

OHIO

House

of

Representatives

JOURNAL

THURSDAY, DECEMBER 3, 2020

TWO HUNDRED FORTY-SIXTH DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, December 3, 2020, 1:00 o'clock p.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Kick-70th district, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 800 - Representatives Wilkin, Upchurch.

To amend sections 1710.01, 1710.04, 1710.06, 3706.01, 3706.03, 3706.041, and 3706.12 of the Revised Code to modify the law governing the financing of local solar and geothermal projects and special improvement district projects.

H. B. No. 801 - Representative Hillyer.

Cosponsors: Representatives Seitz, Perales.

To amend sections 128.54, 4501.29, and 4501.30 and to enact sections 128.541, 4501.304, and 4503.305 of the Revised Code to allocate a portion of wireless 9-1-1 charges to the multi-agency radio communications system (MARCS) and to require state and local entities to use MARCS.

Said bills were considered the first time.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS
FOR SECOND CONSIDERATION**

Representative Brown submitted the following report:

The standing committee on Civil Justice to which was referred **Am. S. B. No. 27**-Senator Uecker, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

**RE: REGARDS DISPOSITION OF FETAL REMAINS FROM
SURGICAL ABORTION**

Representative Hambley moved to amend the title as follows:

Add the names: "Hambley, Merrin"

Representative Hambley moved to amend as follows:

Delete lines 14 through 232

After line 232, insert:

"Sec. 2317.56. (A) As used in this section:

(1) "Medical emergency" has the same meaning as in section 2919.16 of the Revised Code.

(2) "Medical necessity" means a medical condition of a pregnant woman that, in the reasonable judgment of the physician who is attending the woman, so complicates the pregnancy that it necessitates the immediate performance or inducement of an abortion.

(3) "Probable gestational age of the zygote, blastocyte, embryo, or fetus" means the gestational age that, in the judgment of a physician, is, with reasonable probability, the gestational age of the zygote, blastocyte, embryo, or fetus at the time that the physician informs a pregnant woman pursuant to division (B)(1)(b) of this section.

(B) Except when there is a medical emergency or medical necessity, an abortion shall be performed or induced only if all of the following conditions are satisfied:

(1) At least twenty-four hours prior to the performance or inducement of the abortion, a physician meets with the pregnant woman in person in an individual, private setting and gives her an adequate opportunity to ask questions about the abortion that will be performed or induced. At this meeting, the physician shall inform the pregnant woman, verbally or, if she is hearing impaired, by other means of communication, of all of the following:

(a) The nature and purpose of the particular abortion procedure to be used and the medical risks associated with that procedure;

(b) The probable gestational age of the zygote, blastocyte, embryo, or fetus;

(c) The medical risks associated with the pregnant woman carrying the pregnancy to term.

The meeting need not occur at the facility where the abortion is to be performed or induced, and the physician involved in the meeting need not be affiliated with that facility or with the physician who is scheduled to perform or induce the abortion.

(2) At least twenty-four hours prior to the performance or inducement of the abortion, the physician who is to perform or induce the abortion or the physician's agent does each of the following in person, by telephone, by certified mail, return receipt requested, or by regular mail evidenced by a certificate of mailing:

(a) Inform the pregnant woman of the name of the physician who is

scheduled to perform or induce the abortion;

(b) Give the pregnant woman copies of the published materials described in division (C) of this section;

(c) Inform the pregnant woman that the materials given pursuant to division (B)(2)(b) of this section are published by the state and that they describe the zygote, blastocyte, embryo, or fetus and list agencies that offer alternatives to abortion. The pregnant woman may choose to examine or not to examine the materials. A physician or an agent of a physician may choose to be disassociated from the materials and may choose to comment or not comment on the materials.

(3) If it has been determined that the unborn human individual the pregnant woman is carrying has a detectable fetal heartbeat, the physician who is to perform or induce the abortion shall comply with the informed consent requirements in section 2919.194 of the Revised Code in addition to complying with the informed consent requirements in divisions (B)(1), (2), (4), and (5) of this section.

(4) Prior to the performance or inducement of the abortion, the pregnant woman signs a form consenting to the abortion and certifies both all of the following on that form:

(a) She has received the information and materials described in divisions (B)(1) and (2) of this section, and her questions about the abortion that will be performed or induced have been answered in a satisfactory manner.

(b) She consents to the particular abortion voluntarily, knowingly, intelligently, and without coercion by any person, and she is not under the influence of any drug of abuse or alcohol.

(c) If the abortion will be performed or induced surgically, she has been provided with the notification form described in division (A) of section 3726.14 of the Revised Code.

(d) If the abortion will be performed or induced surgically and she desires to exercise the rights under division (A) of section 3726.03 of the Revised Code, she has completed the disposition determination under section 3726.04 or 3726.041 of the Revised Code.

A form shall be completed for each zygote, blastocyte, embryo, or fetus to be aborted. If a pregnant woman is carrying more than one zygote, blastocyte, embryo, or fetus, she shall sign a form for each zygote, blastocyte, embryo, or fetus to be aborted.

The form shall contain the name and contact information of the physician who provided to the pregnant woman the information described in division (B)(1) of this section.

(5) Prior to the performance or inducement of the abortion, the

physician who is scheduled to perform or induce the abortion or the physician's agent receives a copy of the pregnant woman's signed form on which she consents to the abortion and that includes the certification required by division (B)(4) of this section.

(C) The department of health shall publish in English and in Spanish, in a typeface large enough to be clearly legible, and in an easily comprehensible format, the following materials on the department's web site:

(1) Materials that inform the pregnant woman about family planning information, of publicly funded agencies that are available to assist in family planning, and of public and private agencies and services that are available to assist her through the pregnancy, upon childbirth, and while the child is dependent, including, but not limited to, adoption agencies. The materials shall be geographically indexed; include a comprehensive list of the available agencies, a description of the services offered by the agencies, and the telephone numbers and addresses of the agencies; and inform the pregnant woman about available medical assistance benefits for prenatal care, childbirth, and neonatal care and about the support obligations of the father of a child who is born alive. The department shall ensure that the materials described in division (C)(1) of this section are comprehensive and do not directly or indirectly promote, exclude, or discourage the use of any agency or service described in this division.

(2) Materials that inform the pregnant woman of the probable anatomical and physiological characteristics of the zygote, blastocyte, embryo, or fetus at two-week gestational increments for the first sixteen weeks of pregnancy and at four-week gestational increments from the seventeenth week of pregnancy to full term, including any relevant information regarding the time at which the fetus possibly would be viable. The department shall cause these materials to be published after it consults with independent health care experts relative to the probable anatomical and physiological characteristics of a zygote, blastocyte, embryo, or fetus at the various gestational increments. The materials shall use language that is understandable by the average person who is not medically trained, shall be objective and nonjudgmental, and shall include only accurate scientific information about the zygote, blastocyte, embryo, or fetus at the various gestational increments. If the materials use a pictorial, photographic, or other depiction to provide information regarding the zygote, blastocyte, embryo, or fetus, the materials shall include, in a conspicuous manner, a scale or other explanation that is understandable by the average person and that can be used to determine the actual size of the zygote, blastocyte, embryo, or fetus at a particular gestational increment as contrasted with the depicted size of the zygote, blastocyte, embryo, or fetus at that gestational increment.

(D) Upon the submission of a request to the department of health by any person, hospital, physician, or medical facility for one copy of the

materials published in accordance with division (C) of this section, the department shall make the requested copy of the materials available to the person, hospital, physician, or medical facility that requested the copy.

(E) If a medical emergency or medical necessity compels the performance or inducement of an abortion, the physician who will perform or induce the abortion, prior to its performance or inducement if possible, shall inform the pregnant woman of the medical indications supporting the physician's judgment that an immediate abortion is necessary. Any physician who performs or induces an abortion without the prior satisfaction of the conditions specified in division (B) of this section because of a medical emergency or medical necessity shall enter the reasons for the conclusion that a medical emergency or medical necessity exists in the medical record of the pregnant woman.

(F) If the conditions specified in division (B) of this section are satisfied, consent to an abortion shall be presumed to be valid and effective.

(G) The performance or inducement of an abortion without the prior satisfaction of the conditions specified in division (B) of this section does not constitute, and shall not be construed as constituting, a violation of division (A) of section 2919.12 of the Revised Code. The failure of a physician to satisfy the conditions of division (B) of this section prior to performing or inducing an abortion upon a pregnant woman may be the basis of both of the following:

(1) A civil action for compensatory and exemplary damages as described in division (H) of this section;

(2) Disciplinary action under section 4731.22 of the Revised Code.

(H)(1) Subject to divisions (H)(2) and (3) of this section, any physician who performs or induces an abortion with actual knowledge that the conditions specified in division (B) of this section have not been satisfied or with a heedless indifference as to whether those conditions have been satisfied is liable in compensatory and exemplary damages in a civil action to any person, or the representative of the estate of any person, who sustains injury, death, or loss to person or property as a result of the failure to satisfy those conditions. In the civil action, the court additionally may enter any injunctive or other equitable relief that it considers appropriate.

(2) The following shall be affirmative defenses in a civil action authorized by division (H)(1) of this section:

(a) The physician performed or induced the abortion under the circumstances described in division (E) of this section.

(b) The physician made a good faith effort to satisfy the conditions specified in division (B) of this section.

(3) An employer or other principal is not liable in damages in a civil

action authorized by division (H)(1) of this section on the basis of the doctrine of respondeat superior unless either of the following applies:

(a) The employer or other principal had actual knowledge or, by the exercise of reasonable diligence, should have known that an employee or agent performed or induced an abortion with actual knowledge that the conditions specified in division (B) of this section had not been satisfied or with a heedless indifference as to whether those conditions had been satisfied.

(b) The employer or other principal negligently failed to secure the compliance of an employee or agent with division (B) of this section.

(4) Notwithstanding division (E) of section 2919.12 of the Revised Code, the civil action authorized by division (H)(1) of this section shall be the exclusive civil remedy for persons, or the representatives of estates of persons, who allegedly sustain injury, death, or loss to person or property as a result of a failure to satisfy the conditions specified in division (B) of this section.

(I) The department of job and family services shall prepare and conduct a public information program to inform women of all available governmental programs and agencies that provide services or assistance for family planning, prenatal care, child care, or alternatives to abortion."

The motion was agreed to and the bill so amended.

STEPHEN D. HAMBLEY
JAMIE CALLENDER
BRETT HUDSON HILLYER
BILL SEITZ

THOMAS F. PATTON
AL CUTRONA
DEREK MERRIN
D. J. SWEARINGEN

The following members voted "NO"

RICHARD D. BROWN
JEFFREY A. CROSSMAN
PAULA HICKS-HUDSON

GIL BLAIR
TAVIA GALONSKI
MICHAEL J. SKINDELL

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Strahorn submitted the following report:

The standing committee on Primary and Secondary Education to which was referred **H. B. No. 231**-Representative Greenspan, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ENACT ALLISON ROSE SUHY ACT REGARDING FOOD

ALLERGY TRAINING

Representative Manchester moved to amend the title as follows:

Add the names: "Jones, Miller, J., Patterson"

DON JONES	SUSAN MANCHESTER
SARA P. CARRUTHERS	ERICA C. CRAWLEY
CATHERINE D. INGRAM	J. KYLE KOEHLER
GAYLE MANNING	JOSEPH A. MILLER III
JOHN PATTERSON	BILL ROEMER
J. TODD SMITH	LISA A. SOBECKI
JASON STEPHENS	FRED STRAHORN

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Leland submitted the following report:

The standing committee on Criminal Justice to which was referred **H. B. No. 539**-Representatives Ghanbari, Blair, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: PERMIT TOWNSHIP POLICE TO ENFORCE TRAFFIC LAWS ON INTERSTATES

GEORGE F. LANG	PHIL PLUMMER
DAVID LELAND	JIM BUTLER
JEFFREY A. CROSSMAN	AL CUTRONA
TAVIA GALONSKI	DIANE V. GRENDALL
JOHN M. ROGERS	BILL SEITZ
THOMAS WEST	

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

MOTIONS AND RESOLUTIONS

Representative Butler moved that majority party members asking leave to be absent or absent the week of Wednesday, December 2, 2020, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Hicks-Hudson moved that minority party members asking leave to be absent or absent the week of Wednesday, December 2, 2020, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 374-Representatives Plummer, Manchester.

Cosponsor: Representative Manning, G.

To amend sections 503.40, 503.41, 503.42, 503.43, 503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2927.17, 4731.04, 4731.15, and 4731.41; to enact section 503.411; and to repeal sections 503.45 and 503.46 of the Revised Code to make changes to the massage therapy licensing law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 89, nays 7, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Boyd	Brent
Brown	Butler	Callender	Carruthers
Cera	Clites	Crawley	Cross
Crossman	Cutrona	DeVitis	Edwards
Fraizer	Galonski	Ghanbari	Ginter
Green	Greenspan	Grendell	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hood
Hoops	Howse	Ingram	Jones
Keller	Kelly	Kick	Koehler
Lanese	Lang	LaRe	Leland
Lepore-Hagan	Lightbody	Lipps	Liston
Manchester	Manning, G.	McClain	Merrin
Miller, A.	Miller, J.	Miranda	O'Brien
Oelslager	Patterson	Patton	Perales
Plummer	Reineke	Richardson	Riedel
Robinson	Roemer	Rogers	Romanchuk
Russo	Scherer	Seitz	Sheehy
Skindell	Smith, K.	Smith, T.	Sobecki
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	Upchurch
Weinstein	West	Wilkin	Zeltwanger
			Cupp-89

Representatives Brinkman, Dean, Householder, Jordan, Powell, Vitale, and Wiggam voted in the negative-7.

The bill passed.

Representative Plummer moved to amend the title as follows:

Add the names: "Abrams, Carruthers, Cutrona, Holmes, A., Lepore-Hagan, Miller, J., O'Brien, Richardson, Roemer, Scherer, Sheehy, Strahorn."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 201-Senator Dolan.

Cosponsors: Senators Hoagland, Blessing, Burke, Craig, Eklund, Hackett,

Kunze, Lehner, O'Brien, Peterson, Rulli, Schaffer, Sykes, Williams, Wilson
Representatives Manning, G., Jones, Patton, Smith, K., Sweeney.

To amend sections 4121.12, 4121.121, 4123.01, 4123.26, 4123.291, 4123.32, 4123.341, 4123.35, 4141.24, 4740.131, 5733.40, 5747.07, and 5751.01 and to enact sections 4133.01, 4133.02, 4133.03, 4133.04, 4133.05, 4133.06, 4133.07, 4133.08, 4133.09, 4133.10, 4133.11, 4133.12, 4133.13, 4133.14, and 4133.99 of the Revised Code to create alternate employer organizations, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 70, nays 25, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carruthers
Cera	Cross	Cutrona	Dean
DeVitis	Edwards	Fraizer	Ghanbari
Ginter	Green	Greenspan	Grendell
Hambley	Hillyer	Holmes, A.	Hood
Hoops	Jones	Jordan	Keller
Kick	Koehler	Lanese	Lang
LaRe	Lipps	Manchester	Manning, G.
McClain	Merrin	Miller, J.	Miranda
Oelslager	Patterson	Patton	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Rogers
Romanchuk	Russo	Scherer	Seitz
Smith, T.	Stein	Stephens	Stoltzfus
Strahorn	Swearingen	Sweeney	Vitale
Weinstein	West	Wiggam	Wilkin
Zeltwanger			Cupp-70

Those who voted in the negative were: Representatives

Blair	Boggs	Boyd	Brent
Brown	Clites	Crawley	Crossman
Galonski	Hicks-Hudson	Howse	Ingram
Kelly	Leland	Lepore-Hagan	Lightbody
Liston	Miller, A.	O'Brien	Sheehy
Skindell	Smith, K.	Sobecki	Sykes
			Upchurch-25

The bill passed.

Representative Patton moved to amend the title as follows:

Add the names: "Carruthers, Fraizer, Roemer, Scherer, Seitz."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 231-Representative Greenspan.

Cosponsors: Representatives Jones, Miller, J., Patterson.

To amend section 3313.719 and to enact section 3301.135 of the Revised Code to require the Department of Education to notify public and private schools of free and reduced cost epinephrine autoinjector programs and to enact the "Allison Rose Act" with regard to food allergy training for public schools, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Rogers moved to amend, amendment 3741, as follows:

In line 1 of the title, delete the first "section" and insert "sections 3313.713,"; after "3313.719" insert ", 4723.50, 4729.01, 4729.51, 4729.513, 4729.541, 4729.60, and 4729.88"; delete the second "section" and insert "sections"

In line 2 of the title, after "3301.135" insert ", 3313.7115, 3313.7116, 3314.147, 3326.60, 3328.38, 4723.484, 4730.434, 4731.92, and 5101.78"

In line 5 of the title, delete "and" and insert ", "

In line 7 of the title, after "schools" insert ", and to permit schools and camps to procure and use glucagon in certain circumstances"

In line 70, delete "This" and insert "Sections 1 and 2 of this"

After line 71, insert:

"Section 4. That sections 3313.713, 4723.50, 4729.01, 4729.51, 4729.513, 4729.541, 4729.60, and 4729.88 be amended and sections 3313.7115, 3313.7116, 3314.147, 3326.60, 3328.38, 4723.484, 4730.434, 4731.92, and 5101.78 of the Revised Code be enacted to read as follows:

Sec. 3313.713. (A) As used in this section:

(1) "Drug" means a drug, as defined in section 4729.01 of the Revised Code, that is to be administered pursuant to the instructions of the prescriber, whether or not required by law to be sold only upon a prescription.

(2) "Federal law" means the "Individuals with Disabilities Education Act of 1997," 111 Stat. 37, 20 U.S.C. 1400, as amended.

(3) "Prescriber" has the same meaning as in section 4729.01 of the Revised Code.

(B) The board of education of each city, local, exempted village, and joint vocational school district shall adopt a policy on the authority of its employees, when acting in situations other than those governed by sections 2305.23, 2305.231, 3313.712, 3313.7110, 3313.7112, ~~and~~ 3313.7113, and 3313.7115 of the Revised Code, to administer drugs prescribed to students enrolled in the schools of the district. The policy shall provide either that:

(1) Except as otherwise required by federal law, no person employed by the board shall, in the course of such employment, administer any drug

prescribed to any student enrolled in the schools of the district.

(2) Designated persons employed by the board are authorized to administer to a student a drug prescribed for the student. Effective July 1, 2011, only employees of the board who are licensed health professionals, or who have completed a drug administration training program conducted by a licensed health professional and considered appropriate by the board, may administer to a student a drug prescribed for the student. Except as otherwise provided by federal law, the board's policy may provide that certain drugs or types of drugs shall not be administered or that no employee shall use certain procedures, such as injection, to administer a drug to a student.

(C) No drug prescribed for a student shall be administered pursuant to federal law or a policy adopted under division (B) of this section until the following occur:

(1) The board, or a person designated by the board, receives a written request, signed by the parent, guardian, or other person having care or charge of the student, that the drug be administered to the student.

(2) The board, or a person designated by the board, receives a statement, signed by the prescriber, that includes all of the following information:

- (a) The name and address of the student;
- (b) The school and class in which the student is enrolled;
- (c) The name of the drug and the dosage to be administered;
- (d) The times or intervals at which each dosage of the drug is to be administered;
- (e) The date the administration of the drug is to begin;
- (f) The date the administration of the drug is to cease;
- (g) Any severe adverse reactions that should be reported to the prescriber and one or more phone numbers at which the prescriber can be reached in an emergency;
- (h) Special instructions for administration of the drug, including sterile conditions and storage.

(3) The parent, guardian, or other person having care or charge of the student agrees to submit a revised statement signed by the prescriber to the board or a person designated by the board if any of the information provided by the prescriber pursuant to division (C)(2) of this section changes.

(4) The person authorized by the board to administer the drug receives a copy of the statement required by division (C)(2) or (3) of this section.

(5) The drug is received by the person authorized to administer the

drug to the student for whom the drug is prescribed in the container in which it was dispensed by the prescriber or a licensed pharmacist.

(6) Any other procedures required by the board are followed.

(D) If a drug is administered to a student, the board of education shall acquire and retain copies of the written requests required by division (C)(1) and the statements required by divisions (C)(2) and (3) of this section and shall ensure that by the next school day following the receipt of any such statement a copy is given to the person authorized to administer drugs to the student for whom the statement has been received. The board, or a person designated by the board, shall establish a location in each school building for the storage of drugs to be administered under this section and federal law. All such drugs shall be stored in that location in a locked storage place, except that drugs that require refrigeration may be kept in a refrigerator in a place not commonly used by students.

(E) No person who has been authorized by a board of education to administer a drug and has a copy of the most recent statement required by division (C)(2) or (3) of this section given to the person in accordance with division (D) of this section prior to administering the drug is liable in civil damages for administering or failing to administer the drug, unless such person acts in a manner that constitutes gross negligence or wanton or reckless misconduct.

(F) A board of education may designate a person or persons to perform any function or functions in connection with a drug policy adopted under this section either by name or by position, training, qualifications, or similar distinguishing factors.

(G) A policy adopted by a board of education pursuant to this section may be changed, modified, or revised by action of the board.

(H) Nothing in this section shall be construed to require a person employed by a board of education to administer a drug to a student unless the board's policy adopted in compliance with this section establishes such a requirement. A board shall not require an employee to administer a drug to a student if the employee objects, on the basis of religious convictions, to administering the drug.

Nothing in this section affects the application of section 2305.23, 2305.231, 3313.712, 3313.7110, 3313.7112, ~~or 3313.7113~~, or 3313.7115 of the Revised Code to the administration of emergency care or treatment to a student.

Nothing in this section affects the ability of a public or nonpublic school to participate in a school-based fluoride mouth rinse program established by the director of health pursuant to section 3701.136 of the Revised Code. Nothing in this section affects the ability of a person who is

employed by, or who volunteers for, a school that participates in such a program to administer fluoride mouth rinse to a student in accordance with section 3701.136 of the Revised Code and any rules adopted by the director under that section.

(I) Nothing in this section shall be construed to require a school district to obtain written authorization or instructions from a health care provider to apply nonprescription topical ointments designed to prevent sunburn. Furthermore, nothing in this section shall be construed to prohibit a student to possess and self-apply nonprescription topical ointment designed to prevent sunburn while on school property or at a school-sponsored event without written authorization or instructions from a healthcare provider. The policy adopted by a school district pursuant to this section shall not require written authorization from a health care provider, but may require parental authorization, for the possession or application of such sunscreen. A designated person employed by the board of education of a school district shall apply sunscreen to a student in accordance with the school district's policy upon request.

Sec. 3313.7115. (A) As used in this section, "licensed health professional authorized to prescribe drugs" and "prescriber" have the same meanings as in section 4729.01 of the Revised Code.

(B) The board of education of each city, local, exempted village, or joint vocational school district may procure injectable or nasally administered glucagon for each school operated by the district to have on the school premises for use in emergency situations identified under division (D) (5) of this section by doing one of the following:

(1) Having a licensed health professional authorized to prescribe drugs, acting in accordance with section 4723.484, 4730.434, or 4731.92 of the Revised Code, personally furnish the injectable or nasally administered glucagon to the school or school district or issue a prescription for the drug in the name of the school or district;

(2) Having the district's superintendent obtain a prescriber-issued protocol that includes definitive orders for injectable or nasally administered glucagon and the dosages to be administered.

A district board that elects to procure injectable or nasally administered glucagon under this section is encouraged to maintain, at all times, at least two doses of the drug at each school operated by the district.

(C) A district board that elects to procure injectable or nasally administered glucagon under this section shall require the district's superintendent to adopt a policy governing maintenance and use of the drug. Before adopting the policy, the superintendent shall consult with a licensed health professional authorized to prescribe drugs.

(D) The policy adopted under division (C) of this section shall do all of the following:

(1) Identify the one or more locations in each school operated by the district in which injectable or nasally administered glucagon must be stored;

(2) Specify the conditions under which injectable or nasally administered glucagon must be stored, replaced, and disposed;

(3) Specify the individuals employed by or under contract with the district board, in addition to a school nurse licensed under section 3319.221 of the Revised Code or an athletic trainer licensed under Chapter 4755. of the Revised Code, who may access and use injectable or nasally administered glucagon in an emergency situation identified under division (D)(5) of this section;

(4) Specify any training that employees or contractors specified under division (D)(3) of this section, other than a school nurse or athletic trainer, must complete before being authorized to access and use injectable or nasally administered glucagon;

(5) Identify the emergency situations in which a school nurse, athletic trainer, or other employees or contractors specified under division (D)(3) of this section may access and use injectable or nasally administered glucagon;

(6) Specify that assistance from an emergency medical service provider must be requested immediately after a dose of glucagon is administered;

(7) Specify the individuals, if any, in addition to students, to whom a dose of glucagon may be administered in an emergency situation specified under division (D)(5) of this section.

(E)(1) The following are not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using injectable or nasally administered glucagon under this section, unless the act or omission constitutes willful or wanton misconduct:

(a) A school or school district;

(b) A member of a district board of education;

(c) A district or school employee or contractor;

(d) A licensed health professional authorized to prescribe drugs who personally furnishes or prescribes injectable or nasally administered glucagon, consults with a superintendent, or issues a protocol pursuant to this section.

(2) This section does not eliminate, limit, or reduce any other immunity or defense that a school or school district, member of a district board of education, district or school employee or contractor, or licensed

health professional may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

(F) A school district board of education may accept donations of injectable or nasally administered glucagon from a wholesale distributor of dangerous drugs or manufacturer of dangerous drugs, as defined in section 4729.01 of the Revised Code, and may accept donations of money from any person to purchase the drug.

(G) A district board that elects to procure injectable or nasally administered glucagon under this section shall report to the department of education each procurement and each occurrence in which a dose of the drug is used from a school's supply.

Sec. 3313.7116. (A) With the approval of its governing authority, a chartered or nonchartered nonpublic school may procure injectable or nasally administered glucagon in the manner prescribed by section 3313.7115 of the Revised Code. A chartered or nonchartered nonpublic school that elects to do so shall comply with all provisions of that section as if it were a school district.

(B)(1) The following are not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using injectable or nasally administered glucagon under this section, unless the act or omission constitutes willful or wanton misconduct:

(a) A chartered or nonchartered nonpublic school;

(b) A member of a chartered or nonchartered nonpublic school governing authority;

(c) An employee or contractor of the school;

(d) A licensed health professional authorized to prescribe drugs who personally furnishes or prescribes injectable or nasally administered glucagon, provides a consultation, or issues a protocol pursuant to this section.

(2) This division does not eliminate, limit, or reduce any other immunity or defense that a chartered or nonchartered nonpublic school or governing authority, member of a chartered or nonchartered nonpublic school governing authority, chartered or nonchartered nonpublic school employee or contractor, or licensed health professional may be entitled to under any other provision of the Revised Code or the common law of this state.

(C) A chartered or nonchartered nonpublic school may accept donations of injectable or nasally administered glucagon from a wholesale distributor of dangerous drugs or manufacturer of dangerous drugs, as defined in section 4729.01 of the Revised Code, and may accept donations of money from any person to purchase the drug.

(D) A chartered or nonchartered nonpublic school that elects to procure injectable or nasally administered glucagon under this section shall report to the department of education each procurement and each occurrence in which a dose of the drug is used from the school's supply.

Sec. 3314.147. (A) With the approval of its governing authority, a community school established under this chapter may procure injectable or nasally administered glucagon in the manner prescribed by section 3313.7115 of the Revised Code. A community school that elects to do so shall comply with all provisions of that section as if it were a school district.

(B)(1) The following are not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using injectable or nasally administered glucagon under this section, unless the act or omission constitutes willful or wanton misconduct:

(a) A community school;

(b) A member of a community school governing authority;

(c) A community school employee or contractor;

(d) A licensed health professional authorized to prescribe drugs who personally furnishes or prescribes injectable or nasally administered glucagon, provides a consultation, or issues a protocol pursuant to this section.

(2) This division does not eliminate, limit, or reduce any other immunity or defense that a community school or governing authority, member of a community school governing authority, community school employee or contractor, or licensed health professional may be entitled to under Chapter 2744, or any other provision of the Revised Code or under the common law of this state.

(C) A community school may accept donations of injectable or nasally administered glucagon from a wholesale distributor of dangerous drugs or a manufacturer of dangerous drugs, as defined in section 4729.01 of the Revised Code, and may accept donations of money from any person to purchase the drug.

(D) A community school that elects to procure injectable or nasally administered glucagon under this section shall report to the department of education each procurement and each occurrence in which a dose of the drug is used from the school's supply.

Sec. 3326.60. (A) With the approval of its governing body, a STEM school established under this chapter may procure injectable or nasally administered glucagon in the manner prescribed by section 3313.7115 of the Revised Code. A STEM school that elects to do so shall comply with all provisions of that section as if it were a school district.

(B)(1) The following are not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using injectable or nasally administered glucagon under this section, unless the act or omission constitutes willful or wanton misconduct:

(a) A STEM school;

(b) A member of a STEM school governing body;

(c) A STEM school employee or contractor;

(d) A licensed health professional authorized to prescribe drugs who personally furnishes or prescribes injectable or nasally administered glucagon, provides a consultation, or issues a protocol pursuant to this section.

(2) This division does not eliminate, limit, or reduce any other immunity or defense that a STEM school or governing body, member of a STEM school governing body, STEM school employee or contractor, or licensed health professional may be entitled to under Chapter 2744, or any other provision of the Revised Code or under the common law of this state.

(C) A STEM school may accept donations of injectable or nasally administered glucagon from a wholesale distributor of dangerous drugs or a manufacturer of dangerous drugs, as defined in section 4729.01 of the Revised Code, and may accept donations of money from any person to purchase the drug.

(D) A STEM school that elects to procure injectable or nasally administered glucagon under this section shall report to the department of education each procurement and each occurrence in which a dose of the drug is used from the school's supply.

Sec. 3328.38. (A) With the approval of its board of trustees, a college-preparatory boarding school established under this chapter may procure injectable or nasally administered glucagon in the manner prescribed by section 3313.7115 of the Revised Code. A college-preparatory boarding school that elects to do so shall comply with all provisions of that section as if it were a school district.

(B)(1) The following are not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using injectable or nasally administered glucagon under this section, unless the act or omission constitutes willful or wanton misconduct:

(a) A college-preparatory boarding school;

(b) A member of a college-preparatory boarding school board of trustees;

(c) A college-preparatory boarding school employee or contractor;

(d) A licensed health professional authorized to prescribe drugs who personally furnishes or prescribes injectable or nasally administered glucagon, provides a consultation, or issues a protocol pursuant to this section.

(2) This division does not eliminate, limit, or reduce any other immunity or defense that a college-preparatory boarding school or board of trustees, member of a college-preparatory boarding school board of trustees, college-preparatory boarding school employee or contractor, or licensed health professional may be entitled to under Chapter 2744, or any other provision of the Revised Code or under the common law of this state.

(C) A college-preparatory boarding school may accept donations of injectable or nasally administered glucagon from a wholesale distributor of dangerous drugs or a manufacturer of dangerous drugs, as defined in section 4729.01 of the Revised Code, and may accept donations of money from any person to purchase the drug.

(D) A college-preparatory boarding school that elects to procure injectable or nasally administered glucagon under this section shall report to the department of education each procurement and each occurrence in which a dose of the drug is used from the school's supply.

Sec. 4723.484. (A)(1) Subject to division (A)(2) of this section, and notwithstanding any provision of this chapter or rule adopted by the board of nursing, a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner licensed as an advanced practice registered nurse under Chapter 4723, of the Revised Code may do either of the following without having examined an individual to whom glucagon may be administered:

(a) Personally furnish a supply of injectable or nasally administered glucagon for use in accordance with sections 3313.7115, 3313.7116, 3314.147, 3326.60, 3328.38, and 5101.78 of the Revised Code;

(b) Issue a prescription for injectable or nasally administered glucagon for use in accordance with sections 3313.7115, 3313.7116, 3314.147, 3326.60, 3328.38, and 5101.78 of the Revised Code.

(2) Injectable or nasally administered glucagon personally furnished or prescribed under division (A)(1) of this section must be furnished or prescribed in such a manner that it may be administered only in a manufactured dosage form.

(B) A nurse who acts in good faith in accordance with this section is not liable for or subject to any of the following for any action or omission of an entity to which injectable or nasally administered glucagon is furnished or a prescription is issued: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action.

Sec. 4723.50. (A) As used in this section:

(1) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.

(2) "Medication-assisted treatment" has the same meaning as in section 340.01 of the Revised Code.

(B) In accordance with Chapter 119. of the Revised Code, the board of nursing shall adopt rules as necessary to implement the provisions of this chapter pertaining to the authority of advanced practice registered nurses who are designated as clinical nurse specialists, certified nurse-midwives, and certified nurse practitioners to prescribe and furnish drugs and therapeutic devices.

The board shall adopt rules that are consistent with a recommended exclusionary formulary the board receives from the committee on prescriptive governance pursuant to section 4723.492 of the Revised Code. After reviewing a formulary submitted by the committee, the board may either adopt the formulary as a rule or ask the committee to reconsider and resubmit the formulary. The board shall not adopt any rule that does not conform to a formulary developed by the committee.

The exclusionary formulary shall permit, in a manner consistent with section 4723.481 of the Revised Code, the prescribing of controlled substances, including drugs that contain buprenorphine used in medication-assisted treatment and both oral and long-acting opioid antagonists. The formulary shall not permit the prescribing or furnishing of any of the following:

(1) A drug or device to perform or induce an abortion;

(2) A drug or device prohibited by federal or state law.

(C) In addition to the rules described in division (B) of this section, the board shall adopt rules under this section that do the following:

(1) Establish standards for board approval of the course of study in advanced pharmacology and related topics required by section 4723.482 of the Revised Code;

(2) Establish requirements for board approval of the two-hour course of instruction in the laws of this state as required under division (C)(1) of section 4723.482 of the Revised Code ~~and division (B)(2) of section 4723.484 of the Revised Code;~~

(3) Establish criteria for the components of the standard care arrangements described in section 4723.431 of the Revised Code that apply to the authority to prescribe, including the components that apply to the authority to prescribe schedule II controlled substances. The rules shall be consistent with that section and include all of the following:

- (a) Quality assurance standards;
- (b) Standards for periodic review by a collaborating physician or podiatrist of the records of patients treated by the clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner;
- (c) Acceptable travel time between the location at which the clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner is engaging in the prescribing components of the nurse's practice and the location of the nurse's collaborating physician or podiatrist;
- (d) Any other criteria recommended by the committee on prescriptive governance.

Sec. 4729.01. As used in this chapter:

(A) "Pharmacy," except when used in a context that refers to the practice of pharmacy, means any area, room, rooms, place of business, department, or portion of any of the foregoing where the practice of pharmacy is conducted.

(B) "Practice of pharmacy" means providing pharmacist care requiring specialized knowledge, judgment, and skill derived from the principles of biological, chemical, behavioral, social, pharmaceutical, and clinical sciences. As used in this division, "pharmacist care" includes the following:

- (1) Interpreting prescriptions;
- (2) Dispensing drugs and drug therapy related devices;
- (3) Compounding drugs;
- (4) Counseling individuals with regard to their drug therapy, recommending drug therapy related devices, and assisting in the selection of drugs and appliances for treatment of common diseases and injuries and providing instruction in the proper use of the drugs and appliances;
- (5) Performing drug regimen reviews with individuals by discussing all of the drugs that the individual is taking and explaining the interactions of the drugs;
- (6) Performing drug utilization reviews with licensed health professionals authorized to prescribe drugs when the pharmacist determines that an individual with a prescription has a drug regimen that warrants additional discussion with the prescriber;
- (7) Advising an individual and the health care professionals treating an individual with regard to the individual's drug therapy;
- (8) Acting pursuant to a consult agreement with one or more physicians authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery, if an agreement has been established;

(9) Engaging in the administration of immunizations to the extent authorized by section 4729.41 of the Revised Code;

(10) Engaging in the administration of drugs to the extent authorized by section 4729.45 of the Revised Code.

(C) "Compounding" means the preparation, mixing, assembling, packaging, and labeling of one or more drugs in any of the following circumstances:

(1) Pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs;

(2) Pursuant to the modification of a prescription made in accordance with a consult agreement;

(3) As an incident to research, teaching activities, or chemical analysis;

(4) In anticipation of orders for drugs pursuant to prescriptions, based on routine, regularly observed dispensing patterns;

(5) Pursuant to a request made by a licensed health professional authorized to prescribe drugs for a drug that is to be used by the professional for the purpose of direct administration to patients in the course of the professional's practice, if all of the following apply:

(a) At the time the request is made, the drug is not commercially available regardless of the reason that the drug is not available, including the absence of a manufacturer for the drug or the lack of a readily available supply of the drug from a manufacturer.

(b) A limited quantity of the drug is compounded and provided to the professional.

(c) The drug is compounded and provided to the professional as an occasional exception to the normal practice of dispensing drugs pursuant to patient-specific prescriptions.

(D) "Consult agreement" means an agreement that has been entered into under section 4729.39 of the Revised Code.

(E) "Drug" means:

(1) Any article recognized in the United States pharmacopoeia and national formulary, or any supplement to them, intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;

(2) Any other article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;

(3) Any article, other than food, intended to affect the structure or any function of the body of humans or animals;

(4) Any article intended for use as a component of any article specified in division (E)(1), (2), or (3) of this section; but does not include devices or their components, parts, or accessories.

(F) "Dangerous drug" means any of the following:

(1) Any drug to which either of the following applies:

(a) Under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, the drug is required to bear a label containing the legend "Caution: Federal law prohibits dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian" or any similar restrictive statement, or the drug may be dispensed only upon a prescription;

(b) Under Chapter 3715. or 3719. of the Revised Code, the drug may be dispensed only upon a prescription.

(2) Any drug that contains a schedule V controlled substance and that is exempt from Chapter 3719. of the Revised Code or to which that chapter does not apply;

(3) Any drug intended for administration by injection into the human body other than through a natural orifice of the human body;

(4) Any drug that is a biological product, as defined in section 3715.01 of the Revised Code.

(G) "Federal drug abuse control laws" has the same meaning as in section 3719.01 of the Revised Code.

(H) "Prescription" means all of the following:

(1) A written, electronic, or oral order for drugs or combinations or mixtures of drugs to be used by a particular individual or for treating a particular animal, issued by a licensed health professional authorized to prescribe drugs;

(2) For purposes of sections 2925.61, 4723.488, 4730.431, and 4731.94 of the Revised Code, a written, electronic, or oral order for naloxone issued to and in the name of a family member, friend, or other individual in a position to assist an individual who there is reason to believe is at risk of experiencing an opioid-related overdose.

(3) For purposes of section 4729.44 of the Revised Code, a written, electronic, or oral order for naloxone issued to and in the name of either of the following:

(a) An individual who there is reason to believe is at risk of experiencing an opioid-related overdose;

(b) A family member, friend, or other individual in a position to assist an individual who there is reason to believe is at risk of experiencing an opioid-related overdose.

(4) For purposes of sections 4723.4810, 4729.282, 4730.432, and 4731.93 of the Revised Code, a written, electronic, or oral order for a drug to treat chlamydia, gonorrhea, or trichomoniasis issued to and in the name of a patient who is not the intended user of the drug but is the sexual partner of the intended user;

(5) For purposes of sections 3313.7110, 3313.7111, 3314.143, 3326.28, 3328.29, 4723.483, 4729.88, 4730.433, 4731.96, and 5101.76 of the Revised Code, a written, electronic, or oral order for an epinephrine autoinjector issued to and in the name of a school, school district, or camp;

(6) For purposes of Chapter 3728. and sections 4723.483, 4729.88, 4730.433, and 4731.96 of the Revised Code, a written, electronic, or oral order for an epinephrine autoinjector issued to and in the name of a qualified entity, as defined in section 3728.01 of the Revised Code;

(7) For purposes of sections 3313.7115, 3313.7116, 3314.147, 3326.60, 3328.38, 4723.484, 4730.434, 4731.92, and 5101.78 of the Revised Code, a written, electronic, or oral order for injectable or nasally administered glucagon in the name of a school, school district, or camp.

(I) "Licensed health professional authorized to prescribe drugs" or "prescriber" means an individual who is authorized by law to prescribe drugs or dangerous drugs or drug therapy related devices in the course of the individual's professional practice, including only the following:

(1) A dentist licensed under Chapter 4715. of the Revised Code;

(2) A clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner who holds a current, valid license to practice nursing as an advanced practice registered nurse issued under Chapter 4723. of the Revised Code;

(3) An optometrist licensed under Chapter 4725. of the Revised Code to practice optometry under a therapeutic pharmaceutical agents certificate;

(4) A physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;

(5) A physician assistant who holds a license to practice as a physician assistant issued under Chapter 4730. of the Revised Code, holds a valid prescriber number issued by the state medical board, and has been granted physician-delegated prescriptive authority;

(6) A veterinarian licensed under Chapter 4741. of the Revised Code.

(J) "Sale" or "sell" includes any transaction made by any person, whether as principal proprietor, agent, or employee, to do or offer to do any of the following: deliver, distribute, broker, exchange, gift or otherwise give away, or transfer, whether the transfer is by passage of title, physical movement, or both.

(K) "Wholesale sale" and "sale at wholesale" mean any sale in which the purpose of the purchaser is to resell the article purchased or received by the purchaser.

(L) "Retail sale" and "sale at retail" mean any sale other than a wholesale sale or sale at wholesale.

(M) "Retail seller" means any person that sells any dangerous drug to consumers without assuming control over and responsibility for its administration. Mere advice or instructions regarding administration do not constitute control or establish responsibility.

(N) "Price information" means the price charged for a prescription for a particular drug product and, in an easily understandable manner, all of the following:

(1) The proprietary name of the drug product;

(2) The established (generic) name of the drug product;

(3) The strength of the drug product if the product contains a single active ingredient or if the drug product contains more than one active ingredient and a relevant strength can be associated with the product without indicating each active ingredient. The established name and quantity of each active ingredient are required if such a relevant strength cannot be so associated with a drug product containing more than one ingredient.

(4) The dosage form;

(5) The price charged for a specific quantity of the drug product. The stated price shall include all charges to the consumer, including, but not limited to, the cost of the drug product, professional fees, handling fees, if any, and a statement identifying professional services routinely furnished by the pharmacy. Any mailing fees and delivery fees may be stated separately without repetition. The information shall not be false or misleading.

(O) "Wholesale distributor of dangerous drugs" or "wholesale distributor" means a person engaged in the sale of dangerous drugs at wholesale and includes any agent or employee of such a person authorized by the person to engage in the sale of dangerous drugs at wholesale.

(P) "Manufacturer of dangerous drugs" or "manufacturer" means a person, other than a pharmacist or prescriber, who manufactures dangerous drugs and who is engaged in the sale of those dangerous drugs.

(Q) "Terminal distributor of dangerous drugs" or "terminal distributor" means a person who is engaged in the sale of dangerous drugs at retail, or any person, other than a manufacturer, repackager, outsourcing facility, third-party logistics provider, wholesale distributor, or pharmacist, who has possession, custody, or control of dangerous drugs for any purpose other than for that person's own use and consumption. "Terminal distributor" includes pharmacies, hospitals, nursing homes, and laboratories and all other

persons who procure dangerous drugs for sale or other distribution by or under the supervision of a pharmacist, licensed health professional authorized to prescribe drugs, or other person authorized by the state board of pharmacy.

(R) "Promote to the public" means disseminating a representation to the public in any manner or by any means, other than by labeling, for the purpose of inducing, or that is likely to induce, directly or indirectly, the purchase of a dangerous drug at retail.

(S) "Person" includes any individual, partnership, association, limited liability company, or corporation, the state, any political subdivision of the state, and any district, department, or agency of the state or its political subdivisions.

(T) "Animal shelter" means a facility operated by a humane society or any society organized under Chapter 1717. of the Revised Code or a dog pound operated pursuant to Chapter 955. of the Revised Code.

(U) "Food" has the same meaning as in section 3715.01 of the Revised Code.

(V) "Pain management clinic" has the same meaning as in section 4731.054 of the Revised Code.

(W) "Investigational drug or product" means a drug or product that has successfully completed phase one of the United States food and drug administration clinical trials and remains under clinical trial, but has not been approved for general use by the United States food and drug administration. "Investigational drug or product" does not include controlled substances in schedule I, as defined in section 3719.01 of the Revised Code.

(X) "Product," when used in reference to an investigational drug or product, means a biological product, other than a drug, that is made from a natural human, animal, or microorganism source and is intended to treat a disease or medical condition.

(Y) "Third-party logistics provider" means a person that provides or coordinates warehousing or other logistics services pertaining to dangerous drugs including distribution, on behalf of a manufacturer, wholesale distributor, or terminal distributor of dangerous drugs, but does not take ownership of the drugs or have responsibility to direct the sale or disposition of the drugs.

(Z) "Repackager of dangerous drugs" or "repackager" means a person that repacks and relabels dangerous drugs for sale or distribution.

(AA) "Outsourcing facility" means a facility that is engaged in the compounding and sale of sterile drugs and is registered as an outsourcing facility with the United States food and drug administration.

(BB) "Laboratory" means a laboratory licensed under this chapter as a terminal distributor of dangerous drugs and entrusted to have custody of

any of the following drugs and to use the drugs for scientific and clinical purposes and for purposes of instruction: dangerous drugs that are not controlled substances, as defined in section 3719.01 of the Revised Code; dangerous drugs that are controlled substances, as defined in that section; and controlled substances in schedule I, as defined in that section.

Sec. 4729.51. (A) No person other than a licensed manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, or wholesale distributor of dangerous drugs shall possess for sale, sell, distribute, or deliver, at wholesale, dangerous drugs or investigational drugs or products, except as follows:

(1) A licensed terminal distributor of dangerous drugs that is a pharmacy may make occasional sales of dangerous drugs or investigational drugs or products at wholesale.

(2) A licensed terminal distributor of dangerous drugs having more than one licensed location may transfer or deliver dangerous drugs from one licensed location to another licensed location owned by the terminal distributor if the license issued for each location is in effect at the time of the transfer or delivery.

(3) A licensed terminal distributor of dangerous drugs that is not a pharmacy may make occasional sales of naloxone at wholesale.

(4) A licensed terminal distributor of dangerous drugs that is not a pharmacy may make occasional sales of dangerous drugs at wholesale if the drugs being sold are in shortage, as defined in rules adopted by the state board of pharmacy under section 4729.26 of the Revised Code.

(B) No licensed manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor shall possess for sale, sell, or distribute, at wholesale, dangerous drugs or investigational drugs or products to any person other than the following:

(1) Subject to division (D) of this section, a licensed terminal distributor of dangerous drugs;

(2) Subject to division (C) of this section, any person exempt from licensure as a terminal distributor of dangerous drugs under section 4729.541 of the Revised Code;

(3) A licensed manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor;

(4) A terminal distributor, manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor that is located in another state, is not engaged in the sale of dangerous drugs within this state, and is actively licensed to engage in the sale of dangerous drugs by the state in which the distributor conducts business.

(C) No licensed manufacturer, outsourcing facility, third-party

logistics provider, repackager, or wholesale distributor shall possess for sale, sell, or distribute, at wholesale, dangerous drugs or investigational drugs or products to either of the following:

(1) A prescriber who is employed by either of the following:

(a) A pain management clinic that is not licensed as a terminal distributor of dangerous drugs with a pain management clinic classification issued under section 4729.552 of the Revised Code;

(b) A facility, clinic, or other location that provides office-based opioid treatment but is not licensed as a terminal distributor of dangerous drugs with an office-based opioid treatment classification issued under section 4729.553 of the Revised Code if such a license is required by that section.

(2) A business entity described in division (A)(2) or (3) of section 4729.541 of the Revised Code that is, or is operating, either of the following:

(a) A pain management clinic without a license as a terminal distributor of dangerous drugs with a pain management clinic classification issued under section 4729.552 of the Revised Code;

(b) A facility, clinic, or other location that provides office-based opioid treatment without a license as a terminal distributor of dangerous drugs with an office-based opioid treatment classification issued under section 4729.553 of the Revised Code if such a license is required by that section.

(D) No licensed manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor shall possess dangerous drugs or investigational drugs or products for sale at wholesale, or sell or distribute such drugs at wholesale, to a licensed terminal distributor of dangerous drugs, except as follows:

(1) In the case of a terminal distributor with a category II license, only dangerous drugs in category II, as defined in division (A)(1) of section 4729.54 of the Revised Code;

(2) In the case of a terminal distributor with a category III license, dangerous drugs in category II and category III, as defined in divisions (A) (1) and (2) of section 4729.54 of the Revised Code;

(3) In the case of a terminal distributor with a limited category II or III license, only the dangerous drugs specified in the license.

(E)(1) Except as provided in division (E)(2) of this section, no person shall do any of the following:

(a) Sell or distribute, at retail, dangerous drugs;

(b) Possess for sale, at retail, dangerous drugs;

(c) Possess dangerous drugs.

(2)(a) Divisions (E)(1)(a), (b), and (c) of this section do not apply to any of the following:

(i) A licensed terminal distributor of dangerous drugs;

(ii) A person who possesses, or possesses for sale or sells, at retail, a dangerous drug in accordance with Chapters 3719., 4715., 4723., 4725., 4729., 4730., 4731., and 4741. of the Revised Code;

(iii) Any of the persons identified in divisions (A)(1) to (5) and (13) of section 4729.541 of the Revised Code, but only to the extent specified in that section.

(b) Division (E)(1)(c) of this section does not apply to any of the following:

(i) A licensed manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor;

(ii) Any of the persons identified in divisions (A)(6) to (12) of section 4729.541 of the Revised Code, but only to the extent specified in that section.

(F) No licensed terminal distributor of dangerous drugs or person that is exempt from licensure under section 4729.541 of the Revised Code shall purchase dangerous drugs or investigational drugs or products from any person other than a licensed manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor, except as follows:

(1) A licensed terminal distributor of dangerous drugs or person that is exempt from licensure under section 4729.541 of the Revised Code may make occasional purchases of dangerous drugs or investigational drugs or products that are sold in accordance with division (A)(1) or (3) of this section.

(2) A licensed terminal distributor of dangerous drugs having more than one licensed location may transfer or deliver dangerous drugs or investigational drugs or products from one licensed location to another licensed location if the license issued for each location is in effect at the time of the transfer or delivery.

(G) No licensed terminal distributor of dangerous drugs shall engage in the retail sale or other distribution of dangerous drugs or investigational drugs or products or maintain possession, custody, or control of dangerous drugs or investigational drugs or products for any purpose other than the distributor's personal use or consumption, at any establishment or place other than that or those described in the license issued by the board to such terminal distributor.

(H) Nothing in this section shall be construed to interfere with the performance of official duties by any law enforcement official authorized by municipal, county, state, or federal law to collect samples of any drug, regardless of its nature or in whose possession it may be.

(I) Notwithstanding anything to the contrary in this section, the board of education of a city, local, exempted village, or joint vocational school district may distribute epinephrine autoinjectors for use in accordance with section 3313.7110 of the Revised Code ~~and~~ may distribute inhalers for use in accordance with section 3313.7113 of the Revised Code, and may distribute injectable or nasally administered glucagon for use in accordance with section 3313.7115 of the Revised Code.

Sec. 4729.513. A manufacturer of dangerous drugs may donate inhalers, as defined in section 3313.7113 of the Revised Code, ~~and~~ epinephrine autoinjectors, or injectable or nasally administered glucagon to any of the following:

(A) The board of education of a city, local, exempted village, or joint vocational school district;

(B) A community school established under Chapter 3314. of the Revised Code;

(C) A STEM school established under Chapter 3326. of the Revised Code;

(D) A college-preparatory boarding school established under Chapter 3328. of the Revised Code;

(E) A chartered or nonchartered nonpublic school;

(F) A residential camp, as defined in section 2151.011 of the Revised Code;

(G) A child day camp, as defined in section 5104.01 of the Revised Code;

(H) A child day camp operated by any county, township, municipal corporation, township park district created under section 511.18 of the Revised Code, park district created under section 1545.04 of the Revised Code, or joint recreation district established under section 755.14 of the Revised Code.

Sec. 4729.541. (A) Except as provided in divisions (B) to (D) of this section, all of the following are exempt from licensure as a terminal distributor of dangerous drugs:

(1) A licensed health professional authorized to prescribe drugs;

(2) A business entity that is a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under Chapter 1705. of the Revised Code, or a professional association formed under Chapter 1785. of the Revised Code if the entity has a sole shareholder who is a prescriber and is authorized to provide the professional services being offered by the entity;

(3) A business entity that is a corporation formed under division (B)

of section 1701.03 of the Revised Code, a limited liability company formed under Chapter 1705. of the Revised Code, a partnership or a limited liability partnership formed under Chapter 1775. of the Revised Code, or a professional association formed under Chapter 1785. of the Revised Code, if, to be a shareholder, member, or partner, an individual is required to be licensed, certified, or otherwise legally authorized under Title XLVII of the Revised Code to perform the professional service provided by the entity and each such individual is a prescriber;

(4) An individual who holds a current license, certificate, or registration issued under Title XLVII of the Revised Code and has been certified to conduct diabetes education by a national certifying body specified in rules adopted by the state board of pharmacy under section 4729.68 of the Revised Code, but only with respect to insulin that will be used for the purpose of diabetes education and only if diabetes education is within the individual's scope of practice under statutes and rules regulating the individual's profession;

(5) An individual who holds a valid certificate issued by a nationally recognized S.C.U.B.A. diving certifying organization approved by the state board of pharmacy under rules adopted by the board, but only with respect to medical oxygen that will be used for the purpose of emergency care or treatment at the scene of a diving emergency;

(6) With respect to epinephrine autoinjectors that may be possessed under section 3313.7110, 3313.7111, 3314.143, 3326.28, or 3328.29 of the Revised Code, any of the following: the board of education of a city, local, exempted village, or joint vocational school district; a chartered or nonchartered nonpublic school; a community school established under Chapter 3314. of the Revised Code; a STEM school established under Chapter 3326. of the Revised Code; or a college-preparatory boarding school established under Chapter 3328. of the Revised Code;

(7) With respect to epinephrine autoinjectors that may be possessed under section 5101.76 of the Revised Code, any of the following: a residential camp, as defined in section 2151.011 of the Revised Code; a child day camp, as defined in section 5104.01 of the Revised Code; or a child day camp operated by any county, township, municipal corporation, township park district created under section 511.18 of the Revised Code, park district created under section 1545.04 of the Revised Code, or joint recreation district established under section 755.14 of the Revised Code;

(8) With respect to epinephrine autoinjectors that may be possessed under Chapter 3728. of the Revised Code, a qualified entity, as defined in section 3728.01 of the Revised Code;

(9) With respect to inhalers that may be possessed under section 3313.7113, 3313.7114, 3314.144, 3326.30, or 3328.30 of the Revised Code,

any of the following: the board of education of a city, local, exempted village, or joint vocational school district; a chartered or nonchartered nonpublic school; a community school established under Chapter 3314. of the Revised Code; a STEM school established under Chapter 3326. of the Revised Code; or a college-preparatory boarding school established under Chapter 3328. of the Revised Code;

(10) With respect to inhalers that may be possessed under section 5101.77 of the Revised Code, any of the following: a residential camp, as defined in section 2151.011 of the Revised Code; a child day camp, as defined in section 5104.01 of the Revised Code; or a child day camp operated by any county, township, municipal corporation, township park district created under section 511.18 of the Revised Code, park district created under section 1545.04 of the Revised Code, or joint recreation district established under section 755.14 of the Revised Code;

(11) With respect to naloxone that may be possessed under section 2925.61 of the Revised Code, a law enforcement agency and its peace officers;

(12) With respect to naloxone that may be possessed under section 4729.514 of the Revised Code, a service entity, as defined in that section;

(13) A facility that is owned and operated by the United States department of defense, the United States department of veterans affairs, or any other federal agency;

(14) With respect to injectable or nasally administered glucagon that may be possessed under sections 3313.7115, 3313.7116, 3314.147, 3326.60, and 3328.38 of the Revised Code, any of the following: the board of education of a city, local, exempted village, or joint vocational school district; a chartered or nonchartered nonpublic school; a community school established under Chapter 3314. of the Revised Code; a STEM school established under Chapter 3326. of the Revised Code; or a college-preparatory boarding school established under Chapter 3328. of the Revised Code;

(15) With respect to injectable or nasally administered glucagon that may be possessed under section 5101.78 of the Revised Code, any of the following: a residential camp, as defined in section 2151.011 of the Revised Code; a child day camp, as defined in section 5104.01 of the Revised Code; or a child day camp operated by any county, township, municipal corporation, township park district created under section 511.18 of the Revised Code, park district created under section 1545.04 of the Revised Code, or joint recreation district established under section 755.14 of the Revised Code.

(B) If a person described in division (A) of this section is a pain management clinic or is operating a pain management clinic, the person shall

hold a license as a terminal distributor of dangerous drugs with a pain management clinic classification issued under section 4729.552 of the Revised Code.

(C) If a person described in division (A) of this section is operating a facility, clinic, or other location described in division (B) of section 4729.553 of the Revised Code that must hold a category III terminal distributor of dangerous drugs license with an office-based opioid treatment classification, the person shall hold a license with that classification.

(D) Any of the persons described in divisions (A)(1) to (12) of this section shall hold a license as a terminal distributor of dangerous drugs in order to possess, have custody or control of, and distribute any of the following:

(1) Dangerous drugs that are compounded or used for the purpose of compounding;

(2) A schedule I, II, III, IV, or V controlled substance, as defined in section 3719.01 of the Revised Code.

Sec. 4729.60. (A)(1) Before a licensee identified in division (B)(1)(a) of section 4729.52 of the Revised Code may sell or distribute dangerous drugs at wholesale to any person, except as provided in division (A)(2) of this section, the licensee shall query the roster established pursuant to section 4729.59 of the Revised Code to determine whether the purchaser is a licensed terminal distributor of dangerous drugs.

If no documented query is conducted before a sale is made, it shall be presumed that the sale of dangerous drugs by the licensee is in violation of division (B) of section 4729.51 of the Revised Code and the purchase of dangerous drugs by the purchaser is in violation of division (E) of section 4729.51 of the Revised Code. If a licensee conducts a documented query and relies on the results of the query in selling or distributing dangerous drugs at wholesale to the terminal distributor of dangerous drugs, the licensee shall be deemed not to have violated division (B) of section 4729.51 of the Revised Code in making the sale.

(2) Division (A)(1) of this section does not apply when a licensee identified in division (B)(1)(a) of section 4729.52 of the Revised Code sells or distributes dangerous drugs at wholesale to any of the following:

(a) A person specified in division (B)(4) of section 4729.51 of the Revised Code;

(b) Any of the persons described in divisions (A)(1) to ~~(13)~~(15) of section 4729.541 of the Revised Code, but only if the purchaser is not required to obtain licensure as provided in divisions (B) to (D) of that section.

(B) Before a licensed terminal distributor of dangerous drugs may

purchase dangerous drugs at wholesale, the terminal distributor shall query the roster established pursuant to section 4729.59 of the Revised Code to confirm the seller is licensed to engage in the sale or distribution of dangerous drugs at wholesale.

If no documented query is conducted before a purchase is made, it shall be presumed that the purchase of dangerous drugs by the terminal distributor is in violation of division (F) of section 4729.51 of the Revised Code and the sale of dangerous drugs by the seller is in violation of division (A) of section 4729.51 of the Revised Code. If a licensed terminal distributor of dangerous drugs conducts a documented query at least annually and relies on the results of the query in purchasing dangerous drugs at wholesale, the terminal distributor shall be deemed not to have violated division (F) of section 4729.51 of the Revised Code in making the purchase.

Sec. 4729.88. (A) Notwithstanding any provision of this chapter or rule adopted by the state board of pharmacy, a pharmacist may dispense epinephrine autoinjectors pursuant to a prescription issued under section 4723.483, 4730.433, or 4731.96 of the Revised Code.

A pharmacist who in good faith dispenses epinephrine autoinjectors under this ~~section~~ division is not liable for or subject to any of the following for any action or omission of an entity to which an epinephrine autoinjector is dispensed: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action.

(B) Notwithstanding any provision of this chapter or rule adopted by the state board of pharmacy, a pharmacist may dispense injectable or nasally administered glucagon pursuant to a prescription issued under section 4723.484, 4730.434, or 4731.92 of the Revised Code.

A pharmacist who in good faith dispenses injectable or nasally administered glucagon under this division is not liable for or subject to any of the following for any action or omission of an entity to which the drug is dispensed: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action.

Sec. 4730.434. (A)(1) Subject to division (A)(2) of this section and notwithstanding any provision of this chapter or rule adopted by the state medical board, a physician assistant who holds a valid prescriber number issued by the board and has been granted physician-delegated prescriptive authority may do either of the following without having examined an individual to whom glucagon may be administered:

(a) Personally furnish a supply of injectable or nasally administered glucagon for use in accordance with section 3313.7115, 3313.7116, 3314.147, 3326.60, 3328.38, or 5101.78 of the Revised Code;

(b) Issue a prescription for injectable or nasally administered

glucagon in accordance with section 3313.7115, 3313.7116, 3314.147, 3326.60, 3328.38, or 5101.78 of the Revised Code.

(2) Injectable or nasally administered glucagon personally furnished or prescribed under division (A)(1) of this section must be furnished or prescribed in such a manner that it may be administered only in a manufactured dosage form.

(B) A physician assistant who acts in good faith in accordance with this section is not liable for or subject to any of the following for any action or omission of an entity to which injectable or nasally administered glucagon is furnished or a prescription is issued: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action.

Sec. 4731.92. (A) As used in this section, "physician" means an individual authorized under this chapter to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery.

(B)(1) Subject to division (B)(2) of this section, and notwithstanding any provision of this chapter or rule adopted by the state medical board, a physician may do either of the following without having examined an individual to whom glucagon may be administered:

(a) Personally furnish a supply of injectable or nasally administered glucagon for use in accordance with section 3313.7115, 3313.7116, 3314.147, 3326.60, 3328.38, or 5101.78 of Revised Code;

(b) Issue a prescription for injectable or nasally administered glucagon for use in accordance with section 3313.7115, 3313.7116, 3314.147, 3326.60, 3328.38, or 5101.78 of the Revised Code.

(2) Injectable or nasally administered glucagon personally furnished or prescribed under division (B)(1) of this section must be furnished or prescribed in such a manner that it may be administered only in a manufactured dosage form.

(C) A physician who acts in good faith in accordance with this section is not liable for or subject to any of the following for any action or omission of an entity to which injectable or nasally administered glucagon is furnished or a prescription is issued: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action.

Sec. 5101.78. (A) As used in this section, "licensed health professional authorized to prescribe drugs" and "prescriber" have the same meanings as in section 4729.01 of the Revised Code.

(B) A residential camp, as defined in section 2151.011 of the Revised Code; a child day camp, as defined in section 5104.01 of the Revised Code; or a child day camp operated by any county, township, municipal corporation, township park district created under section 511.18 of the Revised Code, park district created under section 1545.04 of the Revised

Code, or joint recreation district established under section 755.14 of the Revised Code may procure injectable or nasally administered glucagon for use in emergency situations identified under division (D)(5) of this section by doing one of the following:

(1) Having a licensed health professional authorized to prescribe drugs, acting in accordance with section 4723.484, 4730.434, or 4731.92 of the Revised Code, personally furnish the injectable or nasally administered glucagon to the camp or issue a prescription for the drug in the name of the camp;

(2) Obtaining a prescriber-issued protocol that includes definitive orders for injectable or nasally administered glucagon and the dosages to be administered;

A camp that elects to procure injectable or nasally administered glucagon under this section is encouraged to maintain at least two doses of the drug at all times.

(C) A camp that elects to procure injectable or nasally administered glucagon under this section shall adopt a policy governing maintenance and use of the drug. Before adopting the policy, the camp shall consult with a licensed health professional authorized to prescribe drugs.

(D) The policy adopted under division (C) of this section shall do all of the following:

(1) Identify the one or more locations at the camp in which injectable or nasally administered glucagon must be stored;

(2) Specify the conditions under which injectable or nasally administered glucagon must be stored, replaced, or disposed;

(3) Specify the individuals employed by or under contract with the camp, or who volunteer at the camp, who may access and use injectable or nasally administered glucagon in an emergency situation identified under division (D)(5) of this section;

(4) Specify any training that employees, contractors, or volunteers specified under division (D)(3) of this section must complete before being authorized to access and use injectable or nasally administered glucagon;

(5) Identify the emergency situations, including when an individual exhibits signs and symptoms of severe hypoglycemia, in which employees, contractors, or volunteers specified under division (D)(3) of this section may access and use injectable or nasally administered glucagon;

(6) Specify that assistance from an emergency medical service provider must be requested immediately after a dose of glucagon is administered;

(7) Specify the individuals to whom a dose of glucagon may be

administered in an emergency situation specified under division (D)(5) of this section.

(E)(1) The following are not liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using injectable or nasally administered glucagon under this section, unless the act or omission constitutes willful or wanton misconduct:

(a) A camp;

(b) A camp employee, contractor, or volunteer;

(c) A licensed health professional authorized to prescribe drugs who personally furnishes or prescribes injectable or nasally administered glucagon, provides a consultation, or issues a protocol pursuant to this section;

(2) This section does not eliminate, limit, or reduce any other immunity or defense that a camp; camp employee, contractor, or volunteer; or licensed health professional may be entitled to under Chapter 2744, or any other provision of the Revised Code or under the common law of this state.

(F) A camp may accept donations of injectable or nasally administered glucagon from a wholesale distributor of dangerous drugs or manufacturer of dangerous drugs, as defined in section 4729.01 of the Revised Code, and may accept donations of money from any person to purchase the drug.

(G) A camp that elects to procure injectable or nasally administered glucagon under this section shall report to the department of job and family services each procurement and each occurrence in which a dose of the drug is used from the camp's supply.

Section 5. That existing sections 3313.713, 4723.50, 4729.01, 4729.51, 4729.513, 4729.541, 4729.60, and 4729.88 of the Revised Code are hereby repealed.

Section 6. Section 4729.01 of the Revised Code is presented in this act as a composite of the section as amended by both Sub. S.B. 119 and Sub. S.B. 229 of the 132nd General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act."

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

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted – yeas 95, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldridge	Becker
Blair	Boggs	Boyd	Brent
Brinkman	Brown	Butler	Callender
Carruthers	Cera	Clites	Crawley
Cross	Crossman	Cutrona	Dean
DeVitis	Edwards	Fraizer	Galonski
Ghanbari	Ginter	Green	Greenspan
Grendell	Hambley	Hicks-Hudson	Hillyer
Holmes, A.	Hood	Hoops	Householder
Howse	Ingram	Jones	Jordan
Keller	Kelly	Kick	Koehler
Lanese	Lang	LaRe	Leland
Lepore-Hagan	Lightbody	Lipps	Liston
Manchester	Manning, G.	McClain	Merrin
Miller, A.	Miller, J.	Miranda	O'Brien
Oelslager	Patterson	Patton	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Rogers
Romanchuk	Russo	Scherer	Seitz
Sheehy	Smith, K.	Smith, T.	Sobecki
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	Upchurch
Vitale	Weinstein	West	Wiggam
Wilkin	Zeltwanger		Cupp-95

Representative Skindell voted in the negative-1.

The bill passed.

Representative Greenspan moved to amend the title as follows:

Add the names: "Abrams, Carruthers, Crawley, Crossman, Ghanbari, Hicks-Hudson, Liston, Patton, Perales, Richardson, Robinson, Rogers, Russo, Scherer, Seitz, Sobecki, Sweeney, Sykes, Upchurch, West."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. S. B. No. 27-Senator Uecker.

Cosponsors: Senators Terhar, Brenner, Roegner, Huffman, M., McColley, Wilson, Hottinger, Huffman, S., Burke, Coley, Eklund, Hill, Hoagland, Lehner, Obhof Representatives Gavarone, Hambley, Merrin.

To amend sections 2317.56, 3701.341, and 3701.79 and to enact sections 3726.01, 3726.02, 3726.03, 3726.04, 3726.041, 3726.042, 3726.05, 3726.09, 3726.10, 3726.11, 3726.12, 3726.13, 3726.14, 3726.15, 3726.16, 3726.95, 3726.99, and 4717.271 of the Revised Code to impose requirements on the final disposition of fetal remains from surgical abortions, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 60, nays 36, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carruthers
Cross	Cutrona	Dean	DeVitis
Edwards	Fraizer	Ghanbari	Ginter
Green	Greenspan	Grendell	Hambley
Hillyer	Holmes, A.	Hood	Hoops
Householder	Jones	Jordan	Keller
Kick	Koehler	Lanese	Lang
LaRe	Lipps	Manchester	Manning, G.
McClain	Merrin	Oelslager	Patton
Perales	Plummer	Powell	Reineke
Richardson	Riedel	Roemer	Romanchuk
Scherer	Seitz	Smith, T.	Stein
Stephens	Stoltzfus	Swearingen	Vitale
Wiggam	Wilkin	Zeltwanger	Cupp-60

Those who voted in the negative were: Representatives

Blair	Boggs	Boyd	Brent
Brown	Cera	Clites	Crawley
Crossman	Galonski	Hicks-Hudson	Howse
Ingram	Kelly	Leland	Lepore-Hagan
Lightbody	Liston	Miller, A.	Miller, J.
Miranda	O'Brien	Patterson	Robinson
Rogers	Russo	Sheehy	Skindell
Smith, K.	Sobecki	Strahorn	Sweeney
Sykes	Upchurch	Weinstein	West-36

The bill passed.

Representative Hambley moved to amend the title as follows:

Add the names: "Becker, Brinkman, Callender, Cross, Ghanbari, Ginter, Grendell, Hoops, Keller, Kick, Koehler, Lang, Lipps, McClain, Perales, Powell, Riedel, Romanchuk, Seitz, Stephens, Stoltzfus, Swearingen, Wiggam."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 428-Representatives Wiggam, Miller, A.

Cosponsors: Representatives Weinstein, Keller, Miller, J., Russo, Sheehy.

To amend sections 317.24 and 317.241 of the Revised Code to authorize county recorders to record the discharge records of individuals who served with the United States Public Health Service or the National Oceanic and Atmospheric Administration and to make these individuals eligible to obtain an Ohio veterans identification card, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 96, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldridge	Becker
Blair	Boggs	Boyd	Brent
Brinkman	Brown	Butler	Callender
Carruthers	Cera	Clites	Crawley
Cross	Crossman	Cutrona	Dean
DeVitis	Edwards	Fraizer	Galonski
Ghanbari	Ginter	Green	Greenspan
Grendell	Hambley	Hicks-Hudson	Hillyer
Holmes, A.	Hood	Hoops	Householder
Howse	Ingram	Jones	Jordan
Keller	Kelly	Kick	Koehler
Lanese	Lang	LaRe	Leland
Lepore-Hagan	Lightbody	Lipps	Liston
Manchester	Manning, G.	McClain	Merrin
Miller, A.	Miller, J.	Miranda	O'Brien
Oelslager	Patterson	Patton	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Rogers
Romanchuk	Russo	Scherer	Seitz
Sheehy	Skindell	Smith, K.	Smith, T.
Sobecki	Stein	Stephens	Stoltzfus
Strahorn	Swearingen	Sweeney	Sykes
Upchurch	Vitale	Weinstein	West
Wiggam	Wilkin	Zeltwanger	Cupp-96

The bill passed.

Representative Wiggam moved to amend the title as follows:

Add the names: "Crossman, Ghanbari, Green, Perales, Reineke, Rogers, Strahorn, West."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 305–Speaker Cupp, Representative Patterson.

Cosponsors: Representatives Rogers, Lipps, Clites, Carfagna, Hambley, Leland, Romanchuk, Manning, G., Greenspan, Arndt, Ryan, Boggs, Crossman, Hillyer, Liston, Miller, J., Miranda, Blessing, Sweeney, Smith, K., Galonski, Lightbody, Riedel, Strahorn, Cera, O'Brien, Ginter, Stein, Manchester, Miller, A., Sobecki, Keller, Richardson, Weinstein, Lepore-Hagan, Russo, Jones, Kelly, West, Ingram, Brown, Kick, Scherer, Perales, Denson, Sykes, Sheehy, Manning, D., Howse, DeVitis, Roemer, Upchurch, Koehler, Boyd, Brent, Hoops, Robinson, Skindell, Kent, Crawley, Green, Hicks-Hudson, Seitz, Baldridge, Blair, Ghanbari.

To amend sections 3301.0714, 3302.20, 3310.08, 3310.41, 3310.51, 3310.54, 3310.56, 3313.64, 3313.979, 3313.98, 3313.981, 3314.08, 3314.084,

3314.087, 3314.091, 3314.11, 3314.20, 3315.18, 3317.013, 3317.014, 3317.016, 3317.02, 3317.021, 3317.022, 3317.023, 3317.024, 3317.028, 3317.0212, 3317.0213, 3317.0214, 3317.03, 3317.051, 3317.16, 3317.20, 3317.25, 3317.60, 3319.57, 3324.09, 3326.31, 3326.32, 3326.33, 3326.39, 3326.40, 3326.51, 3327.01, 3328.32, 3328.34, and 3365.01; to enact new sections 3314.085, 3317.017, 3317.0215, 3317.0217, and 3317.0218 and sections 3314.089, 3314.0810, 3317.011, 3317.012, 3317.018, 3317.019, 3317.0110, 3317.071, 3317.072, 3317.11, 3317.162, 3317.61, 3317.62, 3317.63, 3317.64, 3326.43, 3326.44, and 3327.016; and to repeal sections 3310.55, 3314.085, 3314.53, 3317.017, 3317.0215, 3317.0216, 3317.0217, 3317.0218, 3326.41, and 3328.33 of the Revised Code to create a new school financing system for fiscal year 2022 and each fiscal year thereafter, and to make an appropriation, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 87, nays 9, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldridge	Blair
Boggs	Boyd	Brent	Brown
Butler	Callender	Carruthers	Cera
Clites	Crawley	Cross	Crossman
Cutrona	DeVitis	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Grendell	Hambley	Hicks-Hudson
Hillyer	Holmes, A.	Hoops	Householder
Howse	Ingram	Jones	Jordan
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lepore-Hagan
Lightbody	Lipps	Liston	Manchester
Manning, G.	McClain	Miller, A.	Miller, J.
Miranda	O'Brien	Oelslager	Patterson
Patton	Perales	Plummer	Reineke
Richardson	Riedel	Robinson	Roemer
Rogers	Romanchuk	Russo	Scherer
Seitz	Sheehy	Skindell	Smith, K.
Smith, T.	Sobecki	Stein	Stephens
Stoltzfus	Strahorn	Swearingen	Sweeney
Sykes	Upchurch	Weinstein	West
Wiggam	Wilkin		Cupp-87

Those who voted in the negative were: Representatives

Becker	Brinkman	Dean	Hood
Keller	Merrin	Powell	Vitale
			Zeltwanger-9

The bill passed.

Representative Patterson moved to amend the title as follows:

Add the names: "Abrams, Carruthers, Cutrona, Fraizer, Holmes, A., Patton."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 345-Representative Jones.

Cosponsors: Representatives Ghanbari, Becker, Lang, Green.

To amend section 4513.62 and to enact section 4505.104 of the Revised Code to allow the owner of a towing service or storage facility to obtain certificates of title to unclaimed motor vehicles ordered into storage by law enforcement, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Brent moved to amend, amendment 3714, as follows:

In line 1 of the title, delete the first "section" and insert "sections 4513.60, 4513.61, and"; delete the second "section" and insert "sections"

In line 2 of the title, after "4505.104" insert "and 4513.621"

In line 6 of the title, after "enforcement" insert "and to establish a towed-vehicles web site"

In line 7, delete the first "section" and insert "sections 4513.60, 4513.61, and"; delete the second "section" and insert "sections"

In line 8, after "4505.104" insert "and 4513.621"

In line 15, delete "A" and insert "The towing service or storage facility causes a"; delete "was" and insert "to be"

In line 19, after "section," insert "the towing service or storage facility sends"; delete "was sent"

In line 25, delete "The" and insert "One of the following has occurred:"

(a) Unless division (A)(4)(b) of this section applies, the"

After line 29, insert:

"(b) The motor vehicle owner provided proof of ownership to the towing service or storage facility but the owner and the service or facility have not entered into a written agreement as described in division (D)(3) of section 4513.60 of the Revised Code and the applicable fees remain unpaid for ninety days after the date the notice sent under division (A)(3) of this section was received, as evidenced by a receipt signed by any person, or a notification that the delivery was not possible."

In line 34, after "(6)" insert "The towing service or storage facility has not entered into a written agreement as described in division (D)(3) of section 4513.60 of the Revised Code in which the final date for payment is still pending.

(7)"

In line 38, delete "(5)" and insert "(6)"

In line 42, delete "(5)" and insert "(6)"

After line 59, insert:

"Sec. 4513.60. (A)(1) The sheriff of a county or chief of police of a municipal corporation, township, port authority, or township or joint police district, within the sheriff's or chief's respective territorial jurisdiction, upon complaint of any person adversely affected, may order into storage any motor vehicle, other than an abandoned junk motor vehicle as defined in section 4513.63 of the Revised Code, that has been left on private residential or private agricultural property for at least four hours without the permission of the person having the right to the possession of the property. The sheriff or chief of police, upon complaint of a repair garage or place of storage, may order into storage any motor vehicle, other than an abandoned junk motor vehicle, that has been left at the garage or place of storage for a longer period than that agreed upon. When ordering a motor vehicle into storage pursuant to this division, a sheriff or chief of police may arrange for the removal of the motor vehicle by a towing service and shall designate a storage facility.

(2) A towing service towing a motor vehicle under division (A)(1) of this section shall remove the motor vehicle in accordance with that division. The towing service shall deliver the motor vehicle to the location designated by the sheriff or chief of police not more than two hours after the time it is removed from the private property, unless the towing service is unable to deliver the motor vehicle within two hours due to an uncontrollable force, natural disaster, or other event that is not within the power of the towing service.

(3) Subject to division (B) of this section, the owner of a motor vehicle that has been removed pursuant to this division may recover the vehicle only in accordance with division (D) of this section.

(4) As used in this section, "private residential property" means private property on which is located one or more structures that are used as a home, residence, or sleeping place by one or more persons, if no more than three separate households are maintained in the structure or structures. "Private residential property" does not include any private property on which is located one or more structures that are used as a home, residence, or sleeping place by two or more persons, if more than three separate households are maintained in the structure or structures.

(B) If the owner or operator of a motor vehicle that has been ordered into storage pursuant to division (A)(1) of this section arrives after the motor vehicle has been prepared for removal, but prior to its actual removal from the property, the towing service shall give the owner or operator oral or written notification at the time of such arrival that the vehicle owner or operator may pay a fee of not more than one-half of the fee for the removal

of the motor vehicle established by the public utilities commission in rules adopted under section 4921.25 of the Revised Code, in order to obtain release of the motor vehicle. However, if the vehicle is within a municipal corporation and the municipal corporation has established a vehicle removal fee, the towing service shall give the owner or operator oral or written notification that the owner or operator may pay not more than one-half of that fee to obtain release of the motor vehicle. That fee may be paid by use of a major credit card unless the towing service uses a mobile credit card processor and mobile service is not available at the time of the transaction.

Upon payment of the applicable fee, the towing service shall give the vehicle owner or operator a receipt showing both the full amount normally assessed and the actual amount received and shall release the motor vehicle to the owner or operator. Upon its release, the owner or operator immediately shall move it so that it is not on the private residential or private agricultural property without the permission of the person having the right to possession of the property, or is not at the garage or place of storage without the permission of the owner, whichever is applicable.

(C)(1) Each county sheriff and each chief of police of a municipal corporation, township, port authority, or township or joint police district shall maintain a record of motor vehicles that the sheriff or chief orders into storage pursuant to division (A)(1) of this section. The record shall include an entry for each such motor vehicle that identifies the motor vehicle's license number, make, model, and color, the location from which it was removed, the date and time of its removal, the telephone number of the person from whom it may be recovered, and the address of the place to which it has been taken and from which it may be recovered. A sheriff or chief of police shall provide any information in the record that pertains to a particular motor vehicle to any person who, either in person or pursuant to a telephone call, identifies self as the owner or operator of the motor vehicle and requests information pertaining to its location.

(2) Any person who registers a complaint that is the basis of a sheriff's or police chief's order for the removal and storage of a motor vehicle under division (A)(1) of this section shall provide the identity of the law enforcement agency with which the complaint was registered to any person who identifies self as the owner or operator of the motor vehicle and requests information pertaining to its location.

(D)(1) The owner or lienholder of a motor vehicle that is ordered into storage pursuant to division (A)(1) of this section may reclaim it upon both of the following:

(a) Payment of all applicable fees established by the public utilities commission in rules adopted under section 4921.25 of the Revised Code or, if the vehicle was towed within a municipal corporation that has established

fees for vehicle removal and storage, payment of all applicable fees established by the municipal corporation.

(b) Presentation of proof of ownership, which may be evidenced by a certificate of title to the motor vehicle, a certificate of registration for the motor vehicle, or a lease agreement.

When the owner of a vehicle towed under this section retrieves the vehicle, the towing service or storage facility in possession of the vehicle shall give the owner written notice that if the owner disputes that the motor vehicle was lawfully towed, the owner may be able to file a civil action under section 4513.611 of the Revised Code.

(2) Upon presentation of proof of ownership as required under division (D)(1)(b) of this section, the owner of a motor vehicle that is ordered into storage under division (A)(1) of this section may retrieve any personal items from the motor vehicle without retrieving the vehicle and without paying any fee. However, a towing service or storage facility may charge an after-hours retrieval fee established by the public utilities commission in rules adopted under section 4921.25 of the Revised Code if the owner retrieves the personal items after hours, unless the towing service or storage facility fails to provide the notice required under division (B)(3) of section 4513.69 of the Revised Code, if applicable. The owner of a motor vehicle shall not do either of the following:

(a) Retrieve any personal item that has been determined by the sheriff or chief of police, as applicable, to be necessary to a criminal investigation;

(b) Retrieve any personal item from a vehicle if it would endanger the safety of the owner, unless the owner agrees to sign a waiver of liability.

For purposes of division (D)(2) of this section, "personal items" do not include any items that are attached to the motor vehicle.

(3) If the owner of the motor vehicle cannot afford to pay all of the applicable fees immediately pursuant to division (D)(1)(a) of this section, the towing service or storage facility in possession of the motor vehicle shall make a good faith attempt to enter into a written agreement with the owner of the motor vehicle for payment of the applicable fees by a specified date. If the towing service or storage facility enters into such an agreement, the towing service or storage facility shall not take title to the motor vehicle under section 4505.104 of the Revised Code unless the owner fails to pay the applicable fees by the later of the following dates:

(a) The date specified in the agreement;

(b) The earliest date the towing service or storage facility is authorized to take title under section 4505.104 of the Revised Code.

The service or facility may retain possession of the motor vehicle until all of the applicable fees are paid.

(4) If a motor vehicle that is ordered into storage pursuant to division (A)(1) of this section remains unclaimed by the owner for thirty days and the towing service or storage facility does not have a written agreement with the owner of the motor vehicle in which the final date for payment is still pending, the procedures established by sections 4513.61 and 4513.62 of the Revised Code apply.

(E)(1) No person shall remove, or cause the removal of, any motor vehicle from any private residential or private agricultural property other than in accordance with division (A)(1) of this section or sections 4513.61 to 4513.65 of the Revised Code.

(2) No towing service or storage facility shall fail to comply with the requirements of this section.

(F) This section does not apply to any private residential or private agricultural property that is established as a private tow-away zone in accordance with section 4513.601 of the Revised Code.

(G) Whoever violates division (E) of this section is guilty of a minor misdemeanor.

Sec. 4513.61. (A) The sheriff of a county or chief of police of a municipal corporation, township, port authority, or township or joint police district, within the sheriff's or chief's respective territorial jurisdiction, or a state highway patrol trooper, upon notification to the sheriff or chief of police of such action and of the location of the place of storage, may order into storage any motor vehicle, including an abandoned junk motor vehicle as defined in section 4513.63 of the Revised Code, that:

(1) Has come into the possession of the sheriff, chief of police, or state highway patrol trooper as a result of the performance of the sheriff's, chief's, or trooper's duties; or

(2) Has been left on a public street or other property open to the public for purposes of vehicular travel, or upon or within the right-of-way of any road or highway, for forty-eight hours or longer without notification to the sheriff or chief of police of the reasons for leaving the motor vehicle in such place. However, when such a motor vehicle constitutes an obstruction to traffic it may be ordered into storage immediately unless either of the following applies:

(a) The vehicle was involved in an accident and is subject to section 4513.66 of the Revised Code;

(b) The vehicle is a commercial motor vehicle. If the vehicle is a commercial motor vehicle, the sheriff, chief of police, or state highway patrol trooper shall allow the owner or operator of the vehicle the opportunity to arrange for the removal of the motor vehicle within a period of time specified by the sheriff, chief of police, or state highway patrol trooper. If the sheriff,

chief of police, or state highway patrol trooper determines that the vehicle cannot be removed within the specified period of time, the sheriff, chief of police, or state highway patrol trooper shall order the removal of the vehicle.

Subject to division (C) of this section, the sheriff or chief of police shall designate the place of storage of any motor vehicle so ordered removed.

(B) If the sheriff, chief of police, or a state highway patrol trooper issues an order under division (A) of this section and arranges for the removal of a motor vehicle by a towing service, the towing service shall deliver the motor vehicle to the location designated by the sheriff or chief of police not more than two hours after the time it is removed.

(C)(1) The sheriff or chief of police shall cause a search to be made of the records of the bureau of motor vehicles to ascertain the identity of the owner and any lienholder of a motor vehicle ordered into storage by the sheriff or chief of police, or by a state highway patrol trooper within five business days of the removal of the vehicle. Upon obtaining such identity, the sheriff or chief of police shall send or cause to be sent to the owner or lienholder at the owner's or lienholder's last known address by certified mail with return receipt requested, notice that informs the owner or lienholder that the motor vehicle will be declared a nuisance and disposed of if not claimed within ten days of the date of mailing of the notice.

(2) The owner or lienholder of the motor vehicle may reclaim the motor vehicle upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title or memorandum certificate of title to the motor vehicle, a certificate of registration for the motor vehicle, or a lease agreement. If the owner of a vehicle cannot afford to pay all the applicable fees immediately, the towing service or storage facility shall make a good faith attempt to enter into an agreement with the owner as described in division (D)(3) of section 4513.60 of the Revised Code. Upon presentation of proof of ownership evidenced as provided above, the owner of the motor vehicle also may retrieve any personal items from the vehicle without retrieving the vehicle and without paying any fee. However, a towing service or storage facility may charge an after-hours retrieval fee established by the public utilities commission in rules adopted under section 4921.25 of the Revised Code if the owner retrieves the personal items after hours, unless the towing service or storage facility fails to provide the notice required under division (B)(3) of section 4513.69 of the Revised Code, if applicable. However, the owner shall not do either of the following:

(a) Retrieve any personal item that has been determined by the sheriff, chief of police, or a state highway patrol trooper, as applicable, to be necessary to a criminal investigation;

(b) Retrieve any personal item from a vehicle if it would endanger the

safety of the owner, unless the owner agrees to sign a waiver of liability.

For purposes of division (C)(2) of this section, "personal items" do not include any items that are attached to the vehicle.

(3) If the owner or lienholder of the motor vehicle reclaims it after a search of the records of the bureau has been conducted and after notice has been sent to the owner or lienholder as described in this section, and the search was conducted by the place of storage, and the notice was sent to the motor vehicle owner by the place of storage, the owner or lienholder shall pay to the place of storage a processing fee of twenty-five dollars, in addition to any expenses or charges incurred in the removal and storage of the vehicle.

(D) If the owner or lienholder makes no claim to the motor vehicle or does not enter into an agreement for payment with the towing service or storage facility within ten days of the date of mailing of the notice, and if the sheriff or chief of police shall do one of the following:

(1) If the vehicle is to be disposed of at public auction as provided in section 4513.62 of the Revised Code, ~~the sheriff or chief of police,~~ without charge to any party, ~~shall~~ file with the clerk of courts of the county in which the place of storage is located an affidavit showing compliance with the requirements of this section. Upon presentation of the affidavit, the clerk, without charge, shall issue a salvage certificate of title, free and clear of all liens and encumbrances, to the sheriff or chief of police. ~~If~~

(2) If the vehicle is to be disposed of to a motor vehicle salvage dealer or other facility as provided in section 4513.62 of the Revised Code, ~~the sheriff or chief of police shall~~ execute in triplicate an affidavit, as prescribed by the registrar of motor vehicles, describing the motor vehicle and the manner in which it was disposed of, and that all requirements of this section have been complied with. The sheriff or chief of police shall retain the original of the affidavit for the sheriff's or chief's records, and shall furnish two copies to the motor vehicle salvage dealer or other facility. Upon presentation of a copy of the affidavit by the motor vehicle salvage dealer, the clerk of courts, within thirty days of the presentation, shall issue a salvage certificate of title, free and clear of all liens and encumbrances.

(3) If the vehicle is not to be disposed of in accordance with division (A) or (B) of section 4513.62 of the Revised Code, inform the towing service or storage facility that it may proceed in accordance with section 4505.104 of the Revised Code to take title to the motor vehicle.

(E) Whenever a motor vehicle salvage dealer or other facility receives an affidavit for the disposal of a motor vehicle as provided in this section, the dealer or facility shall not be required to obtain an Ohio certificate of title to the motor vehicle in the dealer's or facility's own name if the vehicle is dismantled or destroyed and both copies of the affidavit are delivered to the clerk of courts.

(F) No towing service or storage facility shall fail to comply with this section."

After line 86, insert:

"Sec. 4513.621. (A) Beginning on July 1, 2021, the director of public safety shall establish and maintain a web site to provide identifying information to the public regarding towed motor vehicles. For purposes of establishing the web site, the director shall adopt rules in accordance with Chapter 119. of the Revised Code that do all of the following:

(1) Establish procedures by which law enforcement and towing services shall provide information to the department of public safety regarding a towed motor vehicle. The rules shall require the information regarding a towed vehicle to include all of the following:

(a) The make, model, year, and vehicle identification number of the motor vehicle;

(b) The location from which the motor vehicle was removed;

(c) The date and time the motor vehicle was removed;

(d) The telephone number of the person from whom the motor vehicle may be recovered;

(e) The address of the place from which the motor vehicle may be recovered;

(f) Procedures for recovering the towed motor vehicle, including the costs of recovering the motor vehicle.

(2) Establish a process by which the owner or lessee of a towed motor vehicle may access the information on the web site in order to determine the location of the towed motor vehicle and the process for recovering the towed motor vehicle;

(3) Require the director to ensure that information regarding the towed motor vehicles web site is available on the bureau of motor vehicle's web site, including the portion of the web site that allows online motor vehicle registration renewals. The director shall ensure that the information is formatted such that when a person renews a motor vehicle registration online, the person is notified about the towed motor vehicles web site.

(4) Establish any other procedures and requirements that the director determines are necessary to administer and implement this section.

Division (F) of section 121.95 of the Revised Code does not apply to rules adopted under this section.

(B) The registrar of motor vehicles and each deputy registrar shall make information regarding the towed motor vehicles web site available to a person who is applying for or renewing a motor vehicle registration at the office of the registrar or deputy registrar."

In line 87, delete "section" and insert "sections 4513.60, 4513.61, and"

In line 88, delete "is" and insert "are"

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

Representative Seitz moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 59, nays 35, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Butler	Callender	Carruthers	Cross
Cutrona	Dean	DeVitis	Edwards
Fraizer	Ghanbari	Ginter	Green
Greenspan	Grendell	Hambley	Hillyer
Holmes, A.	Hood	Hoops	Householder
Jones	Jordan	Keller	Kick
Koehler	Lanese	Lang	LaRe
Lipps	Manchester	Manning, G.	McClain
Merrin	Oelslager	Patton	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Roemer	Romanchuk	Scherer
Seitz	Smith, T.	Stein	Stephens
Stoltzfus	Swearingen	Vitale	Wiggam
Wilkin	Zeltwanger		Cupp-59

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Brinkman
Brown	Cera	Clites	Crawley
Crossman	Galonski	Hicks-Hudson	Howse
Ingram	Kelly	Leland	Lightbody
Liston	Miller, A.	Miller, J.	Miranda
O'Brien	Patterson	Robinson	Rogers
Russo	Sheehy	Skindell	Smith, K.
Sobecki	Strahorn	Sweeney	Sykes
Upchurch	Weinstein		West-35

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 82, nays 12, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brinkman	Brown
Butler	Callender	Carruthers	Cera
Clites	Cross	Crossman	Cutrona
Dean	DeVitis	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Grendell	Hambley	Hillyer
Holmes, A.	Hood	Hoops	Householder
Ingram	Jones	Jordan	Keller
Kick	Koehler	Lanese	Lang

LaRe	Lipps	Manchester	Manning, G.
McClain	Merrin	Miller, A.	Miller, J.
Miranda	O'Brien	Oelslager	Patterson
Patton	Perales	Plummer	Powell
Reineke	Richardson	Riedel	Robinson
Roemer	Rogers	Romanchuk	Scherer
Seitz	Sheehy	Smith, T.	Sobecki
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Upchurch	Vitale
Weinstein	West	Wiggam	Wilkin
Zeltwanger			Cupp-82

Those who voted in the negative were: Representatives

Brent	Crawley	Hicks-Hudson	Howse
Kelly	Leland	Lightbody	Liston
Russo	Skindell	Smith, K.	Sykes-12

The bill passed.

Representative Jones moved to amend the title as follows:

Add the names: "Abrams, Fraizer, Ginter, Koehler, Plummer, Reineke."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 473-Representative Smith, T.

Cosponsors: Representatives Lipps, Kick, Romanchuk, Stein, Riedel, Becker, Ginter, Richardson, Seitz, Wiggam.

To amend sections 5.10 and 5.101 of the Revised Code to allow the state motto to be used alongside the state seal, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 86, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Brinkman	Brown	Butler
Callender	Carruthers	Cera	Clites
Crawley	Cross	Crossman	Cutrona
Dean	DeVitis	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Grendell	Hambley	Hillyer
Holmes, A.	Hood	Hoops	Householder
Ingram	Jones	Jordan	Keller
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lipps
Liston	Manchester	Manning, G.	McClain
Merrin	Miller, A.	Miller, J.	Miranda
O'Brien	Oelslager	Patterson	Patton
Perales	Plummer	Powell	Reineke
Richardson	Riedel	Roemer	Rogers

Romanchuk	Scherer	Seitz	Sheehy
Skindell	Smith, K.	Smith, T.	Sobecki
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	Upchurch
Vitale	West	Wiggam	Wilkin
Zeltwanger			Cupp-86

Representatives Boggs, Brent, Hicks-Hudson, Howse, Lightbody, Robinson, Russo, and Weinstein voted in the negative-8.

The bill passed.

Representative Smith, T. moved to amend the title as follows:

Add the names: "Carruthers, Cross, Fraizer, Ghanbari, Green, Grendell, Hambley, Jones, Koehler, McClain, Perales, Reineke, Stoltzfus."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

S. C. R. No. 8-Senators Roegner, Peterson.

Cosponsors: Senators Schuring, Blessing, Brenner, Burke, Coley, Dolan, Hoagland, Hottinger, Huffman, S., Johnson, Manning, McColley, Obhof, Wilson Representative Wiggam.

To urge Congress to enact The Sunshine Protection Act of 2019, which would permanently extend daylight saving time, was taken up for consideration the third time.

Representative Wiggam moved to amend the title as follows:

Add the names: "Abrams, Becker, Callender, Hambley, Hillyer, Jones, Kick, Koehler, Lang, Roemer, Smith, T.."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The question being, "Shall the concurrent resolution be adopted?"

Representative Brown moved to amend, amendment 3733.

Pursuant to House Rule 91(a), Speaker Cupp ruled the amendment out of order.

Representative Brown appealed the decision of the Chair.

The question being, "Shall the decision of the Chair be sustained?"

The yeas and nays were taken and resulted – yeas 59, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carruthers
Cross	Cutrona	Dean	DeVitis

Edwards	Fraizer	Ghanbari	Ginter
Green	Greenspan	Grendell	Hambley
Hillyer	Holmes, A.	Hood	Hoops
Householder	Jones	Jordan	Keller
Kick	Koehler	Lanese	Lang
LaRe	Lipps	Manchester	Manning, G.
McClain	Merrin	Oelslager	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Roemer	Romanchuk	Scherer
Seitz	Smith, T.	Stein	Stephens
Stoltzfus	Swearingen	Vitale	Wiggam
Wilkin	Zeltwanger		Cupp-59

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Brown
Cera	Clites	Crawley	Crossman
Galonski	Hicks-Hudson	Howse	Ingram
Kelly	Leland	Lightbody	Liston
Miller, A.	Miller, J.	Miranda	O'Brien
Patterson	Robinson	Rogers	Russo
Sheehy	Skindell	Smith, K.	Sobecki
Strahorn	Sweeney	Sykes	Upchurch
Weinstein			West-34

The decision of the Chair was sustained.

The question recurring, "Shall the concurrent resolution be adopted?"

Representative Crawley moved to amend, amendment 3732.

Pursuant to House Rule 91(a), Speaker Cupp ruled the amendment out of order.

Representative Crawley appealed the decision of the Chair.

The question being, "Shall the decision of the Chair be sustained?"

The yeas and nays were taken and resulted – yeas 59, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carruthers
Cross	Cutrona	Dean	DeVitis
Edwards	Fraizer	Ghanbari	Ginter
Green	Greenspan	Grendell	Hambley
Hillyer	Holmes, A.	Hood	Hoops
Householder	Jones	Jordan	Keller
Kick	Koehler	Lanese	Lang
LaRe	Lipps	Manchester	Manning, G.
McClain	Merrin	Oelslager	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Roemer	Romanchuk	Scherer
Seitz	Smith, T.	Stein	Stephens
Stoltzfus	Swearingen	Vitale	Wiggam
Wilkin	Zeltwanger		Cupp-59

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Brown
Cera	Clites	Crawley	Crossman
Galonski	Hicks-Hudson	Howse	Ingram
Kelly	Leland	Lightbody	Liston
Miller, A.	Miller, J.	Miranda	O'Brien
Patterson	Robinson	Rogers	Russo
Sheehy	Skindell	Smith, K.	Sobecki
Strahorn	Sweeney	Sykes	Upchurch
Weinstein			West-34

The decision of the Chair was sustained.

The question recurring, "Shall the concurrent resolution be adopted?"

The yeas and nays were taken and resulted – yeas 61, nays 32, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Becker	Blair
Butler	Callender	Carruthers	Cera
Clites	Cross	DeVitis	Edwards
Fraizer	Ghanbari	Ginter	Green
Greenspan	Grendell	Hambley	Hillyer
Holmes, A.	Hood	Hoops	Jones
Jordan	Keller	Kick	Koehler
Lanese	Lang	LaRe	Lipps
Manchester	Manning, G.	McClain	Merrin
O'Brien	Oelslager	Perales	Plummer
Powell	Reineke	Richardson	Riedel
Roemer	Rogers	Romanchuk	Scherer
Seitz	Sheehy	Skindell	Smith, T.
Stein	Stephens	Stoltzfus	Swearingen
Vitale	Wiggam	Wilkin	Zeltwanger
			Cupp-61

Those who voted in the negative were: Representatives

Antani	Boggs	Brent	Brinkman
Brown	Crawley	Crossman	Cutrona
Dean	Galonski	Hicks-Hudson	Householder
Howse	Ingram	Kelly	Leland
Lightbody	Liston	Miller, A.	Miller, J.
Miranda	Patterson	Robinson	Russo
Smith, K.	Sobecki	Strahorn	Sweeney
Sykes	Upchurch	Weinstein	West-32

The concurrent resolution was adopted.

H. B. No. 539-Representatives Ghanbari, Blair.

Cosponsors: Representatives Abrams, Becker, Carfagna, Cross, Crossman, Galonski, Hambley, Kick, LaRe, O'Brien, Plummer, Riedel, Swearingen, Rogers, Smith, T.

To amend sections 2935.03 and 4513.39 of the Revised Code to permit a township police officer who serves a population between 5,000 and 50,000 to enforce specified traffic offenses on certain interstate highways if authorized by that township's board of trustees, was taken up for consideration the third

time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 73, nays 20, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldridge	Becker	Blair
Brent	Brown	Butler	Callender
Carruthers	Clites	Cross	Crossman
Cutrona	DeVitis	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Grendell	Hambley	Hillyer
Holmes, A.	Hoops	Householder	Jones
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lightbody
Lipps	Liston	Manchester	Manning, G.
McClain	Merrin	Miller, A.	Miller, J.
Miranda	O'Brien	Oelslager	Patterson
Perales	Plummer	Reineke	Richardson
Riedel	Robinson	Roemer	Rogers
Romanchuk	Russo	Scherer	Seitz
Sheehy	Smith, K.	Smith, T.	Sobecki
Stein	Stephens	Stoltzfus	Swearingen
Sweeney	Upchurch	Weinstein	West
			Cupp-73

Those who voted in the negative were: Representatives

Antani	Boggs	Brinkman	Cera
Crawley	Dean	Hicks-Hudson	Hood
Howse	Ingram	Jordan	Keller
Powell	Skindell	Strahorn	Sykes
Vitale	Wiggam	Wilkin	Zeltwanger-20

The bill passed.

Representative Ghanbari moved to amend the title as follows:

Add the names: "Carruthers, Clites, Miller, A., Miller, J., Perales."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

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. 21 - Senator Dolan – 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 House amendments to:

Am. Sub. S. B. No. 318 - Senators Kunze, Williams – 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. 325 - Representatives Miller, J., Howse

Cosponsors: Representatives Russo, Denson, Sheehy, Upchurch, West, Sykes, Crossman, Miller, A., Boyd, Kelly, Leland, Brent, Hoops, Miranda, Patterson, Riedel, Smith, K., Skindell, Sobecki, Strahorn, Boggs, Clites, Ingram, Crawley, Lepore-Hagan, Ginter, Hambley, Smith, T., Brown, Carruthers, Cross, Cupp, Galonski, Hicks-Hudson, Holmes, A., Lanese, Liston, Manning, G., Reineke, Robinson, Rogers, Weinstein, Wiggam, Senators Schuring, Antonio, Blessing, Brenner, Burke, Coley, Craig, Dolan, Eklund, Fedor, Gavarone, Hackett, Hottinger, Huffman, S., Johnson, Kunze, Lehner, Maharath, Manning, Obhof, O'Brien, Rulli, Sykes, Thomas, Williams, Yuko

To enact section 5.293 of the Revised Code to designate February 18 as "Toni Morrison 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 passed the following bills in which the concurrence of the House is requested:

Am. S. B. No. 263 - Senator Hackett

Cosponsors: Senators Maharath, Wilson, Craig, Thomas, Antonio, Kunze, Schuring, Brenner, Coley, Dolan, Fedor, Gavarone, Hoagland, Huffman, M., Huffman, S., Johnson, Lehner, Manning, McColley, O'Brien, Roegner, Rulli, Schaffer, Sykes, Yuko

To amend sections 5164.751 and 5167.01 and to enact sections 3902.50,

3902.51, 4729.49, and 5167.123 of the Revised Code to prohibit a pharmacy benefit manager from taking certain actions with respect to reimbursements made to health care providers that participate in the federal 340B Drug Pricing Program.

Am. S. B. No. 302 - Senators Eklund, Antonio

Cosponsors: Senators Schuring, Blessing, Burke, Coley, Craig, Dolan, Fedor, Gavarone, Hackett, Hoagland, Johnson, Kunze, Maharath, Manning, Obhof, O'Brien, Peterson, Rulli, Schaffer, Sykes, Thomas, Williams, Yuko

To amend section 4765.401 of the Revised Code regarding emergency medical services and stroke patient protocols.

Sub. S. B. No. 331 - Senator Roegner

Cosponsors: Senators Schuring, Hoagland, Antonio, Blessing, Burke, Coley, Craig, Dolan, Eklund, Hackett, Huffman, M., Huffman, S., Johnson, Lehner, McColley, Obhof, Peterson, Schaffer, Thomas, Wilson

To amend sections 101.83, 101.84, 101.85, 101.86, 101.87, 105.911, 150.06, 355.02, 355.03, 355.04, 501.04, 3301.079, 3711.12, 4723.493, and 4723.50 and to repeal sections 133.021, 501.041, 718.60, 1521.031, 3711.20, 3711.21, 3711.22, 4723.49, 4723.491, 4723.492, 5101.345, 5101.91, 5101.92, 5913.12, 5913.13, and 5913.14 of the Revised Code and to repeal Section 209.61 of H.B. 49 of the 132nd General Assembly, Section 3 of H.B. 66 of the 132nd General Assembly, Sections 701.05 and 751.30 of H.B. 64 of the 131st General Assembly, and Section 265.70.20 of H.B. 1 of the 128th General Assembly to implement the recommendations of the Sunset Review Committee by terminating or renewing various agencies, and to require a Sunset Review Committee to be convened during each General Assembly.

S. B. No. 334 - Senators Craig, Brenner

Cosponsors: Senators Thomas, Antonio, Yuko, Maharath, Sykes, O'Brien, Hottinger, Lehner, Kunze, Gavarone, Rulli, Obhof, Schuring, Blessing, Burke, Dolan, Eklund, Fedor, Hackett, Hoagland, Huffman, S., Johnson, Manning, McColley, Schaffer, Williams, Wilson

To amend sections 1.14, 5.2247, 124.19, 325.19, 511.10, 1345.21, 3313.63, and 3319.087 of the Revised Code to establish the nineteenth of June as Juneteenth, a legal holiday for which government employees receive paid leave.

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 passage of the following bill:

Am. Sub. H. B. No. 412 - Representatives Clites, Ginter

Cosponsors: Representatives Blair, Boggs, Boyd, Crawley, Crossman, Galonski, Hambley, Miller, A., Miller, J., Smith, K., Lepore-Hagan, Lipps, Liston, Miranda, O'Brien, Patterson, Romanchuk, Russo, Scherer, Sobecki, Strahorn, Upchurch, Weinstein, West, Baldrige, Brent, Brown, Butler, Carfagna, Carruthers, Cross, Cupp, Dean, Denson, DeVitis, Edwards, Fraizer, Ghanbari, Greenspan, Grendell, Hicks-Hudson, Holmes, A., Hoops, Howse, Ingram, Jones, Jordan, Kelly, Kick, Koehler, Lanese, Leland, Lightbody, Manning, D., Manning, G., Oelslager, Patton, Perales, Plummer, Reineke, Richardson, Robinson, Roemer, Rogers, Sheehy, Skindell, Stein, Sweeney, Sykes, Wilkin Senators Kunze, Schuring, Antonio, Blessing, Burke, Coley, Craig, Dolan, Eklund, Fedor, Gavarone, Hackett, Hottinger, Huffman, S., Johnson, Lehner, Maharath, Manning, Obhof, O'Brien, Peterson, Rulli, Schaffer, Sykes, Thomas, Williams, Wilson, Yuko

To amend section 3750.04 and to enact sections 103.60 and 3701.051 of the Revised Code to establish the Rare Disease Advisory Council, to authorize the Emergency Response Commission to exempt a local emergency planning committee from conducting certain annual exercises, and to declare an emergency.

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

In line 249, delete the second "the" and insert "section 3750.04 of the Revised Code, as amended by this"; after "act" insert ", "

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

CLERK'S NOTATION

This is to acknowledge receipt of the report of the committee of conference on Sub. S. B. 1- Senators McColley and Roegner, et al., on December 2, 2020.

On motion of Representative Butler, the House adjourned until Tuesday, December 8, 2020 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.