



Ohio Revised Code

Section 169.16 Certificate of registration required.

Effective: December 29, 2023

Legislation: Senate Bill 131 (GA 134), House Bill 509 (GA 134)

(A) No person, on behalf of any other person, shall engage in any activity for the purpose of locating, delivering, recovering, or assisting in the recovery of unclaimed funds or contents of a safe deposit box, and receive a fee, compensation, commission, or other remuneration for such activity, without first having obtained a certificate of registration from the director of commerce in accordance with this section.

(B) An application for a certificate of registration shall be in writing and in the form prescribed by the director. The application shall be accompanied by notarized reference letters from two reputable witnesses. The application shall, at a minimum, provide all of the following:

- (1) The applicant's full name, home address, and work address;
- (2) The name, address, and telephone number of the two witnesses who have provided the reference letters;
- (3) A statement that the applicant has not, during the five-year period immediately preceding the submission of the application, violated division (A) of this section on or after the effective date of this section, or division (C) of section 169.13 of the Revised Code;
- (4) A statement that the applicant has not been convicted of, or pleaded guilty to, any disqualifying offense as determined in accordance with section 9.79 of the Revised Code;
- (5) The notarized signature of the applicant immediately following an acknowledgment that any false or perjured statement subjects the applicant to criminal liability under section 2921.13 of the Revised Code.

(C) Upon the filing of the application with the division of unclaimed funds, the division may investigate the applicant to verify the information provided in the application and to determine the



applicant's eligibility for a certificate of registration under this section. False information on an application is grounds for the denial or revocation of the applicant's certificate of registration.

(D)(1) Except as provided in division (D)(2) of this section, the director shall issue a certificate of registration to an applicant if the director finds that the following conditions are met:

(a) The applicant has not, during the five-year period immediately preceding the submission of the application, violated division (A) of this section on or after the effective date of this section, or division (C) of section 169.13 of the Revised Code;

(b) The applicant has not been convicted of, or pleaded guilty to, any disqualifying offense as determined in accordance with section 9.79 of the Revised Code.

(c) The applicant's general fitness command the confidence of the public and warrant the belief that the applicant's business will be conducted honestly and fairly.

(2) The director shall issue a certificate of registration in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(a) The applicant holds a license or certificate of registration in another state.

(b) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter in the same profession, occupation, or occupational activity as the profession, occupation, or occupational activity for which the certificate of registration is required in this state in a state that does not issue such a license or certificate of registration.

(E) A certificate of registration may be renewed annually if the director finds that the following conditions are met:

(1) The applicant submits a renewal application form prescribed by the director.

(2) The applicant meets the conditions set forth in divisions (D)(1)(a) and (c) of this section.



(3) The applicant has not, during the ten-year period immediately preceding the submission of the renewal application but excluding any time before the initial issuance of the certificate of registration, been convicted of, or pleaded guilty to, any felony or any offense involving moral turpitude, including theft, attempted theft, falsification, tampering with records, securing writings by deception, fraud, forgery, and perjury.

(4) The applicant's certificate of registration is not subject to an order of revocation by the director.

The Legislative Service Commission presents the text of this section as a composite of the section as amended by multiple acts of the General Assembly. This presentation recognizes the principle stated in R.C. 1.52(B) that amendments are to be harmonized if reasonably capable of simultaneous operation.