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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Substitute Bill Comparative Synopsis

Sub. H.B. 90

133rd General Assembly

House Health

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This table summarizes how I_133_0211-4 differs from H.B. 90 of the 133rd General Assembly (As Introduced). 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.

Previous Version (H.B. 90 As Introduced)	Latest Version (I_133_0211-4)
Unborn child's humanity instructional program (Program): permissive v. mandatory implementation	
Permits each (1) city, local, and exempted school district's board of education, (2) community and STEM school's governing authority, and (3) college preparatory boarding school's board of trustees to choose to implement the Program (<i>R.C. 3301.0730(B), 3314.03, 3326.11, and 3328.24</i>).	Requires the boards and governing authorities to implement the Program (<i>R.C. 3301.0730(C), 3314.03, 3326.11, and 3328.24</i>).
Program: Chartered nonpublic schools	
Permits chartered nonpublic schools to implement the unborn child's Program (<i>R.C. 3301.0730(B)</i>).	No provision.

Previous Version (H.B. 90 As Introduced)	Latest Version (I_133_0211-4)
Program: Determination of content by implementing school	
Permits the school's board or governing authority to determine the content of the Program's instruction, provided the Program meets the bills requirements <i>(R.C. 3301.0730(B))</i> .	No provision.
Program: Age appropriate instruction	
No provision.	Requires age-appropriate instruction under the Program to be taught as follows: <ul style="list-style-type: none"> ▪ As part of each year's science curriculum in grades three through eight; ▪ In the health course for grades nine through twelve. <i>(R.C. 3301.0730(D).)</i>
Program: Information on human characteristics at certain gestational intervals	
Requires the school boards and governing authorities that implement the program to provide information on human characteristics at certain gestational intervals <i>(R.C. 3301.0730(A) and 3708.09(A))</i> .	Requires the Department of Health (ODH) to develop and make available the information on human characteristics at certain gestational intervals <i>(R.C. 3301.0730(A)(1) and 3708.09(A))</i> .
Program: Submission of Program to JCARR for approval	
No provision.	Requires, no later than 120 days after the bill's effective date, the State Board of Education to submit the Program to Joint Committee on Agency Rule Review (JCARR) for approval <i>(R.C. 3301.0730(E)(1))</i> .

Previous Version (H.B. 90 As Introduced)	Latest Version (I_133_0211-4)
Program: Implementation date.	
No provision.	Requires, no later than one year after the Program is approved by the JCARR, the schools to implement the approved program <i>(R.C. 3301.0730(E)(2))</i> .
ODH materials: Submission to JCARR for approval	
No provision.	Requires, no later than 120 days after the bill's effective date, ODH to submit all materials developed as required under the bill regarding its pregnancy and child services database, information on human characteristics at certain gestational intervals, and recommendations to the Department of Education on the unborn child's humanity for Ohio's academic standards for science, family and consumer sciences, and health classes <i>(R.C. 3708.18)</i> .
JCARR review : 120 day window	
No provision.	Requires, within 120 days of submission, JCARR to review and either approve or disapprove the Program and the ODH materials <i>(R.C. 119.15(A))</i> .
JCARR review: Standard of review	
No provision.	Requires that if, upon reviewing the Program or ODH materials, JCARR finds that Program or ODH materials conflict with the legislative intent of the statutes under which they are required, JCARR may disapprove of the Program or ODH materials, as applicable <i>(R.C. 119.15(B))</i> .

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JCARR review: Common Sense Initiative not applicable	
No provision.	Prohibits the Program or ODH material from being subject to review by the Common Sense Initiative Office (<i>R.C. 119.15(C)</i>).
JCARR review: Meets the requirements of General Assembly review	
No provision.	Provides that JCARR review of the Program satisfies the requirement that the General Assembly pass a concurrent resolution approving the adoption or revision of health standards or curriculum by the State Board of Education (<i>R.C. 3301.0730(E)(3)</i>).
Posting ODH pregnancy and child services statement in public restrooms	
<p>Requires, no later than 6 months after the bill’s effective date, that each of the following facilities (that is open to the public and has a public restroom) display in their public restrooms a version of the pregnancy and child services database statement required by the bill:</p> <ul style="list-style-type: none"> ▪ An educational setting; ▪ A health care facility; ▪ A retail food establishment. <p>(<i>R.C. 3708.01, 3708.05(C), and 3708.07.</i>)</p>	No provision.
Funding: Appropriation to ODH	
<p>Makes an appropriation to ODH:</p> <ul style="list-style-type: none"> ▪ To fund the unborn child’s humanity/abortion-free society duties and develop the unborn child’s humanity instructional 	No provision.

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<p>program (\$500,000 in FY 2020);</p> <ul style="list-style-type: none">For distribution to organizations providing instruction in venereal disease education emphasizing abstinence (\$500,000 in FY 2021). <p><i>(Sections 3 and 4).</i></p>	
Funding: Duties under bill required to the extent of appropriations	
<p>Makes the development of the Program subject to the appropriation of funds and requires the unborn child’s humanity/abortion-free society duties to be carried out by ODH to the extent sufficient funds are appropriated <i>(R.C. 3301.0730(A) and 3708.02)</i>.</p>	<p>No provision.</p>