

OHIO

House

of

Representatives

JOURNAL

MONDAY, DECEMBER 5, 2016

TWO HUNDRED TWENTY-FIRST DAY
Hall of the House of Representatives, Columbus, Ohio
Monday, December 5, 2016, 9:00 o'clock a.m.

The House met pursuant to adjournment.

The journal of the previous legislative day was read and approved.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the standing committee on Rules and Reference:

Remove Representatives Celebrezze and Ryan; appoint Representatives Craig and Huffman.

On motion of Representative Huffman, the House recessed.

The House met pursuant to recess.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 624 - Representative Schaffer.

To amend section 149.30 and to enact section 155.28 of the Revised Code to prohibit a war relic that is located on public property or on the property of a cemetery association from being sold or otherwise disposed of, or destroyed, relocated, removed, altered, or otherwise disturbed, except under certain circumstances.

H. B. No. 625 - Representative Schaffer.

To amend sections 5747.08 and 5747.98 and to enact section 5747.64 of the Revised Code to allow an income tax credit for law enforcement officials who purchase safety or protective items used in the course of official law enforcement activities.

H. B. No. 626 - Representatives Ramos, Leland.

Cosponsors: Representatives Sykes, Johnson, G., Howse, Phillips, Smith, K., Antonio, Boyd.

To amend sections 3505.39 and 3505.40 and to enact section 3505.381 of the Revised Code to adopt the Agreement Among the States to Elect the President by National Popular Vote.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Boyce reported for the Rules and Reference committee recommending that the following House Joint Resolution be considered for the second time and referred to the following committee for consideration:

H. J. R. No. 13 - Representatives Amstutz and Curtin

PROPOSING TO AMEND SECTION 2, TO ENACT SECTIONS 2T AND 18, AND TO REPEAL SECTIONS 2B, 2C, 2D, 2E, 2F, 2G, 2H, 2J, 2K, 7, 8, 9, 10, AND 11 OF ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF OHIO TO ADOPT THE RECOMMENDATIONS OF THE OHIO CONSTITUTIONAL MODERNIZATION COMMISSION RELATIVE TO THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS OF FACILITIES FOR MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, PARKS AND RECREATION, AND HOUSING OF AGENCIES OF STATE GOVERNMENT AND RELATIVE TO THE ELIMINATION OF OBSOLETE PROVISIONS CONCERNING BOND AUTHORIZATION, THE SINKING FUND, AND THE SINKING FUND COMMISSION.

To the committee on Government Accountability and Oversight

RON AMSTUTZ

BILL HAYES

STEPHEN A. HUFFMAN

DOROTHY PELANDA

NICKIE J. ANTONIO

HEARCEL F. CRAIG

ANDREW BRENNER

RON HOOD

STEPHANIE KUNZE

FRED STRAHORN

KEVIN BOYCE

DANIEL RAMOS

Representative Huffman moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of the House Joint Resolution contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Joint Resolution was considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

Representative Boyce reported for the Rules and Reference committee recommending that the following resolutions be read by title only and approved:

H. R. No. 582 - Representatives Antonio, Barnes, Boyd, Celebrezze, Howse, Patmon, Sweeney

Honoring Eric Gordon as the 2016 Urban Educator of the Year.

Add the names: Strahorn, Amstutz, Ramos, Boyce, Craig, Brenner

H. R. No. 583 - Representatives Patmon, Amstutz, Antani, Arndt, Baker, Barnes, Boggs, Celebrezze, Craig, DeVitis, Dovilla, Duffey, Hood, Howse, Leland, McColley, O'Brien, M., Ramos, Roegner, Rogers, Ruhl, Smith, K., Sweeney, Young

Honoring the Cleveland Indians as the 2016 American League Champion.

Add the names: Antonio, Strahorn, Brenner, Kunze

H. R. No. 584 - Representative Dovilla

Honoring Ajay K. Misra as a Meritorious Senior Executive.

/s/RON AMSTUTZ

Ron Amstutz, Chair

Representative Huffman moved that the Rules and Reference committee report on resolutions be agreed to and that the resolutions contained therein be approved.

The motion was agreed to.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bills in which the concurrence of the House is requested:

Am. S. B. No. 195 - Senators Hughes, Hottinger

Cosponsors: Senators Yuko, LaRose, Williams, Eklund, Hite, Patton, Schiavoni, Uecker

To amend section 959.99 and to enact section 959.21 of the Revised Code to prohibit a person from engaging in sexual conduct with an animal and related acts, to provide for the seizure and impoundment of an animal that is the subject of a violation, and to authorize a sentencing court to require an offender to undergo psychological evaluation or counseling.

Sub. S. B. No. 288 - Senator Eklund

Cosponsors: Senators LaRose, Seitz, Patton, Beagle, Coley, Hackett, Hite, Jordan, Lehner, Peterson, Sawyer, Uecker

To amend sections 901.13, 5733.01, 5733.04, 5733.057, 5733.09, 5733.12, 5733.98, 5747.01, 5747.012, 5747.03, 5747.08, 5747.082, 5747.11, 5747.13, 5747.132, 5747.14, 5747.15, 5747.20, 5747.21, 5747.212, 5747.22, 5747.221, 5747.231, 5747.28, 5747.30, 5747.331, 5747.44, 5747.65, 5747.98, and 5748.01, to enact new sections 5747.40, 5747.41, 5747.42, and 5747.43, and to repeal sections 5733.0611, 5733.40, 5733.401, 5733.402, 5733.41, 5747.059, 5747.40, 5747.401, 5747.41, 5747.42, 5747.43, 5747.45, 5747.451, 5747.453, and 5747.75 of the Revised Code to revise the law governing how

taxes on income from pass-through entities is to be reported and paid by the entities and their investors.

Sub. S. B. No. 314 - Senator Lehner

Cosponsors: Senators Cafaro, Coley, Tavares, Hite, Beagle, Jones, Brown, Eklund, Hughes, Jordan, Manning, Oelslager, Patton, Sawyer, Schiavoni, Seitz, Skindell, Thomas

To enact sections 3727.70, 3727.71, 3727.72, 3727.73, 3727.74, 3727.75, 3727.76, 3727.77, 3727.78, and 3727.79 of the Revised Code to provide for the designation of a lay person to provide after-care to a hospital inpatient and participate in discharge planning.

Sub. S. B. No. 317 - Senators Hughes, Coley

Cosponsors: Senators Eklund, Beagle, Gardner, Bacon, Patton, Hackett, Hite, Hottinger, Jordan

To amend sections 102.02, 109.572, 111.15, 119.01, 121.07, 131.11, 135.03, 135.032, 135.32, 135.321, 135.51, 135.52, 135.53, 323.134, 339.06, 513.17, 749.081, 755.141, 902.01, 924.10, 924.26, 924.45, 1101.01, 1101.02, 1101.03, 1101.15, 1101.16, 1103.01, 1103.02, 1103.03, 1103.06, 1103.07, 1103.08, 1103.09, 1103.11, 1103.13, 1103.14, 1103.15, 1103.16, 1103.18, 1103.19, 1103.20, 1103.21, 1105.01, 1105.02, 1105.03, 1105.04, 1105.08, 1105.10, 1105.11, 1107.03, 1107.05, 1107.07, 1107.09, 1107.11, 1107.13, 1107.15, 1109.01, 1109.02, 1109.03, 1109.05, 1109.08, 1109.10, 1109.15, 1109.16, 1109.17, 1109.22, 1109.23, 1109.24, 1109.25, 1109.26, 1109.31, 1109.32, 1109.33, 1109.34, 1109.35, 1109.36, 1109.39, 1109.40, 1109.43, 1109.44, 1109.45, 1109.47, 1109.48, 1109.49, 1109.53, 1109.54, 1109.55, 1109.59, 1109.61, 1109.63, 1109.64, 1109.65, 1109.69, 1111.01, 1111.02, 1111.03, 1111.04, 1111.06, 1111.07, 1111.08, 1111.09, 1113.01, 1113.03, 1113.05, 1113.06, 1113.08, 1113.09, 1115.01, 1115.05, 1115.06, 1115.07, 1115.11, 1115.111, 1115.14, 1115.15, 1115.20, 1115.23, 1115.27, 1117.01, 1117.02, 1117.04, 1117.05, 1119.11, 1119.17, 1119.23, 1119.26, 1121.01, 1121.02, 1121.05, 1121.06, 1121.10, 1121.12, 1121.13, 1121.15, 1121.16, 1121.17, 1121.18, 1121.21, 1121.23, 1121.26, 1121.30, 1121.33, 1121.34, 1121.38, 1121.41, 1121.43, 1121.45, 1121.47, 1121.48, 1121.50, 1121.56, 1123.01, 1125.01, 1125.03, 1125.04, 1125.05, 1125.06, 1125.09, 1125.10, 1125.11, 1125.12, 1125.13, 1125.14, 1125.17, 1125.18, 1125.19, 1125.20, 1125.21, 1125.22, 1125.23, 1125.24, 1125.25, 1125.26, 1125.27, 1125.28, 1125.29, 1125.30, 1125.33, 1181.01, 1181.02, 1181.03, 1181.04, 1181.05, 1181.06, 1181.07, 1181.10, 1181.11, 1181.21, 1181.25, 1349.16, 1509.07, 1509.225, 1510.09, 1514.04, 1707.03, 1901.31, 2335.25, 3351.07, 3767.41, 4303.293, and 5814.01; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 1103.01 (1113.01), 1103.06 (1113.04), 1103.08 (1113.12), 1103.09 (1113.13), 1103.11 (1113.11), 1103.13

(1113.14), 1103.14 (1113.15), 1103.15 (1113.16), 1103.16 (1113.17), 1103.21 (1117.07), and 1113.01 (1113.02) and to enact new section 1121.52 and sections 1101.05, 1103.99, 1109.021, 1109.04, 1109.151, 1109.441, 1109.62, 1114.01, 1114.02, 1114.03, 1114.04, 1114.05, 1114.06, 1114.07, 1114.08, 1114.09, 1114.10, 1114.11, 1114.12, 1114.16, 1115.02, 1115.03, 1115.24, 1116.01, 1116.02, 1116.05, 1116.06, 1116.07, 1116.08, 1116.09, 1116.10, 1116.11, 1116.12, 1116.13, 1116.16, 1116.18, 1116.19, 1116.20, 1116.21, and 1121.19, and to repeal sections 1105.06, 1107.01, 1109.60, 1115.18, 1115.19, 1115.25, 1121.52, 1133.01, 1133.02, 1133.03, 1133.04, 1133.05, 1133.06, 1133.07, 1133.08, 1133.09, 1133.10, 1133.11, 1133.12, 1133.13, 1133.14, 1133.15, 1133.16, 1151.01, 1151.02, 1151.03, 1151.04, 1151.05, 1151.051, 1151.052, 1151.053, 1151.06, 1151.07, 1151.08, 1151.081, 1151.09, 1151.091, 1151.10, 1151.11, 1151.12, 1151.13, 1151.14, 1151.15, 1151.16, 1151.17, 1151.18, 1151.19, 1151.191, 1151.192, 1151.20, 1151.201, 1151.21, 1151.22, 1151.23, 1151.231, 1151.24, 1151.25, 1151.26, 1151.27, 1151.28, 1151.29, 1151.291, 1151.292, 1151.293, 1151.294, 1151.295, 1151.296, 1151.297, 1151.298, 1151.299, 1151.2910, 1151.2911, 1151.30, 1151.31, 1151.311, 1151.312, 1151.32, 1151.321, 1151.323, 1151.33, 1151.34, 1151.341, 1151.342, 1151.343, 1151.344, 1151.345, 1151.346, 1151.347, 1151.348, 1151.349, 1151.35, 1151.36, 1151.361, 1151.37, 1151.38, 1151.39, 1151.40, 1151.41, 1151.411, 1151.42, 1151.44, 1151.45, 1151.46, 1151.47, 1151.471, 1151.48, 1151.49, 1151.51, 1151.52, 1151.53, 1151.54, 1151.55, 1151.60, 1151.61, 1151.62, 1151.63, 1151.64, 1151.66, 1151.71, 1151.72, 1151.99, 1153.03, 1153.05, 1153.06, 1153.07, 1153.99, 1155.01, 1155.011, 1155.02, 1155.021, 1155.03, 1155.05, 1155.07, 1155.071, 1155.08, 1155.09, 1155.091, 1155.10, 1155.11, 1155.12, 1155.15, 1155.16, 1155.17, 1155.18, 1155.20, 1155.21, 1155.23, 1155.24, 1155.25, 1155.26, 1155.27, 1155.28, 1155.31, 1155.35, 1155.37, 1155.41, 1155.42, 1155.43, 1155.44, 1155.45, 1155.46, 1155.47, 1157.01, 1157.03, 1157.04, 1157.05, 1157.06, 1157.09, 1157.10, 1157.11, 1157.12, 1157.13, 1157.14, 1157.17, 1157.18, 1157.19, 1157.20, 1157.21, 1157.22, 1157.23, 1157.24, 1157.25, 1157.26, 1157.27, 1157.28, 1157.29, 1157.30, 1157.33, 1161.01, 1161.02, 1161.03, 1161.04, 1161.05, 1161.06, 1161.07, 1161.071, 1161.08, 1161.09, 1161.10, 1161.11, 1161.111, 1161.12, 1161.13, 1161.14, 1161.15, 1161.16, 1161.17, 1161.18, 1161.19, 1161.20, 1161.21, 1161.22, 1161.23, 1161.24, 1161.25, 1161.26, 1161.27, 1161.28, 1161.29, 1161.30, 1161.31, 1161.32, 1161.33, 1161.34, 1161.35, 1161.36, 1161.37, 1161.38, 1161.39, 1161.40, 1161.41, 1161.42, 1161.43, 1161.44, 1161.441, 1161.45, 1161.46, 1161.47, 1161.48, 1161.49, 1161.50, 1161.51, 1161.52, 1161.53, 1161.54, 1161.55, 1161.56, 1161.57, 1161.58, 1161.59, 1161.60, 1161.601, 1161.61, 1161.62, 1161.63, 1161.631, 1161.64, 1161.65, 1161.66, 1161.67, 1161.68, 1161.69, 1161.70, 1161.71, 1161.72, 1161.73, 1161.74, 1161.75, 1161.76, 1161.77, 1161.78, 1161.79, 1161.80, 1161.81, 1163.01, 1163.02, 1163.03, 1163.04, 1163.05, 1163.07, 1163.09, 1163.10, 1163.11, 1163.12, 1163.121, 1163.13, 1163.14, 1163.15,

1163.19, 1163.20, 1163.21, 1163.22, 1163.24, 1163.25, 1163.26, 1163.27, 1165.01, 1165.03, 1165.04, 1165.05, 1165.06, 1165.09, 1165.10, 1165.11, 1165.12, 1165.13, 1165.14, 1165.17, 1165.18, 1165.19, 1165.20, 1165.21, 1165.22, 1165.23, 1165.24, 1165.25, 1165.26, 1165.27, 1165.28, 1165.29, 1165.30, 1165.33, 1181.16, 1181.17, and 1181.18 of the Revised Code for the purpose of enacting a new banking law for the State of Ohio.

Sub. S. B. No. 364 - Senator Peterson

Cosponsors: Senators Coley, Eklund, Faber, Hackett, Obhof, Seitz

To authorize the conveyance of, and the granting of perpetual easements to, state-owned real property.

Attest:

Vincent L. Keeran,
Clerk.

Said bills were considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments to:

Sub. S. B. No. 232 - Senator Bacon – et al.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

H. B. No. 440 - Representative Anielski

Cosponsors: Representatives Kunze, Grossman, Perales, Antani, Antonio, Arndt, Baker, Barnes, Bishoff, Blessing, Boggs, Boose, Boyce, Brown, Buchy, Butler, Celebrezze, Clyde, Craig, Cupp, Derickson, Dever, DeVitis, Duffey, Hagan, Hall, Hayes, Johnson, G., Johnson, T., Kuhns, Landis, Leland, Manning, McClain, O'Brien, M., O'Brien, S., Patterson, Pelanda, Phillips, Ramos, Reineke, Rogers, Ruhl, Ryan, Schaffer, Scherer, Sheehy, Slaby, Slesnick, Smith, R., Sprague, Strahorn, Sweeney, Sykes, Terhar, Thompson
Senators LaRose, Hackett, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hottinger, Hughes, Jones,

Jordan, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Tavares, Thomas, Uecker, Williams

To enact section 5.48 of the Revised Code to designate the Saturday before Thanksgiving as "Ohio Survivors of Suicide Loss Day."

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Am. Sub. H. B. No. 185 - Representative Koehler

Cosponsors: Representatives Grossman, Becker, Amstutz, Buchy, Rezabek, Anielski, Antonio, Arndt, Ashford, Baker, Boose, Brown, Burkley, Celebrezze, Cera, Cupp, Fedor, Green, Hackett, Hambley, Hayes, Henne, Johnson, G., Kuhns, Kunze, Landis, Leland, Lepore-Hagan, Manning, O'Brien, M., Pelanda, Perales, Rogers, Ruhl, Schaffer, Sheehy, Smith, R., Sprague, Strahorn, Sweeney, Thompson Senators Eklund, Hite, Thomas, Uecker

To amend sections 9.06, 2909.03, and 2909.11 of the Revised Code to eliminate lack of the property owner's consent as an element of arson when the property is not an occupied structure and to make the consent of the owner of a structure that is not an occupied structure an affirmative defense, and to modify the provisions regarding the private operation and management of intensive program prisons.

As a substitute bill with the following additional amendment, in which the concurrence of the House is requested.

Delete lines 466 through 473

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bills in which the concurrence of the House is requested:

Sub. S. B. No. 237 - Senator LaRose

Cosponsors: Senators Burke, Bacon, Hackett, Eklund, Balderson, Beagle, Faber, Gardner, Hite, Hottinger, Hughes, Jones, Manning, Oelslager, Patton, Peterson, Seitz, Uecker

To amend sections 2925.01, 2925.02, 2925.03, 2925.04, 2925.05, 2925.11, 2925.13, 2925.36, 2929.01, 2929.14, 2941.1410, 3719.41, 3719.99, and 4729.99 of the Revised Code to increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse, and to add lisdexamfetamine to the list of schedule II controlled substances.

S. B. No. 265 - Senator Seitz

Cosponsors: Senators Williams, Eklund, Schiavoni, Manning, Jordan, Patton, Skindell

To amend section 3772.99 of the Revised Code to specify that the criminal penalty related to casino operators and employees participating in casino gaming applies at their casino facility or an affiliated casino facility.

S. B. No. 271 - Senator Gentile

Cosponsors: Senators Yuko, Jones, Schiavoni, Cafaro, Skindell, Tavares, Thomas, LaRose, Gardner, Hite, Hackett, Brown, Burke, Coley, Eklund, Faber, Hottinger, Hughes, Manning, Obhof, Oelslager, Patton, Peterson, Uecker

To amend sections 9.62 and 721.15 of the Revised Code to authorize a law enforcement officer to purchase a police dog or horse for fair market value when the officer retires in good standing from a law enforcement agency and certain conditions are met, and to declare an emergency.

Attest:

Vincent L. Keeran,
Clerk.

Said bills were considered the first time.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes changes to the membership of the following standing committees:

Government Accountability and Oversight:

Remove Representative Buchy; appoint Representative Huffman.

Rules and Reference:

Remove Representatives Craig and Huffman; appoint Representatives Celebrezze and Ryan.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on December 1, 2016, signed the following:

Sub. S. B. No. 232-Senator Bacon - et al.

On motion of Representative Huffman, the House adjourned until Tuesday, December 6, 2016 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.