

~~services-children and youth~~ or, pursuant to section 3111.69 of the Revised Code, the office of child support in the department of job and family services or a child support enforcement agency;

(3) Papers, records, and books that pertain to an adoption and that are subject to inspection in accordance with section 3107.17 of the Revised Code;

(4) Records specified in division (A) of section 3107.52 of the Revised Code;

(5) Records that identify an individual described in division (A)(1) of section 3721.031 of the Revised Code, or that would tend to identify such an individual;

(6) Files and records that have been expunged under division (D)(1) or (2) of section 3721.23 of the Revised Code;

(7) Records that identify an individual described in division (A)(1) of section 3721.25 of the Revised Code, or that would tend to identify such an individual;

(8) Records that identify an individual described in division (A)(1) of section 5165.88 of the Revised Code, or that would tend to identify such an individual;

(9) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the board of executives of long-term services and supports administers under section 4751.15 of the Revised Code or contracts under that section with a private or government entity to administer;

(10) Information contained in a database established and maintained pursuant to section

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Sec. 1349.10. (A)(1) "Cable service provider" has the same meaning as in section 1332.01 of the Revised Code.

(2) "Cloud service provider" means a third-party company offering a cloud-based platform, infrastructure, application, or storage services.

(3) "Direct-to-home satellite service" has the same meaning as in 47 U.S.C. 303, as amended.

(4) "Identifying information" means photo identification or public or private transactional data.

(5) "Interactive computer service" has the same meaning as in the "Telecommunications Act of 1996," 47 U.S.C. 230, as amended.

(6) "Internet provider" means a provider of internet service, including all of the following:

(a) Broadband service, however defined or classified by the federal communications commission;

(b) Information service or telecommunications service, both as defined in the "Telecommunications Act of 1996," 47 U.S.C. 153, as amended;

(c) Internet protocol-enabled services, as defined in section 4927.01 of the Revised Code.

(7) "Mobile service" and "telecommunications carrier" have the same meanings as in the

"Telecommunications Act of 1996," 47 U.S.C. 153, as amended.

(8) "Organization" means both of the following:

(a) A commercial establishment that, for any form of consideration, has as a significant or substantial portion of its stock-in-trade in, derives a significant or substantial portion of its revenues from, devotes a significant or substantial portion of its content or advertising to, or maintains a substantial section of its sales or online content display space for the sale, rental, or viewing of materials that are obscene or harmful to juveniles;

(b) A commercial establishment as defined in section 2907.38 of the Revised Code. An establishment may have other principal business purposes that do not involve selling, delivering, furnishing, disseminating, providing, exhibiting, or presenting any material or performance that is obscene or harmful to juveniles on the internet and still be categorized as an organization subject to this section. The existence of other principal business purposes does not exempt an establishment from being categorized as an organization subject to this section, so long as one of its principal business purposes involves selling, delivering, furnishing, disseminating, providing, exhibiting, or presenting any material or performance that is obscene or harmful to juveniles on the internet.

(9) "Photo identification" has the same meaning as in section 3501.01 of the Revised Code and includes any government-issued identification issued by another state, district, country, or sovereignty.

(10) "Reasonable age verification methods" means the following:

(a) Verifying that the person attempting to access the material or performance that is obscene or harmful to juveniles is eighteen years of age or older through the use of a commercial age verification system that uses photo identification or public or private transactional data to verify the person's age;

(b) Using third-party and governmental databases that use a commercial age verification system that uses photo identification or public or private transactional data to verify the person's age.

(11) "Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between a person, organization, or third party for the purpose of satisfying a request or event. "Transactional data" includes mortgage, educational, and employment records.

(12) "Video service provider" has the same meaning as in section 1332.21 of the Revised Code.

(B) An organization that sells, delivers, furnishes, disseminates, provides, exhibits, or presents any material or performance that is obscene or harmful to juveniles on the internet shall do all of the following:

(1) Verify that any person attempting to access the material or performance that is obscene or harmful to juveniles is eighteen years of age or older through reasonable age verification methods;

(2) Verify that any person creating an account or subscription to access any material or performance that is obscene or harmful to juveniles is eighteen years of age or older through

reasonable age verification methods. The organization shall reverify the age of the person every two years thereafter.

(3)(a) Utilize a geofence system maintained and monitored by a licensed location-based technology provider to dynamically monitor the geolocation of persons attempting to access or creating an account or subscription to access the material or performance that is obscene or harmful to juveniles;

(b) The location-based technology provider shall perform a geolocation check to dynamically monitor the person attempting to access or creating an account or subscription to access the material or performance that is obscene or harmful to juveniles and the person's location.

(c) If the location-based technology provider determines that a person is located in this state, the organization that sells, delivers, furnishes, disseminates, provides, exhibits, or presents any material or performance that is obscene or harmful to juveniles on the internet shall block that person until the person's age has been verified using reasonable age verification methods.

(4) Implement a notification mechanism to alert persons attempting to access or creating an account or subscription to access the material or performance that is obscene or harmful to juveniles, of a geolocation check failure.

(C)(1)(a) Except as otherwise provided in division (C)(1)(b) of this section, an organization that sells, delivers, furnishes, disseminates, provides, exhibits, or presents any material or performance that is obscene or harmful to juveniles on the internet and verifies the age of the person creating an account or subscription to access the material or performance that is obscene or harmful to juveniles on the internet shall do the following:

(i) Immediately delete all information gathered for the purpose of age verification after the age verification is completed, except the information maintained for account and subscription access and for billing purposes;

(ii) Upon the request of the account holder or subscriber, immediately delete the data maintained for user access to the account or subscription and for billing purposes;

(iii) Develop and maintain a data privacy policy compliant with federal and state law and maintain data in a manner that is reasonably secure.

(b) On the expiration of two years after the creation of the account or subscription, the organization shall immediately delete all information relative to the creation of the user's account or subscription and any information maintained for billing purposes, unless the account holder or subscriber renews the account or subscription.

(2) An organization that sells, delivers, furnishes, disseminates, provides, exhibits, or presents any material or performance that is obscene or harmful to juveniles on the internet and verifies the age of the person attempting to access the material or performance that is obscene or harmful to juveniles on the internet shall do both of the following:

(a) Immediately delete all information gathered for the purpose of age verification after age verification is completed;

(b) Develop and maintain a data privacy policy compliant with federal and state law and maintain data in a manner that is reasonably secure.

(3) An organization described in division (C)(1) or (2) of this section shall immediately delete any identifying information, except the information required for the purpose of granting a person access to the account or subscription and for billing the account or subscription, that is used for age verification of the person attempting to access or creating an account or subscription to access any material or performance on the internet that is obscene or harmful to juveniles after age verification is completed.

(4) An organization as described in division (C)(1) or (2) of this section shall not transfer any information collected, except for the purpose of age verification. Any party who receives transferred information for age verification purposes shall immediately delete all information gathered for the purpose of age verification after age verification is completed.

(D) This section does not apply to any of the following:

(1) A person who, while employed or contracted by a newspaper, magazine, press association, news agency, news wire service, radio or television station, or similar media, is gathering, processing, transmitting, compiling, editing, or disseminating information for the general public;

(2) A provider of an interactive computer service;

(3) A mobile service;

(4) An internet provider;

(5) A cable service provider;

(6) A direct-to-home satellite service;

(7) A video service provider;

(8) A cloud service provider.

Sec. 1349.101. (A) The attorney general may bring a civil action against an organization that sells, delivers, furnishes, disseminates, provides, exhibits, or presents any material or performance that is obscene or harmful to juveniles on the internet that fails to comply with the requirements under divisions (B)(1) or (2) or (C)(1) or (2) of section 1349.10 of the Revised Code and as a result of that failure a minor gains access to the material or performance. Before initiating such an enforcement action, the attorney general shall provide written notice to the organization identifying and explaining the basis for each instance of alleged violation.

(B) Except as otherwise provided in division (D) of this section, the attorney general shall not commence an enforcement action if the organization, within forty-five days after notice of the alleged violation is sent, does both of the following:

(1) Cures all violations described in the notice;

(2) Provides the attorney general with a written statement indicating that the violations are cured and agreeing to refrain from further noncompliance of the requirements under divisions (B)(1) or (2) or (C)(1) or (2) of section 1349.10 of the Revised Code.

(C) If the organization does not timely respond or continues to fail to comply with the requirements under divisions (B)(1) or (2) or (C)(1) or (2) of section 1349.10 of the Revised Code after receiving the notice, the attorney general may initiate the enforcement action and seek injunctive relief.

(D) Division (B) of this section does not apply if the organization fails to timely comply with all of the requirements described in the notice or commits subsequent violations of the same type after curing the initial violation under that division. Notwithstanding division (C) of this section, if an organization commits a subsequent violation of the same type after reporting that the initial violation is cured, the attorney general may bring a civil action at any time after sending notice of the violation under division (A) of this section.

(E) Nothing in this section shall be construed to provide a private right of action. The attorney general has the exclusive authority to enforce this section.

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(B) If the department of natural resources does not provide emergency response services, garbage and debris removal services, or snow removal services on state park land or at facilities owned or managed by the department, the director of natural resources shall enter into a contract with a local government for the local government to provide such services.

(C) If the director requests a local government to provide any other service besides such services described in division (B) of this section on state park land or at facilities owned or managed by the department, the director shall enter into a contract with a local government for the local government to provide such services.

(D) A contract entered into under this section shall include a term providing for the department to reimburse the local government for services provided and administrative costs associated with providing such services.

Sec. 1501.023. (A) As used in this section, "historical site" means a site that has been designated by the Ohio history connection with a brown historical marker sign and has significance with respect to the state's oil and gas history.

(B) The department of natural resources shall not physically work on or alter a historical site without the consent of every member of all of the following entities:

- (1) The board of county commissioners of the county in which the historical site is located;
- (2) The historical society of the county in which the historical site is located;
- (3) The technical advisory council created under section 1509.38 of the Revised Code.

Sec. 1501.46. Except as otherwise provided in federal law, in circumstances in which the department of natural resources conducts, or contracts with a third party to conduct, dredging operations in the waters of the state, no license, registration, or certification is required for an individual to operate the dredging equipment or watercraft associated with such operations.