
DEPARTMENT OF COMMERCE

U.S. savings bonds as unclaimed funds

- Creates a presumption that a U.S. savings bond constitutes unclaimed funds under the Unclaimed Funds Law.

Securities Law

- Exempts certain persons from the dealer license requirement.
- Modifies the definition of "institutional investor."

Small Government Fire Department Services Loan Program

- Creates the Small Government Fire Department Services Revolving Loan Fund.
- Permits the State Fire Marshal to loan money from the Fund for purposes of the existing Small Government Fire Department Services Revolving Loan Program.

State Liquor Regulatory Fund

- Generally requires all money collected under the Liquor Control Law to be credited to the existing State Liquor Regulatory Fund, rather than the Liquor Control Fund as required under current law.

Liquor permitting provisions

- Expands the affirmative defense for a violation of the law prohibiting the sale of alcohol to an underage person by allowing a liquor permit holder to claim the defense after acceptance of an out-of-state identification card or a U.S. or foreign passport.
- Alters the required population range of one type of municipal corporation where a D-5j liquor permit may be issued in a community entertainment district by specifying that the municipal corporation must have a population between 7,000 and 20,000, rather than between 10,000 and 20,000 as under current law.
- Requires the D-6 liquor permit (Sunday sales of beer and intoxicating liquor) to be issued to a D liquor permit holder that is a retail food establishment or food service operation and is located in a state park that has a working farm on its property.



Sale of tasting samples, growlers

- Allows the holder of both a C-1 and C-2 liquor permit, or the holder of a C-2x liquor permit, that is the owner of a retail store within a municipal corporation or township with a specified population to obtain a D-8 liquor permit for purposes of the sale of tasting samples of beer, wine, and mixed beverages and the sale of growlers of beer.

Pawnbrokers

- Provides for a "license plus" pawnbrokers license.
- Specifies that license plus holders must maintain liquid assets in a minimum amount of \$100,000 during the duration of holding a license plus, as opposed to \$50,000 for a standard license.
- Specifies interest rates and fees that a licensee plus can charge.
- Permits pledgors of a licensee plus to prepay interest and fee charges.
- Requires a licensee plus to waive interest and hold pawned property until the pledgor, or the pledgor's spouse or dependent, returns to the U.S. if the licensee plus receives specified documentation.
- Revises the requirements relating to records that a pawnbroker must keep.
- Permits licensees plus to report data to law enforcement agencies electronically and communicate default notices to pledgors electronically.
- Provides for the return of misappropriated property that has been pledged or sold to a licensee plus, including police and judicial hold orders.
- Makes a pledgor or seller liable to the licensee plus for the full amount that the pledgor or seller received from the licensee plus, all charges, and other costs if certain conditions are met.
- Modifies the continuing education requirements for pawnbrokers under current law and establishes different requirements for standard licensees and licensees plus.

Real estate licenses

- Increases, from \$10,000 per year to \$25,000 per fiscal year, the amount of loans the Real Estate Education and Research Fund may advance annually to applicants for salesperson licenses.



- Permits a licensed real estate broker or salesperson whose license is on deposit as an armed serviceperson to take up to the longer of 12 months after the licensee's first birthday after discharge or the amount of time the licensee spent on active duty to complete continuing education requirements.
- Permits a licensee who is the spouse of a member of the armed forces an extended time period to renew the license and to complete continuing education requirements.
- Specifies that "armed forces" in the context of the licensure of real estate brokers and salespersons includes the Ohio National Guard and any other state's national guard.

Real estate appraiser assistants

- Requires that, in accordance with federal law, real estate appraiser assistants complete 14 classroom hours of continuing education instruction annually, without existing law's two-year grace period.
- Exempts real estate appraisers who have obtained a temporary certification or license from existing law's continuing education requirements.

U.S. savings bonds as unclaimed funds

(R.C. 169.051)

The bill creates a presumption that a U.S. savings bond constitutes unclaimed funds under the Unclaimed Funds Law if all of the following apply:

- (1) The bonds are held or owing in Ohio by any person, or issued or owed in the course of a holder's business, or by a governmental entity;
- (2) The bond owner's last known address is in Ohio;
- (3) The bond has remained unclaimed and unredeemed for three years after final maturity.

Bonds that are presumed abandoned and constitute unclaimed funds escheat to the state (that is, become property of the state) three years after becoming abandoned and unclaimed property. The Director of Commerce must commence a civil action for a determination that the bond escheats and for title to the bond. After that judicial determination, the Director must redeem the bonds. After paying the costs of collection, the remaining proceeds are disposed of in the same manner as other unclaimed funds.



The bill also creates a procedure by which persons claiming the escheated bond, or the proceeds from the bond, may seek payment. In the Director's discretion, the Director may pay the claim less expenses and costs the state incurred in securing full title to the bond.

Securities Law – "institutional investors" and dealer license exemption

(R.C. 1707.01 and 1707.14)

The bill exempts from the dealer license requirement persons who have no Ohio place of business, are federally registered, and effect transactions in Ohio only with institutional investors.

The bill also modifies the definition of "institutional investor" under the Ohio Securities Law to more specifically identify the types of entities included and, for many institutional investors, create an asset threshold of \$10,000,000.

Under current law, "institutional investor" means:	Under the bill, "institutional investor" means any of the following, whether acting for itself or for others in a fiduciary capacity:
A bank.	A bank or international banking institution.
An insurance company.	An insurance company. A separate account of an insurance company.
Pension fund or pension fund trust, employees' profit-sharing fund, or employees' profit-sharing trust.	An employee pension, profit-sharing, or benefit plan if the plan has total assets in excess of \$10,000,000 or its investment decisions are made by certain types of fiduciaries. Certain plans established and maintained by a state or local government for the benefit of its employees, if the plan has total assets in excess of \$10,000,000 or its investment decisions are made by a duly designated public official or by a certain type of fiduciary.
Any trust in respect of which a bank is trustee or cotrustee.	A trust, if it has total assets in excess of \$10,000,000, its trustee is a bank, and its participants are exclusively plans of the types described in the cell above, regardless of the size of their assets, except a trust that includes as participants certain similar self-directed plans.

Under current law, "institutional investor" means:	Under the bill, "institutional investor" means any of the following, whether acting for itself or for others in a fiduciary capacity:
Any association engaged, as a substantial part of its business or operations, in purchasing or holding securities.	An investment company as defined in the federal Investment Company Act.
	A federally registered broker-dealer or a state licensed dealer.
	A 501(c)(3) organization or specified type of business form with total assets in excess of \$10,000,000.
	A licensed small business investment company with total assets in excess of \$10,000,000.
	A private business development company with total assets in excess of \$10,000,000.
	A federal covered investment adviser acting for its own account.
	A "qualified institutional buyer."
	A "major U.S. institutional investor."
A corporation. "Institutional investor" does not include any business entity formed for the primary purpose of evading the Ohio Securities Law.	Any other person, other than an individual, of institutional character with total assets in excess of \$10,000,000 not organized for the specific purpose of evading the Ohio Securities Law.
	Any other person specified by rule adopted or order issued under the Ohio Securities Law.

Small Government Fire Department Services Revolving Loan Program

(R.C. 3737.17)

The bill creates the Small Government Fire Department Services Revolving Loan Fund and permits the State Fire Marshal to loan moneys from the Fund for the purposes of the Small Government Fire Department Services Revolving Loan Program. Under continuing law, the Program administers loans to qualifying small governments to expedite purchases of major equipment for fire fighting, ambulance, emergency medical, or rescue services, and to expedite projects for the construction or renovation of fire department buildings.



The Fund will consist of moneys from repaid loans under the Program, investment earnings on money in the Fund, and moneys appropriated to the Fund.

State Liquor Regulatory Fund

(R.C. 4301.12)

The bill generally requires all money collected under the Liquor Control Law to be credited to the existing State Liquor Regulatory Fund rather than the Liquor Control Fund as provided under current law. Finally, the bill removes a provision regarding the use of money in the Liquor Control Fund for paying the operating expenses of the Liquor Control Commission.

Affirmative defense to sale of alcohol to a minor

(R.C. 4301.61 and 4301.639)

The bill expands the affirmative defense to a violation of the Alcoholic Beverage Control Law for which age is an element of the offense. Under current law, no permit holder, agent or employee of a permit holder, or any other person may be found guilty of a violation of the Alcoholic Beverage Law for which age is an element of the offense if the Liquor Control Commission or a court finds all of the following:

(1) That the person buying the alcohol exhibited to the permit holder, the agent or employee of the permit holder, or the other person a driver's or commercial driver's license, an identification card issued by the Registrar of Motor Vehicles, or a military identification card issued by the U.S. Department of Defense that displays a picture of the individual for whom the license or card was issued and shows that the person buying was then at least 21 years of age if the person was buying beer or intoxicating liquor, or that the person was then at least 18 years of age if the person was buying any low-alcohol beverage;

(2) That the permit holder, the agent or employee of the permit holder, or the other person made a bona fide effort to ascertain the true age of the person buying the alcohol by checking the identification presented, at the time of the purchase, to ascertain that the description on the identification compared with the appearance of the buyer and that the identification presented had not been altered in any way; and

(3) That the permit holder, the agent or employee of the permit holder, or the other person had reason to believe that the person buying was of legal age.



The bill expands the types of identification that may be checked for purposes of claiming the affirmative defense above to include an identification card issued by another state and a U.S. or foreign passport.

D-5j liquor permit population requirements

(R.C. 4303.181)

The bill alters the population requirements for one type of municipal corporation in which a D-5j liquor permit may be issued. A D-5j liquor permit generally authorizes the permit holder to sell beer, wine, mixed beverages, and spirituous liquor by the individual glass or container for consumption on the permit premises and sell beer, wine, and mixed beverages for off-premises consumption. Under current law, the Division of Liquor Control may issue a D-5j liquor permit in certain municipal corporations or townships in which a community entertainment district has been established and that meet certain criteria. Under one set of criteria, a D-5j liquor permit may be issued in a municipal corporation to which all of the following apply:

- (1) The municipal corporation has a population between 10,000 and 20,000;
- (2) The municipal corporation was incorporated as a village prior to calendar year 1860 and currently has a historic downtown business district; and
- (3) The municipal corporation is located in the same county as another municipal corporation with at least one community entertainment district.

The bill alters the population requirement by specifying that such a municipal corporation must have a population between 7,000 and 20,000.

D-6 liquor permit for certain state parks

(R.C. 4303.182)

The bill requires the Division of Liquor Control to issue a D-6 liquor permit to the holder of any D liquor permit for a premises that is:

- (1) Licensed as a retail food establishment or food service operation; and
- (2) Located in a state park that is established or dedicated under state law and has a working farm on its property.

Under the bill, the D-6 permit authorizes Sunday sales of beer or intoxicating liquor at the D liquor permit premises between 10 a.m. and midnight regardless of whether the sales have been authorized by a local option election.



Currently, the Division must issue a D-6 permit to certain A (manufacturers of beer, wine, mixed beverages, or spirituous liquor), C (retailers of beer or intoxicating liquor for off-premises consumption), and D liquor permit holders. Those liquor permit holders may sell beer, wine, mixed beverages, or spirituous liquor, as applicable, on Sunday under the D-6 permit. Sales must take place on Sunday between the hours of 10 a.m. to midnight or 11 a.m. to midnight depending on the local option held to authorize Sunday sales.

Sale of tasting samples, growlers

(R.C. 4303.184)

The bill allows the holder of both a C-1 and C-2 liquor permit, or the holder of a C-2x liquor permit, that is the owner of a retail store within a municipal corporation or township with a population of 15,000 or less to obtain a D-8 liquor permit. Thus, as the holder of a D-8 permit, the C-1 and C-2 permit holder or C-2x permit holder may sell both of the following:

(1) Tasting samples of beer, wine, and mixed beverages for on-premises consumption under specified circumstances; and

(2) Beer that is dispensed only in glass containers whose capacity does not exceed one gallon (growler) for off-premises consumption, provided the containers are sealed, marked, and transported in accordance with current law.

Under current law, the C-1 permit authorizes the sale of beer for off-premises consumption and the C-2 permit authorizes the sale of wine and mixed beverages for off-premises consumption. The C-2x permit allows the sale of beer, wine, and mixed beverages for off-premises consumption.

Pawnbrokers

Qualifications for license

(R.C. 1321.20, 4727.01, 4727.02, 4727.03, 4727.04, 4727.19, and 4727.20)

Current law requires a person acting as a pawnbroker to obtain a license from the Superintendent of Financial Institutions (Superintendent). The bill modifies this requirement to create two classifications of licenses: a "license plus" and a "standard license." The requirements for a standard licensee are similar to the requirements under current law, whereas the requirements for licensees plus are generally more stringent. The bill permits the Superintendent to grant a license to any person having experience and fitness in the capacity involved relating to the license being sought.



The bill requires a licensee plus to pay a nonrefundable initial investigation fee of \$300, as opposed to \$200 for a standard license, and requires the applicant to indicate on the application whether the applicant is seeking a standard license or a license plus.

The bill also increases the liquid assets and surety bonds a licensed pawnbroker must maintain and obtain in order to conduct business in Ohio. The bill requires licensee plus holders to maintain liquid assets in a minimum amount of \$100,000 during the duration of holding a license plus, as opposed to \$50,000 for a standard license and under current law. The bill also requires a licensee plus to obtain a surety bond issued by a bonding company or insurance company authorized to conduct business in Ohio in the penal sum of at least \$200,000 and file a copy of the bond with the Superintendent. Standard licensees are required to obtain a bond in an amount of \$25,000.

The bill removes the biennial license provisions under current law and instead establishes that all licenses issued or renewed on or after January 1, 2006, expire on June 30th of each year and must be renewed annually.

Rates and fees

(R.C. 4727.06 and 4727.061, conforming change in R.C. 4727.07)

Continuing law limits the amount of interest and other charges a pawnbroker may charge for a loan. The bill sets the maximum interest rates and fees for standard licensees at the same level as current law and sets lower levels for licensees plus. The bill prohibits a licensee plus from charging interest for any loan more than 3% per month or fraction of a month on unpaid principal. A licensee plus may receive a reasonable fee not to exceed $\frac{1}{10}$ of the value of the loan per month or fraction of a month for (1) investigating title, (2) appraising pledged or purchased items, (3) storing and insuring property, (4) closing a loan, and (5) other incidental costs. Standard licensees may charge a maximum of 5% per month or fraction of a month and may charge (1) \$4 per month or fraction of a month for all pledged articles held as security or stored for a loan, (2) \$4 plus the actual cost of shipping, when the standard licensee is to deliver or forward the pledged article by express or parcel post to the pledgor, (3) \$2 for the loss of the original statement issued to the pledgor by the standard licensee upon redemption of the pledged articles, and (4) \$2 for the cost of notifying a pledgor by mail that the pledged articles may be forfeited.

The bill expressly prohibits a licensee plus from directly or indirectly charging, receiving, or contracting for any interest or fees greater than those described above for a licensee plus.



Prepayment of interest or storage charges

(R.C. 4727.06(D) and 4727.061(D))

The bill permits a pledgor of a licensee plus to pay a portion of the principal loan balance at any time, to prepay interest free of charge, and to redeem a pawn loan at any time beginning 72 hours after the pledge was made. The bill prohibits prepayment to standard licensees, except when the pledgor redeems the pledged property. This prohibition is the same as current law.

Military deployment exception

(R.C. 4727.062)

The bill requires a licensee plus to waive any unpaid interest charges under certain circumstances if a pledgor or a pledgor's immediate family member was or is to be deployed pursuant to military service after the pawn transaction began. Except in the case of misappropriated property, the bill requires a licensee plus to waive interest and hold pawned property until 60 days after the pledgor, or the pledgor's spouse or dependent, returns to the U.S. if the licensee plus receives documentation that (1) the pledgor, or the pledgor's spouse or dependent, is in the military and, (2) after the pawn transaction began, the pledgor, spouse, or dependent was or is to be deployed relating to a military conflict.

Records requirements

(R.C. 4727.07, 4727.08, and 4727.09)

Continuing law requires licensees to keep and use separate pawn forms and purchase forms approved by the Superintendent. The bill adds new information that must be provided on the forms. In addition to the information required under continuing law a standard licensee or licensee plus must include the licensee's name and the employee identification number of any other employee involved in the transaction.

The bill permits a standard licensee or licensee plus to have and maintain separate forms for all of the following:

- New loans;
- Loan redemptions;
- Loan extensions;
- Partial payments on loans;



- Forfeited loans;
- Merchandise purchase receipts;
- Merchandise sales receipts;
- Lost ticket affidavits;
- Requested police copies not picked up by appropriate law enforcement;
- Other circumstances the licensee encounters.

The bill allows a licensee to maintain the statements and all forms in numerical order by transaction number in separate files. Current law requires the statements and forms to be maintained in active and inactive files.

Daily report

(R.C. 4505.102, 4727.09, and 4727.11)

Continuing law requires a pawnbroker to furnish certain information to the chief of police of the municipal corporation or township in which the pawnbroker's place of business is located, or to the sheriff of the county in which the place of business is located if the place of business is not within a municipal corporation or township with a chief of police. The bill requires that the report additionally include the name of the licensee, and the employee identification number of any employee involved in the transaction.

Additionally, the bill consolidates oversight of this daily report with respect to licensees plus. The bill requires the Superintendent to approve a secure law enforcement database reporting system for licensees plus to transmit the required information. The bill specifies that the completed form may be submitted electronically or by digital media format (current law and the bill's provisions for standard licensees require a magnetic media format) and that a licensee plus, pledgor, or seller cannot be charged a fee for complying with these records requirements. If a licensee plus submits the required law enforcement information electronically, the bill permits the licensee plus to send a pending forfeiture notice to a pledgor who fails to pay interest on a pawn loan after one month from the date of the loan or the date on which the last interest payment was due instead of two months as required under current law and the bill's provisions for standard licensees.

The bill further specifies that, except for the description of all property pledged or sold by the licensee and the number of the corresponding pawn or purchase form contained in the daily report, all information furnished to law enforcement by a



standard licensee or licensee plus is confidential and is not a public record under Ohio's Public Records Law.

Duties of the Superintendent of Financial Institutions

(R.C. 4727.09(C) and 4727.13)

The bill requires the Superintendent to approve a secure law enforcement database reporting system for use by licensees plus to make the required daily records available to law enforcement officers. All information submitted to the database must be purged two years from the date of the transaction. The Superintendent may adopt rules that allow for remote examination of electronic data held by a licensee plus and rules describing the data to be used in the secure law enforcement database reporting system. The bill also requires the Superintendent to adopt rules implementing the issuing of new licensees plus and the transition of pawnbrokers holding standard licenses on the bill's effective date.

Information furnished to the Superintendent in accordance with rules the Superintendent adopts is confidential and is not a public record, except that the Superintendent may prepare a report containing aggregate numbers from all licensees, and, if prepared, the report is a public record.

Employment of certain felons

(R.C. 4727.02)

The bill prohibits a pawnbroker from employing an individual to write a pawn transaction, buy or sell merchandise, or supervise another employee who writes pawn transactions or buys or sells merchandise, that has been convicted of a felony involving dishonesty or breach of trust.

Biennial report

(R.C. 4713.13(G))

The bill allows the Superintendent to adopt rules that require a standard licensee or licensee plus to file a biennial report, which discloses all relevant pawn transaction activity occurring during the previous two calendar years, with the Superintendent before the first day of March of the filing year. All information submitted in the report is confidential and not a public record except that the Superintendent is allowed to furnish a report containing aggregate numbers from all licenses. The aggregate report is a public record.



If the Superintendent requires such a biennial report, the report must include all of the following:

- The number of pawn transactions made by the licensee during the previous calendar year and the aggregate amount financed on the pawn transactions;
- The number of pledged property items redeemed during the previous calendar year and the amount financed on the redeemed property;
- The number of items surrendered to law enforcement;
- The total dollar amount of pawn loans surrendered to law enforcement;
- The number of pawn loans that were not redeemed;
- The total dollar amount of pawn loans that were not redeemed;
- The total number of full-time equivalent employees at the pawnshop as of the last day of December of the preceding year.

Holding pawned or purchased items

(R.C. 4727.12)

The bill establishes separate requirements pursuant to which a standard licensee and a licensee plus must retain any goods purchased by the licensee. Under the bill, a licensee plus must retain any purchased goods or articles for 20 days after the purchase is made. A standard licensee must retain purchased goods for 15 days.

Reclaiming stolen property

The bill modifies the procedures for returning stolen property that has been purchased or pawned and sets different requirements for standard licensees and licensees plus.

Law enforcement hold order

(R.C. 4727.12)

The bill sets new procedures for returning stolen property that has been purchased or pawned and is being held by a licensee plus. Under the bill, if a law enforcement officer has reasonable suspicion to believe that property in the possession of a licensee plus has been misappropriated, the officer can issue a police hold order directing the licensee plus not to release or dispose of the property. The police hold



order must contain (1) the name of the licensee plus, (2) a complete description of the property being held, including any model or serial number, (3) the expiration date of the order, (4) the name, title, and identification number of the law enforcement officer issuing the order and the name and address of the law enforcement agency for which the officer is acting, and (5) the number, if any, assigned to the case by the law enforcement agency.

The police hold order takes effect when the licensee plus, or the licensee plus' designee, receives a copy of the hold order signed by the licensee plus or designee, or when the licensee plus or designee refuses to sign the hold order. The initial order terminates after 60 days; however, a law enforcement officer may extend the order for one additional successive 60-day period by giving written notification to the licensee plus before the end of the initial period. After the additional 60-day period, the bill prohibits a law enforcement officer from issuing a new police hold order for the same property. A police hold order is no longer effective when the order terminates or earlier with written release by the law enforcement officer, or when a court orders the release or disposal of the property.

Evidentiary hold order

(R.C. 4713.12)

When property in the possession of a licensee plus is needed as evidence in a pending criminal action, the bill permits a law enforcement agency to issue an evidentiary hold order that prohibits a licensee plus from release or disposing of the property. A licensee plus who receives an evidentiary hold order is required to hold the property until the court notifies the licensee in writing of the disposition of the criminal action. The bill requires the court to notify the licensee plus within 15 days of the disposition of the action.

The evidentiary hold order must contain (1) the name of the licensee plus, a complete description of the property being held, including any model and serial number, (2) the expiration date of the hold order, (3) the name and address of the law enforcement agency issuing the hold order, and (4) the number and caption of the court action. The hold order is no longer effective after it terminates or a court orders the release or disposal of the property.

Recovery by claimant

(R.C. 4727.23 and 4727.24)

Under the bill, a claimant seeking the restoration of the claimant's misappropriated property must notify the licensee plus of the claim in writing



including a complete and accurate description of the property and proof that the claimant owns the property. If the property was stolen, the claimant must also include a legible copy of a law enforcement agency report indicating that the property was misappropriated. The bill prohibits the licensee plus from disposing of the property for 30 days after receipt of the notice.

If the claimant and the licensee plus do not resolve the claim within ten days after the licensee plus receives written notice of the claim, the claimant can bring a legal action to require the licensee plus to return the property to the claimant. After the claimant notifies the licensee plus of the legal action, the licensee plus is prohibited from disposing of the property until the court disposes of the action, disposes of the property, or allows the licensee plus to dispose of the property.

In lieu of a legal action, the bill permits a claimant to pay the licensee plus the amount of money financed or paid by the licensee plus for the property. The licensee plus is then required to return the property to the claimant.

Leased property

(R.C. 4727.25)

If a person pledges or sells an item to a licensee plus that has been leased, and the property did not have any mark identifying it as a lessor's item, the licensee plus is required to return the item to the lessor if the lessor does both of the following:

- Provides the licensee plus with evidence that the item is the lessor's property and was leased to the pledgor or seller at the time the property was pledged or sold to the licensee plus;
- Pays the licensee plus one of the following:
 - The amount financed and the finance fee for the pawn transaction if the property was pledged to the licensee plus;
 - The amount the licensee plus paid the seller if the property was sold to the licensee plus.

The licensee plus is not liable to the pledgor or seller of an item that a lessor recovers for returning the property to the lessor.

Pledgor or seller liability

(R.C. 4727.26)

The bill specifies that a pledgor or seller of property is liable to a licensee plus for the full amount that the pledgor or seller received from the licensee plus, all charges owed by the pledgor for the licensee plus transaction, and attorney's fees and other costs as allowed by the Rules of Civil Procedure if all of the following conditions are met:

- The claimant files a police report and fully cooperates with the prosecution of an action against the pledgor or seller.
- The claimant brings a legal action against the licensee plus and both of the following apply:
 - The court determines that the pledgor or seller misappropriated the property from the claimant.
 - The court orders the licensee plus to return the property to the claimant.

Standard licensees

(R.C. 4727.12(B))

Under current law and the bill's provisions for standard licensees, if the chief of police or sheriff has probable cause to believe that a pawned or purchased article is stolen property, the chief or sheriff must notify the standard licensee in writing. The standard licensee must retain the article until the expiration of 30 days after the day on which the standard licensee is first required to provide information about the article in the daily report to law enforcement. If the chief or sheriff determines the true identity of the owner, the standard licensee may restore the property to the true owner and charge the person who pledged or sold the property the amount the standard licensee paid or loaned for the property, plus interest and storage charges. The true owner may recover the property in an action at law if the standard licensee fails to return the stolen property.

Continuing education

(R.C. 4727.19)

Current law requires pawnbrokers to meet certain continuing education requirements. The bill modifies these requirements and establishes different



requirements for standard licensees and licensees plus. Under the bill, licensees plus have a higher standard to meet and must complete 14 hours of continuing education instruction biennially. Standard licensees must complete 12 hours biennially, the same as the current law requirements.

Real estate licenses

Real Estate Education and Research Fund

(R.C. 4735.06)

The bill increases, from \$10,000 per year to \$25,000 per fiscal year, the overall limit of the amount of loans the Real Estate Education and Research Fund is permitted to lend to applicants for salesperson licenses. Under continuing law, these individual loans, not exceeding \$2,000, may be used by applicants to complete education requirements for licensure.

Real estate broker and salesperson licenses – military

(R.C. 4735.13 and 4735.141)

The bill changes the time period within which a licensed real estate broker or salesperson who is a member of the armed forces must complete existing continuing education requirements. Specifically, the bill permits a broker or salesperson whose license is on deposit as an armed serviceperson to take up to the longer of 12 months after the broker's or salesperson's first birthday after discharge (continuing law) or the amount of time equal to the total number of months the licensee spent on active duty (added by the bill). The bill states that this extension must not exceed the total number of months that the licensee served in active duty. The broker or salesperson must submit proper documentation of active duty service and the length of that service to the Superintendent of the Division of Real Estate and Professional Licensing.

Similarly, the bill permits a licensee, who is the spouse of a member of the armed forces whose service results in the licensee's absence from Ohio (or in the case of a licensee who holds a license through a reciprocity agreement, the spouse's service results in the licensee's absence from the licensee's state of residence), to take up to the same amount of time as described in the paragraph above to complete continuing education requirements. The bill requires the licensee to submit proper documentation of the spouse's active duty service and the length of that service. The bill also extends the time period within which such a licensee must renew the license to the renewal date that follows the date of the spouse's discharge from the armed forces.



The bill specifies that "armed forces" means the U.S. armed forces, a reserve component of the U.S. armed forces, the Ohio National Guard, and the national guard of any other state.

Real estate appraiser assistants – continuing education

(R.C. 4763.01 and 4763.07)

The bill requires, in accordance with federal law, that each state-registered real estate appraiser assistant annually complete, and submit proof of successfully completing, a minimum of 14 classroom hours of continuing education instruction in courses or seminars approved by the Real Estate Appraiser Board. Current law exempts an appraiser assistant from these requirements for the first two years of being classified as an appraiser assistant. The bill removes this grace period.

Continuing law requires the completion of 14 hours of continuing education instruction for state-certified general real estate appraisers, state-certified residential real estate appraisers, and state-licensed residential real estate appraisers. The bill exempts appraisers with a certification or license from another state that is temporarily recognized in Ohio.

The bill removes "appraisal consulting" and "appraisal consulting service" from the Real Estate Appraiser Law, as these terms appear to no longer be used in the industry.

