward 3769  
renewal of certification or licensure for any course of 3770  
instruction completed by the certificate holder or licensee 3771  
prior to the effective date of the amendment or rescission that 3772  
would have qualified for credit under the rule as it existed 3773  
prior to amendment or rescission. 3774

(D) The superintendent of real estate shall not issue a 3775  
renewal certificate, registration, or license to any person who 3776  
does not meet applicable minimum criteria for state 3777  
certification, registration, or licensure prescribed by federal 3778  
law or rule. 3779

(E) The superintendent may grant a medical exception upon 3780  
application by a person certified, registered, or licensed under 3781

this chapter. To receive an exception, the certificate holder, 3782  
registrant, or licensee shall submit a request to the 3783  
superintendent with proof satisfactory that a medical exception 3784  
is warranted. If the superintendent makes a determination that 3785  
satisfactory proof has not been presented, within fifteen days 3786  
of the date of the denial of the medical exception, the 3787  
certificate holder, registrant, or licensee may file with the 3788  
division of real estate a request that the real estate appraiser 3789  
board review the determination. The board may adopt reasonable 3790  
rules in accordance with Chapter 119. of the Revised Code to 3791  
implement this division. 3792

(F) (1) Unless online continuing education is prohibited by 3793  
board rule, a state-certified general real estate appraiser, 3794  
state-certified residential real estate appraiser, and state- 3795  
licensed residential real estate appraiser who is required to 3796  
take continuing education instruction under division (A) of this 3797  
section may take up to half of the required continuing education 3798  
hours online. 3799

(2) A state-certified general real estate appraiser, 3800  
state-certified residential real estate appraiser, and state- 3801  
licensed residential real estate appraiser may take more than 3802  
half of the required continuing education instruction online if 3803  
permitted by the board. 3804

(3) Nothing in this section requires the board to offer or 3805  
permit online continuing education instruction. 3806

**Sec. 4763.08.** ~~On and after December 22, 1992, each~~ Each 3807  
certificate, ~~registration,~~ and license issued under this 3808  
chapter, other than a temporary certificate or license issued 3809  
under division (E) (2) of section 4763.05 of the Revised Code, is 3810  
valid for a period of ~~one year~~ two years from its date of 3811

issuance. Each registration issued under this chapter is valid 3812  
for a period of one year from its date of issuance. The 3813  
superintendent of real estate shall provide renewal notices to 3814  
certificate holders, registrants, and licensees no later than 3815  
thirty days prior to the expiration of the certificate, 3816  
registration, or license. The superintendent shall issue to each 3817  
person initially certified, registered, or licensed under this 3818  
chapter a certificate, registration, or license in the form and 3819  
size the superintendent prescribes. The initial certificate, 3820  
registration, and license shall indicate the name of the 3821  
certificate holder, registrant, or licensee, bear the signatures 3822  
of the members of the real estate appraiser board, be issued 3823  
under the seal prescribed in section 121.20 of the Revised Code, 3824  
and contain a certificate, registration, or license number 3825  
assigned by the superintendent. The superintendent shall issue 3826  
to each person who renews a certificate, registration, or 3827  
license a renewal certificate, registration, or license in the 3828  
size and form the superintendent prescribes. The renewal 3829  
certificate, registration, or license shall contain the name and 3830  
principal address of the certificate holder, registrant, or 3831  
licensee and the expiration and number of the certificate, 3832  
registration, or license. Each certificate holder and licensee 3833  
shall place the certificate holder's or licensee's certificate 3834  
or license number adjacent to the title "state-licensed 3835  
residential real estate appraiser," "state-certified residential 3836  
real estate appraiser," or "state-certified general real estate 3837  
appraiser," when issuing an appraisal report or in a contract or 3838  
other instrument used in conducting real estate appraisal 3839  
activities as required by section 4763.12 of the Revised Code. 3840  
If a state-registered real estate appraiser assistant 3841  
participated in the development of an appraisal or specialized 3842  
service report, the certificate holder or licensee shall also 3843

place the registrant's name, registration number, and the title 3844  
"state-registered real estate appraiser assistant" on the 3845  
appraisal or report. 3846

**Sec. 4763.09.** (A) The real estate appraiser board shall 3847  
adopt rules, in accordance with Chapter 119. of the Revised 3848  
Code, for the establishment of the following fees: 3849

(1) The examination fee required under division (A) of 3850  
section 4763.05 of the Revised Code, up to a maximum of one 3851  
hundred fifty dollars, which fee shall be nonrefundable; 3852

(2) The initial state-certified general real estate 3853  
appraiser and state-certified residential real estate appraiser 3854  
certification and state-licensed residential real estate 3855  
appraiser license fees, and the ~~annual~~ biennial renewal thereof, 3856  
up to a maximum of ~~one three~~ one hundred ~~seventy five~~ seventy five ~~fifty~~ fifty dollars 3857  
each; 3858

(3) The initial real estate appraiser assistant 3859  
registration fee, and the annual renewal thereof, up to a 3860  
maximum of one hundred dollars; 3861

(4) The late filing fee for renewal of a certification, 3862  
registration, or license, which shall be one-half of the 3863  
certification, registration, and licensure fees established 3864  
pursuant to divisions (A) (2) and (3) of this section; 3865

(5) The amount to be charged to cover the cost of the 3866  
issuance of a temporary certificate or license under division 3867  
(E) (2) of section 4763.05 of the Revised Code; 3868

(6) Other reasonable fees as needed, including any annual 3869  
pass-through charges imposed by the federal government. 3870

(B) An applicant for certification or licensure under this 3871

chapter shall pay the examination fee directly to a testing 3872  
service if so prescribed and in such amount as the 3873  
superintendent of real estate prescribes. The balance, if any, 3874  
of the examination fee shall accompany the application. 3875

**Sec. 4779.19.** A license issued under section 4779.09 of 3876  
the Revised Code or renewed under section 4779.20 of the Revised 3877  
Code is valid from the date of issuance until the date it 3878  
expires, unless earlier suspended or revoked. An initial license 3879  
and each renewed license expires on the thirty-first day of 3880  
January ~~immediately succeeding the date of issuance~~ on a 3881  
biennial basis. 3882

**Sec. 4779.23.** (A) To be eligible for approval by the state 3883  
board of orthotics, prosthetics, and pedorthics, a continuing 3884  
education course must satisfy all of the following requirements: 3885

(1) Include significant intellectual or practical content 3886  
and be designed to improve the professional competence of 3887  
participants; 3888

(2) Deal with matters directly related to the practice of 3889  
orthotics, prosthetics, or pedorthics, including professional 3890  
responsibility, ethical obligations, or similar subjects that 3891  
the board considers necessary to maintain and improve the 3892  
quality of orthotic and prosthetic services in this state; 3893

(3) Involve in-person instruction, except that a course 3894  
may use self-study materials if the materials are prepared and 3895  
presented by a group with appropriate practical experience; 3896

(4) Be presented in a setting that is physically suited to 3897  
the course; 3898

(5) Include thorough, high-quality written material; 3899

(6) Meet any other requirements the board considers appropriate. 3900  
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(B) The board shall, in accordance with the standards in division (A) of this section, review and approve continuing education courses. If the board does not approve a course, it shall provide a written explanation of the reason for the denial to the person that requested approval. The board may approve continuing education courses approved by boards of other states that regulate orthotics, prosthetics, and pedorthics if the other board's standards for approving continuing education courses are equivalent to the standards established pursuant to division (A) of this section. 3902  
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(C) (1) Unless online continuing education is prohibited by board rule, a licensee required to take continuing education courses under this chapter may take up to half of the required continuing education units online. 3912  
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(2) A licensee may take more than half of the required continuing education units online if permitted by the board. 3916  
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(3) Nothing in this section requires the board to offer or permit online continuing education courses. 3918  
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**Section 2.** That existing sections 1321.05, 1321.08, 1321.20, 1321.52, 1321.532, 1321.536, 1322.041, 1322.052, 3773.36, 3773.42, 3773.43, 4707.071, 4707.10, 4725.16, 4725.17, 4725.171, 4725.34, 4725.51, 4727.03, 4727.19, 4728.03, 4729.11, 4729.12, 4729.15, 4729.52, 4729.54, 4735.06, 4735.09, 4735.14, 4735.141, 4735.27, 4735.29, 4736.11, 4736.12, 4740.04, 4740.05, 4740.06, 4747.05, 4747.06, 4749.03, 4749.031, 4751.06, 4751.07, 4759.06, 4759.08, 4763.05, 4763.06, 4763.07, 4763.08, 4763.09, 4779.19, and 4779.23 of the Revised Code are hereby repealed. 3920  
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**Section 3.** Section 4740.06 of the Revised Code is 3929  
presented in this act as a composite of the section as amended 3930  
by both Am. Sub. H.B. 486 and Sub. S.B. 78 of the 130th General 3931  
Assembly. The General Assembly, applying the principle stated in 3932  
division (B) of section 1.52 of the Revised Code that amendments 3933  
are to be harmonized if reasonably capable of simultaneous 3934  
operation, finds that the composite is the resulting version of 3935  
the section in effect prior to the effective date of the section 3936  
as presented in this act. 3937

**Section 4.** (A) The extension of the duration of 3938  
occupational licenses and certifications by this act shall apply 3939  
to licenses and certifications that are issued or renewed on or 3940  
after the effective date of this act. Licenses and 3941  
certifications in effect on the effective date of this act shall 3942  
continue in effect until their existing expiration date and any 3943  
continuing education required for renewal shall be the amount in 3944  
effect prior to the effective date of this act. 3945

(B) A governing board relating to a license or 3946  
certification affected by this act shall do both of the 3947  
following: 3948

(1) If the board has adopted a rule or other requirement 3949  
relating to the duration of licenses or certifications extended 3950  
by this act, the board shall revise its rules to comply with 3951  
this act. 3952

(2) If the board has adopted a rule or other requirement 3953  
imposing continuing education requirements measured on an annual 3954  
basis, the board shall revise the rule or requirement to adjust 3955  
the continuing education requirement to reflect the biennial 3956  
renewal period. 3957