

**Criminal Offenses That May Prohibit Registration as a Telephone Solicitor Under Ohio's
Telephone Solicitation Sales Act, Ohio Revised Code Section 4719.03(B)**

An applicant may be disqualified from obtaining a certificate or registration or a registrant may have its registration revoked or suspended pursuant to O.R.C. 4719.03(B)(4) or (5) if the applicant or registrant has been convicted of, pleaded guilty to, or entered a plea of no contest for a felony, in a court of competent jurisdiction of this state or any other state or of the United States, with respect to the following criminal offenses:

1. O.R.C. 2923.32 Engaging in a pattern of corrupt activity;
2. 18 U.S.C. 1962 Racketeering
3. 15 U.S.C. 78aaa; 15 U.S.C. 78jjj; 18 U.S.C. 1348 Violation of Federal Securities Law;
4. O.R.C. 1308.01 *et seq.* Violation of State Securities Law;
5. Any theft offense defined in O.R.C. 2913.01(K), including any violation of Ohio Revised Code Sections:
 - a. 2911.01 Aggravated robbery;
 - b. 2911.02 Robbery;
 - c. 2911.11 Aggravated Burglary;
 - d. 2911.12 Burglary;
 - e. 2911.13 Breaking and Entering;
 - f. 2911.31 Safecracking;
 - g. 2911.32 Tampering with Coin Machines;
 - h. 2913.02 Theft;
 - i. 2913.03 Unauthorized Use of a Vehicle;
 - j. 2913.04 Unauthorized Use of Property – Computer, Cable, or Telecommunication Property;
 - k. 2913.041 Possession or Sale of Unauthorized Cable Television Device;
 - l. 2913.05 Telecommunications Fraud;
 - m. 2913.06 Unlawful Use of a Telecom Device;
 - n. 2913.11 Passing Bad Checks;
 - o. 2913.21 Misuse of Credit Cards;
 - p. 2913.31 Forgery – Forging Identification Cards or Selling or Distributing Forged Identification cards;
 - q. 2913.32 Criminal Simulation;
 - r. 2913.33 Making or Using slugs;
 - s. 2913.34 Trademark Counterfeiting;
 - t. 2913.40 Medicaid Fraud;

- u. 2913.42 Tampering with Records;
 - v. 2913.43 Securing Writings by Deception;
 - w. 2913.44 Personating an Officer;
 - x. 2913.45 Defrauding Creditors;
 - y. 2913.47 Insurance Fraud;
 - z. 2913.48 Workers' Compensation Fraud;
 - aa. Former sections 2913.47 or 2913.48;
 - bb. 2913.51 Receiving Stolen Property;
 - cc. 2915.05 Cheating – Corrupting Sports; or
 - dd. 2921.41 Theft in Office
6. 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 section listed in O.R.C. 2913.01(K)(1) or a violation of sections 2913.41, 2913.81, or 2915.06 of the Ohio Revised Code as it existed prior to July 1, 1996;
 7. An offense under an existing or former municipal ordinance or law of this or any other state, or of the United States, involving O.R.C. 2911.01 aggravated robbery, O.R.C. 2911.02 robbery, O.R.C. 2911.11 aggravated burglary, O.R.C. 2911.12 burglary, O.R.C. 2911.13 breaking and entering, O.R.C. 2913.02 theft, embezzlement, wrongful conversion, O.R.C. 2913.31 forgery, or O.R.C. 2913.30 counterfeiting, deceit, or fraud;
 8. An offense under O.R.C. 2923.01 conspiracy, or O.R.C. 2923.02 attempt to commit, or O.R.C. 2923.03 complicity in committing, any offense under O.R.C. 2913.01(K)(1), (2), or (3);
 9. Any theft offense of any other state, or the United States, similar to those defined in O.R.C. 2913.01(K), including any violation of:
 - a. 18 U.S.C. 1341 mail fraud;
 - b. 18 U.S.C. 1343 wire fraud
 10. Engaging in conduct that constituted improper, fraudulent, or dishonest dealings including violations of Ohio Revised Code Sections:

- a. 2913.07 Motion Picture Piracy
- b. 2913.421 Illegally transmitting multiple commercial electronic mail messages;
- c. 2913.441 Unlawful Display of Law Enforcement Emblem;
- d. 2913.46 Illegal Use of Food Stamps or WIC Program Benefits; or
- e. 2913.49 Identity Fraud

Exception to Disqualification for Criminal Convictions

The disqualification due to a criminal conviction of an offense in the list provided above may be overcome if the individual applying for the registration or, as applicable, the individual's employee, holds a certificate of qualification for employment issued under section 2953.25 of the Ohio Revised Code or a certificate of achievement and employability issued under section 2961.22 of the Ohio Revised Code. For additional information, visit the Ohio Department of Rehabilitation and Correction's website at <https://drc.ohio.gov/cqe>.

Right to request a Determination of Disqualifying Criminal Offenses

Per O.R.C. 9.78(B), any individual who has been convicted of any criminal offense may request, at any time, that the Attorney General's Consumer Protection Section determine whether the individual's criminal conviction disqualifies the individual from obtaining a certificate of registration as a telephone solicitor. The request submitted must include details of the criminal conviction. The Attorney General's Office may charge a fee of not more than twenty-five dollars for each request. Please be aware that the Attorney General's Office is not bound by a determination made under this section, if, on further investigation, the Office determines that the criminal convictions differ from the information presented in the determination request.