



Ohio Administrative Code

Rule 109:4-3-31 Consent and solicitation of signature.

Effective: April 11, 2025

(A) For the purposes of this rule, "signature" shall include, but not be limited to, a consumer's name, especially when used with any other identifying information, physically or electronically affixed to a communication that is designed to represent that the communication is coming from the consumer or is a representation the consumer is making to another person.

(B) "Communication" as used in paragraph (A) of this rule shall not include information necessary to carry out the consumer transaction such as agreement to be charged, or transmissions between companies regarding a consumer's consent or use of consumer's data.

(C) It shall be a deceptive act or practice in connection with a consumer transaction for a supplier, or anyone acting on the supplier's behalf, to solicit or collect a consumer's signature for use in a communication unless the following provisions are met:

(1) The solicitation must clearly and conspicuously provide to the consumer the message to which the consumer's signature will be attached prior to collecting the consumer's consent to provide said signature.

(2) The solicitation must clearly and conspicuously disclose to the consumer the content of the message, the recipient of the message, and the party responsible for authoring the message.

(3) The solicitation must clearly and conspicuously disclose to the consumer the instance or instances during which the consumer's signature will be used.

(D) It shall be a deceptive act or practice in connection with a consumer transaction for a supplier to use a consumer's signature for use in a communication without affirmative consent from the consumer.

(E) It shall be a deceptive act or practice in connection with a consumer transaction for a supplier to



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use a consumer's signature in an instance or for a purpose not clearly and specifically disclosed in the solicitation.