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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

H.B. 90
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 90's Bill Analysis](#)

Version: As Introduced

Primary Sponsor: Rep. Antani

Local Impact Statement Procedure Required: No

Jacquelyn Schroeder, Budget Analyst

Highlights

- The bill appropriates \$500,000 in GRF funds in FY 2020 within the Ohio Department of Health's (ODH) budget. Funds are required to be used to develop an instructional program regarding the humanity of an unborn child, a pregnancy and child services database, as well as educational materials concerning gestation, pregnancy, and abortion, and materials addressing maternal behaviors during pregnancy that are helpful to an unborn child.
- The bill also appropriates \$500,000 in GRF funds in FY 2021 within ODH's budget and requires ODH to distribute the funds to organizations that provide instruction in venereal disease education emphasizing abstinence.

Detailed Analysis

Unborn child's humanity

The bill requires, subject to the appropriation of funds, the State Board of Education, in collaboration with ODH, to develop an instructional program regarding the humanity of the unborn child. The bill permits, but does not require, public districts and schools to implement the program. ODH is also required to recommend to the Department of Education (ODE) information regarding an unborn child for the state's academic standards for science, family and consumer sciences, and health classes.

Additionally, to the extent sufficient funds are appropriated by the General Assembly, ODH is required to develop, maintain, and update annually a pregnancy and child services database containing a list of agencies that offer services available to assist women through pregnancy and childbirth and while their children are dependent. The database is to include a comprehensive list of public and private agencies, including adoption agencies.

Under the bill, ODH is required to develop and make available information concerning the probable characteristics of an unborn child at specified gestational ages, as well as information about pregnancy and abortion. ODH is required to distribute the materials to the public through public service announcements, as well as print and broadcast media. ODH is also required to distribute educational and informational materials addressing maternal behavior during pregnancy that is helpful to an unborn child.

Additionally, ODH is required to provide technical assistance to community-based organizations to help them plan and implement abortion prevention and alternatives-to-abortion referral programs, as well as education programs. ODH is also required to provide outreach, training, consultation, and alternatives-to-abortion services to organizations, communities, etc.

ODH is also required to submit an annual report describing its efforts to meet the requirements of the bill to the chairpersons and vice-chairpersons of the standing committees of the House of Representatives and the Senate that are primarily responsible for considering public health issues. Lastly, ODH is required to adopt rules necessary to implement the provisions of the bill.

The bill also requires facilities that are open to the public, have a public restroom, and are an educational setting, a health care facility, or a retail food establishment to display in its public restrooms a statement created by ODH and made downloadable on its website.

Fiscal impact

The bill appropriates \$500,000 in GRF funds in FY 2020 within ODH's budget to carry out certain provisions of the bill. Funds are required to be used to develop the instructional program, the pregnancy and child services database, as well as the educational materials concerning gestation, pregnancy, and abortion, and materials addressing maternal behaviors during pregnancy that are helpful to an unborn child. The bill specifies that ODH and ODE are required to carry out the duties described in the bill to the extent sufficient funds are appropriated by the General Assembly. Any costs incurred by public districts and schools that opt to implement the instructional program are permissive and likely minimal.

The bill also appropriates \$500,000 in GRF funds in FY 2021 within ODH's budget to be distributed to organizations that provide instruction in venereal disease education emphasizing abstinence.

In regards to the requirement that public facilities post ODH's statement, the bill does not address which entity would be responsible for addressing complaints or ensuring compliance.