



## Ohio Revised Code

### Section 119.07 Notice of hearing - contents - notice of order of suspension of license - publication of notice - effect of failure to give notice.

Effective: October 3, 2023

Legislation: House Bill 33

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Except when a statute prescribes a notice and the persons to whom it shall be given, in all cases in which section 119.06 of the Revised Code requires an agency to afford an opportunity for a hearing prior to the issuance of an order, the agency shall give notice to the party informing the party of the party's right to a hearing. Notice shall be served in accordance with section 119.05 of the Revised Code and shall include the charges or other reasons for the proposed action, the law or rule directly involved, and a statement informing the party that the party is entitled to a hearing if the party requests it within thirty days of the time of service. The notice shall also inform the party that at the hearing the party may appear in person, by the party's attorney, or by such other representative as is permitted to practice before the agency, or may present the party's position, arguments, or contentions in writing and that at the hearing the party may present evidence and examine witnesses appearing for and against the party. A copy of the notice shall be provided to attorneys or other representatives of record representing the party. This paragraph does not apply to situations in which such section provides for a hearing only when it is requested by the party.

When a statute specifically permits the suspension of a license without a prior hearing, notice of the agency's order shall be served on the party in accordance with section 119.05 of the Revised Code not later than the business day next succeeding such order. The notice shall state the reasons for the agency's action, cite the law or rule directly involved, and state that the party will be afforded a hearing if the party requests it within thirty days of the date on which notice is served. A copy of the notice shall be provided to attorneys or other representatives of record representing the party.

Whenever a party requests a hearing in accordance with this section and section 119.06 of the Revised Code, the agency shall immediately set the date, time, and place for the hearing and serve the party with notice of the hearing. The date set for the hearing shall be within fifteen days, but not earlier than seven days, after the party has requested a hearing, unless otherwise agreed to by both the agency and the party.



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DOCUMENT #309032

The failure of an agency to serve the notices for any hearing required by sections 119.01 to 119.13 of the Revised Code in the manner provided in section 119.05 of the Revised Code shall invalidate any order entered pursuant to the hearing.