

OHIO

SENATE

JOURNAL

CORRECTED VERSION
MONDAY, MARCH 26, 2018

ONE HUNDRED SIXTIETH DAY
Senate Chamber, Columbus, Ohio
Monday, March 26, 2018, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

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

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Sub. S. B. No. 1-Senator LaRose

Cosponsors: Senators Gardner, Hoagland, Bacon, Hottinger, Beagle, Oelslager, Yuko, Hite, Eklund, Manning, Burke, Terhar, Hackett, O'Brien, Balderson, Huffman, Kunze, Lehner, Obhof, Peterson, Uecker, Wilson
Representatives Manning, Rezabek, Butler, Lang, Anielski, Antani, Antonio, Arndt, Ashford, Barnes, Brenner, Carfagna, Cupp, Edwards, Faber, Gavarone, Ginter, Gonzales, Green, Greenspan, Hagan, Hambley, Holmes, Hoops, Huffman, Hughes, Johnson, Kick, Koehler, Landis, LaTourette, Lipps, McClain, O'Brien, Patmon, Patterson, Patton, Pelanda, Perales, Retherford, Riedel, Rogers, Romanchuk, Ryan, Schaffer, Scherer, Schuring, Sheehy, Slaby, Smith, R., Sprague, Stein, Wiggam, Young

To amend sections 2925.01, 2925.02, 2925.03, 2925.04, 2925.05, 2925.11, 2925.13, 2925.36, 2929.01, 2929.13, 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, except for drug possession violations when the fentanyl-related compound is combined with marijuana or a Schedule III, IV, or V controlled substance and the offender did not know of the fentanyl content; 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., was taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

Senator Oelslager moved that the amendments of the House of Representatives to **Sub. S. B. No. 1**, be informally passed and retain its place on the calendar.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered for the first time:

S. B. No. 278 - Senators Schiavoni, Williams.

Cosponsors: Senators Thomas, Skindell, Yuko, Brown, Tavares.

To amend sections 109.57, 2923.125, 2923.128, and 2923.13 and to enact sections 2923.26, 2923.27, 2923.28, 2923.29, 2923.30, and 2923.99 of the Revised Code to enact the Extreme Risk Protection Order Act to allow family members, household members, and law enforcement officers to obtain a court order that temporarily restricts a person's access to firearms if that person poses a danger to themselves or others.

S. B. No. 279 - Senators Tavares, Sykes.

Cosponsors: Senators Thomas, Skindell, Schiavoni, Williams, Brown.

To amend sections 2923.125, 2923.13, 2923.14, and 2923.25 and to enact section 2923.191 of the Revised Code to prohibit a person from improperly storing or leaving a firearm if the person knows that a minor is able to gain access to the firearm and to provide criminal penalties, including forfeiture of firearms, if a minor gains unauthorized access to an improperly stored firearm.

S. B. No. 280 - Senator Eklund.

To amend section 2315.21 of the Revised Code to expand the exemption from punitive or exemplary damages limitations in tort law that is provided with respect to an act resulting in a felony conviction involving purposeful or knowing conduct so that it also applies when the act results in a felony conviction for a strict liability offense.

S. B. No. 281 - Senators Hoagland, Eklund.

Cosponsors: Senators Terhar, Uecker, Williams.

To amend section 2923.25 of the Revised Code to expressly grant federally licensed firearms dealers the right to refuse to sell or transfer a firearm to any person and to provide a dealer who asserts that right with immunity from civil liability for any injury, death, or loss that allegedly was caused by, resulted from, or was related to the refusal.

S. B. No. 282 - Senator Williams.

Cosponsors: Senators Terhar, Yuko, Beagle, Sykes, Thomas, Schiavoni, Tavares.

To amend section 4501.21 and to enact section 4503.579 of the Revised Code to create the "National Council of Negro Women" license plate.

S. B. No. 283 - Senators Thomas, Schiavoni.

Cosponsors: Senators Skindell, Williams, Brown, Tavares, Sykes, Yuko.

To amend sections 2929.28 and 5122.311 and to enact section 2923.26 of

the Revised Code to prohibit a firearm transfer from a person who is not a federally licensed firearms dealer to a person who is not a dealer unless it is done through a dealer, through a law enforcement agency, or pursuant to a specified exception, and to require that background checks be conducted when a firearm is transferred through a federally licensed firearms dealer or a law enforcement agency.

S. B. No. 284 - Senators Thomas, Schiavoni.

Cosponsors: Senators Skindell, Williams, Brown, Tavares, Yuko, Sykes.

To amend sections 2151.022, 2152.02, 2152.16, 2923.21, and 2923.211 of the Revised Code to raise the minimum age to purchase a firearm to age 21 and to increase the penalty for improperly furnishing firearms to a minor.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 54, the following resolutions were offered:

S. R. No. 462 - Senator McColley.

Honoring the Liberty Center High School cheerleading team as a 2018 OASSA State Champion.

S. R. No. 463 - Senator Lehner.

Honoring the Centerville High School restaurant management team as a 2018 Ohio ProStart champion.

S. R. No. 464 - Senator Lehner.

Honoring Austin Kick on receiving the Top Leadership Award at the 2018 Ohio ProStart Invitational.

S. R. No. 465 - Senator Coley.

Honoring Zach Shupp as a 2018 Division I State Wrestling Champion.

S. R. No. 466 - Senator Terhar.

Honoring Jake Thompson as a 2018 Division I State Wrestling Champion.

S. R. No. 467 - Senator Terhar.

Honoring Antonio McCloud as a 2018 Division I State Wrestling Champion.

S. R. No. 468 - Senator Terhar.

Honoring Lucas Byrd as a 2018 Division I State Wrestling Champion.

S. R. No. 469 - Senator Terhar

Honoring Austin Murphy as a 2018 Division I State Wrestling runner-up.

S. R. No. 470 - Senator Terhar.

Honoring Dustin Norris as a 2018 Division I State Wrestling runner-up.

S. R. No. 471 - Senator Terhar.

Honoring Cameron Sauerwein as a 2018 Division I State Wrestling runner-up.

S. R. No. 472 - Senator Balderson.

Honoring Karly Zumbro as a Division II/III State Champion.

S. R. No. 473 - Senator Dolan.

Honoring the Brecksville-Broadview Heights High School gymnastics team on its 2018 State Championship.

S. R. No. 474 - Senator Dolan.

Honoring Emily Huffman on winning two 2018 OHSAA State Gymnastics Championships.

S. R. No. 475 - Senator Dolan.

Honoring Adesh Labhassetwar as a 2018 National Speech and Debate Champion.

S. R. No. 476 - Senator Dolan.

Honoring Luke Qin as a 2018 Ohio Speech and Debate Association State Champion.

S. R. No. 477 - Senator Dolan.

Honoring Chris Currey as a 2018 Ohio Speech and Debate Champion.

S. R. No. 478 - Senator Dolan.

Honoring Zach Holtz as a 2018 Ohio Speech and Debate Champion.

S. R. No. 479 - Senator Dolan.

Honoring Jack Reboul as a 2018 Ohio Speech and Debate State Champion.

S. R. No. 480 - Senators Kunze, Burke.

Honoring Pat Murphy as the 2018 All-Ohio Coach of the Year in hockey.

S. R. No. 481 - Senators Kunze, Bacon, Tavares.

Honoring The Ohio State University wrestling team as the 2018 Big Ten Conference Champion.

S. R. No. 482 - Senators Kunze, Bacon, Tavares.

Honoring Kollin Moore on winning a 2018 Big Ten Conference Wrestling Championship.

S. R. No. 483 - Senator Kunze.

Honoring Emma Kowalski as a 2018 Division I State Indoor Track and Field champion.

S. R. No. 484 - Senator Kunze.

Honoring Dylan Litreal as a 2018 Division I State Indoor Track and Field Champion.

S. R. No. 485 - Senator Kunze.

Honoring Andy Payne as a 2018 Division I Indoor Track and Field state champion.

S. R. No. 486 - Senator Kunze.

Honoring Dane Goodwin as the 2018 Gatorade Ohio Boys Basketball Player of the Year and the 2018 Ohio Mr. Basketball.

The question being, "Shall the resolutions listed under the President's prerogative be adopted?"

So the resolutions were adopted.

Message from the House of Representatives

Mr. President:

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

H. B. No. 190 -Representatives Lepore-Hagan, Schuring
Cosponsors: Representatives Antonio, Ashford, Bishoff, Bocchieri, Boggs, Boyd, Celebrezze, Cera, Fedor, Holmes, Howse, Ingram, Kelly, Kent, Leland, Miller, O'Brien, Patterson, Ramos, Reece, Riedel, Rogers, Seitz, Sheehy, Smith, K., Strahorn, Sykes, West, Young, Green, Greenspan, Johnson, Manning, Anielski, Arndt, Brown, Clyde, Craig, Galonski, Ginter, Hambley, Householder, Hughes, McClain, Patton, Perales, Slaby, Sprague, Stein

To amend sections 4511.62, 4511.63, 4511.64, and 4511.712 of the Revised

Code to require vehicle operators to watch, listen, and stop for on-track equipment that may be approaching a railroad crossing.

Sub. H. B. No. 343 -Representative Merrin

Cosponsors: Representatives Schaffer, Hambley, Becker, Brinkman, Riedel, Dean, Goodman, Henne, Householder, Retherford, Butler, DeVitis, Keller, Lang, Roegner, Romanchuk, Thompson, Wiggam

To amend section 5715.19 of the Revised Code to require local governments that contest property values to formally pass an authorizing resolution for each contest and to notify property owners.

Am. H. B. No. 345 -Representative Butler

Cosponsors: Representatives Kent, Anielski, Antonio, Ashford, Barnes, Boggs, Brown, Craig, Dever, Fedor, Galonski, Ginter, Green, Hagan, Henne, Holmes, Hood, Hughes, Keller, LaTourette, Leland, Lepore-Hagan, Lipps, McClain, Miller, O'Brien, Patterson, Patton, Perales, Ramos, Retherford, Roegner, Rogers, Romanchuk, Schaffer, Seitz, Sheehy, Slaby, Sprague, Stein, Sweeney, Thompson, Young, Speaker Rosenberger

To enact section 3799.01 of the Revised Code to adopt the Solemn Covenant of the States to award prizes for curing diseases.

H. B. No. 351 -Representatives Perales, Butler

Cosponsors: Representatives Becker, Boccieri, Goodman, Hood, Johnson, McColley, Vitale, Schaffer, Green, Hambley, Householder, Patmon, Retherford, Anielski, Antani, Antonio, Arndt, Ashford, Barnes, Blessing, Boyd, Brenner, Brown, Clyde, Craig, Dean, Dever, DeVitis, Edwards, Faber, Fedor, Galonski, Gavarone, Greenspan, Hagan, Holmes, Hoops, Howse, Hughes, Landis, LaTourette, Leland, Lepore-Hagan, Manning, McClain, Merrin, Miller, O'Brien, Patterson, Ramos, Reece, Rezabek, Riedel, Rogers, Seitz, Sheehy, Slaby, Smith, R., Sprague, Stein, Strahorn, Sweeney, Speaker Rosenberger

To amend section 718.01 of the Revised Code to require municipal corporations to exempt from taxation the military pay of members of the commissioned corps of the National Oceanic and Atmospheric Administration and Public Health Service.

Sub. H. B. No. 392 -Representative Stein

Cosponsors: Representatives Becker, Hambley, Henne, Hill, Kick, Koehler, Retherford, Riedel, Roegner, Thompson, West, Antonio, Cupp, DeVitis,

Fedor, Ginter, Green, Hagan, Holmes, Hoops, Householder, Landis, LaTourette, Leland, McClain, Miller, O'Brien, Patterson, Patton, Perales, Ramos, Rogers, Schaffer, Seitz, Sheehy, Smith, K., Sprague, Strahorn, Young

To enact section 909.19 of the Revised Code to grant specified apiary owners immunity in personal injury or property damage cases involving bee stings.

Am. H. B. No. 405 -Representative Perales

Cosponsors: Representatives Butler, Boccieri, Dever, Fedor, Miller, Schaffer, Sheehy, Slaby, Smith, K., Sweeney, Vitale, Manning, Rezabek, Celebrezze, Galonski, Rogers, Seitz, Anielski, Antonio, Arndt, Ashford, Barnes, Boyd, Brown, Craig, Cupp, Faber, Gavarone, Ginter, Green, Greenspan, Hagan, Hambley, Henne, Holmes, Hoops, Huffman, Hughes, Kick, Landis, Lanese, Lang, Leland, Lepore-Hagan, O'Brien, Patmon, Patterson, Riedel, Romanchuk, Ryan, Schuring, Sprague, Stein, Strahorn, Young, Zeltwanger

To amend section 2923.31 and to enact section 2913.30 of the Revised Code to create the offense of counterfeiting and to include counterfeiting within the definition of "corrupt activity" under the Corrupt Activities Law.

Am. H. B. No. 410 -Representatives Seitz, Butler

Cosponsors: Representatives Brinkman, Merrin, Hood, Becker, Brenner, Wiggam, Lang, Retherford, Patton, Blessing, Vitale, Dever, DeVitis, Green, Hambley, Henne, Keller, Koehler, Lipps, Roegner, Schaffer, Smith, R., Stein

To amend sections 1901.18, 1901.20, 1907.02, 1907.031, 4511.092, 4511.093, 4511.096, 4511.097, 4511.098, 4511.0910, 5747.51, and 5747.53, to enact new sections 4511.099 and 5747.502, and to repeal sections 4511.099, 4511.0915, and 5747.502 of the Revised Code to grant municipal and county courts original and exclusive jurisdiction over any civil action concerning a traffic law violation, to specify that the court require an advance deposit for the filing of specified civil actions by the local authority bringing the civil action, and to modify the reporting requirements and LGF withholding that apply to subdivisions that operate traffic law photo-monitoring devices.

Sub. H. B. No. 451 -Representative Retherford

Cosponsors: Representatives Thompson, Seitz, Johnson, Carfagna, DeVitis, Hill, Ryan, Becker, Householder, Butler, Edwards, Sprague, Wiggam, Young, Arndt, Brinkman, Patton, Schaffer, Romanchuk, Dean, Greenspan, Hambley, Riedel, Koehler, Lanese, Blessing, Dever, Anielski, Smith, R., Reineke, LaTourette, Hood, Manning, Gavarone, Merrin, Rezabek, Perales, Zeltwanger, Stein, Cupp, Hagan, Scherer, Roegner, Green, Brenner, Keller,

Ginter, Lipps, Huffman, Sweeney, Kick, Henne, Gonzales, Celebrezze, Schuring, Slaby

To amend section 149.43 of the Revised Code to exclude from the definition of public record under the Public Records Law any depiction by photograph, film, videotape, or digital, visual, or printed material of victims of crime under specified circumstances dealing with the victims' bodily privacy.

Sub. H. B. No. 506 -Representative Hill

Cosponsors: Representatives Thompson, Smith, R., Patterson, Schuring, Seitz, Koehler, Patton, Stein, West, Sweeney, Kick, Ryan, Hoops, Hambley, Rezabek, Rogers

To amend sections 956.01, 956.02, 956.07, 956.08, 956.13, 956.18, 956.181, and 956.21 and to enact sections 956.031 and 956.041 of the Revised Code to revise the law governing high volume dog breeders.

Attest:

Bradley J. Young,
Clerk.

Said bills were considered the first time.

Message from the House of Representatives

Mr. President:

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

Sub. H. B. No. 24 -Representative Ginter – et al.

Sub. H. B. No. 98 -Representatives Duffey, Boggs – et al.

Attest:

Bradley J. Young,
Clerk.

Message from the House of Representatives

Mr. President:

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

S. B. No. 143 -Senator Eklund

Cosponsors: Senators Hackett, Yuko, Brown, Oelslager, Schiavoni, Hite, Beagle, Bacon, Balderson, Burke, Coley, Dolan, Hoagland, Huffman, Jordan, Kunze, LaRose, Lehner, Manning, Obhof, O'Brien, Peterson, Skindell, Sykes, Tavares, Terhar, Thomas, Uecker, Williams, Wilson Representatives Huffman, Antonio, Barnes, Butler, Ginter, Johnson, Kent, Lepore-Hagan, Romanchuk, Sykes, West, Anielski, Blessing, Brenner, Brown, Clyde, Craig, Dever, Galonski, Holmes, Landis, LaTourette, Leland, Ramos, Riedel, Rogers, Sheehy, Slaby, Strahorn, Young

To enact section 5.257 of the Revised Code to designate September 25 as "International Ataxia Awareness Day" in Ohio.

Attest:

Bradley J. Young,
Clerk.

On the motion of Senator Oelslager, the Senate adjourned until Thursday, March 29, 2018 at 11:00 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.