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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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H.B. 238*
135th General Assembly

Bill Analysis

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Version: As Reported by House State and Local Government

Primary Sponsors: Reps. Fowler Arthur and Klopfenstein

Kelly Bomba, Attorney

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* This analysis was prepared before the report of the House State and Local Government Committee appeared in the House Journal. Note that the legislative history may be incomplete.

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OCCUPATIONAL REGULATION REVIEW

- Expands the definition of “occupational licensing board” for purposes of the General Assembly’s statutorily required review of those boards to include boards that issue certifications and business licenses that require an applicant to satisfy a personal qualification.
- Expands the scope of the Legislative Service Commission’s (LSC) statutorily required review of occupational regulations to include business licenses that require an applicant to satisfy a personal qualification.
- Clarifies that LSC shall continue to issue reports regarding all occupations subject to regulation by the state, including business licenses that require the applicant to satisfy a personal qualification, after January 1, 2025.
- Renews for six years the occupational licensing boards reviewed this biennium by the House State and Local Government committee.
- Prohibits an occupational licensing board from adopting, providing, approving for credit, counting for credit, or requiring completion of continuing education curriculum or coursework, seminars, webinars, or online instruction that promote specified concepts related to protected class membership.

General Assembly review

The bill expands the definition of “occupational licensing board” for purposes of the General Assembly’s statutorily required review of those boards to include boards that issue

certifications and business licenses that require an applicant to satisfy a personal qualification. A “certification” is a voluntary program in which a private organization or the state grants nontransferable recognition to an individual who meets personal qualifications established by the private organization or state law. “Personal qualification” means criteria related to an applicant’s personal background and characteristics including completion of an approved educational program, satisfactory performance on an examination, work experience, other evidence of attainment of requisite skills or knowledge, moral standing, criminal history, and completion of continuing education. However, the term “personal qualification” does not include a requirement that an owner or controlling persons of a business submit to a criminal records check or meet requirements related to criminal history or moral standing, unless that owner or controlling person is the applicant.¹

Under continuing law, The House of Representatives and the Senate must review one-third of the state’s occupational licensing boards each biennium – including all boards that are scheduled to expire at the end of the biennium. An occupational licensing board is triggered for expiration following the sixth year after it was created or last renewed by an act of the General Assembly. Under current law, an “occupational licensing board” for purposes of the General Assembly’s review is a board, commission, committee, council, or any other similar public body, agency, division, or office of state government that issues one or more occupational licenses. Current law defines an “occupational license” as a nontransferable authorization in law that an individual must possess to perform a lawful occupation for compensation based on meeting personal qualifications established by law.²

LSC review

Similarly, the bill expands the scope of the Legislative Service Commission’s (LSC) statutorily required review of occupational regulations to include business licenses that require an applicant to satisfy a personal qualification. The bill also clarifies that LSC must continue to issue reports regarding all occupations subject to regulation by the state, including business licenses that require the applicant to satisfy a personal qualification, after January 1, 2025.³

Current law requires LSC, over a six-year period including calendar years 2019 through 2024, to publish a biennial report comparing one-third of the state’s occupational regulations with the general state policy outlined in continuing law. For purposes of the law governing LSC’s review, the term “occupational regulation” is defined as a statute or rule that controls an individual’s practice of a trade or profession.⁴

¹ R.C. 101.62.

² R.C. 101.62 and R.C. 101.63 and 4798.01, not in the bill.

³ R.C. 103.27.

⁴ R.C. 103.27 and R.C. 103.26, not in the bill.

Renewal of occupational licensing boards

The bill renews until December 31, 2030, the occupational licensing boards that were reviewed by the House State and Local Government Committee during the 135th General Assembly.⁵ Those boards are as follows:

- The Ohio Peace Officer Training Commission;
- The State Cosmetology and Barber Board;
- The Accountancy Board;
- The Department of Agriculture;
- The Architects Board;
- The Ohio Landscape Architects Board;
- The Ohio Casino Control Commission;
- The following divisions within the Department of Commerce:
 - Division of Financial Institutions;
 - Division of Real Estate and Professional Licensing;
 - Division of Industrial Compliance; and
 - Division of Unclaimed Funds.
- The Department of Public Safety;
- The Department of Public Safety Bureau of Motor Vehicles;
- The State Board of Registration for Professional Engineers and Surveyors;
- The Department of Mental Health and Addiction Services;
- The State Racing Commission;
- The Secretary of State.⁶

Continuing education – prohibited topics

The bill prohibits an occupational licensing board from adopting, providing, approving for credit, counting for credit, or requiring completion of continuing education curriculum or coursework, seminars, webinars, or online instruction that promotes any of the following concepts:

⁵ Section 4.

⁶ See the [House State and Local Government Committee Occupational License Review Report \(PDF\)](#), which can be found by conducting a keyword search for “OLR report” on the General Assembly’s website: <http://www.legislature.ohio.gov>.

- An individual of a protected class is inherently superior or inferior to another protected class, and members of a protected class should be discriminated against solely or partly because of the individual's membership in a protected class.
- An individual, by virtue of the individual's membership in a protected class, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- An individual's moral standing or worth is necessarily determined by the individual's membership in any protected class.
- An individual, by virtue of the individual's membership in any protected class, bears responsibility for the actions committed in the past by other members of the same protected class.
- Meritocracy or traits such as hard work ethic are racist or sexist, or were created by individuals of a particular protected class to oppress members of another protected class.

For purposes of the bill's prohibition, "protected class" means an individual's race, color, religion, sex, military status, national origin, disability, age, or ancestry, as those terms are used in Ohio's Civil Rights Law. "Occupational licensing board" means a board, commission, committee, council, or any other similar public body, agency, division, or office of state government that issues one or more occupational licenses, excluding the Supreme Court with respect to governing the practice of law. An "occupational license" is a nontransferable authorization in law that an individual must possess to perform a lawful occupation for compensation based on meeting personal qualifications established by law.⁷

DEPARTMENT OF AGRICULTURE

- Eliminates the requirement that an agricultural commodity tester be certified by the Director of Agriculture and replaces it with a requirement that a tester do both of the following:
 - Successfully complete training based on a USDA manual on grain inspecting; and
 - Successfully complete three hours of continuing education every five years.
- Requires a licensed agricultural commodity handler to submit to the Director a list of names of individuals who complete the training and continuing education and requires the Director to maintain the list along with records of the handler's license.

⁷ R.C. 4743.06, by reference to R.C. 4112.02 and 4798.01, not in the bill.

Agricultural commodity tester

The bill eliminates the requirement that an agricultural commodity tester be certified by the Director of Agriculture and replaces it with a new requirement that a tester complete periodic training. Under current law, an agricultural commodity tester is a person who operates a moisture meter and other quality testing devices to determine the quality of an agricultural commodity (generally corn, soybeans, or wheat). For initial certification and renewal, a person must pass an examination on commodity testing and pay a \$25 application fee. In lieu of the examination for renewal, current law allows a person to complete training approved by the Director.

The bill requires an agricultural commodity tester to do both of the following:

1. Successfully complete three hours of training based on the USDA's "Inspecting Grain Practical Procedures for Grain Handlers" manual and approved by the Director of Agriculture; and
2. Successfully complete three hours of continuing education every five years.

A licensed agricultural commodity handler must submit to the Director a list of names of individuals who complete the training and continuing education. The Director must maintain the list along with records of the handler's license.⁸

ARCHITECTS BOARD

- Prohibits the Architects Board from charging a fee to obtain an initial certificate of qualification to practice architecture.

Architects Board

The bill prohibits the Architects Board from charging a fee to obtain an initial certificate of qualification to practice architecture. Under current law, the Architects Board must adopt a rule establishing the fee. The Board has set the application fee for an individual seeking a traditional license at \$50. An applicant licensed or registered in another jurisdiction seeking an Ohio certificate through reciprocal recognition of the other license or registration currently must pay \$250. The bill removes the requirement that the Board establish the fee in rule.⁹

⁸ R.C. 926.12, 926.19, and 926.30, repealed and reenacted; Ohio Administrative Code (O.A.C.) 901:7-2-11.

⁹ R.C. 4703.16 and O.A.C. 4703-1-04.

CASINO CONTROL COMMISSION

- Requires the Ohio Casino Control Commission to set the key employee license application fee at no more than \$1,750 for in-state applicants and no less than \$5,000 for out-of-state applicants.

Key employee license application fee

The bill specifies the fee amount for a key employee license application. Under current law, the Ohio Casino Control Commission is required to set the fee amount by rule in an amount “to cover all actual costs generated by each licensee and all background checks.”¹⁰ At the time of writing this analysis, the Commission has adopted a rule stating that the key employee license application fee is \$2,000.¹¹ The bill alters the fee structure to require that the Commission set the fee to no more than \$1,750 for Ohio residents and no less than \$5,000 for other applicants.

The Commission also has stipulated by rule that a casino operator employing the applicant must pay the applicant’s key employee license application fee on the applicant’s behalf. Furthermore, a casino operator, management company, gaming-related vendor, or holding company otherwise sponsoring the applicant may pay this fee on behalf of the applicant. The bill does not appear to affect these rules, aside from the fee amount.

It may be worth noting that under current law, the Commission also is permitted to set another fee for key employee licensure, separate from the application fee.¹² The key employee license fee is set by the Commission in rule at \$500, and a casino operator employing the applicant must pay the license fee on behalf of the key employee license holder. Furthermore, a casino operator, management company, gaming-related vendor, or holding company otherwise sponsoring the applicant may pay this fee on behalf of the key employee license holder.¹³ The bill does not appear to affect any provisions of law regarding the key employee license fee.

“Key employee” definition

A “key employee” under continuing law means any executive, employee, agent, or other individual who has the power to exercise significant influence over decisions concerning any part of the operation of a person that has applied for or holds a casino operator, management company, or gaming-related vendor license or the operation of a holding company of a person that has applied for or holds a casino operator, management company, or gaming-related vendor license. Examples of a key employee include:

¹⁰ R.C. 3772.13(F).

¹¹ O.A.C. 3772-5-03(A).

¹² R.C. 3772.17(E), not in the bill.

¹³ O.A.C. 3772-5-03(D).

- An officer, director, trustee, partner, or an equivalent fiduciary;
- An individual who holds a direct or indirect ownership interest of 5% or more;
- An individual who performs the function of a principal executive officer, principal operating officer, principal accounting officer, or an equivalent officer;
- Any other individual the Commission determines to have the power to exercise significant influence over decisions concerning any part of the operation.¹⁴

DEPARTMENT OF COMMERCE

Division of Industrial Compliance

- Extends the duration of a backflow technician certification to five years from three years.
- Establishes a \$75 fee for the five-year renewal, which is the fee for the current three-year renewal.
- Reduces the application fee to take the examination for a boiler and pressure vessel inspector certification from \$150 to \$100.
- Caps the annual fee the Director of Commerce may charge for a certificate of competency or commission as a boiler and pressure vessel inspector at \$50.
- Reduces the application fee for a steam engineer, high pressure boiler operator, or low pressure boiler operator license from \$75 to \$25.
- Reduces the initial and renewal fee for a manufactured home installer's license to \$150 from \$250.

Division of Real Estate and Professional Licensing

- Modifies the initial education requirement for an individual to become a licensed real estate broker.
- Eliminates the requirement that an applicant for a real estate broker license must complete a minimum of two years of post-secondary education as part of the individual's initial education requirement.
- Authorizes real estate brokers and salespersons to meet the specific topic-related education requirements for licensure by taking courses that are a part of a certificate program, not just a degree program, as under current law.

¹⁴ R.C. 3772.01(P), not in the bill.

- Allows an institution with a certificate of registration from the Ohio Board of Career Colleges and Schools to offer certificate programs to offer the pre-licensure education required for real estate brokers and salespersons.
- Extends the duration of a residential real estate appraiser certificate and real estate appraiser assistant registration from one to two years.
- Reduces the initial fee for a residential real estate appraiser certificate to an amount up to a maximum of \$300 over a two-year period from the current law amount of up to a maximum of \$350 over a two-year period.
- Reduces the fee for a real estate appraiser assistant registration from an amount up to a maximum of \$100 annually to an amount up to a maximum of \$100 over a two-year period.
- Requires the Superintendent of Real Estate and Professional Licensing to establish a method by which a certificate holder, registrant, or licensee under the Real Estate Appraiser Law may electronically file the renewal application and pay the fee and the assessed amount required for renewal.

Division of Industrial Compliance

Backflow technicians

The bill extends the duration of a backflow technician certification to five years from three years. Under continuing law, the Superintendent of Industrial Compliance adopts rules regulating the certification of backflow technicians. Among other requirements, the rules the Superintendent adopts must include specifications and procedures for renewing a certification. Current rules specify a three-year renewal cycle and a \$75 renewal fee. The bill requires the Superintendent to adopt a rule specifying that a backflow technician certification be renewed every five years and establish the five-year renewal fee at \$75.¹⁵

A backflow technician certification issued before the bill's effective date must be renewed in accordance with any rules adopted before the bill's effective date.¹⁶

Boiler and pressure vessel inspectors

The bill reduces the application fee to take the examination for a boiler and pressure vessel inspector certification from \$150 to \$100. It also caps the annual fee the Director of Commerce may charge to renew a boiler or pressure vessel inspector certificate of competency or commission at \$50.¹⁷

¹⁵ R.C. 3703.21 and O.A.C. 1301:3-7-05.

¹⁶ Section 5.

¹⁷ R.C. 4104.07 and 4104.08.

Steam engineers and boiler operators

The bill reduces the application fee for a steam engineer, high pressure boiler operator, or low pressure boiler operator license to \$25.

Currently, the application fee is \$75. However, the Superintendent may increase the fee if the increase bears a reasonable relationship to the cost of administering and enforcing the state's boiler regulations. The bill prohibits the Superintendent from increasing the steam engineer, high pressure boiler operator, or low pressure boiler operator license application fee.¹⁸

Manufactured home installers

The bill reduces the initial and renewal fees for a manufactured home installer's license to \$150. Under current law, the Superintendent establishes initial and renewal fees in rule and has set both the initial fee and the renewal fee at \$250. The bill removes the Superintendent's authority to set the fee and instead sets it at \$150.¹⁹

Division of Real Estate and Professional Licensing

Real estate broker education

The bill modifies the initial education requirement for an individual to become a licensed real estate broker by requiring an applicant to complete 30 hours of instruction in each of the following categories:

- Financial management;
- Human resources;
- Applied business economics;
- Business law.

Current law requires an applicant to complete three quarter hours, or its equivalent in semester hours, of instruction in each of those categories. Under continuing law, an applicant also must complete specified hours of instruction in real estate practice; Ohio and other local real estate laws; appraisal (if the applicant does not have an Ohio real estate appraisal license or certificate); and real estate finance.²⁰

The bill eliminates the current law requirement that an applicant for a real estate broker license must complete a minimum of two years of post-secondary education as part of the individual's initial education requirement.²¹

¹⁸ R.C. 4104.18.

¹⁹ R.C. 4781.08 and O.A.C. 4781-8-01.

²⁰ R.C. 4735.07(B)(6).

²¹ R.C. 4735.07(B)(7).

Real estate broker and salesperson eligible courses

The bill authorizes real estate brokers and salespersons to meet the specific topic-related education requirements for licensure by taking courses that are a part of a certificate program, not just a degree program, as under current law. Under current law, applicants for a real estate broker or salesperson license must complete specified courses at an “institution of higher education.” The bill expands the definition of “institution of higher education” to include an institution with a certificate of registration from the State Board of Career Colleges and Schools that is approved to offer certificate programs. Under current law, “institution of higher education” means all of the following:

- A state institution of higher education;
- A nonprofit institution issued a certificate of authorization under Ohio’s Educational Corporations Law;²²
- Certain private institutions exempt from regulation by the State Board of Career Colleges and Schools;²³
- An institution with a certificate of registration from the State Board of Career Colleges and Schools that is approved to offer degree programs.²⁴

Real estate appraisers

The bill extends the duration of a residential real estate appraiser certificate and real estate appraiser assistant registration from one to two years. Certificates and registrations issued before the bill’s effective date expire on the date it would have under current law.²⁵

The bill reduces the initial fee for a residential real estate appraiser certificate to an amount up to a maximum of \$300 over a two-year period from the current law amount of up to a maximum of \$350 over a two-year period. The bill retains the current law renewal fee for a residential real estate appraiser certificate, which is an amount of up to a maximum of \$350 over a two-year period. The bill reduces the initial and renewal fee for a real estate appraiser assistant registration from an amount up to a maximum of \$100 annually to an amount up to a maximum of \$100 over a two-year period.²⁶

The bill requires the Superintendent of Real Estate and Professional Licensing to establish a method by which a certificate holder, registrant, or licensee under the Real Estate

²² R.C. Chapter 1713, not in the bill.

²³ R.C. 3333.046, not in the bill.

²⁴ R.C. 4735.01, 4735.07, and 4735.09.

²⁵ R.C. 4763.08, with conforming changes in R.C 4763.05, 4763.06, and 4763.07; Section 7.

²⁶ R.C. 4763.09.

Appraiser Law may electronically file the renewal application and pay the fee and the assessed amount required for renewal.²⁷

OHIO PEACE OFFICER TRAINING COMMISSION

- Prohibits the adoption of administrative rules requiring jail support staff to obtain an occupational license.

Jail support staff

The bill prohibits the Director of Rehabilitation and Correction from adopting any rule requiring support staff in a jail to obtain an “occupational license.”²⁸ Under continuing law, an occupational license is any nontransferable authorization in law that an individual must possess in order to perform a lawful occupation for compensation based on meeting personal qualifications established by a statute or rule.²⁹

As part of the Director’s general duty to establish minimum standards for Ohio’s jails, the Director has adopted rules requiring jail support staff to meet personal qualifications. Under the rules, support staff having routine contact with inmates must have general training in jail policies and procedures, 24 hours of specialized training, and two hours of in-service training per year. Jail support staff that have occasional inmate contact must receive only jail policy and procedure training. The Ohio Peace Officer Training Academy offers this training.³⁰

DEPARTMENT OF PUBLIC SAFETY

- Extends the duration of private investigation and security licenses to two years from one year under current law.
- Increases the maximum renewal fee for private investigation and security licenses from \$275 to \$550 for a two-year license.
- Reduces the maximum fee for initial private investigation and security licenses from \$375 to \$200.

²⁷ R.C. 4763.06.

²⁸ R.C. 5120.10.

²⁹ R.C. 4798.01, not in the bill.

³⁰ R.C. 5120.10 and O.A.C. 109:2-9-02 and 5120:1-8-18.

Private investigation and security services licenses

The bill extends the duration of private investigation and security services licenses from one year to two years. Currently, all private investigation and security services licenses expire on the first day of March after issuance, and on March 1 annually thereafter. A license issued before the bill's effective date expires on the first day of March after it was issued in accordance with current law. After being renewed, the license expires on the first day of March every two years. A license issued after the bill's effective date expires two years after the date of issuance.

Under the bill, the maximum renewal fee for private investigation and security licenses is \$550 for a two-year license. Currently, the maximum renewal fee is \$275 for a one-year license.

The bill also reduces the maximum fee for an initial private investigation and security license from \$375 to \$200.

Under continuing law, an individual or business may obtain one the following licenses:

- A "Class A" license to engage in the business of private investigation and the business of security services;
- A "Class B" license to engage only in the business of private investigation;
- A "Class C" license to engage only in the business of security services.

Each class A, B, and C licensee must register the licensee's investigator or security guard employees with the Department of Public Safety. The Department maintains a record of each licensee and its registered employees.³¹

DEPARTMENT OF PUBLIC SAFETY – BUREAU OF MOTOR VEHICLES

- Eliminates the requirement that a motor vehicle salesperson be licensed to sell motor vehicles in Ohio.
- Eliminates the application fee for a salvage motor vehicle auction license.

Motor vehicle sales and auction licenses

The bill eliminates the current law licensure requirement for a motor vehicle salesperson. Thus, a person may sell motor vehicles for a licensed motor vehicle dealer (new, used, or leasing) without having a separate motor vehicle salesperson license. The bill makes corresponding changes related to motor vehicle dealers, and eliminates the requirement that

³¹ R.C. 4749.03; Section 6 and R.C. 4749.01 and 4749.06, not in the bill.

they keep lists of their licensed salespersons as proof that their employees are licensed. However, the bill retains current law prohibitions that prohibit the following:

1. A person from acting as a salesperson for more than one licensed motor vehicle dealer at a time (unless the dealerships are owned or operated by the same company);
2. A motor vehicle dealer from soliciting the sale of motor vehicles through or compensating anyone other than a salesperson in connection with the sale of a motor vehicle; and
3. A motor vehicle dealer from knowingly engaging in any wholesale motor vehicle transaction with a salesperson.³²

The bill additionally eliminates the \$100 application fee for a salvage motor vehicle auction license. Under current law, the fee is due at the time of initial application and at the time of renewal every two years.³³

STATE RACING COMMISSION

- Relocates and makes changes to the law governing the authority of the State Racing Commission (RAC) to issue licenses to persons involved in the horse racing industry.
- Lists each license to be issued and explicitly requires RAC to adopt rules under the Administrative Procedure Act concerning the activities regulated under each license, the qualifications and other requirements to receive and maintain the license, and the applicable annual fees.
- Eliminates certain licenses and lowers or eliminates the fees for certain others.
- Exempts the RAC occupational licensing rules adopted during the first year after the bill takes effect from continuing law limits on regulatory restrictions in state agency rules.

The bill relocates and makes changes to the law governing the authority of the State Racing Commission (RAC) to issue licenses to persons involved in the horse racing industry. Current law allows RAC to license persons engaged in horse racing, as well as employees of race tracks, and also allows RAC to adopt administrative rules. But, the law does not explicitly require RAC to adopt all of its licensing requirements by rule. RAC's existing rules name most of the licenses it issues and the associated fees, but for many licenses, the rules do not describe

³² R.C. 4517.02, 4517.04, 4517.10, 4517.14, 4517.15, 4517.20, 4517.33, 4517.43, 4549.50, and 4781.17; R.C. 4517.09, repealed.

³³ R.C. 4738.05.

the activities regulated under the license or any qualifications to receive the license. Licensing matters appear to be largely managed by written or unwritten policy instead of by rule.³⁴

Retained and eliminated licenses

The bill lists each license to be issued and explicitly requires RAC to adopt rules under the Administrative Procedure Act concerning the activities regulated under each license, the qualifications and other requirements to receive and maintain the license, and the applicable annual fees. Under the bill, no RAC license is required to hold any position that is not listed in the bill or that is not indicated in RAC rules as requiring a license.³⁵

The bill requires RAC to continue to issue the licenses listed below in normal text, and eliminates the licenses shown in ~~stricken text~~. The current annual fees for the licenses, as set by RAC rule or policy, are shown in parentheses.³⁶

- **Racing officials:** state steward (\$100), steward (\$50), program director (\$50), director of racing (\$100), general manager (decreased by the bill from \$100 to a maximum of \$75), racing secretary (\$100), assistant racing secretary (\$50), horsemen's bookkeeper (\$50), identifier (\$50), presiding judge (\$100), paddock judge (\$50), placing judge (\$50), ~~patrol judge (\$50)~~, judge (\$50), clerk of course (\$50), clerk of scales (\$50), ~~clerical (\$15)~~, ~~admission employee (\$15)~~, jockey room custodian (\$15), announcer (\$50), starter (\$50), ~~assistant starter (\$50)~~, timer (\$15), photographer (\$50), and videographer (\$15).
- **Participants:** primary and secondary stable name (\$50), owner (\$50), ~~owner's reciprocal validation (\$50)~~, partnership (\$25), person eligible to claim (\$25), authorized agent (\$50), thoroughbred breeder (\$10), trainer (\$50), assistant trainer (\$50), driver-trainer (\$50), driver (\$50), jockey (\$50), apprentice jockey (\$50), jockey agent (\$50), outrider (\$15), pony person (\$15), exercise rider (\$15), valet (\$15), ~~supply sales company owner (\$100)~~, and supply salesperson (\$15).
- **Equine care:** veterinarian (\$100), veterinarian's assistant (\$15), dentist (\$50), horseshoer (\$50), groom (\$10), and ~~porter (\$15)~~.
- **Wagering:** totalizator company (\$100), totalizator company management supervisory employee (\$100), totalizator company employee (\$50), ~~mutuel manager (\$50)~~, mutuel employee (\$15), and ~~telephone operator (\$15)~~.

³⁴ R.C. 3769.03 and 3769.031 and O.A.C. 3769-2-24(A). More generally, see O.A.C. Chapter 3769-2 for RAC's current licensing rules.

³⁵ R.C. 3769.031(A) and (B).

³⁶ R.C. 3769.031 and O.A.C. 3769-2-24. The program director, director of racing, presiding judge, judge, clerk of course, videographer, thoroughbred breeder, driver-trainer, driver, and dentist licenses do not appear in current RAC rules, but they are included in the [list of licenses on RAC's website](#), available at racingohio.net under "Licensing."

- **Race track facility:** ~~chief of security (\$50), security (\$15), doctor (\$50),~~ medical and first aid (decreased by the bill from \$15 to a maximum of \$10), ~~concession manager (\$50),~~ concession employee (\$15), and maintenance (\$15).
- A **fair license**, which must not require the payment of any fee, to be issued for the following positions: racing official, owner, quarter horse participant, driver-trainer, groom, totalizator, and mutuel employee. The fair license replaces the current restricted licenses: ~~racing official (\$10), owner (\$10), quarter horse participant (\$10), groom (\$5), totalizator (\$100), and mutuel employee (\$10).~~
- **Special licenses:** ~~special A — professional (\$100), special B — technical (\$50), special C — clerical/miscellaneous (\$15), and special D — miscellaneous restricted (\$10).~~

Regulatory restriction reduction exemption

For a period of one year after the bill takes effect, with respect to RAC's new occupational licensing rules, the bill exempts RAC from the continuing law requirement that an agency eliminate two regulatory restrictions for each new restriction it adopts. And, under the bill, occupational licensing rules adopted during that one-year period are not included in RAC's baseline inventory of regulatory restrictions for purposes of the continuing law cap on each agency's total number of regulatory restrictions.³⁷

HISTORY

Action	Date
Introduced	07-11-23
Reported, H. State and Local Government	---

ANHB0238RH-135/ar

³⁷ R.C. 3769.031(D). See also R.C. 121.95 to 121.953, not in the bill.