



Disqualifying Offenses for Application for Licensure, Certification or Registration

October 9, 2021

Pursuant to [HB 263](#) (Ohio General Assembly 133rd), a state licensing authority is prohibited from refusing to issue a credential to an individual based solely on being charged with or convicted of a criminal offense or based on a non-specific qualification such as “moral turpitude” or lack of “moral character.”

As required by law, a list of specific criminal offenses for which a conviction, a judicial finding of guilt, or a plea of guilty resulted may disqualify an individual from obtaining an initial license, certificate, or registration. The list can be found on page 2 of this document. These disqualifying offenses have a “**direct nexus**” to the related industry and to the health and safety of Ohioans.

“Direct nexus” means that the nature of the offense for which the individual was convicted or to which the individual pleaded guilty has a direct bearing on the fitness or ability of the individual to perform one or more of the duties or responsibilities necessarily related to a particular occupation, profession, or trade.

The criminal offenses listed on page 3 are not an automatic disqualification and a review of the facts for each conviction will be conducted on an individual basis. As a result, the criminal offense may or may not result in a proposed action to deny the license, certificate or registration. The factors considered on an individual basis may include, but are not limited to, the following:

- The nature and seriousness of the offense

- Passage of time since the crime was committed and whether all terms ordered by the court were successfully completed

- Whether any other offenses were committed since the crime

- Relationship of the crime to the ability, capacity, and fitness required to perform the duties and responsibilities of the occupation

- Any evidence of mitigating rehabilitation or treatment successfully completed, including whether a certificate of qualification for employment under Ohio Revised Code Section 2953.25 or achievement of employability under Ohio Revised Code Section 2961.22 has been obtained

- Whether the denial of the license is reasonably necessary to ensure public safety.

Applicants who have a conviction, judicial finding of guilt, or plea of guilty may submit a request to determine whether a particular conviction(s) may disqualify an individual from obtaining a license, certificate, or registration. The following is a link to the Pre-Determination Request Form: https://www.com.ohio.gov/documents/admn_PreDetermForm.pdf. Alternatively, an applicant may apply for a license/registration and provide truthful responses on the application and accompanying documents for any criminal offense.

<u>Offense</u>	<u>Citation</u>
Ethics Law offenses	R.C. 102.99
Structure a transaction	R.C. 1315.53
Commercial transaction offenses	R.C. 1315.99
Aggravated murder	R.C. 2903.01
Murder	R.C. 2903.02
Voluntary manslaughter	R.C. 2903.03
Involuntary manslaughter	R.C. 2903.04
Reckless homicide	R.C. 2903.041
Aggravated vehicular homicide	R.C. 2903.06
Aggravated vehicular assault	R.C. 2903.08
Vehicular assault	R.C. 2903.08
Felonious assault	R.C. 2903.11
Aggravated assault	R.C. 2903.12
Assault	R.C. 2903.13
Permitting child abuse	R.C. 2903.15
Failing to provide for a functionally impaired person	R.C. 2903.16
Aggravated menacing	R.C. 2903.21
Menacing by stalking	R.C. 2903.211
Menacing	R.C. 2903.22 felony violation only
Hazing	R.C. 2903.31
Female genital mutilation	R.C. 2903.32
Patient abuse or neglect	R.C. 2903.34 felony violation only
Patient endangerment	R.C. 2903.341 felony violation only
Kidnapping	R.C. 2905.01
Abduction	R.C. 2905.02
Criminal child enticement	R.C. 2905.05
Extortion	R.C. 2905.11
Coercion	R.C. 2905.12
Extortionate extension of credit	2905.22 felony violation only
Trafficking in persons	R.C. 2905.32
Unlawful conduct with respect to document	R.C. 2905.33
Rape	R.C. 2907.02
Sexual battery	R.C. 2907.03
Unlawful sexual conduct with minor	R.C. 2907.04
Gross sexual imposition	R.C. 2907.05
Sexual imposition	R.C. 2907.06
Importuning	R.C. 2907.07
Voyeurism	R.C. 2907.08
Public indecency	R.C. 2907.09 (B)(4) only

Felony sexual penetration	R.C. 2907.12 (repealed)
Commercial sexual exploitation of a minor	R.C. 2907.19
Compelling prostitution	R.C. 2907.21
Promoting prostitution	R.C. 2907.22
Procurement of a prostitute for another	R.C. 2907.23
soliciting after positive HIV test	R.C. 2907.24
loitering to engage in solicitation after positive HIV test	R.C. 2907.241
prostitution after positive HIV test	R.C. 2907.25
Disseminating matter harmful to juveniles	R.C. 2907.31
Pandering obscenity	R.C. 2907.32
Pandering obscenity involving a minor or impaired person	R.C. 2907.321
Pandering sexually oriented matter involving a minor or impaired person	R.C. 2907.322
Illegal use of minor or impaired person in nudity-oriented material or performance	R.C. 2907.323
Aggravated arson	R.C. 2909.02
Arson	R.C. 2909.03
endangering aircraft or airport operations	R.C. 2909.08 felony violation only
interfering with operation of aircraft with laser	R.C. 2909.081
vehicular vandalism	R.C. 2909.09 felony violation only
railroad vandalism	R.C. 2909.10 felony violation only
railroad crossing device vandalism	R.C. 2909.101 felony violation only
Soliciting or providing support for act of terrorism	R.C. 2909.22
Making terroristic threat	R.C. 2909.23
Terrorism	R.C. 2909.24
Criminal possession of chemical, biological, radiological, or nuclear weapon or explosive device	R.C. 2909.26
Criminal use of chemical, biological, radiological, or nuclear weapon or explosive device	R.C. 2909.27
Illegal assembly or possession of chemicals or substances for manufacture of prohibited weapons	R.C. 2909.28
Money laundering in support of terrorism	R.C. 2909.29
Aggravated robbery	R.C. 2911.01
Robbery	R.C. 2911.02
Aggravated burglary	R.C. 2911.11
Burglary	R.C. 2911.12
Breaking and entering	R.C. 2911.13
Safecracking	R.C. 2911.31
Theft	R.C. 2913.02

Unauthorized use of property	R.C. 2913.04 felony violation only
Telecommunications fraud	R.C. 2913.05
Unlawful use of telecommunications device	R.C. 2913.06
Passing bad checks	R.C. 2913.11
Misuse of credit cards	R.C. 2913.21
Counterfeiting	R.C. 2913.30
Forgery	R.C. 2913.31
Trademark counterfeiting	R.C. 2913.34
Medicaid fraud	R.C. 2913.40
Medicaid eligibility fraud	R.C. 2913.401
Tampering with records	R.C. 2913.42
Illegally transmitting multiple commercial electronic mail messages (spamming)	R.C. 2913.421
Securing writings by deception	R.C. 2913.43
Personating an officer	R.C. 2913.44
Unlawful display of law enforcement emblem	R.C. 2913.441
Defrauding creditors	R.C. 2913.45
Insurance fraud	R.C. 2913.47
Workers' compensation fraud	R.C. 2913.48
Identity fraud	R.C. 2913.49
Receiving stolen property	R.C. 2913.51 felony violation only
Inciting violence	R.C. 2917.01 felony violation only
Aggravated riot	R.C. 2917.02
Telecommunications harassment	R.C. 2917.21 felony violation only
Dissemination of image of another person	R.C. 2917.211
Inducing panic	R.C. 2917.31 felony violation only
Making false alarms	R.C. 2917.32 felony violation only
Unlawful possession or use of a hoax weapon of mass destruction	R.C. 2917.33
Nonsupport or contributing to nonsupport of dependents	R.C. 2919.21
Endangering children	R.C. 2919.22 felony violation only
Domestic Violence	R.C. 2919.25
Violating a protection order	R.C. 2919.27 felony violation only
Bribery	R.C. 2921.02
Intimidation	R.C. 2921.03

Intimidation of attorney, victim, or witness	R.C. 2921.04 felony violation only
Retaliation	R.C. 2921.05
Perjury	R.C. 2921.11
Tampering with evidence	R.C. 2921.12
Falsification	R.C. 2921.13
	R.C. 2921.21
Escape	R.C. 2921.34
Aiding escape or resistance to lawful authority	R.C. 2921.35
Illegal conveyance of weapons, drugs, or other prohibited items into grounds of detention facility or institution	R.C. 2921.36
Theft in office	R.C. 2921.41
Having an unlawful interest in a public contract	R.C. 2921.42
Soliciting or accepting improper compensation	R.C. 2921.43
Using a Sham Legal Process	R.C. 2921.52
Conspiracy	R.C. 2923.01
Attempt	R.C. 2923.02
Complicity	R.C. 2923.03
Falsification of concealed handgun license	R.C. 2923.1211
Illegal conveyance or possession of deadly weapon or dangerous ordinance or of object indistinguishable from firearm in school safety zone	R.C. 2923.122
Illegal conveyance of deadly weapon or dangerous ordinance into courthouse	R.C. 2923.123
Having weapons under disability	R.C. 2923.131
Possession of deadly weapon while under detention	R.C. 2923.131
Improperly discharging firearm at or into a habitation, in a school safety zone, or with intent to cause harm or panic to persons in a school building or at a school function	R.C. 2923.161
Discharge of firearm on or near prohibited premises	R.C. 2923.162
Illegally manufacturing or possessing explosives	R.C. 2923.17
Unlawful possession of dangerous ordinance	R.C. 2923.17
Failure to secure dangerous ordinance	R.C. 2923.19
Unlawful transaction in weapons	R.C. 2923.20
Improperly furnishing firearms to minor	R.C. 2923.21
Possessing criminal tools	R.C. 2923.24 felony violation only
Engaging in pattern of corrupt activity	R.C. 2923.32
Participating in criminal gang	R.C. 2923.42
Corrupting another with drugs	R.C. 2925.02
Aggravated trafficking in drugs	R.C. 2925.03
Trafficking in drugs	R.C. 2925.03
Illegal cultivation of marihuana	R.C. 2925.04

Illegal manufacture of drugs	R.C. 2925.04
Illegal assembly or possession of chemicals for manufacture of drugs	R.C. 2925.041
Aggravated funding of drug or marihuana trafficking	R.C. 2925.05
Funding of drug or marihuana trafficking	R.C. 2925.05
Tampering with drugs	R.C. 2925.24
Trafficking in counterfeit controlled substances	R.C. 2925.37
Abuse of a corpse	R.C. 2927.01
Ethnic intimidation	R.C. 2927.12
Failure to register as sex offender	Chapter 2950
Injuring animals	R.C. 959.02
Poisoning animals	R.C. 959.03
Animal fights	R.C. 959.15
Cruelty to animals	R.C. 959.13
Reporting child abuse or neglect	R.C. 2151.421
Reporting abuse, neglect, or exploitation of adult	R.C. 5101.63
A violation of an existing or former municipal ordinance or law of this or any other state, or of the United States, substantially equivalent to any crime, section, division, or offense listed above, and/or a conspiracy or attempt to commit, or complicity in committing, any crime, section, division or offense listed above.	
A violation of an existing or former municipal ordinance or law of this or any other state, or of the United States, involving theft. Any theft offense listed above includes, but is not limited to an offense under an existing or former municipal ordinance or law of this or any other state, or of the United States, involving embezzlement, money laundering, or securities (R.C. Chapter 1707).	