



OHIO LEGISLATIVE SERVICE COMMISSION

Sub. Bill Comparative Synopsis

Abby McMahon

Sub. S.B. 255

132nd General Assembly
(H. Federalism and Interstate Relations)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Passed by the Senate)	Sub. Version (L_132_2069-7)
Timeline for occupational licensing board's expiration	Automatically expires an occupational licensing board at the end of December 31 of the fifth year after the board was created or last renewed, or on December 31, 2023, whichever is later. <i>(R.C. 101.62(B).)</i>	Automatically triggers an occupational licensing board to expire at the end of December 31 of the sixth year after the board was created or last renewed, or on December 31, 2024, whichever is later, and expires the board at the end of June 30 of the following year. <i>(R.C. 101.62(B) and (D).)</i>
After the expiration of an occupational licensing board	Authorizes the General Assembly to provide by law for the orderly, efficient, and expeditious conclusion of an occupational licensing board. <i>(R.C. 101.62(D).)</i>	Specifies that the period between the board being triggered and its expiration is to provide for the orderly, efficient, and expeditious conclusion of a board's business and operation. <i>(R.C. 101.62(D).)</i>

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Occupational licensing board performs functions other than licensing or regulating the license of an occupational license	No provision.	<p>Prevents an occupational licensing board that performs functions other than licensing or regulating the license of an occupational license from expiring.</p> <p>Continues the board and statutes creating, empowering, governing, or regulating the board to the extent that the statutes apply to performing those other functions.</p> <p><i>(R.C. 101.62(F).)</i></p>
Review by General Assembly of occupational licensing boards	<p>Requires the House and Senate to do the following within a calendar year starting in 2018:</p> <ul style="list-style-type: none"> - The Speaker and President must direct a standing committee to review 20% of the occupational licensing boards by March 1 of that year. - The standing committees may prepare and publish a report of its findings and recommendations. <p><i>(R.C. 101.63(A).)</i></p>	<p>Requires the House to do the following within the odd-numbered year of a biennium starting in 2019:</p> <ul style="list-style-type: none"> - The Speaker must direct a standing committee to review 33% of the occupational licensing boards by March 1 of that year. - The standing committee must prepare and publish a report of its findings and recommendations by November 15 of that year. - The House must consider any bill offered by the committee regarding the expiration of any boards by December 31 of that year. <p>Requires the Senate to do the following within the even-numbered year of a biennium:</p> <ul style="list-style-type: none"> - The President must direct a standing committee to review 33% of the occupational licensing boards by March 1 of that year.

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	No provision.	<ul style="list-style-type: none"> - The standing committee must prepare and publish a report of its findings and recommendations by November 15 of that year. <p>The Senate must consider any bill offered by the committee regarding the expiration of any boards by December 31 of that year.</p> <p>Requires LSC to provide staff services to a standing committee performing its duties under the bill.</p> <p><i>(R.C. 101.63(A) and (D).)</i></p>
Report published by standing committees	No provision.	<p>Requires the standing committee to make the published report available to the public on its website.</p> <p><i>(R.C. 101.65(A).)</i></p>
Review by the Legislative Service Commission (LSC) of occupations regulated by the state	<p>Requires the LSC Director to perform an assessment every calendar year, starting in 2018 through 2022, of 20% of occupations subject to state regulation.</p> <p>Requires the assessment to attempt to ascertain whether or not the current regulatory scheme being utilized in the state is consistent with policies of the bill.</p> <p><i>(R.C. 103.27.)</i></p>	<p>Requires the LSC director to issue a report each biennium, starting with an odd-numbered year beginning in 2019 through 2024, of 33% of occupations subject to state regulation.</p> <p>Requires the report to compare the current regulatory scheme being utilized in the state with the policies of the bill.</p> <p><i>(R.C. 103.27.)</i></p>

Topic	Previous Version (As Passed by the Senate)	Sub. Version (L_132_2069-7)
Review by LSC of occupational regulation bills introduced	<p>Requires the LSC Director to perform an assessment of any legislation introduced that proposes to substantially change or enact an occupational regulation and issue a report of that assessment in a timely manner.</p> <p>Requires the assessment to attempt to ascertain whether or not the proposed regulatory scheme is consistent with the bill's policy of least restrictive regulation to protect consumers from present, significant, and substantiated harms that threaten public health, safety, or welfare.</p> <p><i>(R.C. 103.26.)</i></p>	<p>Requires the LSC Director to issue a report of any legislation introduced that proposes to substantially change or enact an occupational regulation and issue a report of the legislation in a timely manner.</p> <p>Requires the report to attempt to compare the regulatory scheme proposed in the legislation with the policy under this bill of least restrictive regulation to protect consumers from present, significant, and substantiated harms that threaten public health, safety, and welfare.</p> <p><i>(R.C. 103.26.)</i></p>
Occupational licensing definition exemption	No provision.	<p>Excludes from the definition of occupational licensing a commercial or other driver's license issued under the Revised Code.</p> <p><i>(R.C. 4798.01(A).)</i></p>
Occupational regulation definition exemption	No provision.	<p>Excludes from the definition of occupational regulation sections of the Revised Code related to commercial or other driver's license.</p> <p><i>(R.C. 4798.01(A).)</i></p>



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Appropriate state action to protect consumers	<p>No provision.</p> <p>No provision.</p>	<p>Adds that when the appropriate state action is to offer voluntary certification, it is not offered if a suitable, privately offered voluntary certification for the relevant occupation is available.</p> <p>Adds that the appropriate state action is to require an occupational license if regulations are required to perform services regulated by both federal laws and laws of this state, require the state to recognize an individual's occupational license from another United States state or territory to allow that individual to practice in this state, and are based on uniform national laws, practices, and examinations that have been adopted by at least 50 United States states and territories.</p> <p><i>(R.C. 4798.02(B)(5) and (7).)</i></p>
National or international standards	<p>Provides that occupational regulations that are created by adopting national or international standards and that are substantially equivalent to the occupational regulations for that occupation adopted in at least 45 United States states are determined to be narrowly tailored and the least restrictive regulations.</p> <p><i>(R.C. 4798.02(D).)</i></p>	No provision.

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Certification from a private organization	No provision.	<p>Specifies that an occupational licensing board is permitted to require, as a condition of licensure or renewal of licensure, that an individual's personal qualifications include obtaining or maintaining certification from a private organization that credentials individuals in the relevant occupation.</p> <p><i>(R.C. 4798.02(D).)</i></p>
Criminal conviction disqualifications of an occupational license	<p>No provision.</p> <p>No provision.</p> <p>No provision.</p> <p>No provision.</p>	<p>Allows an individual to request that a licensing authority determine whether an individual's criminal conviction disqualifies the individual from obtaining a license issued or conferred by the authority.</p> <p>Requires an individual making a request to include detail of the criminal conviction and any payment required, not to exceed more than \$25 per request.</p> <p>Requires the licensing authority to inform the individual of its determination not later than 30 days from the date the request was received.</p> <p>Requires a licensing authority to make a list publicly available on its website of all criminal offenses of which conviction will disqualify an individual from obtaining a license issued or conferred by the licensing authority.</p> <p><i>(R.C. 9.78.)</i></p>

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Exemption of rules prescribed by the Supreme Court of Ohio	No provision.	Provides that the bill does not apply to any rules prescribed under Article IV, section 5 of the Ohio Constitution, by the Supreme Court related to courts. <i>(Section 2 of the bill.)</i>
Intention clause	No provision.	States that the bill intends that for the first biennium, starting in 2019, LSC's review of 33% of the occupations listed under R.C. 103.27 will not consist of a review of the same occupations reviewed by the General Assembly under R.C. 101.63. This will allow the General Assembly to review the same occupations beginning in the biennium starting in 2021, and every biennium thereafter, that had just been reviewed by LSC during the previous biennium. <i>(Section 3 of the bill.)</i>