



Department of Commerce

Division of Securities
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LIST OF POTENTIALLY DISQUALIFYING OFFENSES

An applicant to the Division of Securities (the Division) for a license or certificate that has pleaded guilty to, been convicted of, or been found guilty of any of the following crimes may be disqualified from being licensed as an investment adviser, investment adviser representative, dealer, securities salesperson, bureau of workers' compensation chief investment adviser, and/or state retirement system investment adviser. Please review these Sections of the Ohio Revised Code (ORC) and the United States Code (USC) as they may be amended, modified, or removed from time to time.

The crimes listed below also include (i) a violation of any existing, former, or future ordinance, law, judicial order, or other legal obligation imposed by any municipal, state, federal, or administrative jurisdiction, that is substantially equivalent to any section, division, or offense listed below, and (ii) a conspiracy to attempt or commit, or complicity in committing any section, division, or offense listed below.

The following crimes are considered by the Division to be directly related to the duties/responsibilities of the licensed occupations:

Table with 2 columns: ORC Section and Offense Description. Rows include offenses such as Release of Confidential Information, Money Laundering, Illegal Loans by Licensees, Conspiracy Against Trade, Disclosing Personal Information, Acting as an Unlicensed Dealer, and various False Representation offenses.

ORC Section 1707.44(D)	Sale of Securities for Insolvent Issuer
ORC Section 1707.44(E)	Material Misrepresentation in the Sale of Securities
ORC Section 1707.44(F)	Insolvent Issuer
ORC Section 1707.44(G)	Securities Fraud
ORC Section 1707.44(H)	Refusal to Transact with Persons on Foreign Blacklist
ORC Section 1707.44(I)	Insolvent Dealer's Sale of Securities, Pledging or Selling Securities
ORC Section 1707.44(J)	Deception as to Value of Securities
ORC Section 1707.44(K)	Make a False Report
ORC Section 1707.44(L)	Violate Securities and Exchange Act
ORC Section 1707.44(M)(1)	Investment Adviser, Investment Adviser Fraudulent, Manipulate, or Deceptive Conduct
ORC Section 1707.44(M)(2)	Taking Securities
ORC Section 1707.44(M)(3)	False Statement in Solicitation
ORC Section 1707.44(N)	Mislead Audit
ORC Section 1707.44(O)(1)	State Retirement Officer, Device to Defraud Retirement System
ORC Section 1707.44(O)(2)	State Retirement Officer, Defraud Retirement System
ORC Section 1707.44(O)(3)	State Retirement Officer, Fraudulent Practices
ORC Section 1707.44(O)(4)	State Retirement Officer, Fail to Comply with Policy
ORC Section 1707.44(P)	Bureau of Workers' Compensation, Fraud and Non-Compliance
ORC Section 1707.44(Q)	Fraudulent, Deceptive or Manipulative Conduct
ORC Sections 2903.01–2903.06	Aggravated Murder
ORC Section 2903.041(A)	Reckless Homicide
ORC Sections 2903.08–2903.14	Aggravated Vehicular Assault
ORC Section 2903.15	Permitting Child Abuse
ORC Section 2903.16(A)	Failing to Provide for Functionally Impaired Person
ORC Section 2903.21(A)	Aggravated Menacing
ORC Section 2903.211	Menacing by Stalking
ORC Section 2903.22(A)	Menacing
ORC Section 2903.31(B)	Hazing
ORC Section 2903.32	Female Genital Mutilation
ORC Section 2903.34(A)	Patient Abuse or Neglect
ORC Section 2903.341(B)	Patient Endangerment
ORC Section 2903.341(C)	Patient Endangerment
ORC Section 2903.35(A)	Filing False Patient Abuse or Neglect Complaint
ORC Section 2903.43(I)(3)	Failure to Fulfill Violent Offender Database Duties
ORC Section 2905.01	Kidnapping
ORC Section 2905.02	Abduction
ORC Section 2905.03	Unlawful Restraint
ORC Section 2905.05	Criminal Child Enticement
ORC Section 2905.11	Extortion

ORC Section 2905.12	Coercion
ORC Section 2905.22(A)	Criminally Usurious Transactions
ORC Section 2905.32(A)	Trafficking in Persons - Commercial Sex Acts
ORC Section 2905.33(A)	Unlawful Conduct with Respect to Documents
ORC Section 2907.02(A)	Rape
ORC Section 2907.03(A)	Sexual Battery
ORC Section 2907.04(A)	Unlawful Sexual Conduct with A Minor
ORC Section 2907.05	Gross Sexual Imposition
ORC Section 2907.06(A)	Sexual Imposition
ORC Section 2907.07	Importuning
ORC Section 2907.08	Voyeurism
ORC Section 2907.09	Public Indecency
ORC Section 2907.19(B)	Commercial Exploitation of a Minor
ORC Section 2907.21(A)	Compelling Prostitution
ORC Section 2907.22(A)	Promoting Prostitution
ORC Section 2907.23	Procuring
ORC Section 2907.231(B)	Engaging in Prostitution
ORC Section 2907.24	Soliciting
ORC Section 2907.241	Loitering To Engage in Solicitation
ORC Section 2907.25	Prostitution
ORC Section 2907.31	Disseminating Matter Harmful to Juveniles
ORC Section 2907.311(A)	Displaying Matter Harmful to Juveniles
ORC Section 2907.32(A)	Pandering Obscenity
ORC Section 2907.321	Pandering Obscenity Involving a Minor or Impaired Person
ORC Section 2907.322	Pandering Sexually-Oriented Matter Involving a Minor or Impaired Person
ORC Section 2907.323	Illegal Use of Minor or Impaired Person in Nudity-Oriented Material or Performance
ORC Section 2907.33	Deception to Obtain Matter Harmful to Juveniles
ORC Section 2907.34	Compelling Acceptance of Objectionable Materials
ORC Section 2907.38(B)(1)	Permitting Unlawful Operation of Viewing Booths Depicting Sexual Conduct
ORC Section 2907.39(B)	Permitting Juvenile on Premises of Adult Entertainment Establishment
ORC Section 2907.40(B)	Illegally Operating Sexually Oriented Business
ORC Section 2907.40(C)	Illegal Sexually Oriented Activity in a Sexually Oriented Business
ORC Section 2909.02	Aggravated Arson
ORC Section 2909.03	Arson
ORC Section 2909.04	Disrupting Public Services
ORC Section 2909.05	Vandalism
ORC Section 2909.06	Criminal Damaging or Endangering

ORC Section 2909.07	Criminal Mischief
ORC Section 2909.08	Endangering Aircraft or Airport Operation
ORC Section 2909.081(A)	Interfering with the Operation of an Aircraft with a Laser
ORC Section 2909.09	Vehicular Vandalism
ORC Section 2909.10(A)	Railroad Vandalism
ORC Section 2909.101	Railroad Grade Crossing Device Vandalism
ORC Section 2909.15(H)	Arson Registration Violation
ORC Section 2909.22(A)	Soliciting or Providing Support for Act of Terrorism
ORC Section 2909.23	Making Terroristic Threat
ORC Section 2909.24	Terrorism
ORC Sections 2909.26–2909.27	Criminal Possession of Chemical, Biological, Radiological, or Nuclear Weapon or Explosive
ORC Section 2909.28(A)	Illegal Assembly or Possession of Chemicals, or Substances for the Manufacture of a Chemical Weapon, Biological Weapon, Radiological or Nuclear Weapon or Explosive Device
ORC Section 2909.29(A)	Money Laundering in Support of Terrorism
ORC Section 2909.32(F)	Failure to Disclose or Knowingly Making False Statements Regarding Material Assistance to Organization on Terrorist Exclusion List
ORC Section 2909.33(G)	False Declaration of Material Assistance
ORC Section 2909.34(E)	Failure of Applicant for Employment to Disclose or Knowingly Make False Statements Regarding Material Assistance to Organization on Terrorist Exclusion List
ORC Section 2911.01	Aggravated Robbery
ORC Section 2911.02(A)	Robbery
ORC Section 2911.11	Aggravated Burglary
ORC Section 2911.12	Burglary
ORC Section 2911.12(B)	Trespass in a Habitation
ORC Section 2911.13	Breaking and Entering
ORC Section 2911.21	Criminal Trespass
ORC Section 2911.211(A)(1)	Aggravated Trespass
ORC Section 2911.31(A)	Safecracking
ORC Section 2911.32(A)	Tampering with Coin Machines
ORC Section 2913.02(A)	Theft
ORC Section 2913.03	Unauthorized Use of a Vehicle
ORC Section 2913.04	Unauthorized Use of Property
ORC Section 2913.041	Possession or Sale of Unauthorized Device
ORC Section 2913.05(A)	Telecommunications Fraud
ORC Section 2913.06	Unlawful Use of a Telecommunications Device
ORC Section 2913.11(B)	Passing Bad Checks
ORC Section 2913.21	Misuse of Credit Cards
ORC Section 2913.30	Counterfeiting
ORC Section 2913.31	Forgery

ORC Section 2913.32(A)	Criminal Simulation
ORC Section 2913.33(A)	Making or Using Slugs
ORC Section 2913.34(A)	Trademark Counterfeiting
ORC Section 2913.40	Medicaid Fraud
ORC Section 2913.401(B)	Medicaid Eligibility Fraud
ORC Section 2913.42(A)	Tampering with Records
ORC Section 2913.421	Illegally Transmitting Multiple Commercial Electronic Messages (Spamming)
ORC Section 2913.43(A)	Securing Writings by Deception
ORC Section 2913.44(A)	Personating an Officer
ORC Section 2913.441(A)	Unauthorized Display of Law Enforcement Emblems
ORC Section 2913.45	Defrauding Creditors
ORC Section 2913.46	Illegal Use of Supplemental Nutrition Assistance Program Benefits or WIC Program Benefits
ORC Section 2913.47	Insurance Fraud
ORC Section 2913.48	Workers' Compensation Fraud
ORC Section 2913.49	Identity Fraud
ORC Section 2913.51(A)	Receiving Stolen Property
ORC Section 2915.02	Gambling
ORC Section 2915.03	Operating a Gambling House
ORC Section 2915.05	Cheating
ORC Section 2917.01(A)	Inciting To Violence
ORC Section 2917.02	Aggravated Riot
ORC Section 2917.03	Riot
ORC Section 2917.04(A)	Failure to Obey an Order to Disperse
ORC Section 2917.11	Disorderly Conduct
ORC Section 2917.13(A)	Misconduct at an Emergency
ORC Section 2917.21	Telecommunications Harassment
ORC Section 2917.211(B)	Nonconsensual Dissemination of Private Sexual Images
ORC Section 2917.31	Inducing Panic
ORC Section 2917.32(A)	Making False Alarms
ORC Section 2917.33(A)	Unlawful Possession or Use of Hoax Weapon of Mass Destruction
ORC Section 2917.40	Unlawful Safety at Live Performances
ORC Section 2917.41	Misconduct Involving Public Transportation System
ORC Section 2917.46	Unauthorized Use of Block Parent Symbol or McGruff House Symbol
ORC Section 2917.47(A)	Improperly Handling Infectious Agents
ORC Section 2919.21	Nonsupport of Dependents
ORC Section 2919.22	Endangering Children
ORC Section 2919.22(A)	Endangering Children
ORC Section 2919.224	Misrepresentation by a Child Care Provider

ORC Section 2919.25	Domestic Violence
ORC Section 2919.27(A)	Violating a Protection Order
ORC Section 2919.231(A)	Interfering with Action to Issue or Modify Support Order
ORC Section 2921.02	Bribery
ORC Section 2921.03(A)	Intimidation
ORC Section 2921.04	Intimidation of an Attorney, Victim or Witness in a Criminal Case
ORC Section 2921.05	Retaliation
ORC Section 2921.11(A)	Perjury
ORC Section 2921.12(A)	Tampering With Evidence
ORC Section 2921.13	Falsification
ORC Section 2921.14(A)	Making or Causing a False Report of Child Abuse or Child Neglect
ORC Section 2921.15(B)	Making False Allegation of Peace Officer Misconduct
ORC Section 2921.21(A)	Compounding a Crime
ORC Section 2921.22	Failure to Report a Crime, a Death, or a Burn Injury
ORC Section 2921.24(A)	Disclosure of Confidential Information
ORC Section 2921.31(A)	Obstructing Official Business
ORC Section 2921.32(A)	Obstructing Justice
ORC Section 2921.321	Assaulting a Police Dog or Horse
ORC Section 2921.33	Resisting Arrest
ORC Section 2921.331	Failure to Comply with an Order or Signal of a Police Officer
ORC Section 2921.34	Escape
ORC Section 2921.35	Aiding Escape or Resistance to Lawful Authority
ORC Section 2921.36	Illegal Conveyance of Weapons onto the Grounds of a Specified Governmental Facility
ORC Section 2921.38	Harassment with a Bodily Substance
ORC Section 2921.41(A)	Theft in Office
ORC Section 2921.42(A)	Having an Unlawful Interest in a Public Contract
ORC Section 2921.43	Soliciting Improper Compensation
ORC Section 2921.44	Dereliction Of Duty
ORC Section 2921.45(A)	Interfering with Civil Rights
ORC Section 2921.51	Impersonation of a Peace Officer or Private Police Officer
ORC Section 2921.52	Using Sham Legal Process
ORC Section 2923.01	Conspiracy
ORC Section 2923.02(A)	Attempt to Commit an Offense
ORC Section 2923.03	Complicity in the Commission of an Offense
ORC Section 2923.04	Improper Organizational Involvement with a Critical Infrastructure Facility
ORC Section 2923.12	Carrying a Concealed Weapon

ORC Section 2923.121(A)	Illegal Possession of a Firearm in Liquor Permit Premises
ORC Section 2923.122	Illegal Conveyance or Possession of a Deadly Weapon or Dangerous Ordnance in a School Safety Zone
ORC Section 2923.123	Illegal Conveyance or Possession of a Deadly Weapon or Dangerous Ordnance in a Courthouse
ORC Section 2923.126(C)(3)(a)	Criminal Trespass
ORC Section 2923.1211(A)	Falsification of a Concealed Handgun License
ORC Section 2923.1211(B)	Possessing a Revoked or Suspended Concealed Handgun License
ORC Section 2923.13	Having Weapons While Under Disability
ORC Section 2923.131(B)	Possession of a Deadly Weapon While Under Detention
ORC Section 2923.15(A)	Using Weapons While Intoxicated
ORC Section 2923.16	Improperly Handling Firearms in A Motor Vehicle
ORC Section 2923.161	Improperly Discharging a Firearm at or into a Habitation or a School Safety Zone
ORC Section 2923.162	Discharge of Firearm on or Near Prohibited Premises
ORC Section 2923.17(A)	Unlawful Possession of Dangerous Ordnance
ORC Section 2923.17(B)	Illegally Manufacturing or Possessing Explosives
ORC Section 2923.19	Failure to Secure Dangerous Ordnance
ORC Section 2923.20	Unlawful Transactions in Weapons
ORC Section 2923.201	Defacing Identification Marks of a Firearm or Possessing a Defaced Firearm
ORC Section 2923.21	Improperly Furnishing Firearms to A Minor
ORC Section 2923.211	Underage Purchase of a Firearm
ORC Section 2923.24(A)	Possessing Criminal Tools
ORC Section 2923.241	Designing a Vehicle with a Hidden Compartment Used to Transport a Controlled Substance
ORC Section 2923.32	Engaging in a Pattern of Corrupt Activity
ORC Section 2923.42(A)	Participating in a Criminal Gang
ORC Section 2925.02(A)	Corrupting Another with Drugs
ORC Section 2925.03(A)	Trafficking in Cocaine
ORC Section 2925.04	Illegal Manufacture/Cultivation of Drugs and Methamphetamine Offenses
ORC Section 2925.041(A)	Illegal Assembly or Possession of Chemicals for the Manufacture of Drugs
ORC Section 2925.05	Funding or Aggravated Funding of Drug Trafficking
ORC Section 2925.06(A)	Illegal Administration or Distribution of Anabolic Steroids
ORC Section 2925.09	Sale or Use of Drugs Not Approved by Food and Drug Administration
ORC Section 2925.11(A)	Possession of Cocaine
ORC Section 2925.12(A)	Possessing Drug Abuse Instruments

ORC Section 2925.13	Permitting Drug Abuse
ORC Section 2925.14(C)(1)	Illegal Use or Possession of Drug Paraphernalia
ORC Section 2925.14(C)(2)	Dealing in Drug Paraphernalia
ORC Section 2925.14(C)(2)	Selling Drug Paraphernalia to Juveniles
ORC Section 2925.14(C)(3)	Illegal Advertising of Drug Paraphernalia
ORC Section 2925.141(C)	Illegal Use or Possession of Marijuana Drug Paraphernalia
ORC Section 2925.22(A)	Deception to Obtain a Dangerous Drug
ORC Section 2925.23	Illegal Processing of Drug Documents
ORC Section 2925.24	Tampering With Drugs
ORC Section 2925.32	Trafficking in Harmful Intoxicants
ORC Section 2925.32(B)(4)	Improperly Dispensing or Distributing Nitrous Oxide
ORC Section 2925.34(B)	Sale of Pure Caffeine Product
ORC Section 2925.36(A)	Illegal Dispensing of Drug Samples
ORC Section 2925.37(A)	Possession or Trafficking Counterfeit Controlled Substances
ORC Section 2925.37(D)	Aggravated Trafficking in Counterfeit Controlled Substances
ORC Section 2925.37(E)	Promoting and Encouraging Drug Abuse
ORC Section 2925.37(F)	Fraudulent Drug Advertising
ORC Section 2925.55	Unlawful Purchase of Pseudoephedrine Product or Ephedrine Product
ORC Section 2925.56	Unlawfully Selling a Pseudoephedrine Product or Ephedrine Product
ORC Section 2925.57	Engaging in an Illegal Pseudoephedrine Product or Ephedrine Product Transaction Scan
ORC Section 2927.01(A)	Abuse of a Corpse
ORC Section 2927.01(B)	Gross Abuse of a Corpse
ORC Section 2927.02(B)	Illegal Distribution of Cigarettes, Other Tobacco Products, or Alternative Nicotine Products
ORC Section 2927.02(C)	Illegal Distribution of Cigarettes, Other Tobacco Products, or Alternative Nicotine Products
ORC Section 2927.03	Injuring, Intimidating, or Interfering with Housing
ORC Section 2927.11	Desecration
ORC Section 2927.12(A)	Ethnic Intimidation
ORC Section 2927.13(A)	Selling or Donating Contaminated Blood
ORC Section 2927.21(B)	Receiving Proceeds of an Offense Subject to Forfeiture Proceedings
ORC Section 2927.22(B)	Misuse of Criminal Record Information
ORC Section 2927.24(B)	Contaminating a Substance for Human Consumption or Use or Contamination with a Hazardous Chemical, Biological, or Radioactive Substance
ORC Section 2927.24(C)	Spreading a False Report of Contamination
ORC Section 2927.27	Illegal Bond Agent Practices

ORC Section 2933.52	Interception of Wire, Oral, or Electronic Communications
ORC Section 2935.11	Failure to Appear in Response to Summons
ORC Section 2937.99(A)	Failure to Appear as Required by Recognizance
ORC Section 2950.04(E)	Failure to Register
ORC Section 2950.05(F)(1)	Failure to Provide Notice of Change in Vehicle Identifiers
ORC Section 2950.05(F)(2)	Failure to Register
ORC Section 2950.05(F)(2)	Failure to Provide Notice of Change of Address
ORC Section 2950.06(F)	Failure to Verify Address
ORC Section 2950.17	Possession of Prohibited Photograph
ORC Section 2950.041(E)	Failure to Register
ORC Section 2953.321	Divulging Confidential Investigatory Work Product
ORC Section 2953.54	Divulging Confidential Information
ORC Section 2963.11	Fugitive from justice
ORC Section 2981.07	Interference with or Diminishing Forfeitable Property
18 USC § 2	Committing, Aiding, Abetting, Counseling, Commanding, Inducing, Procuring, Causing an offense against the U.S. - Principals
18 USC § 4	Failure to Report a Crime
18 USC § 157	Bankruptcy Fraud
18 USC § 287	False Claim for Health Care Benefit
18 USC § 371	Conspiracy
18 USC § 545	Illegal Importation of Merchandise
18 USC § 641	Embezzlement
18 USC § 922	Sell, Deliver, Ship, Transport, Receive Firearm or Ammunition
18 USC § 922(a)(6)	Falsification to Purchase a Firearm
18 USC § 922(a)(7)	Manufacture, Sell, or Deliver Armor Piercing Ammunition
18 USC § 922(q)(2)(A)	Possession of Firearm in a School Zone
18 USC § 922(q)(3)(A)	Discharge Firearm in School Zone
18 USC § 922(r)	Assemble Prohibited Semiautomatic Rifle or Shotgun
18 USC § 922(t)	Transfer Firearm to Felon or Intoxicated Person
18 USC § 922(u)	Stealing Firearm from Licensee
18 USC § 922(x)(1)	Transfer Firearm or Ammunition to Juvenile
18 USC § 922(x)(2)	Possession of a Handgun or Ammunition by a Juvenile
18 USC § 1001(a)	False Statements
18 USC § 1027	False Statement
18 USC § 1028(a)	Identity Fraud
18 USC § 1029	Telecommunications Fraud
18 USC § 1035	False Statements
18 USC § 1341	Mail Fraud

18 USC § 1343	Telecommunications Fraud
18 USC § 1344	Bank Fraud
18 USC § 1347	Health Care Fraud
18 USC § 1349	Attempt
18 USC § 1349	Conspiracy
18 USC § 1505	Obstructing Proceeding
18 USC § 1510	Obstructing Justice
18 USC § 1512	Tampering with Witness, Victim, or Informant
18 USC § 1518(a)	Obstructing Communication
18 USC § 1519	Destruction or Falsification of Records
18 USC § 1591	Trafficking in Persons - Commercial Sex Acts
18 USC § 1623(a)	Perjury
18 USC §§ 1956–1957	Money Laundering
18 USC § 1962	Racketeering
18 USC § 2071	Destruction or Falsification of Records
18 USC § 2251	Sexual Exploitation of Children
18 USC § 2252	Sexual Exploitation of Minors
18 USC § 2252A	Transport, Receive, or Produce Child Pornography
18 USC § 2422	Coerce or Entice Prostitution

Review of Applicant’s Offense History by the Division

The above listed crimes are not automatically disqualifying. The Division reviews the facts of each applicant’s case on an individual basis. The offense may or may not result in a proposed action to deny licensure. The factors considered 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 the sentencing requirements 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 ORC § 2953.25, or of achievement or employability under ORC § 2961.22, has been obtained; and
- Whether denial of the license is reasonably necessary or appropriate in the public interest or for the protection of investors.

The Division does not have the authority to investigate an individual who has not applied for a license. If an applicant has a criminal history, the Division conducts a thorough investigation and considers the above factors and others, including the facts and circumstances involved in the offense, and the total number and pattern of offenses.