



## Ohio Revised Code Section 4740.10 Disciplinary actions.

Effective: October 9, 2021

Legislation: House Bill 263

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(A) A specialty section of the Ohio construction industry licensing board may impose any of the following, or any combination of the following, disciplinary actions against an applicant or license holder for committing an act listed in division (B) of this section:

- (1) Suspend, revoke, or refuse to issue any license;
- (2) Require additional continuing education hours;
- (3) Issue a fine.

(B)(1) An applicant or licensee shall be subject to disciplinary action as prescribed under division (A) of this section for any of the following:

- (a) Having been convicted of or pleading guilty to a crime of moral turpitude or disqualifying offense as those terms are defined in section 4776.10 of the Revised Code;
- (b) Violating any provision of this chapter;
- (c) Violating any rule adopted pursuant to this chapter;
- (d) Obtaining or attempting to obtain a license or a renewal of such license pursuant to this chapter by means of fraud, deception, or misrepresentation;
- (e) Obtaining an order, ruling, or authorization from any section of the board by means of fraud or misrepresentation;
- (f) Engaging in fraud, misrepresentation, or deception in the conduct of business;



(g) Transferring the person's license to another person without the approval of the appropriate specialty section;

(h)(i) Allowing the person's license to be used by an unlicensed person or entity;

(ii) Division (B)(1)(h)(i) of this section does not apply to a contracting company that has been assigned a license under section 4740.07 of the Revised Code.

(i) Failing to comply with a disciplinary action imposed by the appropriate specialty section;

(j) Failing to maintain insurance throughout the license year, unless the license has properly been placed in inactive status under section 4740.06 of the Revised Code.

(2) The appropriate specialty section of the board may take disciplinary action against an applicant or license holder as prescribed under division (A) of this section upon receiving notice that a municipal corporation or any other governmental agency has suspended or revoked the local contracting license or registration of an individual or contracting company that also holds a license pursuant to this chapter.

(C) Notwithstanding any provision to the contrary in divisions (A) and (B) of this section, a specialty section shall not refuse to issue a license to an applicant because of a conviction of or plea of guilty to an offense unless the refusal is in accordance with section 9.79 of the Revised Code.

(D) The appropriate specialty sections shall direct the administrative section to refuse to issue any license to an applicant upon a finding by the appropriate specialty section that the applicant has done either of the following:

(1) Had another person take the required examination for the applicant;

(2) Failed to pass the required examination.

(E) If an individual fails to request a hearing within thirty days after the date a specialty section, in accordance with section 119.07 of the Revised Code, notifies the individual of the board's intent to



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impose a disciplinary action against the individual under division (A) of this section, the specialty section, by a majority vote of a quorum of the section members, may impose the action against the individual without holding an adjudication hearing.