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## ATTORNEY GENERAL

### Peace officer refresher training

- Prevents the expiration of peace officer certification due to a lapse in employment and specifies the training required upon reinstatement after a lapse.

### Findings for recovery

- Specifies one additional consideration for resolved versus unresolved findings of recovery.

### Notice for debts payable to the state

- Requires the officer, employee, or agent responsible for administering the law under which an amount is due to the state to serve notice to the debtor or debtor's statutory agent before certifying the amount due to the Attorney General.
- Requires the officer, employee, or agent to serve the notice not sooner than 45 days, nor later than 60 days, after payment is due.
- Specifies the methods to be used to satisfy the requirement to serve notice to the debtor or debtor's statutory agent.
- Allows the debtor or statutory agent to satisfy the debt within 30 days of receipt of the notice to prevent the debt from being certified to the Attorney General.
- Requires the Attorney General to include a copy of the notice that was sent and proof of service of the notice if filing a lien.
- Specifies that failing to comply with the specific time requirement for serving notice does not deem the amount payable uncollectible, discharged, relieved, or otherwise satisfied or nonpayable.

### State law enforcement and training reimbursement

- Prohibits a state agency from receiving statutory reimbursement for continuing professional training provided to a peace officer or trooper appointed by the state agency.

### Peace officer refresher training

(R.C. 109.73 and 109.77)

The bill prevents a certificate awarded by the Executive Director of the Peace Officer Training Commission attesting to a person's satisfactory completion of an approved peace officer basic training program from expiring because of a lapse in employment as a peace officer. Instead, a certificated peace officer who has not been employed as a peace officer for at least one year must complete refresher training of the following durations, prior to reappointment as a peace officer:

- If the period of lapse was at least one year, but less than four years, up to 40 hours.

- If the period of lapse was four years or longer, 80 hours.

Under continuing law, a certificate awarded by the Executive Director attesting to a person's satisfactory completion of an approved peace officer basic training program is required for appointment as a peace officer or law enforcement officer.

## **Findings for recovery**

(R.C. 9.24)

Continuing law prohibits state agencies and political subdivisions from contracting with a person against whom a finding of recovery by the state is unresolved. The bill specifies a debt is resolved if it has been discharged in bankruptcy or is no longer owed based on a final nonappealable court order.

## **Notice for debts payable to the state**

(R.C. 131.02 and 131.026)

The bill requires the officer, employee, or agent responsible for administering the law under which an amount is due to the state to serve notice to the debtor or debtor's statutory agent before certifying the amount due to the Attorney General. The officer, employee, or agent must serve the notice not sooner than 45 days, and not later than 60 days, after payment is due. The notice must include the following information:

- The name of the debtor or statutory agent;
- The nature and amount of the indebtedness;
- If the debt arises from a tax levied, the following information:
  - The assessment case number;
  - The tax pursuant to which the assessment is made;
  - The reason for the liability, including, if applicable, that a penalty or interest is due;
  - An explanation of how and when interest will be added to the amount assessed;
  - That the Attorney General and Tax Commissioner, acting together, have the authority, but are not required, to compromise the claim and accept payment over a reasonable time, if such actions are in the best interest of the state.

Notice may be served in any of the following manners:

- The email address of the debtor's or debtor's statutory agent's last known address;
- Facsimile transmission at the debtor's or debtor's statutory agent's facsimile number appearing in the official records;

- Traceable delivery service<sup>16</sup> at the debtor's or debtor's statutory agent's last known address;
- Personal service at the debtor's or debtor's statutory agent's last known address.

Additionally, the bill specifies the date for which service is complete for each method of service:

- For service by email, the date the receipt of the document is relayed electronically by a direct reply from the debtor or debtor's statutory agent to the officer, employee, or agent or to the Attorney General, or through electronic tracking software demonstrating that the recipient accessed the document;
- For facsimile transmission, the date indicated on the facsimile transmissible confirmation page;
- For traceable delivery service, the date of delivery indicated on the notice of completed delivery provided by the U.S. postal service or domestic commercial delivery service;
- For personal service, the date indicated on a document confirming physical delivery signed by the debtor, the debtor's statutory agent, an adult located at the debtor's or debtor's statutory agent's last known address, or the delivery person.

The bill allows the debtor or statutory agent to satisfy the debt within 30 days of receipt of the notice. If the debt is satisfied within those 30 days, the officer, employee, or agent cannot certify the amount to the Attorney General. If the debt is not satisfied within those 30 days, the officer, employee, or agent must certify the amount to the Attorney General. The Attorney General must collect the amount due in accordance with the current law process, which may include filing a lien. The Attorney General can only file a lien if the Attorney General includes a copy of the notice that was sent and a proof of service of the notice when filing the lien.

The bill specifies that requirement to provide notice under the bill does not prevent or limit the Attorney General, or appropriate taxing authority, from taking any action under current law to collect the debt payable to the state. Additionally, failure to comply with the specific time requirement for serving notice does not deem the amount payable uncollectible, discharged, relieved, or otherwise satisfied or nonpayable.

## **State law enforcement and training reimbursement**

(R.C. 109.803)

The bill prohibits a state agency from receiving the statutory reimbursement for continuing professional training provided to a peace officer or trooper appointed by the state agency. Continuing law requires every appointing authority to require each of its appointed peace officers and troopers to complete 24 hours of continuing professional training each

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<sup>16</sup> The bill defines "traceable delivery service" as a delivery service provided by the U.S. postal service or a domestic commercial delivery service allowing the sender to track a sent item's progress and providing notice of a completed delivery to the sender.

calendar year, and requires between 24 and 40 hours of continuing professional training to be reimbursed.