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132nd General Assembly
Regular Session
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Sub. H. B. No. 312

A BILL

To amend sections 117.09, 117.103, 117.38, 149.43, 1
505.64, 511.234, 940.11, 940.12, 1545.072, 2
1711.131, 2913.21, 3313.291, and 3375.392 and to 3
enact sections 9.21, 9.22, 717.31, 3313.311, 4
3314.52, 3326.52, 3328.52, and 6119.60 of the 5
Revised Code to regulate the use of credit cards 6
and debit cards by political subdivisions, to 7
modify the duties and powers of the Auditor of 8
State, and to specify that electronic submission 9
of a public record request entitles the 10
requestor to damages if the public office fails 11
to comply with the Public Records Act. 12

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

Section 1. That sections 117.09, 117.103, 117.38, 149.43, 13
505.64, 511.234, 940.11, 940.12, 1545.072, 1711.131, 2913.21, 14
3313.291, and 3375.392 be amended and sections 9.21, 9.22, 15
717.31, 3313.311, 3314.52, 3326.52, 3328.52, and 6119.60 of the 16
Revised Code be enacted to read as follows: 17

Sec. 9.21. (A) Not later than three months after the 18
effective date of this section, the legislative authority of a 19



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political subdivision that holds a credit card account on the 20
effective date of this section shall adopt a written policy for 21
the use of credit card accounts. Otherwise, a legislative 22
authority shall adopt a written policy before first holding a 23
credit card account. 24

The policy shall include provisions addressing all of the 25
following: 26

(1) The officers or positions authorized to use a credit 27
card account; 28

(2) The types of expenses for which a credit card account 29
may be used; 30

(3) The procedure for acquisition, use, and management of 31
a credit card account and presentation instruments related to 32
the account including cards and checks; 33

(4) The procedure for submitting itemized receipts to the 34
fiscal officer or the fiscal officer's designee; 35

(5) The procedure for credit card issuance, credit card 36
reissuance, credit card cancellation, and the process for 37
reporting lost or stolen credit cards; 38

(6) The political subdivision's credit card account's 39
maximum credit limit or limits; 40

(7) The actions or omissions by an officer or employee 41
that qualify as misuse of a credit card account. 42

(B) The name of the political subdivision shall appear on 43
each presentation instrument related to the account including 44
cards and checks. 45

(C) If the political subdivision's fiscal officer does not 46

retain general possession and control of the credit card account 47
and presentation instruments related to the account including 48
cards and checks, the legislative authority shall appoint a 49
compliance officer to perform the duties enumerated under 50
division (D) of this section. The compliance officer may not use 51
a credit card account and may not authorize an officer or 52
employee to use a credit card account. The fiscal officer is not 53
eligible for appointment as compliance officer. 54

(D) The compliance officer, if applicable, and the 55
legislative authority at least quarterly shall review the number 56
of cards and accounts issued, the number of active cards and 57
accounts issued, the cards' and accounts' expiration dates, and 58
the cards' and accounts' credit limits. 59

(E) If the fiscal officer retains general possession and 60
control of the credit card account and presentation instruments 61
related to the account including cards and checks, and the 62
legislative authority authorizes an officer or employee to use a 63
credit card account, the fiscal officer may use a system to sign 64
out credit cards to the authorized users. The officer or 65
employee is liable in person and upon any official bond the 66
officer or employee has given to the political subdivision to 67
reimburse the treasury the amount for which the officer or 68
employee does not provide itemized receipts in accordance with 69
the policy described in division (A) of this section. 70

(F) The use of a credit card account for expenses beyond 71
those authorized by the legislative authority constitutes misuse 72
of a credit card account. An officer or employee of the 73
political subdivision or a public servant as defined under 74
section 2921.01 of the Revised Code who knowingly misuses a 75
credit card account held by the legislative authority violates 76

section 2913.21 of the Revised Code. 77

(G) The fiscal officer or the fiscal officer's designee 78
annually shall file a report with the legislative authority 79
detailing all rewards received based on the use of the political 80
subdivision's credit card account. 81

(H) As used in this section: 82

"Credit card account" means any bank-issued credit card 83
account, store-issued credit card account, financial 84
institution-issued credit card account, financial depository- 85
issued credit card account, affinity credit card account, or any 86
other card account allowing the holder to purchase goods or 87
services on credit or to transact with the account, and any 88
debit or gift card account related to the receipt of grant 89
moneys. "Credit card account" does not include a procurement 90
card account, gasoline or telephone credit card account, or any 91
other card account where merchant category codes are in place as 92
a system of control for use of the card account. 93

"Political subdivision" means any body corporate and 94
politic that is responsible for government activities in a 95
geographic area smaller than that of the state. "Political 96
subdivision" does not include a county. 97

Sec. 9.22. As used in this section, "political 98
subdivision" means a county, township, municipal corporation, or 99
any other body corporate and politic that is responsible for 100
government activities in a geographic area smaller than that of 101
the state. 102

No political subdivision may hold or utilize a debit card 103
account, except for law enforcement purposes. Possession or use 104
of a debit card account by a political subdivision except for 105

law enforcement purposes is a violation of section 2913.21 of 106
the Revised Code. 107

This section does not apply to debit card accounts related 108
to the receipt of grant moneys. 109

Sec. 117.09. By virtue of ~~his~~ the office, the auditor of 110
state shall be the chief inspector and supervisor of public 111
offices and may appoint not more than ~~three~~ six deputy 112
inspectors and supervisors and a clerk. Not more than ~~two~~ three 113
deputy inspectors and supervisors shall belong to the same 114
political party. 115

The auditor of state shall appoint such state examiners as 116
are necessary, who shall be known as assistant auditors of 117
state, and such additional employees as ~~he~~ the auditor of state 118
requires. No person shall be appointed an assistant auditor of 119
state unless ~~he~~ the person holds a baccalaureate degree from an 120
accredited college or university, or has successfully completed 121
at least sixteen semester hours or the equivalent in accounting 122
or a related field from an accredited college or university or 123
an accredited trade, technical, or vocational school beyond the 124
high school level, or possesses at least three years' experience 125
in accounting or a related field. 126

Any employee called upon to testify in any legal 127
proceedings in regard to any official matter is entitled to 128
compensation and expenses provided in this section. Each 129
employee shall be reimbursed for travel, including meals, 130
hotels, and other actual and necessary expenses when traveling 131
on official business, under order of the auditor of state, away 132
from ~~his~~ the employee's headquarters or ~~the~~ place of ~~his~~ 133
principal assignment, in the manner and at the same rates as are 134
provided by the rules of the director of budget and management 135

governing travel. 136

The auditor of state may employ experts or assistants 137
necessary to disclose the facts concerning any matter and fix 138
their compensation. 139

Sec. 117.103. (A) (1) The auditor of state shall establish 140
and maintain a system for the reporting of fraud, including 141
misuse and misappropriation of public money, by any public 142
office or public official. The system shall allow Ohio residents 143
and the employees of any public office to make anonymous 144
complaints through a toll-free telephone number, the auditor of 145
state's web site, or the United States mail to the auditor of 146
state's office. The auditor of state shall review all complaints 147
in a timely manner. 148

~~The (2) (a) Subject to division (A) (2) (b) of this section,~~ 149
the auditor of state shall keep a log of all complaints filed 150
under this section, which is a public record under section 151
149.43 of the Revised Code. The log shall include the date the 152
complaint was received, a general description of the nature of 153
the complaint, the name of the public office or agency with 154
regard to which the complaint is directed, and a general 155
description of the status of the review by the auditor of state. 156
If section 149.43 of the Revised Code or another statute 157
provides for an applicable exemption from the definition of 158
public record for the information recorded on the log, that 159
information may be redacted. 160

(b) The auditor shall not log a complaint regarding an 161
ongoing criminal investigation, but shall log the complaint not 162
later than thirty days after the investigation is complete. 163

(B) (1) A public office shall provide information about the 164

Ohio fraud-reporting system and the means of reporting fraud to 165
each new employee upon employment with the public office. Each 166
new employee shall confirm receipt of this information within 167
thirty days after beginning employment. The auditor of state 168
shall provide a model form on the auditor of state's web site to 169
be printed and used by new public employees to sign and verify 170
their receipt of information as required by this section. The 171
auditor of state shall confirm, when conducting an audit under 172
section 117.11 of the Revised Code, that new employees have been 173
provided information as required by this division. 174

(2) ~~On the effective date of this section~~ May 4, 2012, 175
each public office shall make all its employees aware of the 176
fraud-reporting system required by this section. 177

(3) Divisions (B) (1) and (2) of this section are satisfied 178
if a public office provides information about the fraud- 179
reporting system and the means of reporting fraud in the 180
employee handbook or manual for the public office. An employee 181
shall sign and verify the employee's receipt of such a handbook 182
or manual. 183

Sec. 117.38. (A) Each public office, other than a state 184
agency, shall file a financial report for each fiscal year. The 185
auditor of state may prescribe forms by rule or may issue 186
guidelines, or both, for such reports. If the auditor of state 187
has not prescribed a rule regarding the form for the report, the 188
public office shall submit its report on the form utilized by 189
the public office. 190

(B) The report shall be certified by the proper officer or 191
board and filed with the auditor of state within sixty days 192
after the close of the fiscal year, except that public offices 193
reporting pursuant to generally accepted accounting principles 194

shall file their reports within one hundred fifty days after the 195
close of the fiscal year. The auditor of state may extend the 196
deadline for filing a financial report and establish terms and 197
conditions for any such extension. At the time the report is 198
filed with the auditor of state, the chief fiscal officer, 199
except as otherwise provided in section 319.11 of the Revised 200
Code, shall publish notice in a newspaper published in the 201
political subdivision or taxing district, and if there is no 202
such newspaper, then in a newspaper of general circulation in 203
the political subdivision or taxing district. The notice shall 204
state that the financial report has been completed by the public 205
office and is available for public inspection at the office of 206
the chief fiscal officer. 207

(C) The report shall contain the following: 208

~~(A)~~ (1) Amount of collections and receipts, and accounts 209
due from each source; 210

~~(B)~~ (2) Amount of expenditures for each purpose; 211

~~(C)~~ (3) Income of each public service industry owned or 212
operated by a municipal corporation, and the cost of such 213
ownership or operation; 214

~~(D)~~ (4) Amount of public debt of each taxing district, the 215
purpose for which each item of such debt was created, and the 216
provision made for the payment thereof. ~~The substance of the~~ 217
~~report shall be published at the expense of the state in an~~ 218
~~annual volume of statistics, which shall be submitted to the~~ 219
~~governor. The auditor of state shall transmit the report to the~~ 220
~~general assembly at its next session.~~ 221

(D) Any public office, other than a state agency, that 222
does not file its financial report at the time required by this 223

section shall pay to the auditor of state twenty-five dollars 224
for each day the report remains unfiled after the filing date; 225
provided, that the penalty payments shall not exceed the sum of 226
seven hundred fifty dollars. The auditor of state may waive all 227
or any part of the penalty assessed under this section upon the 228
filing of the past due financial report. All sums collected from 229
such penalties shall be placed in the public audit expense 230
fund--local government. If the auditor of state fails to receive 231
payment for penalties not paid within one year from the required 232
filing date, the auditor may recover the penalties through the 233
process in division (D) of section 117.13 of the Revised Code. 234

(E) Every county agency, board, or commission shall 235
provide to the county auditor, not later than the first day of 236
March each year unless a later date is authorized by the county 237
auditor, all information determined by the county auditor to be 238
necessary for the preparation of the report required by this 239
section. 240

(F) The auditor of state shall publish the substance of 241
the report submitted under this section in an electronic format 242
that is available to the public. 243

Sec. 149.43. (A) As used in this section: 244

(1) "Public record" means records kept by any public 245
office, including, but not limited to, state, county, city, 246
village, township, and school district units, and records 247
pertaining to the delivery of educational services by an 248
alternative school in this state kept by the nonprofit or for- 249
profit entity operating the alternative school pursuant to 250
section 3313.533 of the Revised Code. "Public record" does not 251
mean any of the following: 252

(a) Medical records;	253
(b) Records pertaining to probation and parole proceedings	254
or to proceedings related to the imposition of community control	255
sanctions and post-release control sanctions;	256
(c) Records pertaining to actions under section 2151.85	257
and division (C) of section 2919.121 of the Revised Code and to	258
appeals of actions arising under those sections;	259
(d) Records pertaining to adoption proceedings, including	260
the contents of an adoption file maintained by the department of	261
health under sections 3705.12 to 3705.124 of the Revised Code;	262
(e) Information in a record contained in the putative	263
father registry established by section 3107.062 of the Revised	264
Code, regardless of whether the information is held by the	265
department of job and family services or, pursuant to section	266
3111.69 of the Revised Code, the office of child support in the	267
department or a child support enforcement agency;	268
(f) Records specified in division (A) of section 3107.52	269
of the Revised Code;	270
(g) Trial preparation records;	271
(h) Confidential law enforcement investigatory records;	272
(i) Records containing information that is confidential	273
under section 2710.03 or 4112.05 of the Revised Code;	274
(j) DNA records stored in the DNA database pursuant to	275
section 109.573 of the Revised Code;	276
(k) Inmate records released by the department of	277
rehabilitation and correction to the department of youth	278
services or a court of record pursuant to division (E) of	279

section 5120.21 of the Revised Code;	280
(l) Records maintained by the department of youth services	281
pertaining to children in its custody released by the department	282
of youth services to the department of rehabilitation and	283
correction pursuant to section 5139.05 of the Revised Code;	284
(m) Intellectual property records;	285
(n) Donor profile records;	286
(o) Records maintained by the department of job and family	287
services pursuant to section 3121.894 of the Revised Code;	288
(p) Peace officer, parole officer, probation officer,	289
bailiff, prosecuting attorney, assistant prosecuting attorney,	290
correctional employee, community-based correctional facility	291
employee, youth services employee, firefighter, EMT,	292
investigator of the bureau of criminal identification and	293
investigation, or federal law enforcement officer residential	294
and familial information;	295
(q) In the case of a county hospital operated pursuant to	296
Chapter 339. of the Revised Code or a municipal hospital	297
operated pursuant to Chapter 749. of the Revised Code,	298
information that constitutes a trade secret, as defined in	299
section 1333.61 of the Revised Code;	300
(r) Information pertaining to the recreational activities	301
of a person under the age of eighteen;	302
(s) In the case of a child fatality review board acting	303
under sections 307.621 to 307.629 of the Revised Code or a	304
review conducted pursuant to guidelines established by the	305
director of health under section 3701.70 of the Revised Code,	306
records provided to the board or director, statements made by	307

board members during meetings of the board or by persons 308
participating in the director's review, and all work products of 309
the board or director, and in the case of a child fatality 310
review board, child fatality review data submitted by the board 311
to the department of health or a national child death review 312
database, other than the report prepared pursuant to division 313
(A) of section 307.626 of the Revised Code; 314

(t) Records provided to and statements made by the 315
executive director of a public children services agency or a 316
prosecuting attorney acting pursuant to section 5153.171 of the 317
Revised Code other than the information released under that 318
section; 319

(u) Test materials, examinations, or evaluation tools used 320
in an examination for licensure as a nursing home administrator 321
that the board of executives of long-term services and supports 322
administers under section 4751.04 of the Revised Code or 323
contracts under that section with a private or government entity 324
to administer; 325

(v) Records the release of which is prohibited by state or 326
federal law; 327

(w) Proprietary information of or relating to any person 328
that is submitted to or compiled by the Ohio venture capital 329
authority created under section 150.01 of the Revised Code; 330

(x) Financial statements and data any person submits for 331
any purpose to the Ohio housing finance agency or the 332
controlling board in connection with applying for, receiving, or 333
accounting for financial assistance from the agency, and 334
information that identifies any individual who benefits directly 335
or indirectly from financial assistance from the agency; 336

(y) Records listed in section 5101.29 of the Revised Code;	337
(z) Discharges recorded with a county recorder under	338
section 317.24 of the Revised Code, as specified in division (B)	339
(2) of that section;	340
(aa) Usage information including names and addresses of	341
specific residential and commercial customers of a municipally	342
owned or operated public utility;	343
(bb) Records described in division (C) of section 187.04	344
of the Revised Code that are not designated to be made available	345
to the public as provided in that division;	346
(cc) Information and records that are made confidential,	347
privileged, and not subject to disclosure under divisions (B)	348
and (C) of section 2949.221 of the Revised Code;	349
(dd) Personal information, as defined in section 149.45 of	350
the Revised Code;	351
(ee) The confidential name, address, and other personally	352
identifiable information of a program participant in the address	353
confidentiality program established under sections 111.41 to	354
111.47 of the Revised Code, including the contents of any	355
application for absent voter's ballots, absent voter's ballot	356
identification envelope statement of voter, or provisional	357
ballot affirmation completed by a program participant who has a	358
confidential voter registration record, and records or portions	359
of records pertaining to that program that identify the number	360
of program participants that reside within a precinct, ward,	361
township, municipal corporation, county, or any other geographic	362
area smaller than the state. As used in this division,	363
"confidential address" and "program participant" have the	364
meaning defined in section 111.41 of the Revised Code.	365

(ff) Orders for active military service of an individual 366
serving or with previous service in the armed forces of the 367
United States, including a reserve component, or the Ohio 368
organized militia, except that, such order becomes a public 369
record on the day that is fifteen years after the published date 370
or effective date of the call to order. 371

(2) "Confidential law enforcement investigatory record" 372
means any record that pertains to a law enforcement matter of a 373
criminal, quasi-criminal, civil, or administrative nature, but 374
only to the extent that the release of the record would create a 375
high probability of disclosure of any of the following: 376

(a) The identity of a suspect who has not been charged 377
with the offense to which the record pertains, or of an 378
information source or witness to whom confidentiality has been 379
reasonably promised; 380

(b) Information provided by an information source or 381
witness to whom confidentiality has been reasonably promised, 382
which information would reasonably tend to disclose the source's 383
or witness's identity; 384

(c) Specific confidential investigatory techniques or 385
procedures or specific investigatory work product; 386

(d) Information that would endanger the life or physical 387
safety of law enforcement personnel, a crime victim, a witness, 388
or a confidential information source. 389

(3) "Medical record" means any document or combination of 390
documents, except births, deaths, and the fact of admission to 391
or discharge from a hospital, that pertains to the medical 392
history, diagnosis, prognosis, or medical condition of a patient 393
and that is generated and maintained in the process of medical 394

treatment. 395

(4) "Trial preparation record" means any record that 396
contains information that is specifically compiled in reasonable 397
anticipation of, or in defense of, a civil or criminal action or 398
proceeding, including the independent thought processes and 399
personal trial preparation of an attorney. 400

(5) "Intellectual property record" means a record, other 401
than a financial or administrative record, that is produced or 402
collected by or for faculty or staff of a state institution of 403
higher learning in the conduct of or as a result of study or 404
research on an educational, commercial, scientific, artistic, 405
technical, or scholarly issue, regardless of whether the study 406
or research was sponsored by the institution alone or in 407
conjunction with a governmental body or private concern, and 408
that has not been publicly released, published, or patented. 409

(6) "Donor profile record" means all records about donors 410
or potential donors to a public institution of higher education 411
except the names and reported addresses of the actual donors and 412
the date, amount, and conditions of the actual donation. 413

(7) "Peace officer, parole officer, probation officer, 414
bailiff, prosecuting attorney, assistant prosecuting attorney, 415
correctional employee, community-based correctional facility 416
employee, youth services employee, firefighter, EMT, 417
investigator of the bureau of criminal identification and 418
investigation, or federal law enforcement officer residential 419
and familial information" means any information that discloses 420
any of the following about a peace officer, parole officer, 421
probation officer, bailiff, prosecuting attorney, assistant 422
prosecuting attorney, correctional employee, community-based 423
correctional facility employee, youth services employee, 424

firefighter, EMT, investigator of the bureau of criminal 425
identification and investigation, or federal law enforcement 426
officer: 427

(a) The address of the actual personal residence of a 428
peace officer, parole officer, probation officer, bailiff, 429
assistant prosecuting attorney, correctional employee, 430
community-based correctional facility employee, youth services 431
employee, firefighter, EMT, an investigator of the bureau of 432
criminal identification and investigation, or federal law 433
enforcement officer, except for the state or political 434
subdivision in which the peace officer, parole officer, 435
probation officer, bailiff, assistant prosecuting attorney, 436
correctional employee, community-based correctional facility 437
employee, youth services employee, firefighter, EMT, 438
investigator of the bureau of criminal identification and 439
investigation, or federal law enforcement officer resides; 440

(b) Information compiled from referral to or participation 441
in an employee assistance program; 442

(c) The social security number, the residential telephone 443
number, any bank account, debit card, charge card, or credit 444
card number, or the emergency telephone number of, or any 445
medical information pertaining to, a peace officer, parole 446
officer, probation officer, bailiff, prosecuting attorney, 447
assistant prosecuting attorney, correctional employee, 448
community-based correctional facility employee, youth services 449
employee, firefighter, EMT, investigator of the bureau of 450
criminal identification and investigation, or federal law 451
enforcement officer; 452

(d) The name of any beneficiary of employment benefits, 453
including, but not limited to, life insurance benefits, provided 454

to a peace officer, parole officer, probation officer, bailiff, 455
prosecuting attorney, assistant prosecuting attorney, 456
correctional employee, community-based correctional facility 457
employee, youth services employee, firefighter, EMT, 458
investigator of the bureau of criminal identification and 459
investigation, or federal law enforcement officer by the peace 460
officer's, parole officer's, probation officer's, bailiff's, 461
prosecuting attorney's, assistant prosecuting attorney's, 462
correctional employee's, community-based correctional facility 463
employee's, youth services employee's, firefighter's, EMT's, 464
investigator of the bureau of criminal identification and 465
investigation's, or federal law enforcement officer's employer; 466

(e) The identity and amount of any charitable or 467
employment benefit deduction made by the peace officer's, parole 468
officer's, probation officer's, bailiff's, prosecuting 469
attorney's, assistant prosecuting attorney's, correctional 470
employee's, community-based correctional facility employee's, 471
youth services employee's, firefighter's, EMT's, investigator of 472
the bureau of criminal identification and investigation's, or 473
federal law enforcement officer's employer from the peace 474
officer's, parole officer's, probation officer's, bailiff's, 475
prosecuting attorney's, assistant prosecuting attorney's, 476
correctional employee's, community-based correctional facility 477
employee's, youth services employee's, firefighter's, EMT's, 478
investigator of the bureau of criminal identification and 479
investigation's, or federal law enforcement officer's 480
compensation unless the amount of the deduction is required by 481
state or federal law; 482

(f) The name, the residential address, the name of the 483
employer, the address of the employer, the social security 484
number, the residential telephone number, any bank account, 485

debit card, charge card, or credit card number, or the emergency 486
telephone number of the spouse, a former spouse, or any child of 487
a peace officer, parole officer, probation officer, bailiff, 488
prosecuting attorney, assistant prosecuting attorney, 489
correctional employee, community-based correctional facility 490
employee, youth services employee, firefighter, EMT, 491
investigator of the bureau of criminal identification and 492
investigation, or federal law enforcement officer; 493

(g) A photograph of a peace officer who holds a position 494
or has an assignment that may include undercover or plain 495
clothes positions or assignments as determined by the peace 496
officer's appointing authority. 497

As used in divisions (A) (7) and (B) (9) of this section, 498
"peace officer" has the same meaning as in section 109.71 of the 499
Revised Code and also includes the superintendent and troopers 500
of the state highway patrol; it does not include the sheriff of 501
a county or a supervisory employee who, in the absence of the 502
sheriff, is authorized to stand in for, exercise the authority 503
of, and perform the duties of the sheriff. 504

As used in divisions (A) (7) and (B) (9) of this section, 505
"correctional employee" means any employee of the department of 506
rehabilitation and correction who in the course of performing 507
the employee's job duties has or has had contact with inmates 508
and persons under supervision. 509

As used in divisions (A) (7) and (B) (9) of this section, 510
"youth services employee" means any employee of the department 511
of youth services who in the course of performing the employee's 512
job duties has or has had contact with children committed to the 513
custody of the department of youth services. 514

As used in divisions (A) (7) and (B) (9) of this section, 515
"firefighter" means any regular, paid or volunteer, member of a 516
lawfully constituted fire department of a municipal corporation, 517
township, fire district, or village. 518

As used in divisions (A) (7) and (B) (9) of this section, 519
"EMT" means EMTs-basic, EMTs-I, and paramedics that provide 520
emergency medical services for a public emergency medical 521
service organization. "Emergency medical service organization," 522
"EMT-basic," "EMT-I," and "paramedic" have the same meanings as 523
in section 4765.01 of the Revised Code. 524

As used in divisions (A) (7) and (B) (9) of this section, 525
"investigator of the bureau of criminal identification and 526
investigation" has the meaning defined in section 2903.11 of the 527
Revised Code. 528

As used in divisions (A) (7) and (B) (9) of this section, 529
"federal law enforcement officer" has the meaning defined in 530
section 9.88 of the Revised Code. 531

(8) "Information pertaining to the recreational activities 532
of a person under the age of eighteen" means information that is 533
kept in the ordinary course of business by a public office, that 534
pertains to the recreational activities of a person under the 535
age of eighteen years, and that discloses any of the following: 536

(a) The address or telephone number of a person under the 537
age of eighteen or the address or telephone number of that 538
person's parent, guardian, custodian, or emergency contact 539
person; 540

(b) The social security number, birth date, or 541
photographic image of a person under the age of eighteen; 542

(c) Any medical record, history, or information pertaining 543

to a person under the age of eighteen; 544

(d) Any additional information sought or required about a 545
person under the age of eighteen for the purpose of allowing 546
that person to participate in any recreational activity 547
conducted or sponsored by a public office or to use or obtain 548
admission privileges to any recreational facility owned or 549
operated by a public office. 550

(9) "Community control sanction" has the same meaning as 551
in section 2929.01 of the Revised Code. 552

(10) "Post-release control sanction" has the same meaning 553
as in section 2967.01 of the Revised Code. 554

(11) "Redaction" means obscuring or deleting any 555
information that is exempt from the duty to permit public 556
inspection or copying from an item that otherwise meets the 557
definition of a "record" in section 149.011 of the Revised Code. 558

(12) "Designee" and "elected official" have the same 559
meanings as in section 109.43 of the Revised Code. 560

(B) (1) Upon request and subject to division (B) (8) of this 561
section, all public records responsive to the request shall be 562
promptly prepared and made available for inspection to any 563
person at all reasonable times during regular business hours. 564
Subject to division (B) (8) of this section, upon request, a 565
public office or person responsible for public records shall 566
make copies of the requested public record available at cost and 567
within a reasonable period of time. If a public record contains 568
information that is exempt from the duty to permit public 569
inspection or to copy the public record, the public office or 570
the person responsible for the public record shall make 571
available all of the information within the public record that 572

is not exempt. When making that public record available for 573
public inspection or copying that public record, the public 574
office or the person responsible for the public record shall 575
notify the requester of any redaction or make the redaction 576
plainly visible. A redaction shall be deemed a denial of a 577
request to inspect or copy the redacted information, except if 578
federal or state law authorizes or requires a public office to 579
make the redaction. 580

(2) To facilitate broader access to public records, a 581
public office or the person responsible for public records shall 582
organize and maintain public records in a manner that they can 583
be made available for inspection or copying in accordance with 584
division (B) of this section. A public office also shall have 585
available a copy of its current records retention schedule at a 586
location readily available to the public. If a requester makes 587
an ambiguous or overly broad request or has difficulty in making 588
a request for copies or inspection of public records under this 589
section such that the public office or the person responsible 590
for the requested public record cannot reasonably identify what 591
public records are being requested, the public office or the 592
person responsible for the requested public record may deny the 593
request but shall provide the requester with an opportunity to 594
revise the request by informing the requester of the manner in 595
which records are maintained by the public office and accessed 596
in the ordinary course of the public office's or person's 597
duties. 598

(3) If a request is ultimately denied, in part or in 599
whole, the public office or the person responsible for the 600
requested public record shall provide the requester with an 601
explanation, including legal authority, setting forth why the 602
request was denied. If the initial request was provided in 603

writing, the explanation also shall be provided to the requester 604
in writing. The explanation shall not preclude the public office 605
or the person responsible for the requested public record from 606
relying upon additional reasons or legal authority in defending 607
an action commenced under division (C) of this section. 608

(4) Unless specifically required or authorized by state or 609
federal law or in accordance with division (B) of this section, 610
no public office or person responsible for public records may 611
limit or condition the availability of public records by 612
requiring disclosure of the requester's identity or the intended 613
use of the requested public record. Any requirement that the 614
requester disclose the requester's identity or the intended use 615
of the requested public record constitutes a denial of the 616
request. 617

(5) A public office or person responsible for public 618
records may ask a requester to make the request in writing, may 619
ask for the requester's identity, and may inquire about the 620
intended use of the information requested, but may do so only 621
after disclosing to the requester that a written request is not 622
mandatory and that the requester may decline to reveal the 623
requester's identity or the intended use and when a written 624
request or disclosure of the identity or intended use would 625
benefit the requester by enhancing the ability of the public 626
office or person responsible for public records to identify, 627
locate, or deliver the public records sought by the requester. 628

(6) If any person chooses to obtain a copy of a public 629
record in accordance with division (B) of this section, the 630
public office or person responsible for the public record may 631
require that person to pay in advance the cost involved in 632
providing the copy of the public record in accordance with the 633

choice made by the person seeking the copy under this division. 634
The public office or the person responsible for the public 635
record shall permit that person to choose to have the public 636
record duplicated upon paper, upon the same medium upon which 637
the public office or person responsible for the public record 638
keeps it, or upon any other medium upon which the public office 639
or person responsible for the public record determines that it 640
reasonably can be duplicated as an integral part of the normal 641
operations of the public office or person responsible for the 642
public record. When the person seeking the copy makes a choice 643
under this division, the public office or person responsible for 644
the public record shall provide a copy of it in accordance with 645
the choice made by the person seeking the copy. Nothing in this 646
section requires a public office or person responsible for the 647
public record to allow the person seeking a copy of the public 648
record to make the copies of the public record. 649

(7) (a) Upon a request made in accordance with division (B) 650
of this section and subject to division (B) (6) of this section, 651
a public office or person responsible for public records shall 652
transmit a copy of a public record to any person by United 653
States mail or by any other means of delivery or transmission 654
within a reasonable period of time after receiving the request 655
for the copy. The public office or person responsible for the 656
public record may require the person making the request to pay 657
in advance the cost of postage if the copy is transmitted by 658
United States mail or the cost of delivery if the copy is 659
transmitted other than by United States mail, and to pay in 660
advance the costs incurred for other supplies used in the 661
mailing, delivery, or transmission. 662

(b) Any public office may adopt a policy and procedures 663
that it will follow in transmitting, within a reasonable period 664

of time after receiving a request, copies of public records by 665
United States mail or by any other means of delivery or 666
transmission pursuant to division (B) (7) of this section. A 667
public office that adopts a policy and procedures under division 668
(B) (7) of this section shall comply with them in performing its 669
duties under that division. 670

(c) In any policy and procedures adopted under division 671
(B) (7) of this section: 672

(i) A public office may limit the number of records 673
requested by a person that the office will physically deliver by 674
United States mail or by another delivery service to ten per 675
month, unless the person certifies to the office in writing that 676
the person does not intend to use or forward the requested 677
records, or the information contained in them, for commercial 678
purposes; 679

(ii) A public office that chooses to provide some or all 680
of its public records on a web site that is fully accessible to 681
and searchable by members of the public at all times, other than 682
during acts of God outside the public office's control or 683
maintenance, and that charges no fee to search, access, 684
download, or otherwise receive records provided on the web site, 685
may limit to ten per month the number of records requested by a 686
person that the office will deliver in a digital format, unless 687
the requested records are not provided on the web site and 688
unless the person certifies to the office in writing that the 689
person does not intend to use or forward the requested records, 690
or the information contained in them, for commercial purposes. 691

(iii) For purposes of division (B) (7) of this section, 692
"commercial" shall be narrowly construed and does not include 693
reporting or gathering news, reporting or gathering information 694

to assist citizen oversight or understanding of the operation or 695
activities of government, or nonprofit educational research. 696

(8) A public office or person responsible for public 697
records is not required to permit a person who is incarcerated 698
pursuant to a criminal conviction or a juvenile adjudication to 699
inspect or to obtain a copy of any public record concerning a 700
criminal investigation or prosecution or concerning what would 701
be a criminal investigation or prosecution if the subject of the 702
investigation or prosecution were an adult, unless the request 703
to inspect or to obtain a copy of the record is for the purpose 704
of acquiring information that is subject to release as a public 705
record under this section and the judge who imposed the sentence 706
or made the adjudication with respect to the person, or the 707
judge's successor in office, finds that the information sought 708
in the public record is necessary to support what appears to be 709
a justiciable claim of the person. 710

(9) (a) Upon written request made and signed by a 711
journalist on or after December 16, 1999, a public office, or 712
person responsible for public records, having custody of the 713
records of the agency employing a specified peace officer, 714
parole officer, probation officer, bailiff, prosecuting 715
attorney, assistant prosecuting attorney, correctional employee, 716
community-based correctional facility employee, youth services 717
employee, firefighter, EMT, investigator of the bureau of 718
criminal identification and investigation, or federal law 719
enforcement officer shall disclose to the journalist the address 720
of the actual personal residence of the peace officer, parole 721
officer, probation officer, bailiff, prosecuting attorney, 722
assistant prosecuting attorney, correctional employee, 723
community-based correctional facility employee, youth services 724
employee, firefighter, EMT, investigator of the bureau of 725

criminal identification and investigation, or federal law 726
enforcement officer and, if the peace officer's, parole 727
officer's, probation officer's, bailiff's, prosecuting 728
attorney's, assistant prosecuting attorney's, correctional 729
employee's, community-based correctional facility employee's, 730
youth services employee's, firefighter's, EMT's, investigator of 731
the bureau of criminal identification and investigation's, or 732
federal law enforcement officer's spouse, former spouse, or 733
child is employed by a public office, the name and address of 734
the employer of the peace officer's, parole officer's, probation 735
officer's, bailiff's, prosecuting attorney's, assistant 736
prosecuting attorney's, correctional employee's, community-based 737
correctional facility employee's, youth services employee's, 738
firefighter's, EMT's, investigator of the bureau of criminal 739
identification and investigation's, or federal law enforcement 740
officer's spouse, former spouse, or child. The request shall 741
include the journalist's name and title and the name and address 742
of the journalist's employer and shall state that disclosure of 743
the information sought would be in the public interest. 744

(b) Division (B) (9) (a) of this section also applies to 745
journalist requests for customer information maintained by a 746
municipally owned or operated public utility, other than social 747
security numbers and any private financial information such as 748
credit reports, payment methods, credit card numbers, and bank 749
account information. 750

(c) As used in division (B) (9) of this section, 751
"journalist" means a person engaged in, connected with, or 752
employed by any news medium, including a newspaper, magazine, 753
press association, news agency, or wire service, a radio or 754
television station, or a similar medium, for the purpose of 755
gathering, processing, transmitting, compiling, editing, or 756

disseminating information for the general public. 757

(C) (1) If a person allegedly is aggrieved by the failure 758
of a public office or the person responsible for public records 759
to promptly prepare a public record and to make it available to 760
the person for inspection in accordance with division (B) of 761
this section or by any other failure of a public office or the 762
person responsible for public records to comply with an 763
obligation in accordance with division (B) of this section, the 764
person allegedly aggrieved may do only one of the following, and 765
not both: 766

(a) File a complaint with the clerk of the court of claims 767
or the clerk of the court of common pleas under section 2743.75 768
of the Revised Code; 769

(b) Commence a mandamus action to obtain a judgment that 770
orders the public office or the person responsible for the 771
public record to comply with division (B) of this section, that 772
awards court costs and reasonable attorney's fees to the person 773
that instituted the mandamus action, and, if applicable, that 774
includes an order fixing statutory damages under division (C) (2) 775
of this section. The mandamus action may be commenced in the 776
court of common pleas of the county in which division (B) of 777
this section allegedly was not complied with, in the supreme 778
court pursuant to its original jurisdiction under Section 2 of 779
Article IV, Ohio Constitution, or in the court of appeals for 780
the appellate district in which division (B) of this section 781
allegedly was not complied with pursuant to its original 782
jurisdiction under Section 3 of Article IV, Ohio Constitution. 783

(2) If a requester transmits a written request by hand 784
delivery, electronic submission, or certified mail to inspect or 785
receive copies of any public record in a manner that fairly 786

describes the public record or class of public records to the 787
public office or person responsible for the requested public 788
records, except as otherwise provided in this section, the 789
requester shall be entitled to recover the amount of statutory 790
damages set forth in this division if a court determines that 791
the public office or the person responsible for public records 792
failed to comply with an obligation in accordance with division 793
(B) of this section. 794

The amount of statutory damages shall be fixed at one 795
hundred dollars for each business day during which the public 796
office or person responsible for the requested public records 797
failed to comply with an obligation in accordance with division 798
(B) of this section, beginning with the day on which the 799
requester files a mandamus action to recover statutory damages, 800
up to a maximum of one thousand dollars. The award of statutory 801
damages shall not be construed as a penalty, but as compensation 802
for injury arising from lost use of the requested information. 803
The existence of this injury shall be conclusively presumed. The 804
award of statutory damages shall be in addition to all other 805
remedies authorized by this section. 806

The court may reduce an award of statutory damages or not 807
award statutory damages if the court determines both of the 808
following: 809

(a) That, based on the ordinary application of statutory 810
law and case law as it existed at the time of the conduct or 811
threatened conduct of the public office or person responsible 812
for the requested public records that allegedly constitutes a 813
failure to comply with an obligation in accordance with division 814
(B) of this section and that was the basis of the mandamus 815
action, a well-informed public office or person responsible for 816

the requested public records reasonably would believe that the 817
conduct or threatened conduct of the public office or person 818
responsible for the requested public records did not constitute 819
a failure to comply with an obligation in accordance with 820
division (B) of this section; 821

(b) That a well-informed public office or person 822
responsible for the requested public records reasonably would 823
believe that the conduct or threatened conduct of the public 824
office or person responsible for the requested public records 825
would serve the public policy that underlies the authority that 826
is asserted as permitting that conduct or threatened conduct. 827

(3) In a mandamus action filed under division (C) (1) of 828
this section, the following apply: 829

(a) (i) If the court orders the public office or the person 830
responsible for the public record to comply with division (B) of 831
this section, the court shall determine and award to the relator 832
all court costs, which shall be construed as remedial and not 833
punitive. 834

(ii) If the court makes a determination described in 835
division (C) (3) (b) (iii) of this section, the court shall 836
determine and award to the relator all court costs, which shall 837
be construed as remedial and not punitive. 838

(b) If the court renders a judgment that orders the public 839
office or the person responsible for the public record to comply 840
with division (B) of this section or if the court determines any 841
of the following, the court may award reasonable attorney's fees 842
to the relator, subject to the provisions of division (C) (4) of 843
this section: 844

(i) The public office or the person responsible for the 845

public records failed to respond affirmatively or negatively to 846
the public records request in accordance with the time allowed 847
under division (B) of this section. 848

(ii) The public office or the person responsible for the 849
public records promised to permit the relator to inspect or 850
receive copies of the public records requested within a 851
specified period of time but failed to fulfill that promise 852
within that specified period of time. 853

(iii) The public office or the person responsible for the 854
public records acted in bad faith when the office or person 855
voluntarily made the public records available to the relator for 856
the first time after the relator commenced the mandamus action, 857
but before the court issued any order concluding whether or not 858
the public office or person was required to comply with division 859
(B) of this section. No discovery may be conducted on the issue 860
of the alleged bad faith of the public office or person 861
responsible for the public records. This division shall not be 862
construed as creating a presumption that the public office or 863
the person responsible for the public records acted in bad faith 864
when the office or person voluntarily made the public records 865
available to the relator for the first time after the relator 866
commenced the mandamus action, but before the court issued any 867
order described in this division. 868

(c) The court shall not award attorney's fees to the 869
relator if the court determines both of the following: 870

(i) That, based on the ordinary application of statutory 871
law and case law as it existed at the time of the conduct or 872
threatened conduct of the public office or person responsible 873
for the requested public records that allegedly constitutes a 874
failure to comply with an obligation in accordance with division 875

(B) of this section and that was the basis of the mandamus 876
action, a well-informed public office or person responsible for 877
the requested public records reasonably would believe that the 878
conduct or threatened conduct of the public office or person 879
responsible for the requested public records did not constitute 880
a failure to comply with an obligation in accordance with 881
division (B) of this section; 882

(ii) That a well-informed public office or person 883
responsible for the requested public records reasonably would 884
believe that the conduct or threatened conduct of the public 885
office or person responsible for the requested public records 886
would serve the public policy that underlies the authority that 887
is asserted as permitting that conduct or threatened conduct. 888

(4) All of the following apply to any award of reasonable 889
attorney's fees awarded under division (C) (3) (b) of this 890
section: 891

(a) The fees shall be construed as remedial and not 892
punitive. 893

(b) The fees awarded shall not exceed the total of the 894
reasonable attorney's fees incurred before the public record was 895
made available to the relator and the fees described in division 896
(C) (4) (c) of this section. 897

(c) Reasonable attorney's fees shall include reasonable 898
fees incurred to produce proof of the reasonableness and amount 899
of the fees and to otherwise litigate entitlement to the fees. 900

(d) The court may reduce the amount of fees awarded if the 901
court determines that, given the factual circumstances involved 902
with the specific public records request, an alternative means 903
should have been pursued to more effectively and efficiently 904

resolve the dispute that was subject to the mandamus action 905
filed under division (C) (1) of this section. 906

(5) If the court does not issue a writ of mandamus under 907
division (C) of this section and the court determines at that 908
time that the bringing of the mandamus action was frivolous 909
conduct as defined in division (A) of section 2323.51 of the 910
Revised Code, the court may award to the public office all court 911
costs, expenses, and reasonable attorney's fees, as determined 912
by the court. 913

(D) Chapter 1347. of the Revised Code does not limit the 914
provisions of this section. 915

(E) (1) To ensure that all employees of public offices are 916
appropriately educated about a public office's obligations under 917
division (B) of this section, all elected officials or their 918
appropriate designees shall attend training approved by the 919
attorney general as provided in section 109.43 of the Revised 920
Code. In addition, all public offices shall adopt a public 921
records policy in compliance with this section for responding to 922
public records requests. In adopting a public records policy 923
under this division, a public office may obtain guidance from 924
the model public records policy developed and provided to the 925
public office by the attorney general under section 109.43 of 926
the Revised Code. Except as otherwise provided in this section, 927
the policy may not limit the number of public records that the 928
public office will make available to a single person, may not 929
limit the number of public records that it will make available 930
during a fixed period of time, and may not establish a fixed 931
period of time before it will respond to a request for 932
inspection or copying of public records, unless that period is 933
less than eight hours. 934

(2) The public office shall distribute the public records 935
policy adopted by the public office under division (E)(1) of 936
this section to the employee of the public office who is the 937
records custodian or records manager or otherwise has custody of 938
the records of that office. The public office shall require that 939
employee to acknowledge receipt of the copy of the public 940
records policy. The public office shall create a poster that 941
describes its public records policy and shall post the poster in 942
a conspicuous place in the public office and in all locations 943
where the public office has branch offices. The public office 944
may post its public records policy on the internet web site of 945
the public office if the public office maintains an internet web 946
site. A public office that has established a manual or handbook 947
of its general policies and procedures for all employees of the 948
public office shall include the public records policy of the 949
public office in the manual or handbook. 950

(F)(1) The bureau of motor vehicles may adopt rules 951
pursuant to Chapter 119. of the Revised Code to reasonably limit 952
the number of bulk commercial special extraction requests made 953
by a person for the same records or for updated records during a 954
calendar year. The rules may include provisions for charges to 955
be made for bulk commercial special extraction requests for the 956
actual cost of the bureau, plus special extraction costs, plus 957
ten per cent. The bureau may charge for expenses for redacting 958
information, the release of which is prohibited by law. 959

(2) As used in division (F)(1) of this section: 960

(a) "Actual cost" means the cost of depleted supplies, 961
records storage media costs, actual mailing and alternative 962
delivery costs, or other transmitting costs, and any direct 963
equipment operating and maintenance costs, including actual 964

costs paid to private contractors for copying services. 965

(b) "Bulk commercial special extraction request" means a 966
request for copies of a record for information in a format other 967
than the format already available, or information that cannot be 968
extracted without examination of all items in a records series, 969
class of records, or database by a person who intends to use or 970
forward the copies for surveys, marketing, solicitation, or 971
resale for commercial purposes. "Bulk commercial special 972
extraction request" does not include a request by a person who 973
gives assurance to the bureau that the person making the request 974
does not intend to use or forward the requested copies for 975
surveys, marketing, solicitation, or resale for commercial 976
purposes. 977

(c) "Commercial" means profit-seeking production, buying, 978
or selling of any good, service, or other product. 979

(d) "Special extraction costs" means the cost of the time 980
spent by the lowest paid employee competent to perform the task, 981
the actual amount paid to outside private contractors employed 982
by the bureau, or the actual cost incurred to create computer 983
programs to make the special extraction. "Special extraction 984
costs" include any charges paid to a public agency for computer 985
or records services. 986

(3) For purposes of divisions (F) (1) and (2) of this 987
section, "surveys, marketing, solicitation, or resale for 988
commercial purposes" shall be narrowly construed and does not 989
include reporting or gathering news, reporting or gathering 990
information to assist citizen oversight or understanding of the 991
operation or activities of government, or nonprofit educational 992
research. 993

(G) A request by a defendant, counsel of a defendant, or any agent of a defendant in a criminal action that public records related to that action be made available under this section shall be considered a demand for discovery pursuant to the Criminal Rules, except to the extent that the Criminal Rules plainly indicate a contrary intent. The defendant, counsel of the defendant, or agent of the defendant making a request under this division shall serve a copy of the request on the prosecuting attorney, director of law, or other chief legal officer responsible for prosecuting the action.

Sec. 505.64. (A) The board of township trustees of any township may authorize an officer, employee, or appointee of the township to use a credit card account held by the board of township trustees ~~to pay for work related expenses. The debt incurred as a result of the use of a credit card pursuant to this section shall be paid from moneys appropriated by the board of township trustees for such expenses~~ in accordance with this section.

~~(B) The officer, employee, or appointee shall be liable in person and upon any official bond the officer, employee, or appointee has given to the township for the unauthorized use of a credit card held by the board of township trustees. The prosecuting attorney of the county shall recover the amount of any unauthorized expenses incurred by the officer, employee, or appointee by civil action in any court of appropriate jurisdiction. This section does not limit any other liability of an officer, employee, or appointee for unauthorized use of a credit card held by the board of township trustees.~~

~~(C) An officer, employee, or appointee who is authorized to use a credit card held by the board of township trustees and~~

~~who suspects the loss, theft, or possibility of unauthorized use~~ 1024
~~of the credit card shall notify the board of township trustees~~ 1025
~~of the suspected loss, theft, or possible unauthorized use~~ 1026
~~immediately in writing. The officer, employee, or appointee may~~ 1027
~~be held liable in person and upon any official bond the officer,~~ 1028
~~employee, or appointee has given to the township for up to fifty~~ 1029
~~dollars in unauthorized debt incurred before the board receives~~ 1030
~~such notification.~~ 1031

~~(D) Misuse of a credit card held by the board of township~~ 1032
~~trustees by an~~ Not later than three months after the effective 1033
date of this amendment, the board of township trustees of any 1034
township that holds a credit card account on the effective date 1035
of this amendment shall adopt a written policy for the use of 1036
credit card accounts. Otherwise, a board shall adopt a written 1037
policy before first holding a credit card account. 1038

The policy shall include provisions addressing all of the 1039
following: 1040

(1) The officers, positions, or appointees authorized to 1041
use a credit card account; 1042

(2) The types of expenses of which a credit card account 1043
may be used; 1044

(3) The procedure for acquisition, use, and management of 1045
a credit card account and presentation instruments related to 1046
the account including cards and checks; 1047

(4) The procedure for submitting itemized receipts to the 1048
fiscal officer or the fiscal officer's designee; 1049

(5) The procedure for credit card issuance, credit card 1050
reissuance, credit card cancellation, and the process for 1051
reporting lost or stolen credit cards; 1052

(6) The township's credit card account's maximum credit 1053
limit or limits; 1054

(7) The actions or omissions by an officer, employee, or 1055
appointee that qualify as misuse of a credit card account. 1056

(B) The name of the township shall appear on each 1057
presentation instrument related to the account including cards 1058
and checks. 1059

(C) If the township fiscal officer does not retain general 1060
possession and control of the credit card account and 1061
presentation instruments related to the account including cards 1062
and checks, the following applies: 1063

(1) In a township that has adopted a limited home rule 1064
government under Chapter 504. of the Revised Code, the board 1065
shall appoint a compliance officer to perform the duties 1066
enumerated under division (D) of this section. The compliance 1067
officer may not use a credit card account and may not authorize 1068
an officer, employee, or appointee to use a credit card account, 1069
except that a board of township trustees serving in the role of 1070
compliance officer may use a credit card account if so 1071
authorized under the policy and may authorize an officer, 1072
employee, or appointee to use a credit card account as provided 1073
in division (A) of this section. The fiscal officer is not 1074
eligible for appointment as compliance officer. 1075

(2) In a township that has not adopted a limited home rule 1076
government under Chapter 504. of the Revised Code, the fiscal 1077
officer monthly shall present to the board credit card account 1078
transaction detail from the previous month. The board shall 1079
review the credit card account transaction detail and the 1080
chairperson of the board shall sign an attestation stating the 1081

board reviewed the credit card account transaction detail. 1082

(D) The compliance officer, if applicable, and the board 1083
at least once every six months shall review the number of cards 1084
and accounts issued, the number of active cards and accounts 1085
issued, the cards' and accounts' expiration dates, and the 1086
cards' and accounts' credit limits. 1087

(E) If the fiscal officer retains general possession and 1088
control of the credit card account and presentation instruments 1089
related to the account including cards and checks, and the board 1090
authorizes an officer, employee, or appointee to use a credit 1091
card, the fiscal officer may use a system to sign out credit 1092
cards to the authorized users. The officer, employee, or 1093
appointee is liable in person and upon any official bond the 1094
officer, employee, or appointee has given to the township to 1095
reimburse the township treasury the amount for which the 1096
officer, employee, or appointee does not provide itemized 1097
receipts in accordance with the policy described in division (A) 1098
of this section. 1099

(F) The use of a credit card account for expenses beyond 1100
those authorized by the board constitutes misuse of a credit 1101
card account. An officer, employee, or appointee of a township 1102
is a violation of or a public servant as defined under section 1103
2921.01 of the Revised Code who knowingly misuses a credit card 1104
account held by the board violates section 2913.21 of the 1105
Revised Code. 1106

(G) The fiscal officer or the fiscal officer's designee 1107
annually shall file a report with the board detailing all 1108
rewards received based on the use of the township's credit card 1109
account. 1110

(H) As used in this section, "credit card account" means 1111
any bank-issued credit card account, store-issued credit card 1112
account, financial institution-issued credit card account, 1113
financial depository-issued credit card account, affinity credit 1114
card account, or any other card account allowing the holder to 1115
purchase goods or services on credit or to transact with the 1116
account, and any debit or gift card account related to the 1117
receipt of grant moneys. "Credit card account" does not include 1118
a procurement card account, gasoline or telephone credit card 1119
account, or any other card account where merchant category codes 1120
are in place as a system of control for use of the card account. 1121

Sec. 511.234. ~~(A) The~~ Not later than three months after 1122
the effective date of this amendment, the board of park 1123
commissioners of a township park district may authorize an 1124
officer, employee, or appointee of the board to use that holds a 1125
credit card held by the board to pay for expenses related to 1126
park district business. The debt incurred as a result of the use 1127
of a credit card under this section shall be paid from park 1128
district funds. 1129

~~(B) No officer, employee, or appointee of a board of park-~~ 1130
~~commissioners who is authorized to use a credit card held by the~~ 1131
~~board shall use it to incur any unauthorized debt against the~~ 1132
~~park district's credit.~~ 1133

~~(C) Whoever violates division (B) of this section is~~ 1134
~~guilty of one of the following:~~ 1135

~~(1) A misdemeanor of the first degree if the amount of the~~ 1136
~~unauthorized debt is no more than one hundred fifty dollars;~~ 1137

~~(2) A felony of the fourth degree if the amount of the~~ 1138
~~unauthorized debt exceeds one hundred fifty dollars.~~ 1139

~~(D) An officer, employee, or appointee, in a civil action, may be found personally liable to the park district for the officer's, employee's, or appointee's unauthorized use of the park district credit card.~~

~~(E) Whenever any officer, employee, or appointee authorized to use a credit card held by the board of park commissioners suspects the loss, theft, or possibility of another person's unauthorized use of the credit card that the officer, employee, or appointee is authorized to use, the officer, employee, or appointee shall so notify the board immediately in writing. The officer, employee, or appointee may be held personally liable for unauthorized debt resulting from the loss, theft, or unauthorized use, in the amount of fifty dollars or the amount charged to the credit card as a result of the loss, theft, or unauthorized use, whichever is less. account on the effective date of this amendment shall adopt a written policy for the use of credit card accounts. Otherwise, a board shall adopt a written policy before first holding a credit card account.~~

The policy shall include provisions addressing all of the following:

(1) The officers, positions, or appointees authorized to use a credit card account;

(2) The types of expenses for which a credit card account may be used;

(3) The procedure for acquisition, use, and management of a credit card account and presentation instruments related to the account including cards and checks;

(4) The procedure for submitting itemized receipts to the

clerk or the clerk's designee; 1169

(5) The procedure for credit card issuance, credit card reissuance, credit card cancellation, and the process for reporting lost or stolen credit cards; 1170
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(6) The district's credit card account's maximum credit limit or limits; 1173
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(7) The actions or omissions by an officer, employee, or appointee that qualify as misuse of a credit card account. 1175
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(B) The name of the township park district shall appear on each presentation instrument related to the account including cards and checks. 1177
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(C) If the clerk of the district does not retain general possession and control of the credit card account and presentation instruments related to the account including cards and checks, the board shall appoint a compliance officer to perform the duties enumerated under division (D) of this section. The compliance officer may not use a credit card account and may not authorize an officer, employee, or appointee to use a credit card account, except that a board of park commissioners serving in the role of compliance officer may use a credit card account if so authorized under the policy and may authorize an officer, employee, or appointee to use a credit card account as provided in division (A) of this section. The clerk is not eligible for appointment as compliance officer. 1180
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(D) The compliance officer, if applicable, and the board at least quarterly shall review the number of cards and accounts issued, the number of active cards and accounts issued, the cards' and accounts' expiration dates, and the cards' and accounts' credit limits. 1193
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(E) If the clerk retains general possession and control of 1198
the credit card account and presentation instruments related to 1199
the account including cards and checks, and the board authorizes 1200
an officer, employee, or appointee to use a credit card, the 1201
clerk may use a system to sign out credit cards to the 1202
authorized users. The officer, employee, or appointee is liable 1203
in person and upon any official bond the officer, employee, or 1204
appointee has given to the township park district to reimburse 1205
the district treasury the amount for which the officer, 1206
employee, or appointee does not provide itemized receipts in 1207
accordance with the policy described in division (A) of this 1208
section. 1209

(F) The use of a credit card account for expenses beyond 1210
those authorized by the board constitutes misuse of a credit 1211
card account. An officer, employee, or appointee of a township 1212
park district or a public servant as defined under section 1213
2921.01 of the Revised Code who knowingly misuses a credit card 1214
account held by the board violates section 2913.21 of the 1215
Revised Code. 1216

(G) The clerk or the clerk's designee annually shall file 1217
a report with the board detailing all rewards received based on 1218
the use of the township park district's credit card account. 1219

(H) As used in this section, "credit card account" means 1220
any bank-issued credit card account, store-issued credit card 1221
account, financial institution-issued credit card account, 1222
financial depository-issued credit card account, affinity credit 1223
card account, or any other card account allowing the holder to 1224
purchase goods or services on credit or to transact with the 1225
account, and any debit or gift card account related to the 1226
receipt of grant moneys. "Credit card account" does not include 1227

a procurement card account, gasoline or telephone credit card 1228
account, or any other card account where merchant category codes 1229
are in place as a system of control for use of the card account. 1230

Sec. 717.31. (A) Not later than three months after the 1231
effective date of this section, a legislative authority of a 1232
municipal corporation that holds a credit card account on the 1233
effective date of this section shall adopt a written policy for 1234
the use of credit card accounts. Otherwise, a legislative 1235
authority shall adopt a written policy before first holding a 1236
credit card account. 1237

The policy shall include provisions addressing all of the 1238
following: 1239

(1) The officers or positions authorized to use a credit 1240
card account; 1241

(2) The types of expenses for which a credit card account 1242
may be used; 1243

(3) The procedure for acquisition, use, and management of 1244
a credit card account and presentation instruments related to 1245
the account including cards and checks; 1246

(4) The procedure for submitting itemized receipts to the 1247
village clerk or city auditor or the clerk's or auditor's 1248
designee; 1249

(5) The procedure for credit card issuance, credit card 1250
reissuance, credit card cancellation, and the process for 1251
reporting lost or stolen credit cards; 1252

(6) The municipal corporation's credit card account's 1253
maximum credit limit or limits; 1254

(7) The actions or omissions by an officer or employee 1255

that qualify as misuse of a credit card account. 1256

(B) The name of the municipal corporation shall appear on 1257
each presentation instrument related to the account including 1258
cards and checks. 1259

(C) If the village clerk or city auditor, as applicable, 1260
does not retain general possession and control of the credit 1261
card account and presentation instruments related to the account 1262
including cards and checks, the following applies: 1263

(1) In a municipal corporation that has the authority to 1264
operate a mayor's court pursuant to Chapter 1905. of the Revised 1265
Code, the chief executive officer of the municipal corporation 1266
shall appoint a compliance officer to perform the duties 1267
enumerated under division (D) of this section. The compliance 1268
officer may not use a credit card account and may not authorize 1269
an officer or employee to use a credit card account. The village 1270
clerk or city auditor is not eligible for appointment as 1271
compliance officer. 1272

(2) In a municipal corporation that does not have the 1273
authority to operate a mayor's court pursuant to Chapter 1905. 1274
of the Revised Code, the village clerk or city auditor monthly 1275
shall present to the legislative authority credit card account 1276
transaction detail from the previous month. The legislative 1277
authority shall review the credit card account transaction 1278
detail and the presiding officer of the legislative authority 1279
shall sign an attestation stating the legislative authority 1280
reviewed the credit card account transaction detail. 1281

(D) The compliance officer, if applicable, and the 1282
legislative authority at least quarterly shall review the number 1283
of cards and accounts issued, the number of active cards and 1284

accounts issued, the cards' and accounts' expiration dates, and 1285
the cards' and accounts' credit limits. 1286

(E) If the village clerk or city auditor retains general 1287
possession and control of the credit card account and 1288
presentation instruments related to the account including cards 1289
and checks, and the legislative authority authorizes an officer 1290
or employee to use a credit card, the village clerk or city 1291
auditor may use a system to sign out credit cards to the 1292
authorized users. The officer or employee is liable in person 1293
and upon any official bond the officer or employee has given to 1294
the municipal corporation to reimburse the treasury the amount 1295
for which the officer or employee does not provide itemized 1296
receipts in accordance with the policy described in division (A) 1297
of this section. 1298

(F) The use of a credit card account for expenses beyond 1299
those authorized by the legislative authority constitutes misuse 1300
of a credit card account. An officer or employee of the 1301
municipal corporation or a public servant as defined under 1302
section 2921.01 of the Revised Code who knowingly misuses a 1303
credit card account held by the municipal corporation violates 1304
section 2913.21 of the Revised Code. 1305

(G) The village clerk or city auditor, as applicable, or 1306
the designee of that applicable officer annually shall file a 1307
report with the legislative authority detailing all rewards 1308
received based on the use of the municipal corporation's credit 1309
card account. 1310

(H) As used in this section, "credit card account" means 1311
any bank-issued credit card account, store-issued credit card 1312
account, financial institution-issued credit card account, 1313
financial depository-issued credit card account, affinity credit 1314

card account, or any other card account allowing the holder to 1315
purchase goods or services on credit or to transact with the 1316
account, and any debit or gift card account related to the 1317
receipt of grant moneys. "Credit card account" does not include 1318
a procurement card account, gasoline or telephone credit card 1319
account, or any other card account where merchant category codes 1320
are in place as a system of control for use of the card account. 1321

Sec. 940.11. ~~The~~ (A) Not later than three months after the 1322
effective date of this amendment, the supervisors of a soil and 1323
water conservation district may hold one or more that hold a 1324
credit cards on behalf of the district and may authorize any 1325
supervisor or employee of the district to use such a credit card 1326
to pay for expenses related to the purposes of the district. The 1327
supervisors shall pay the debt incurred as a result of the use 1328
of such a credit card from money accepted by the supervisors as 1329
authorized under division (E) of section 940.06 of the Revised 1330
Code or from the special fund established for the district under 1331
section 940.12 of the Revised Code. The misuse of card account 1332
on the effective date of this amendment shall adopt a written 1333
policy for the use of credit card accounts. Otherwise, the 1334
supervisors shall adopt a written policy before first holding a 1335
credit card account. 1336

The policy shall include provisions addressing all of the 1337
following: 1338

(1) The supervisors or positions authorized to use a 1339
credit card account; 1340

(2) The types of expenses for which a credit card account 1341
may be used; 1342

(3) The procedure for acquisition, use, and management of 1343

a credit card account and presentation instruments related to 1344
the account including cards and checks; 1345

(4) The procedure for submitting itemized receipts to the 1346
fiscal agent or the fiscal agent's designee; 1347

(5) The procedure for credit card issuance, credit card 1348
reissuance, credit card cancellation, and the process for 1349
reporting lost or stolen credit cards; 1350

(6) The district's credit card account's maximum credit 1351
limit or limits; 1352

(7) The actions or omissions by an officer or employee 1353
that qualify as misuse of a credit card account. 1354

(B) The name of the soil and water conservation district 1355
shall appear on each presentation instrument related to the 1356
account including cards and checks. 1357

(C) If the fiscal agent of the district does not retain 1358
general possession and control of the credit card account and 1359
presentation instruments related to the account including cards 1360
and checks, the supervisors shall appoint a compliance officer 1361
to perform the duties enumerated under division (D) of this 1362
section. The compliance officer may not use a credit card 1363
account and may not authorize a supervisor or employee to use a 1364
credit card account. The fiscal agent is not eligible for 1365
appointment as compliance officer. 1366

(D) The compliance officer, if applicable, and the 1367
supervisors at least quarterly shall review the number of cards 1368
and accounts issued, the number of active cards and accounts 1369
issued, the cards' and accounts' expiration dates, and the 1370
cards' and accounts' credit limits. 1371

(E) If the fiscal agent retains general possession and control of the credit card account and presentation instruments related to the account including cards and checks, and the supervisors authorize a supervisor or employee to use a credit card, the fiscal agent may use a system to sign out credit cards to the authorized users. The supervisor or employee is liable in person and upon any official bond the supervisor or employee has given to the district to reimburse the district treasury the amount for which the supervisor or employee does not provide itemized receipts in accordance with the policy described in division (A) of this section. 1372
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(F) The use of a credit card account for expenses beyond those authorized by the supervisors constitutes misuse of a credit card account. A supervisor or employee of a soil and water conservation district or a public servant as defined under section 2921.01 of the Revised Code who knowingly misuses a credit card account held on behalf of a soil and water conservation district is a violation of violates section 2913.21 of the Revised Code. In addition, a supervisor or employee of a district who makes unauthorized use of such a credit card may be held personally liable to the district for the unauthorized use. This section does not limit any other liability of a supervisor or employee of a district for the unauthorized use of such a credit card. 1383
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~~A supervisor or employee of a soil and water conservation district who is authorized to use a credit card that is held on behalf of the district and who suspects the loss, theft, or possibility of another person's unauthorized use of the credit card immediately shall notify the supervisors in writing of the suspected loss, theft, or possible unauthorized use.~~ 1396
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(G) The fiscal agent or the fiscal agent's designee 1402
annually shall file a report with the supervisors detailing all 1403
rewards received based on the use of the soil and water 1404
conservation district's credit card account. 1405

(H) As used in this section, "credit card account" means 1406
any bank-issued credit card account, store-issued credit card 1407
account, financial institution-issued credit card account, 1408
financial depository-issued credit card account, affinity credit 1409
card account, or any other card account allowing the holder to 1410
purchase goods or services on credit or to transact with the 1411
account, and any debit or gift card account related to the 1412
receipt of grant moneys. "Credit card account" does not include 1413
a procurement card account, gasoline or telephone credit card 1414
account, or any other card account where merchant category codes 1415
are in place as a system of control for use of the card account. 1416

Sec. 940.12. The board of county commissioners of each 1417
county in which there is a soil and water conservation district 1418
may levy a tax within the ten-mill limitation and may 1419
appropriate money from the proceeds of the levy or from the 1420
general fund of the county. The money shall be held in a special 1421
fund for the credit of the district, to be expended for the 1422
purposes prescribed in ~~sections~~ section 940.08 and 940.11 of the 1423
Revised Code or under the policy adopted under section 940.11 of 1424
the Revised Code, for construction and maintenance of 1425
improvements by the district, and for other expenses incurred in 1426
carrying out the program of the district upon the written order 1427
of the fiscal agent for the district after authorization by a 1428
majority of the supervisors of the district. 1429

Sec. 1545.072. (A) The Not later than three months after 1430
the effective date of this amendment, a board of park 1431

commissioners ~~may authorize an officer, employee, or appointee~~ 1432
~~of the board to use of a park district that holds a credit card~~ 1433
~~held by the park district to pay for expenses related to park~~ 1434
~~district business. The debt incurred as a result of the use of a~~ 1435
~~credit card under this section shall be paid from park district~~ 1436
~~funds account on the effective date of this amendment shall~~ 1437
adopt a written policy for the use of credit card accounts. 1438
Otherwise, a board shall adopt a written policy before first 1439
holding a credit card account. 1440

The policy shall include provisions addressing all of the 1441
following: 1442

(1) The officers, positions, or appointees authorized to 1443
use park district credit card accounts; 1444

(2) The types of expenses for which a credit card account 1445
may be used; 1446

(3) The procedure for acquisition, use, and management of 1447
a credit card account and presentation instruments related to 1448
the account including cards and checks; 1449

(4) The procedure for submitting itemized receipts to the 1450
treasurer or the treasurer's designee; 1451

(5) The procedure for credit card issuance, credit card 1452
reissuance, credit card cancellation, and the process for 1453
reporting lost or stolen credit cards; 1454

(6) The district's credit card account's maximum credit 1455
limit or limits; 1456

(7) The actions or omissions by an officer, employee, or 1457
appointee that qualify as misuse of a credit card account. 1458

~~(B) Misuse of a credit card held by the board by an~~ The 1459

name of the park district shall appear on each presentation 1460
instrument related to the account including cards and checks. 1461

(C) If the treasurer of the park district does not retain 1462
general possession and control of the credit card account and 1463
presentation instruments related to the account including cards 1464
and checks, the board shall appoint a compliance officer to 1465
perform the duties enumerated under division (D) of this 1466
section. The compliance officer may not use a credit card 1467
account and may not authorize an officer, employee, or appointee 1468
to use a credit card account. The treasurer is not eligible for 1469
appointment as compliance officer. 1470

(D) The compliance officer, if applicable, and the board 1471
at least quarterly shall review the number of cards and accounts 1472
issued, the number of active cards and accounts issued, the 1473
cards' and accounts' expiration dates, and the cards' and 1474
accounts' credit limits. 1475

(E) If the treasurer retains general possession and 1476
control of the credit card account and presentation instruments 1477
related to the account including cards and checks, and the board 1478
authorizes an officer, employee, or appointee to use a credit 1479
card, the treasurer may use a system to sign out credit cards to 1480
the authorized users. The officer, employee, or appointee is 1481
liable in person and upon any official bond the officer, 1482
employee, or appointee has given to the park district to 1483
reimburse the district treasury the amount for which the 1484
officer, employee, or appointee does not provide itemized 1485
receipts in accordance with the policy described in division (A) 1486
of this section. 1487

(F) The use of a credit card account for expenses beyond 1488
those authorized by the board constitutes misuse of a credit 1489

card account. An officer, employee, or appointee of a board of 1490
park commissioners ~~is a violation of or a public servant as~~ 1491
defined under section 2921.01 of the Revised Code who knowingly 1492
misuses a credit card account held by the board violates section 1493
2913.21 of the Revised Code. 1494

~~(C) An officer, employee, or appointee, in a civil action,~~ 1495
~~may be found personally liable to the park district for the~~ 1496
~~officer's, employee's, or appointee's unauthorized use of the~~ 1497
~~park district credit card.~~ 1498

~~(D) Any officer, employee, or appointee who is authorized~~ 1499
~~to use a credit card held by the board of park commissioners and~~ 1500
~~who suspects the loss, theft, or possibility of another person's~~ 1501
~~unauthorized use of the credit card shall notify the board of~~ 1502
~~park commissioners of the suspected loss, theft, or possible~~ 1503
~~unauthorized use immediately in writing.~~ 1504

~~The officer, employee, or appointee may be held personally~~ 1505
~~liable for unauthorized debt resulting from such loss, theft, or~~ 1506
~~unauthorized use, in the amount of fifty dollars or the amount~~ 1507
~~charged to the credit card as a result of the loss, theft, or~~ 1508
~~unauthorized use, whichever is less.~~ 1509

(G) The treasurer or the treasurer's designee annually 1510
shall file a report with the board detailing all rewards 1511
received based on the use of the park district's credit card 1512
account. 1513

(H) As used in this section, "credit card account" means 1514
any bank-issued credit card account, store-issued credit card 1515
account, financial institution-issued credit card account, 1516
financial depository-issued credit card account, affinity credit 1517
card account, or any other card account allowing the holder to 1518

purchase goods or services on credit or to transact with the 1519
account, and any debit or gift card account related to the 1520
receipt of grant moneys. "Credit card account" does not include 1521
a procurement card account, gasoline or telephone credit card 1522
account, or any other card account where merchant category codes 1523
are in place as a system of control for use of the card account. 1524

Sec. 1711.131. (A) ~~The~~ Not later than three months after 1525
the effective date of this amendment, the board of directors of 1526
a county agricultural society or an independent agricultural 1527
society ~~may authorize by resolution an officer or employee of~~ 1528
~~the agricultural society to use~~ that holds a credit card held by 1529
the board to pay for expenses related to the purposes of the 1530
agricultural society. ~~If a board elects to authorize the use of~~ 1531
~~a credit card held by the board as described in this section,~~ 1532
~~the board first shall adopt a policy specifying the purposes for~~ 1533
~~which the credit card may be used.~~ 1534

~~(B) An officer or employee of an agricultural society who~~ 1535
~~makes unauthorized use of a credit card held by the society's~~ 1536
~~board of directors is personally liable for the unauthorized~~ 1537
~~use. The prosecuting attorney of the appropriate county shall~~ 1538
~~recover the amount of any unauthorized expenses incurred by the~~ 1539
~~officer or employee through the misuse of the credit card in a~~ 1540
~~civil action in any court of competent jurisdiction. This~~ 1541
~~section does not limit any other liability of the officer or~~ 1542
~~employee for the unauthorized use of a credit card held by the~~ 1543
~~board of directors.~~ 1544

~~(C) An officer or employee who is authorized to use a~~ 1545
~~credit card held by the board of directors of an agricultural~~ 1546
~~society and who suspects the loss, theft, or possibility of~~ 1547
~~unauthorized use of the credit card immediately shall notify the~~ 1548

~~board in writing of the suspected loss, theft, or possible~~ 1549
~~unauthorized use. The officer or employee may be held personally~~ 1550
~~liable for not more than fifty dollars in unauthorized debt~~ 1551
~~incurred before the board receives the notification.~~ 1552

~~(D) The misuse by an account on the effective date of this~~ 1553
~~amendment shall adopt a written policy for the use of credit~~ 1554
~~card accounts. Otherwise, a board shall adopt a written policy~~ 1555
~~before first holding a credit card account.~~ 1556

The policy shall include provisions addressing all of the 1557
following: 1558

(1) The officers or positions authorized to use credit 1559
card accounts; 1560

(2) The types of expenses for which a credit card account 1561
may be used; 1562

(3) The procedure for acquisition, use, and management of 1563
a credit card account and presentation instruments related to 1564
the account including cards and checks; 1565

(4) The procedure for submitting itemized receipts to the 1566
treasurer or the treasurer's designee; 1567

(5) The procedure for credit card issuance, credit card 1568
reissuance, credit card cancellation, and the process for 1569
reporting lost or stolen credit cards; 1570

(6) The society's credit card account's maximum credit 1571
limit or limits; 1572

(7) The actions or omissions by an officer or employee 1573
that qualify as misuse of a credit card account. 1574

(B) The name of the county agricultural society or 1575

independent agricultural society shall appear on each 1576
presentation instrument related to the account including cards 1577
and checks. 1578

(C) If the treasurer of the agricultural society does not 1579
retain general possession and control of the credit card account 1580
and presentation instruments related to the account including 1581
cards and checks, the board shall appoint a compliance officer 1582
to perform the duties enumerated under division (D) of this 1583
section. The compliance officer may not use a credit card 1584
account and may not authorize an officer or employee to use a 1585
credit card account. The treasurer is not eligible for 1586
appointment as compliance officer. 1587

(D) The compliance officer, if applicable, and the board 1588
at least quarterly shall review the number of cards and accounts 1589
issued, the number of active cards and accounts issued, the 1590
cards' and accounts' expiration dates, and the cards' and 1591
accounts' credit limits. 1592

(E) If the treasurer retains general possession and 1593
control of the credit card account and presentation instruments 1594
related to the account including cards and checks, and the board 1595
authorizes an officer or employee to use a credit card, the 1596
treasurer may use a system to sign out credit cards to the 1597
authorized users. The officer or employee is liable in person 1598
and upon any official bond the officer or employee has given to 1599
the agricultural society to reimburse the society treasury the 1600
amount for which the officer or employee does not provide 1601
itemized receipts in accordance with the policy described in 1602
division (A) of this section. 1603

(F) The use of a credit card account for expenses beyond 1604
those authorized by the board constitutes misuse of a credit 1605

card account. An officer or employee of an agricultural society 1606
or a public servant as defined under section 2921.01 of the 1607
Revised Code who knowingly misuses a credit card account held by 1608
the society's board of directors ~~is a violation of~~ violates 1609
section 2913.21 of the Revised Code. 1610

(G) The treasurer or the treasurer's designee annually 1611
shall file a report with the board detailing all rewards 1612
received based on the use of the society's credit card account. 1613

(H) As used in this section, "credit card account" means 1614
any bank-issued credit card account, store-issued credit card 1615
account, financial institution-issued credit card account, 1616
financial depository-issued credit card account, affinity credit 1617
card account, or any other card account allowing the holder to 1618
purchase goods or services on credit or to transact with the 1619
account, and any debit or gift card account related to the 1620
receipt of grant moneys. "Credit card account" does not include 1621
a procurement card account, gasoline or telephone credit card 1622
account, or any other card account where merchant category codes 1623
are in place as a system of control for use of the card account. 1624

Sec. 2913.21. (A) No person shall do any of the following: 1625

(1) Practice deception for the purpose of procuring the 1626
issuance of a credit card, when a credit card is issued in 1627
actual reliance thereon; 1628

(2) Knowingly buy or sell a credit card from or to a 1629
person other than the issuer; 1630

(3) As an officer, employee, or appointee of a political 1631
subdivision or as a public servant as defined under section 1632
2921.01 of the Revised Code, knowingly misuse a credit card 1633
account held by a political subdivision. 1634

(B) No person, with purpose to defraud, shall do any of 1635
the following: 1636

(1) Obtain control over a credit card as security for a 1637
debt; 1638

(2) Obtain property or services by the use of a credit 1639
card, in one or more transactions, knowing or having reasonable 1640
cause to believe that the card has expired or been revoked, or 1641
was obtained, is retained, or is being used in violation of law; 1642

(3) Furnish property or services upon presentation of a 1643
credit card, knowing that the card is being used in violation of 1644
law; 1645

(4) Represent or cause to be represented to the issuer of 1646
a credit card that property or services have been furnished, 1647
knowing that the representation is false. 1648

(C) No person, with purpose to violate this section, shall 1649
receive, possess, control, or dispose of a credit card. 1650

(D) (1) Whoever violates this section is guilty of misuse 1651
of credit cards. 1652

(2) Except as otherwise provided in division (D) (4) of 1653
this section, a violation of division (A), (B) (1), or (C) of 1654
this section is a misdemeanor of the first degree. 1655

(3) Except as otherwise provided in this division or 1656
division (D) (4) of this section, a violation of division (B) (2), 1657
(3), or (4) of this section is a misdemeanor of the first 1658
degree. If the cumulative retail value of the property and 1659
services involved in one or more violations of division (B) (2), 1660
(3), or (4) of this section, which violations involve one or 1661
more credit card accounts and occur within a period of ninety 1662

consecutive days commencing on the date of the first violation, 1663
is one thousand dollars or more and is less than seven thousand 1664
five hundred dollars, misuse of credit cards in violation of any 1665
of those divisions is a felony of the fifth degree. If the 1666
cumulative retail value of the property and services involved in 1667
one or more violations of division (B) (2), (3), or (4) of this 1668
section, which violations involve one or more credit card 1669
accounts and occur within a period of ninety consecutive days 1670
commencing on the date of the first violation, is seven thousand 1671
five hundred dollars or more and is less than one hundred fifty 1672
thousand dollars, misuse of credit cards in violation of any of 1673
those divisions is a felony of the fourth degree. If the 1674
cumulative retail value of the property and services involved in 1675
one or more violations of division (B) (2), (3), or (4) of this 1676
section, which violations involve one or more credit card 1677
accounts and occur within a period of ninety consecutive days 1678
commencing on the date of the first violation, is one hundred 1679
fifty thousand dollars or more, misuse of credit cards in 1680
violation of any of those divisions is a felony of the third 1681
degree. 1682

(4) If the victim of the offense is an elderly person or 1683
disabled adult, and if the offense involves a violation of 1684
division (B) (1) or (2) of this section, division (D) (4) of this 1685
section applies. Except as otherwise provided in division (D) (4) 1686
of this section, a violation of division (B) (1) or (2) of this 1687
section is a felony of the fifth degree. If the debt for which 1688
the card is held as security or the cumulative retail value of 1689
the property or services involved in the violation is one 1690
thousand dollars or more and is less than seven thousand five 1691
hundred dollars, a violation of either of those divisions is a 1692
felony of the fourth degree. If the debt for which the card is 1693

held as security or the cumulative retail value of the property 1694
or services involved in the violation is seven thousand five 1695
hundred dollars or more and is less than thirty-seven thousand 1696
five hundred dollars, a violation of either of those divisions 1697
is a felony of the third degree. If the debt for which the card 1698
is held as security or the cumulative retail value of the 1699
property or services involved in the violation is thirty-seven 1700
thousand five hundred dollars or more, a violation of either of 1701
those divisions is a felony of the second degree. 1702

Sec. 3313.291. The board of education of a school district 1703
may adopt a resolution establishing a petty cash account from 1704
which a designated district official may draw moneys by check 1705
signed by that official ~~or by debit card~~ for purchases made 1706
within the district. The resolution establishing the account 1707
shall specify the maximum amount of money that may be placed in 1708
the account; designate the district officials who may draw 1709
moneys from the account, or require the treasurer of such board 1710
to designate such officials; and specify the requirements and 1711
procedures for replenishing the account. 1712

Sec. 3313.311. (A) Not later than three months after the 1713
effective date of this section, a board of education of any 1714
school district, a governing board of an educational service 1715
center, or a governing authority of an information technology 1716
center that holds a credit card account on the effective date of 1717
this section shall adopt a written policy for the use of credit 1718
card accounts. Otherwise, a board or authority shall adopt a 1719
written policy before first holding a credit card account. 1720

The policy shall include provisions addressing all of the 1721
following: 1722

(1) The officers or positions authorized to use credit 1723

<u>card accounts;</u>	1724
<u>(2) The types of expenses for which a credit card account may be used;</u>	1725 1726
<u>(3) The procedure for acquisition, use, and management of a credit card account and presentation instruments related to the account including cards and checks;</u>	1727 1728 1729
<u>(4) The procedure for submitting itemized receipts to the treasurer or chief fiscal officer or the treasurer's or chief fiscal officer's designee;</u>	1730 1731 1732
<u>(5) The procedure for credit card issuance, credit card reissuance, credit card cancellation, and the process for reporting lost or stolen credit cards;</u>	1733 1734 1735
<u>(6) The entity's credit card account's maximum credit limit or limits;</u>	1736 1737
<u>(7) The actions or omissions by an officer or employee that qualify as misuse of a credit card account.</u>	1738 1739
<u>(B) The name of the school district, educational service center, or information technology center shall appear on each presentation instrument related to the account including cards and checks.</u>	1740 1741 1742 1743
<u>(C) If the treasurer of the board of education, treasurer of the educational service center, or chief fiscal officer of the information technology center does not retain general possession and control of the credit card account and presentation instruments related to the account including cards and checks, the board, governing board, or governing authority shall appoint a compliance officer to perform the duties enumerated under division (D) of this section. Except a</u>	1744 1745 1746 1747 1748 1749 1750 1751

superintendent of a school district or chief administrator of an 1752
information technology center serving as compliance officer, the 1753
compliance officer may not use a credit card account. The 1754
compliance officer may not authorize an officer or employee to 1755
use a credit card account. If a school district superintendent 1756
acting as compliance officer has authority to use a credit card 1757
account, the treasurer or the treasurer's designee, who shall 1758
not be the school district superintendent, monthly shall review 1759
the credit card account transaction detail and shall sign an 1760
attestation stating the treasurer or designee reviewed the 1761
credit card account transaction detail. If the chief 1762
administrator of an information technology center acting as 1763
compliance officer has authority to use a credit card account, 1764
the governing authority monthly shall review the credit card 1765
account transaction detail and shall sign an attestation stating 1766
the governing authority reviewed the credit card account 1767
transaction detail. The treasurer of the board of education, 1768
treasurer of the educational service center, and chief fiscal 1769
officer of the information technology center are not eligible 1770
for appointment as compliance officer. The superintendent of a 1771
school district or chief administrator of an information 1772
technology center is eligible for appointment as compliance 1773
officer. 1774

(D) The compliance officer, if applicable, at least once 1775
every six months shall review the number of cards and accounts 1776
issued, the number of active cards and accounts issued, the 1777
cards' and accounts' expiration dates, and the cards' and 1778
accounts' credit limits. 1779

(E) If the treasurer of the board of education, treasurer 1780
of the educational service center, or chief fiscal officer of 1781
the information technology center retains general possession and 1782

control of the credit card account and presentation instruments 1783
related to the account including cards and checks, and the board 1784
or authority authorizes an officer or employee to use a credit 1785
card, the treasurer or chief fiscal officer may use a system to 1786
sign out credit cards to the authorized users. The officer or 1787
employee is liable in person and upon any official bond the 1788
officer or employee has given to the school district, 1789
educational service center, or information technology center to 1790
reimburse the treasury the amount for which the officer or 1791
employee does not provide itemized receipts in accordance with 1792
the policy described in division (A) of this section. 1793

(F) The use of a credit card account for expenses beyond 1794
those authorized by the board or authority constitutes misuse of 1795
a credit card account. An officer or employee of a school 1796
district, educational service center, or information technology 1797
center or a public servant as defined under section 2921.01 of 1798
the Revised Code who knowingly misuses a credit card account 1799
held by a board or authority violates section 2913.21 of the 1800
Revised Code. 1801

(G) The treasurer or chief fiscal officer, as applicable, 1802
or the designee of that applicable officer annually shall file a 1803
report with the board or authority detailing all rewards 1804
received based on the use of the credit card account. 1805

(H) As used in this section, "credit card account" means 1806
any bank-issued credit card account, store-issued credit card 1807
account, financial institution-issued credit card account, 1808
financial depository-issued credit card account, affinity credit 1809
card account, or any other card account allowing the holder to 1810
purchase goods or services on credit or to transact with the 1811
account, and any debit or gift card account related to the 1812

receipt of grant moneys. "Credit card account" does not include 1813
a procurement card account, gasoline or telephone credit card 1814
account, or any other card account where merchant category codes 1815
are in place as a system of control for use of the card account. 1816

Sec. 3314.52. (A) Not later than three months after the 1817
effective date of this section, the governing authority of a 1818
community school that holds a credit card account on the 1819
effective date of this section shall adopt a written policy for 1820
the use of credit card accounts. Otherwise, a governing 1821
authority shall adopt a written policy before first holding a 1822
credit card account. 1823

The policy shall include provisions addressing all of the 1824
following: 1825

(1) The officers or positions authorized to use credit 1826
card accounts; 1827

(2) The types of expenses for which a credit card account 1828
may be used; 1829

(3) The procedure for acquisition, use, and management of 1830
a credit card account and presentation instruments related to 1831
the account including cards and checks; 1832

(4) The procedure for submitting itemized receipts to the 1833
designated fiscal officer or the designated fiscal officer's 1834
designee; 1835

(5) The procedure for credit card issuance, credit card 1836
reissuance, credit card cancellation, and the process for 1837
reporting lost or stolen credit cards; 1838

(6) The community school's credit card account's maximum 1839
credit limit or limits; 1840

(7) The actions or omissions by an officer or employee 1841
that qualify as misuse of a credit card account. 1842

(B) The name of the community school shall appear on each 1843
presentation instrument related to the account including cards 1844
and checks. 1845

(C) If the designated fiscal officer of the community 1846
school does not retain general possession and control of the 1847
credit card account and presentation instruments related to the 1848
account including cards and checks, the governing authority 1849
shall appoint a compliance officer to perform the duties 1850
enumerated under division (D) of this section. Except a chief 1851
administrator of a community school serving as compliance 1852
officer, the compliance officer may not use a credit card 1853
account. The compliance officer may not authorize an officer or 1854
employee to use a credit card account. If a chief administrator 1855
acting as compliance officer has authority to use a credit card 1856
account, the governing authority monthly shall review the credit 1857
card account transaction detail and shall sign an attestation 1858
stating the governing authority reviewed the credit card account 1859
transaction detail. The designated fiscal officer is not 1860
eligible for appointment as compliance officer. The chief 1861
administrator is eligible for appointment as compliance officer. 1862

(D) The compliance officer, if applicable, and the 1863
governing authority at least quarterly shall review the number 1864
of cards and accounts issued, the number of active cards and 1865
accounts issued, the cards' and accounts' expiration dates, and 1866
the cards' and accounts' credit limits. 1867

(E) If the designated fiscal officer retains general 1868
possession and control of the credit card account and 1869
presentation instruments related to the account including cards 1870

and checks, and the governing authority authorizes an officer or 1871
employee to use a credit card, the fiscal officer may use a 1872
system to sign out credit cards to the authorized users. The 1873
officer or employee is liable in person and upon any official 1874
bond the officer or employee has given to the community school 1875
to reimburse the school treasury the amount for which the 1876
officer or employee does not provide itemized receipts in 1877
accordance with the policy described in division (A) of this 1878
section. 1879

(F) The use of a credit card account for expenses beyond 1880
those authorized by the governing authority constitutes misuse 1881
of a credit card account. An officer or employee of a community 1882
school or a public servant as defined under section 2921.01 of 1883
the Revised Code who knowingly misuses a credit card account 1884
held by the governing authority violates section 2913.21 of the 1885
Revised Code. 1886

(G) The designated fiscal officer or the designated fiscal 1887
officer's designee annually shall file a report with the 1888
governing authority detailing all rewards received based on the 1889
use of the community school's credit card account. 1890

(H) As used in this section, "credit card account" means 1891
any bank-issued credit card account, store-issued credit card 1892
account, financial institution-issued credit card account, 1893
financial depository-issued credit card account, affinity credit 1894
card account, or any other card account allowing the holder to 1895
purchase goods or services on credit or to transact with the 1896
account, and any debit or gift card account related to the 1897
receipt of grant moneys. "Credit card account" does not include 1898
a procurement card account, gasoline or telephone credit card 1899
account, or any other card account where merchant category codes 1900

are in place as a system of control for use of the card account. 1901

Sec. 3326.52. (A) Not later than three months after the 1902
effective date of this section, the governing body of a STEM 1903
school that holds a credit card account on the effective date of 1904
this section shall adopt a written policy for the use of credit 1905
card accounts. Otherwise, a governing body shall adopt a written 1906
policy before first holding a credit card account. 1907

The policy shall include provisions addressing all of the 1908
following: 1909

(1) The officers or positions authorized to use credit 1910
card accounts; 1911

(2) The types of expenses for which a credit card account 1912
may be used; 1913

(3) The procedure for acquisition, use, and management of 1914
a credit card account and presentation instruments related to 1915
the account including cards and checks; 1916

(4) The procedure for submitting itemized receipts to the 1917
treasurer or the treasurer's designee; 1918

(5) The procedure for credit card issuance, credit card 1919
reissuance, credit card cancellation, and the process for 1920
reporting lost or stolen credit cards; 1921

(6) The STEM school's credit card account's maximum credit 1922
limit or limits; 1923

(7) The actions or omissions by an officer or employee 1924
that qualify as misuse of a credit card account. 1925

(B) The name of the STEM school shall appear on each 1926
presentation instrument related to the account including cards 1927

and checks. 1928

(C) If the treasurer of the STEM school does not retain 1929
general possession and control of the credit card account and 1930
presentation instruments related to the account including cards 1931
and checks, the governing body shall appoint a compliance 1932
officer to perform the duties enumerated under division (D) of 1933
this section. Except a chief administrator of a STEM school 1934
-serving as compliance officer, the compliance officer may not 1935
use a credit card account. The compliance officer may not 1936
authorize an officer or employee to use a credit card account. 1937
If the chief administrator acting as compliance officer has 1938
authority to use a credit card account, the governing body 1939
monthly shall review the credit card account transaction detail 1940
and shall sign an attestation stating the governing body 1941
reviewed the credit card account transaction detail. The 1942
treasurer is not eligible for appointment as compliance officer. 1943
The chief administrator is eligible for appointment as 1944
compliance officer. 1945

(D) The compliance officer, if applicable, and the 1946
governing body at least quarterly shall review the number of 1947
cards and accounts issued, the number of active cards and 1948
accounts issued, the cards' and accounts' expiration dates, and 1949
the cards' and accounts' credit limits. 1950

(E) If the treasurer retains general possession and 1951
control of the credit card account and presentation instruments 1952
related to the account including cards and checks, and the 1953
governing body authorizes an officer or employee to use a credit 1954
card, the treasurer may use a system to sign out credit cards to 1955
the authorized users. The officer or employee is liable in 1956
person and upon any official bond the officer or employee has 1957

given to the school to reimburse the school treasury the amount 1958
for which the officer or employee does not provide itemized 1959
receipts in accordance with the policy described in division (A) 1960
of this section. 1961

(F) The use of a credit card account for expenses beyond 1962
those authorized by the governing body constitutes misuse of a 1963
credit card account. An officer or employee of a STEM school or 1964
a public servant as defined under section 2921.01 of the Revised 1965
Code who knowingly misuses a credit card account held by the 1966
governing body violates section 2913.21 of the Revised Code. 1967

(G) The treasurer or the treasurer's designee annually 1968
shall file a report with the governing body detailing all 1969
rewards received based on the use of the STEM school's credit 1970
card account. 1971

(H) As used in this section, "credit card account" means 1972
any bank-issued credit card account, store-issued credit card 1973
account, financial institution-issued credit card account, 1974
financial depository-issued credit card account, affinity credit 1975
card account, or any other card account allowing the holder to 1976
purchase goods or services on credit or to transact with the 1977
account, and any debit or gift card account related to the 1978
receipt of grant moneys. "Credit card account" does not include 1979
a procurement card account, gasoline or telephone credit card 1980
account, or any other card account where merchant category codes 1981
are in place as a system of control for use of the card account. 1982

Sec. 3328.52. (A) Not later than three months after the 1983
effective date of this section, the board of trustees of a 1984
college-preparatory boarding school that holds a credit card 1985
account on the effective date of this section shall adopt a 1986
written policy for the use of credit card accounts. Otherwise, a 1987

<u>board shall adopt a written policy before first holding a credit</u>	1988
<u>card account.</u>	1989
<u>The policy shall include provisions addressing all of the</u>	1990
<u>following:</u>	1991
<u>(1) The officers or positions authorized to use credit</u>	1992
<u>card accounts;</u>	1993
<u>(2) The types of expenses for which a credit card account</u>	1994
<u>may be used;</u>	1995
<u>(3) The procedure for acquisition, use, and management of</u>	1996
<u>a credit card account and presentation instruments related to</u>	1997
<u>the account including cards and checks;</u>	1998
<u>(4) The procedure for submitting itemized receipts to the</u>	1999
<u>fiscal officer or the fiscal officer's designee;</u>	2000
<u>(5) The procedure for credit card issuance, credit card</u>	2001
<u>reissuance, credit card cancellation, and the process for</u>	2002
<u>reporting lost or stolen credit cards;</u>	2003
<u>(6) The school's credit card account's maximum credit</u>	2004
<u>limit or limits;</u>	2005
<u>(7) The actions or omissions by an officer or employee</u>	2006
<u>that qualify as misuse of a credit card account.</u>	2007
<u>(B) The name of the college-preparatory boarding school</u>	2008
<u>shall appear on each presentation instrument related to the</u>	2009
<u>account including cards and checks.</u>	2010
<u>(C) If the fiscal officer of the college-preparatory</u>	2011
<u>boarding school does not retain general possession and control</u>	2012
<u>of the credit card account and presentation instruments related</u>	2013
<u>to the account including cards and checks, the board shall</u>	2014

appoint a compliance officer to perform the duties enumerated 2015
under division (D) of this section. Except a chief administrator 2016
of college-preparatory boarding school serving as compliance 2017
officer, the compliance officer may not use a credit card 2018
account. The compliance officer may not authorize an officer or 2019
employee to use a credit card account. If the chief 2020
administrator acting as compliance officer has authority to use 2021
a credit card account, the board monthly shall review the credit 2022
card account transaction detail and shall sign an attestation 2023
stating the board reviewed the credit card account transaction 2024
detail. The fiscal officer is not eligible for appointment as 2025
compliance officer. The chief administrator is eligible for 2026
appointment as compliance officer. 2027

(D) The compliance officer, if applicable, and the board 2028
at least quarterly shall review the number of cards and accounts 2029
issued, the number of active cards and accounts issued, the 2030
cards' and accounts' expiration dates, and the cards' and 2031
accounts' credit limits. 2032

(E) If the fiscal officer retains general possession and 2033
control of the credit card account and presentation instruments 2034
related to the account including cards and checks, and the board 2035
authorizes an officer or employee to use a credit card, the 2036
fiscal officer may use a system to sign out credit cards to the 2037
authorized users. The officer or employee is liable in person 2038
and upon any official bond the officer or employee has given to 2039
the school to reimburse the school treasury the amount for which 2040
the officer or employee does not provide itemized receipts in 2041
accordance with the policy described in division (A) of this 2042
section. 2043

(F) The use of a credit card account for expenses beyond 2044

those authorized by the board constitutes misuse of a credit 2045
card account. An officer or employee of a college-preparatory 2046
boarding school or a public servant as defined under section 2047
2921.01 of the Revised Code who knowingly misuses a credit card 2048
account held by the board violates section 2913.21 of the 2049
Revised Code. 2050

(G) The fiscal officer or the fiscal officer's designee 2051
annually shall file a report with the board detailing all 2052
rewards received based on the use of the college-preparatory 2053
boarding school's credit card account. 2054

(H) As used in this section, "credit card account" means 2055
any bank-issued credit card account, store-issued credit card 2056
account, financial institution-issued credit card account, 2057
financial depository-issued credit card account, affinity credit 2058
card account, or any other card account allowing the holder to 2059
purchase goods or services on credit or to transact with the 2060
account, and any debit or gift card account related to the 2061
receipt of grant moneys. "Credit card account" does not include 2062
a procurement card account, gasoline or telephone credit card 2063
account, or any other card account where merchant category codes 2064
are in place as a system of control for use of the card account. 2065

Sec. 3375.392. (A) ~~A~~ Not later than three months after the 2066
effective date of this amendment, a board of library trustees 2067
appointed pursuant to section 3375.06, 3375.10, 3375.12, 2068
3375.15, 3375.22, or 3375.30 of the Revised Code may authorize 2069
an officer, employee, or appointee of the a free public library 2070
under its jurisdiction to use a credit card that the library 2071
holds to pay for expenses related to library business. The debt 2072
incurred as a result of the use of the credit card shall be paid 2073
from library funds. 2074

~~(B) Misuse of a credit card of a free public library by an~~ 2075
~~or library district that holds a credit card account on the~~ 2076
~~effective date of this amendment shall adopt a written policy~~ 2077
~~for the use of credit card accounts. Otherwise, a board shall~~ 2078
~~adopt a written policy before first holding a credit card~~ 2079
~~account.~~ 2080

The policy shall include provisions addressing all of the 2081
following: 2082

(1) The officers, positions, or appointees authorized to 2083
use credit card accounts; 2084

(2) The types of expenses for which a credit card account 2085
may be used; 2086

(3) The procedure for acquisition, use, and management of 2087
a credit card account and presentation instruments related to 2088
the account including cards and checks; 2089

(4) The procedure for submitting itemized receipts to the 2090
fiscal officer or the fiscal officer's designee; 2091

(5) The procedure for credit card issuance, credit card 2092
reissuance, credit card cancellation, and the process for 2093
reporting lost or stolen credit cards; 2094

(6) The library's or district's credit card account's 2095
maximum credit limit or limits; 2096

(7) The actions or omissions by an officer, employee, or 2097
appointee that qualify as misuse of a credit card account. 2098

(B) The name of the free public library or library 2099
district shall appear on each presentation instrument related to 2100
the account including cards and checks. 2101

(C) If the fiscal officer of a free public library or library district does not retain general possession and control of the credit card account and presentation instruments related to the account including cards and checks, the board shall appoint a compliance officer to perform the duties enumerated under division (D) of this section. The compliance officer may use a credit card account only upon authority from the fiscal officer of the free public library or library district, except the director of a free public library or library district serving in the role of compliance officer may use a credit card if so authorized under the policy. If the compliance officer has authority to use a credit card account, the fiscal officer or the fiscal officer's designee, who shall not be the compliance officer, monthly shall review the credit card account transaction detail and shall sign an attestation stating the fiscal officer or designee reviewed the credit card account transaction detail. The compliance officer may not authorize an officer, employee, or appointee to use a credit card account, except a director serving in the role of compliance officer may authorize an officer, employee, or appointee to use a credit card account. The fiscal officer of the free public library or library district is not eligible for appointment as compliance officer. The director is eligible for appointment as compliance officer.

(D) The compliance officer, if applicable, at least once every six months shall review the number of cards and accounts issued, the number of active cards and accounts issued, the cards' and accounts' expiration dates, and the cards' and accounts' credit limits.

(E) If the fiscal officer retains general possession and control of the credit card account and presentation instruments

related to the account including cards and checks, and the board 2133
or director authorizes an officer, employee, or appointee to use 2134
a credit card, the fiscal officer may use a system to sign out 2135
credit cards to the authorized users. The officer, employee, or 2136
appointee is liable in person and upon any official bond the 2137
officer, employee, or appointee has given to the library or 2138
district to reimburse the library or district treasury the 2139
amount for which the officer, employee, or appointee does not 2140
provide itemized receipts in accordance with the policy 2141
described in division (A) of this section. 2142

(F) The use of a credit card account for expenses beyond 2143
those authorized by the board constitutes misuse of a credit 2144
card account. An officer, employee, or appointee of the library 2145
is subject to or district or a public servant as defined under 2146
section 2921.01 of the Revised Code who knowingly misuses a 2147
credit card account held by the board violates section 2913.21 2148
of the Revised Code. The officer, employee, or appointee also 2149
may be found personally liable to the library in a civil action 2150
for the officer's, employee's, or appointee's misuse of the 2151
library's credit card. 2152

(C) Any officer, employee, or appointee of a free public 2153
library who is authorized to use a credit card that the library 2154
holds and who suspects the loss, the theft, or another person's 2155
possible unauthorized use of the credit card shall notify the 2156
board of library trustees immediately in writing of the 2157
suspected loss, theft, or possible unauthorized use. The 2158
officer, employee, or appointee may be held personally liable to 2159
the library for any unauthorized debt resulting from the credit 2160
card's loss, theft, or unauthorized use in the amount of fifty 2161
dollars or the amount charged to the credit card as a result of 2162
the loss, theft, or unauthorized use, whichever is less. 2163

(G) The fiscal officer or the fiscal officer's designee 2164
annually shall file a report with the board detailing all 2165
rewards received based on the use of the free public library's 2166
or library district's credit card account. 2167

(H) As used in this section, "credit card account" means 2168
any bank-issued credit card account, store-issued credit card 2169
account, financial institution-issued credit card account, 2170
financial depository-issued credit card account, affinity credit 2171
card account, or any other card account allowing the holder to 2172
purchase goods or services on credit or to transact with the 2173
account, and any debit or gift card account related to the 2174
receipt of grant moneys. "Credit card account" does not include 2175
a procurement card account, gasoline or telephone credit card 2176
account, or any other card account where merchant category codes 2177
are in place as a system of control for use of the card account. 2178

Sec. 6119.60. (A) Not later than three months after the 2179
effective date of this section, a board of trustees of a 2180
regional water and sewer district that holds a credit card 2181
account on the effective date of this section shall adopt a 2182
written policy for the use of credit card accounts. Otherwise, a 2183
board shall adopt a written policy before first holding a credit 2184
card account. 2185

The policy shall include provisions addressing all of the 2186
following: 2187

(1) The officers or positions authorized to use credit 2188
card accounts; 2189

(2) The types of expenses for which a credit card account 2190
may be used; 2191

(3) The procedure for acquisition, use, and management of 2192

<u>a credit card account and presentation instruments related to</u>	2193
<u>the account including cards and checks;</u>	2194
<u>(4) The procedure for submitting itemized receipts to the</u>	2195
<u>fiscal officer or the fiscal officer's designee;</u>	2196
<u>(5) The procedure for credit card issuance, credit card</u>	2197
<u>reissuance, credit card cancellation, and the process for</u>	2198
<u>reporting lost or stolen credit cards;</u>	2199
<u>(6) The district's credit card account's maximum credit</u>	2200
<u>limit or limits;</u>	2201
<u>(7) The actions or omissions by an officer or employee</u>	2202
<u>that qualify as misuse of a credit card account.</u>	2203
<u>(B) The name of the regional water and sewer district</u>	2204
<u>shall appear on each presentation instrument related to the</u>	2205
<u>account including cards and checks.</u>	2206
<u>(C) If the fiscal officer of the district does not retain</u>	2207
<u>general possession and control of the credit card account and</u>	2208
<u>presentation instruments related to the account including cards</u>	2209
<u>and checks, the board shall appoint a compliance officer to</u>	2210
<u>perform the duties enumerated under division (D) of this</u>	2211
<u>section. The compliance officer may not use a credit card</u>	2212
<u>account and may not authorize an officer or employee to use a</u>	2213
<u>credit card account. The fiscal officer is not eligible for</u>	2214
<u>appointment as compliance officer.</u>	2215
<u>(D) The compliance officer, if applicable, and the board</u>	2216
<u>at least quarterly shall review the number of cards and accounts</u>	2217
<u>issued, the number of active cards and accounts issued, the</u>	2218
<u>cards' and accounts' expiration dates, and the cards' and</u>	2219
<u>accounts' credit limits.</u>	2220

(E) If the fiscal officer retains general possession and control of the credit card account and presentation instruments related to the account including cards and checks, and the board authorizes an officer or employee to use a credit card, the fiscal officer may use a system to sign out credit cards to the authorized users. The officer or employee is liable in person and upon any official bond the officer or employee has given to the district to reimburse the district treasury the amount for which the officer or employee does not provide itemized receipts in accordance with the policy described in division (A) of this section. 2221
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(F) The use of a credit card account for expenses beyond those authorized by the board constitutes misuse of a credit card account. An officer or employee of a regional water and sewer district or a public servant as defined under section 2921.01 of the Revised Code who knowingly misuses a credit card account held by the board violates section 2913.21 of the Revised Code. 2232
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(G) The fiscal officer or the fiscal officer's designee annually shall file a report with the board detailing all rewards received based on the use of the regional water and sewer district's credit card account. 2239
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(H) As used in this section, "credit card account" means any bank-issued credit card account, store-issued credit card account, financial institution-issued credit card account, financial depository-issued credit card account, affinity credit card account, or any other card account allowing the holder to purchase goods or services on credit or to transact with the account, and any debit or gift card account related to the receipt of grant moneys. "Credit card account" does not include 2243
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a procurement card account, gasoline or telephone credit card 2251
account, or any other card account where merchant category codes 2252
are in place as a system of control for use of the card account. 2253

Section 2. That existing sections 117.09, 117.103, 117.38, 2254
149.43, 505.64, 511.234, 940.11, 940.12, 1545.072, 1711.131, 2255
2913.21, 3313.291, and 3375.392 of the Revised Code are hereby 2256
repealed. 2257