

I_133_0211-4

133rd General Assembly
Regular Session
2019-2020

. B. No.

A BILL

To amend sections 3314.03, 3326.11, and 3328.24 and
to enact sections 119.15, 3301.0730, 3708.01,
3708.02, 3708.03, 3708.05, 3708.09, 3708.11,
3708.13, 3708.15, 3708.17, 3708.18, and 3708.19
of the Revised Code regarding the creation of a
public school instructional program and
dissemination of materials to protect the
humanity of the unborn child.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3314.03, 3326.11, and 3328.24 be
amended and sections 119.15, 3301.0730, 3708.01, 3708.02,
3708.03, 3708.05, 3708.09, 3708.11, 3708.13, 3708.15, 3708.17,
3708.18, and 3708.19 of the Revised Code be enacted to read as
follows:

Sec. 119.15. (A) The joint committee on agency rule review
shall review and either approve or disapprove the instructional
program submitted pursuant to section 3301.0730 of the Revised
Code and the materials submitted under section 3708.18 of the
Revised Code within one hundred twenty days of submission.



(B) If, upon reviewing the instructional program or materials described under division (A) of this section, the committee finds the instructional program or materials conflict with the legislative intent of the statutes under which they are required, the joint committee may disapprove the instructional program or materials, as applicable. 19
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(C) The instructional program or materials described under division (A) of this section shall not be subject to review by the common sense initiative office. 25
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Sec. 3301.0730. (A) The state board of education, in collaboration with the department of health, shall develop an instructional program regarding the humanity of the unborn child. The program shall do the following: 28
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(1) Be consistent with the materials developed by the department of health under section 3708.09 of the Revised Code; 32
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(2) Include information on accessing prenatal health care; 34

(3) Include only human sexuality education components that comply with the requirements of section 3313.6011 of the Revised Code. 35
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(B) In developing the program, neither the state board of education nor the department of health may consult any organization that provides abortions. 38
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(C) The board of education of each city, local, and exempted village school district shall implement the instructional program developed by the state board under division (A) of this section. 41
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(D) Age-appropriate instruction on the humanity of the unborn child developed under division (A) of this section shall 45
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be taught as follows: 47

(1) As part of each year's science curriculum in grades 48
three through eight; 49

(2) In the health course for grades nine through twelve. 50

(E) (1) Not later than one hundred twenty days after the 51
effective date of H.B. 90 of the 133rd general assembly, the 52
state board shall submit the instructional program developed 53
under division (A) of this section to the joint committee on 54
agency rule review for approval in accordance with section 55
119.15 of the Revised Code. 56

(2) Not later than one year after the program is approved 57
by the joint committee on agency rule review, schools described 58
under division (C) of this section shall implement the approved 59
program. 60

(3) Review of the instructional program under section 61
119.15 of the Revised Code shall satisfy the requirements under 62
section 3301.0718 of the Revised Code. 63

(F) At no time shall the instructional program developed 64
under division (A) of this section or any employee of a school 65
district refer a student to a medical facility or any provider 66
for the performance of an abortion. 67

Sec. 3314.03. A copy of every contract entered into under 68
this section shall be filed with the superintendent of public 69
instruction. The department of education shall make available on 70
its web site a copy of every approved, executed contract filed 71
with the superintendent under this section. 72

(A) Each contract entered into between a sponsor and the 73
governing authority of a community school shall specify the 74

following:	75
(1) That the school shall be established as either of the	76
following:	77
(a) A nonprofit corporation established under Chapter	78
1702. of the Revised Code, if established prior to April 8,	79
2003;	80
(b) A public benefit corporation established under Chapter	81
1702. of the Revised Code, if established after April 8, 2003.	82
(2) The education program of the school, including the	83
school's mission, the characteristics of the students the school	84
is expected to attract, the ages and grades of students, and the	85
focus of the curriculum;	86
(3) The academic goals to be achieved and the method of	87
measurement that will be used to determine progress toward those	88
goals, which shall include the statewide achievement	89
assessments;	90
(4) Performance standards, including but not limited to	91
all applicable report card measures set forth in section 3302.03	92
or 3314.017 of the Revised Code, by which the success of the	93
school will be evaluated by the sponsor;	94
(5) The admission standards of section 3314.06 of the	95
Revised Code and, if applicable, section 3314.061 of the Revised	96
Code;	97
(6) (a) Dismissal procedures;	98
(b) A requirement that the governing authority adopt an	99
attendance policy that includes a procedure for automatically	100
withdrawing a student from the school if the student without a	101
legitimate excuse fails to participate in seventy-two	102

consecutive hours of the learning opportunities offered to the student.	103 104
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	105 106
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	107 108 109 110 111 112
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	113 114
(a) A detailed description of each facility used for instructional purposes;	115 116
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	117 118
(c) The annual mortgage principal and interest payments that are paid by the school;	119 120
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	121 122 123
(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code.	124 125 126 127 128 129
(11) That the school will comply with the following	130

requirements:	131
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	132 133 134
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	135 136 137
(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.	138 139 140 141
(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, <u>3301.0730</u> , 3301.948, 3313.472, 3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 3319.073, 3319.074, 3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it were a school district and will comply with section 3301.0714 of the Revised Code in the manner specified in section 3314.17 of the Revised Code.	142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158
(e) The school shall comply with Chapter 102. and section	159

2921.42 of the Revised Code. 160

(f) The school will comply with sections 3313.61, 161
3313.611, and 3313.614 of the Revised Code, except that for 162
students who enter ninth grade for the first time before July 1, 163
2010, the requirement in sections 3313.61 and 3313.611 of the 164
Revised Code that a person must successfully complete the 165
curriculum in any high school prior to receiving a high school 166
diploma may be met by completing the curriculum adopted by the 167
governing authority of the community school rather than the 168
curriculum specified in Title XXXVIII of the Revised Code or any 169
rules of the state board of education. Beginning with students 170
who enter ninth grade for the first time on or after July 1, 171
2010, the requirement in sections 3313.61 and 3313.611 of the 172
Revised Code that a person must successfully complete the 173
curriculum of a high school prior to receiving a high school 174
diploma shall be met by completing the requirements prescribed 175
in division (C) of section 3313.603 of the Revised Code, unless 176
the person qualifies under division (D) or (F) of that section. 177
Each school shall comply with the plan for awarding high school 178
credit based on demonstration of subject area competency, and 179
beginning with the 2017-2018 school year, with the updated plan 180
that permits students enrolled in seventh and eighth grade to 181
meet curriculum requirements based on subject area competency 182
adopted by the state board of education under divisions (J) (1) 183
and (2) of section 3313.603 of the Revised Code. Beginning with 184
the 2018-2019 school year, the school shall comply with the 185
framework for granting units of high school credit to students 186
who demonstrate subject area competency through work-based 187
learning experiences, internships, or cooperative education 188
developed by the department under division (J) (3) of section 189
3313.603 of the Revised Code. 190

(g) The school governing authority will submit within four 191
months after the end of each school year a report of its 192
activities and progress in meeting the goals and standards of 193
divisions (A) (3) and (4) of this section and its financial 194
status to the sponsor and the parents of all students enrolled 195
in the school. 196

(h) The school, unless it is an internet- or computer- 197
based community school, will comply with section 3313.801 of the 198
Revised Code as if it were a school district. 199

(i) If the school is the recipient of moneys from a grant 200
awarded under the federal race to the top program, Division (A), 201
Title XIV, Sections 14005 and 14006 of the "American Recovery 202
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 203
the school will pay teachers based upon performance in 204
accordance with section 3317.141 and will comply with section 205
3319.111 of the Revised Code as if it were a school district. 206

(j) If the school operates a preschool program that is 207
licensed by the department of education under sections 3301.52 208
to 3301.59 of the Revised Code, the school shall comply with 209
sections 3301.50 to 3301.59 of the Revised Code and the minimum 210
standards for preschool programs prescribed in rules adopted by 211
the state board under section 3301.53 of the Revised Code. 212

(k) The school will comply with sections 3313.6021 and 213
3313.6023 of the Revised Code as if it were a school district 214
unless it is either of the following: 215

(i) An internet- or computer-based community school; 216

(ii) A community school in which a majority of the 217
enrolled students are children with disabilities as described in 218
division (A) (4) (b) of section 3314.35 of the Revised Code. 219

(12) Arrangements for providing health and other benefits	220
to employees;	221
(13) The length of the contract, which shall begin at the	222
beginning of an academic year. No contract shall exceed five	223
years unless such contract has been renewed pursuant to division	224
(E) of this section.	225
(14) The governing authority of the school, which shall be	226
responsible for carrying out the provisions of the contract;	227
(15) A financial plan detailing an estimated school budget	228
for each year of the period of the contract and specifying the	229
total estimated per pupil expenditure amount for each such year.	230
(16) Requirements and procedures regarding the disposition	231
of employees of the school in the event the contract is	232
terminated or not renewed pursuant to section 3314.07 of the	233
Revised Code;	234
(17) Whether the school is to be created by converting all	235
or part of an existing public school or educational service	236
center building or is to be a new start-up school, and if it is	237
a converted public school or service center building,	238
specification of any duties or responsibilities of an employer	239
that the board of education or service center governing board	240
that operated the school or building before conversion is	241
delegating to the governing authority of the community school	242
with respect to all or any specified group of employees provided	243
the delegation is not prohibited by a collective bargaining	244
agreement applicable to such employees;	245
(18) Provisions establishing procedures for resolving	246
disputes or differences of opinion between the sponsor and the	247
governing authority of the community school;	248

(19) A provision requiring the governing authority to	249
adopt a policy regarding the admission of students who reside	250
outside the district in which the school is located. That policy	251
shall comply with the admissions procedures specified in	252
sections 3314.06 and 3314.061 of the Revised Code and, at the	253
sole discretion of the authority, shall do one of the following:	254
(a) Prohibit the enrollment of students who reside outside	255
the district in which the school is located;	256
(b) Permit the enrollment of students who reside in	257
districts adjacent to the district in which the school is	258
located;	259
(c) Permit the enrollment of students who reside in any	260
other district in the state.	261
(20) A provision recognizing the authority of the	262
department of education to take over the sponsorship of the	263
school in accordance with the provisions of division (C) of	264
section 3314.015 of the Revised Code;	265
(21) A provision recognizing the sponsor's authority to	266
assume the operation of a school under the conditions specified	267
in division (B) of section 3314.073 of the Revised Code;	268
(22) A provision recognizing both of the following:	269
(a) The authority of public health and safety officials to	270
inspect the facilities of the school and to order the facilities	271
closed if those officials find that the facilities are not in	272
compliance with health and safety laws and regulations;	273
(b) The authority of the department of education as the	274
community school oversight body to suspend the operation of the	275
school under section 3314.072 of the Revised Code if the	276

department has evidence of conditions or violations of law at 277
the school that pose an imminent danger to the health and safety 278
of the school's students and employees and the sponsor refuses 279
to take such action. 280

(23) A description of the learning opportunities that will 281
be offered to students including both classroom-based and non- 282
classroom-based learning opportunities that is in compliance 283
with criteria for student participation established by the 284
department under division (H) (2) of section 3314.08 of the 285
Revised Code; 286

(24) The school will comply with sections 3302.04 and 287
3302.041 of the Revised Code, except that any action required to 288
be taken by a school district pursuant to those sections shall 289
be taken by the sponsor of the school. However, the sponsor 290
shall not be required to take any action described in division 291
(F) of section 3302.04 of the Revised Code. 292

(25) Beginning in the 2006-2007 school year, the school 293
will open for operation not later than the thirtieth day of 294
September each school year, unless the mission of the school as 295
specified under division (A) (2) of this section is solely to 296
serve dropouts. In its initial year of operation, if the school 297
fails to open by the thirtieth day of September, or within one 298
year after the adoption of the contract pursuant to division (D) 299
of section 3314.02 of the Revised Code if the mission of the 300
school is solely to serve dropouts, the contract shall be void. 301

(26) Whether the school's governing authority is planning 302
to seek designation for the school as a STEM school equivalent 303
under section 3326.032 of the Revised Code; 304

(27) That the school's attendance and participation 305

policies will be available for public inspection;	306
(28) That the school's attendance and participation records shall be made available to the department of education, auditor of state, and school's sponsor to the extent permitted under and in accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code;	307 308 309 310 311 312 313
(29) If a school operates using the blended learning model, as defined in section 3301.079 of the Revised Code, all of the following information:	314 315 316
(a) An indication of what blended learning model or models will be used;	317 318
(b) A description of how student instructional needs will be determined and documented;	319 320
(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;	321 322
(d) The school's attendance requirements, including how the school will document participation in learning opportunities;	323 324 325
(e) A statement describing how student progress will be monitored;	326 327
(f) A statement describing how private student data will be protected;	328 329
(g) A description of the professional development activities that will be offered to teachers.	330 331
(30) A provision requiring that all moneys the school's	332

operator loans to the school, including facilities loans or cash 333
flow assistance, must be accounted for, documented, and bear 334
interest at a fair market rate; 335

(31) A provision requiring that, if the governing 336
authority contracts with an attorney, accountant, or entity 337
specializing in audits, the attorney, accountant, or entity 338
shall be independent from the operator with which the school has 339
contracted. 340

(32) A provision requiring the governing authority to 341
adopt an enrollment and attendance policy that requires a 342
student's parent to notify the community school in which the 343
student is enrolled when there is a change in the location of 344
the parent's or student's primary residence. 345

(33) A provision requiring the governing authority to 346
adopt a student residence and address verification policy for 347
students enrolling in or attending the school. 348

(B) The community school shall also submit to the sponsor 349
a comprehensive plan for the school. The plan shall specify the 350
following: 351

(1) The process by which the governing authority of the 352
school will be selected in the future; 353

(2) The management and administration of the school; 354

(3) If the community school is a currently existing public 355
school or educational service center building, alternative 356
arrangements for current public school students who choose not 357
to attend the converted school and for teachers who choose not 358
to teach in the school or building after conversion; 359

(4) The instructional program and educational philosophy 360

of the school; 361

(5) Internal financial controls. 362

When submitting the plan under this division, the school 363
shall also submit copies of all policies and procedures 364
regarding internal financial controls adopted by the governing 365
authority of the school. 366

(C) A contract entered into under section 3314.02 of the 367
Revised Code between a sponsor and the governing authority of a 368
community school may provide for the community school governing 369
authority to make payments to the sponsor, which is hereby 370
authorized to receive such payments as set forth in the contract 371
between the governing authority and the sponsor. The total 372
amount of such payments for monitoring, oversight, and technical 373
assistance of the school shall not exceed three per cent of the 374
total amount of payments for operating expenses that the school 375
receives from the state. 376

(D) The contract shall specify the duties of the sponsor 377
which shall be in accordance with the written agreement entered 378
into with the department of education under division (B) of 379
section 3314.015 of the Revised Code and shall include the 380
following: 381

(1) Monitor the community school's compliance with all 382
laws applicable to the school and with the terms of the 383
contract; 384

(2) Monitor and evaluate the academic and fiscal 385
performance and the organization and operation of the community 386
school on at least an annual basis; 387

(3) Report on an annual basis the results of the 388
evaluation conducted under division (D) (2) of this section to 389

the department of education and to the parents of students 390
enrolled in the community school; 391

(4) Provide technical assistance to the community school 392
in complying with laws applicable to the school and terms of the 393
contract; 394

(5) Take steps to intervene in the school's operation to 395
correct problems in the school's overall performance, declare 396
the school to be on probationary status pursuant to section 397
3314.073 of the Revised Code, suspend the operation of the 398
school pursuant to section 3314.072 of the Revised Code, or 399
terminate the contract of the school pursuant to section 3314.07 400
of the Revised Code as determined necessary by the sponsor; 401

(6) Have in place a plan of action to be undertaken in the 402
event the community school experiences financial difficulties or 403
closes prior to the end of a school year. 404

(E) Upon the expiration of a contract entered into under 405
this section, the sponsor of a community school may, with the 406
approval of the governing authority of the school, renew that 407
contract for a period of time determined by the sponsor, but not 408
ending earlier than the end of any school year, if the sponsor 409
finds that the school's compliance with applicable laws and 410
terms of the contract and the school's progress in meeting the 411
academic goals prescribed in the contract have been 412
satisfactory. Any contract that is renewed under this division 413
remains subject to the provisions of sections 3314.07, 3314.072, 414
and 3314.073 of the Revised Code. 415

(F) If a community school fails to open for operation 416
within one year after the contract entered into under this 417
section is adopted pursuant to division (D) of section 3314.02 418

of the Revised Code or permanently closes prior to the 419
expiration of the contract, the contract shall be void and the 420
school shall not enter into a contract with any other sponsor. A 421
school shall not be considered permanently closed because the 422
operations of the school have been suspended pursuant to section 423
3314.072 of the Revised Code. 424

Sec. 3326.11. Each science, technology, engineering, and 425
mathematics school established under this chapter and its 426
governing body shall comply with sections 9.90, 9.91, 109.65, 427
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 428
3301.0714, 3301.0715, 3301.0729, 3301.0730, 3301.948, 3313.14, 429
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 430
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 431
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 432
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 433
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 434
3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 435
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 436
3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 437
3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 3319.32, 3319.321, 438
3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 3321.01, 439
3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 440
3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and 441
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 442
4112., 4123., 4141., and 4167. of the Revised Code as if it were 443
a school district. 444

Sec. 3328.24. A college-preparatory boarding school 445
established under this chapter and its board of trustees shall 446
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 447
3301.0714, 3301.0729, 3301.0730, 3301.948, 3313.536, 3313.6013, 448
3313.6021, 3313.6411, 3313.7112, 3313.721, 3313.89, 3319.39, 449

3319.391, and 3319.46 and Chapter 3365. of the Revised Code as 450
if the school were a school district and the school's board of 451
trustees were a district board of education. 452

Sec. 3708.01. As used in this chapter: 453

(A) "Educational setting" includes a public or private 454
school for any grades kindergarten through twelve, a post- 455
secondary educational institution, and any other setting that 456
offers any type of educational program. 457

(B) "Unborn child" has the same meaning as in section 458
2919.16 of the Revised Code. 459

Sec. 3708.02. For the purpose of providing information 460
about the humanity of an unborn child and achieving an abortion- 461
free society, the department of health shall carry out the 462
duties described in this chapter. 463

Sec. 3708.03. (A) The department of health shall develop 464
and maintain a pregnancy and child services database containing 465
a list of agencies that offer services available to assist women 466
through pregnancy and childbirth and while their children are 467
dependent. 468

(B) The database shall contain a comprehensive list of 469
public and private agencies, including adoption agencies. 470

(C) The database shall include the following information 471
for each agency: 472

(1) Agency name; 473

(2) Address; 474

(3) Telephone number; 475

(4) Electronic mail address; 476

<u>(5) A description of the services offered by the agency.</u>	477
<u>(D) The database shall be accessible to the public on the department's web site, indexed geographically, and updated annually.</u>	478 479 480
<u>Sec. 3708.05. (A) The department of health shall include the following statement with the pregnancy and child services database on the department's web site: "There are many public and private agencies willing and able to help you carry your child to term and assist you and your child after your child is born, whether you choose to keep your child or place your child for adoption. If you are pregnant, the State of Ohio strongly urges you to contact an agency listed on the Department of Health's pregnancy and child services database."</u>	481 482 483 484 485 486 487 488 489
<u>(B) The statement shall include an electronic link to the pregnancy and child services database.</u>	490 491
<u>Sec. 3708.09. (A) The department of health shall develop and make available materials that provide accurate, scientifically verifiable information concerning the probable anatomical and physiological characteristics of an unborn child at the following gestational intervals:</u>	492 493 494 495 496
<u>(1) One to two weeks;</u>	497
<u>(2) Three weeks;</u>	498
<u>(3) Four weeks;</u>	499
<u>(4) Five weeks;</u>	500
<u>(5) Six to seven weeks;</u>	501
<u>(6) Eight weeks;</u>	502
<u>(7) Nine weeks;</u>	503

<u>(8) Ten weeks;</u>	504
<u>(9) Eleven to fourteen weeks;</u>	505
<u>(10) Fifteen to eighteen weeks;</u>	506
<u>(11) Nineteen to twenty-one weeks;</u>	507
<u>(12) Twenty-two weeks;</u>	508
<u>(13) Twenty-three to twenty-five weeks;</u>	509
<u>(14) Twenty-six weeks;</u>	510
<u>(15) Twenty-seven to thirty weeks;</u>	511
<u>(16) Thirty-one to thirty-four weeks;</u>	512
<u>(17) Thirty-five to thirty-seven weeks;</u>	513
<u>(18) Thirty-eight to forty weeks.</u>	514
<u>(B) The department shall develop educational and</u>	515
<u>informational materials about pregnancy and abortion. The</u>	516
<u>materials shall include the most readily available, accurate,</u>	517
<u>scientifically verifiable, up-to-date information and shall</u>	518
<u>clearly and consistently state that abortion kills a living</u>	519
<u>human being. The department shall distribute the materials to</u>	520
<u>the public through public service announcements, print and</u>	521
<u>broadcast media, and otherwise.</u>	522
<u>Sec. 3708.11. The department of health shall submit an</u>	523
<u>annual report describing its efforts to meet the requirements of</u>	524
<u>this chapter to the chairpersons and vice-chairpersons of the</u>	525
<u>standing committees of the house of representatives and the</u>	526
<u>senate that are primarily responsible for considering public</u>	527
<u>health issues.</u>	528
<u>Sec. 3708.13. (A) The department of health shall provide</u>	529

outreach, training, consultation, and alternatives-to-abortion 530
referral services to organizations, communities, and educational 531
settings within the state. 532

(B) The department shall provide technical assistance to 533
community-based organizations to help them plan and implement 534
abortion prevention and alternatives-to-abortion referral 535
programs and education programs regarding the humanity of an 536
unborn child. 537

Sec. 3708.15. The department of health shall distribute 538
educational and informational materials addressing maternal 539
behavior during pregnancy that is helpful to an unborn child. 540
The materials shall provide information about the following: 541

(A) The avoidance of tobacco, alcohol, and other drugs 542
during pregnancy; 543

(B) The importance of proper nutrition and prenatal 544
vitamins; 545

(C) The resources available for prenatal medical and 546
wellness care. 547

Sec. 3708.17. The department of health shall recommend to 548
the department of education accurate, scientifically verifiable 549
information regarding an unborn child for the state's academic 550
standards for science, family and consumer sciences, and health 551
classes. 552

Sec. 3708.18. Not later than one hundred twenty days 553
following the effective date of H.B. 90 of the 133rd general 554
assembly, the department shall submit all materials developed 555
under sections 3708.03, 3708.09, and 3708.17 of the Revised Code 556
to the joint committee on agency rule review for approval in 557
accordance with section 119.15 of the Revised Code. 558

Sec. 3708.19. The department of health, in accordance with 559
Chapter 119. of the Revised Code, shall adopt rules necessary to 560
implement this chapter. 561

Section 2. That existing sections 3314.03, 3326.11, and 562
3328.24 of the Revised Code are hereby repealed. 563

Section 3. Section 3328.24 of the Revised Code is 564
presented in this act as a composite of the section as amended 565
by both Am. Sub. H.B. 410 and Sub. S.B. 3 of the 131st General 566
Assembly. The General Assembly, applying the principle stated in 567
division (B) of section 1.52 of the Revised Code that amendments 568
are to be harmonized if reasonably capable of simultaneous 569
operation, finds that the composite is the resulting version of 570
the section in effect prior to the effective date of the section 571
as presented in this act. 572