

*****DRAFT - NOT FOR FILING*****

4112-6-04 Election of civil action.

- (A) If a complaint is issued under section 4112.05 of the Revised Code alleging a violation of division (H) of section 4112.02 of the Revised Code, the complainant, respondent, or an aggrieved party may elect to have the claims in the complaint be decided in a civil action.
- (B) Notice of the election must be made in a writing that is sent by certified mail, return receipt requested, to the ~~commission~~commission, to the civil rights section of the office of the ~~attorney general~~attorney general, and to the other parties to the pending administrative process within thirty days after receipt of the complaint by the electing party.
- (C) The electing party must, upon receiving the mailing receipts which are returned to the electing party as the result of the certified mailings sent pursuant to paragraph (B) of this rule, send those receipts to the civil rights section of the ~~attorney general~~attorney general's office.
- (D) Upon receipt of a timely mailed election, the ~~commission~~commission shall authorize the office of the ~~attorney general~~attorney general to commence and maintain the civil action in the court of common pleas of the county in which the alleged unlawful discriminatory practices occurred.
- (E) The office of the ~~attorney general~~ attorney general shall commence the civil action within thirty days after the receipt of the ~~commission~~commission's authorization to commence the civil action.