

**OHIO**

**SENATE**

**JOURNAL**

FRIDAY, JUNE 12, 2020

ONE HUNDRED NINETY-THIRD DAY  
Senate Chamber, Columbus, Ohio  
**Friday, June 12, 2020, 9:00 o'clock a.m.**

The Senate met pursuant to adjournment.

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

## **HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS**

The amendments of the House of Representatives to:

**Am. Sub. S. B. No. 55**-Senator Gavarone.

Cosponsors: Senators Fedor, O'Brien, Coley, Brenner, Hackett, Hoagland, Huffman, S., McColley, Roegner, Rulli, Schaffer, Schuring, Terhar, Uecker, Wilson. Representatives Butler, Cupp, Manning, D., Smith, T., Abrams, Baldrige, Carruthers, Cross, Ghanbari, Holmes, A., Jones, LaRe, Lipps, McClain, Merrin, Plummer, Roemer, Rogers, Seitz, Stein, Wiggam, Wilkin.

To amend sections 2925.01, 2925.03, 3701.99, 3707.99, and 3709.99 of the Revised Code to enhance penalties for certain drug trafficking offenses committed in the vicinity of a substance addiction services provider, to modify penalties for violations of public health orders related to a pandemic, and to designate certain provisions as the "Relapse Reduction Act.", having been informally passed, were taken up.

Senator Craig moved that the amendments of the House of Representatives to **Am. Sub. S. B. No. 55**, be informally passed and retain their place on the calendar.

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

The motion was agreed to.

## **Message from the House of Representatives**

Mr. President:

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

**Sub. H. B. No. 67** -Representatives Brinkman, Kelly

Cosponsors: Representatives Smith, R., Becker, Lanese, Riedel, Roemer, Scherer, Lepore-Hagan, Seitz, Plummer, Galonski, Manning, G., Abrams, Edwards, Jones, Lightbody, Sheehy, Stein, Sweeney, Carfagna, Carruthers, Crossman, Fraizer, Ghanbari, Hoops, Patterson, Rogers, Russo

To amend section 4743.05 and to enact sections 4741.50, 4741.51, 4741.52,

4741.53, 4741.54, 4741.55, 4741.56, and 4741.57 of the Revised Code to create the Veterinarian Student Debt Assistance Program.

**Sub. H. B. No. 163** -Representative Brinkman

Cosponsors: Representatives Seitz, Blessing, Keller, Lipps, Romanchuk, Patton, Lang, Edwards, LaTourette, DeVitis, Becker, Zeltwanger, Carruthers, Koehler, Lanese, Merrin

To amend sections 5747.50, 5747.51, and 5747.53 and to enact sections 9.662, 743.80, and 5747.504 of the Revised Code to create a process for withholding local government funds and state water and sewer assistance from municipal corporations that engage in certain water and sewer practices with respect to extraterritorial service.

**H. B. No. 436** -Representative Baldrige

Cosponsors: Representatives Sheehy, Rogers, Seitz, Jones, Blair, Strahorn, Stephens, Clites, Lepore-Hagan, Liston, Russo, West, Abrams, Antani, Brown, Carfagna, Crossman, Fraizer, Galonski, Hambley, Hicks-Hudson, Ingram, Lanese, Manning, G., Miller, J., O'Brien, Smith, K., Stein, Sykes, Upchurch

To amend sections 3301.079, 3314.03, 3323.11, 3326.11, and 3328.24; to enact new section 3323.25 and sections 3319.077, 3319.078, and 3323.251; and to repeal section 3323.25 of the Revised Code with regard to screening and intervention for children with dyslexia.

**Sub. H. B. No. 484** -Representatives Abrams, Carfagna

Cosponsors: Representatives Russo, Carruthers, Miller, J., Seitz, Swearingen, Clites, Crossman, Edwards, Fraizer, Ginter, Koehler, Patterson, Patton, Rogers

To amend sections 4755.60 and 4755.62 and to enact section 4755.621 of the Revised Code regarding the practice of athletic training.

**Sub. H. B. No. 624** -Representative Grendell

Cosponsors: Representatives Wiggam, Romanchuk, Riedel, Roemer, Stein, Keller, Cross, Abrams, Baldrige, Butler, Carruthers, Cupp, Cutrona, DeVitis, Edwards, Fraizer, Ghanbari, Green, Hambley, Hillyer, Holmes, A., Jones, Jordan, Koehler, Lang, Patton, Reineke, Seitz, Smith, T., Stephens, Stoltzfus, Zeltwanger

To require the reporting and release of certain COVID-19 testing and related

information.

**Sub. H. B. No. 669** -Representatives Swearingen, LaRe

Cosponsors: Representatives Romanchuk, Jordan, Reineke, Seitz, Becker, Abrams, Jones, Carfagna, Cross, Hambley, Lang, Weinstein, Sheehy, Carruthers, Clites, Crossman, Galonski, Greenspan, Hillyer, Holmes, A., Ingram, Miller, J., Miranda, Patton, Perales, Rogers, Strahorn, West

To amend sections 4301.10, 4301.62, and 4303.041 and to enact sections 4303.185 and 4303.186 of the Revised Code to enact provisions of law relative to the sale and delivery of alcoholic beverages by liquor permit holders and to declare an emergency.

**Am. Sub. H. B. No. 673** -Representative Roemer

Cosponsors: Representatives Wiggam, Crossman, Galonski, Hambley, Rogers, Seitz

To amend sections 4709.02, 4709.05, 4709.12, 4709.13, and 4729.41 and to enact sections 4709.071, 4713.351, and 4729.42 of the Revised Code and to amend Section 30 of H.B. 197 of the 133rd General Assembly regarding the operation of businesses, practice of certain professions, and completion of education as it relates to COVID-19.

**Am. Sub. H. B. No. 679** -Representatives Fraizer, Holmes, A.

Cosponsors: Representatives Abrams, Butler, Crossman, Patton, Seitz, Swearingen, Carfagna, Carruthers, Cutrona, Edwards, Galonski, Ghanbari, Grendell, Lanese, LaRe, Liston, Miller, J., O'Brien, Patterson, Perales, Plummer, Robinson, Rogers, Russo, Scherer, Stephens

To amend sections 3902.30, 4715.01, 4715.09, 4723.94, 4732.33, and 5164.95; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 4731.2910 (4743.09); and to enact sections 3701.1310, 3721.60, 4715.44, 4730.60, 4753.20, 4755.90, 4757.50, 4758.80, 4759.20, and 5119.368 of the Revised Code to establish and modify requirements regarding the provision of telehealth services.

Attest:

Bradley J. Young,  
Clerk.

Said bills were considered the first time.

**Message from the House of Representatives**

Mr. President:

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

**Am. Sub. S. B. No. 10** -Senator Wilson

Cosponsors: Senators Peterson, Uecker, Coley, Hoagland, Gavarone, Antonio, Craig, Dolan, Eklund, Hackett, Hill, Hottinger, Huffman, M., Huffman, S., Kunze, Lehner, Maharath, McColley, Obhof, O'Brien, Roegner, Rulli, Sykes, Thomas, Williams Representatives Plummer, Leland, Crossman, Cupp, Galonski, Rogers, Smith, T., West, Lang, Grendell, Seitz, Clites, Greenspan, Hambley, Manning, G., Patton, Perales

To amend sections 319.16, 2307.382, 2921.41, 2953.32, 2953.321, 2953.36, 2953.51, 2953.54, and 5747.12 and to enact section 117.116 of the Revised Code and to amend Section 22 of H.B. 197 of the 133rd General Assembly to expand the penalties for theft in office based on the amount stolen, to include as restitution audit costs of the entity that suffered the loss, to modify various aspects of the laws regarding criminal and delinquency record sealing and expungement, to expand the list of debts toward satisfaction of which the Tax Commissioner may apply a tax refund due to a taxpayer, to expand the basis of a court's exercise of personal jurisdiction, to specify a separate standard for the issuing of warrants upon presentation of a court order, and to declare an emergency.

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

In line 1 of the title, after "319.16" insert ", 2307.382"

In line 12 of the title, after "taxpayer," insert "to expand the basis of a court's exercise of personal jurisdiction,"

In line 15, after "319.16" insert ", 2307.382"

After line 73, insert:

"Sec. 2307.382. (A) A court may exercise personal jurisdiction over a person who acts directly or by an agent, as to a cause of action arising from the person's:

- (1) Transacting any business in this state;
- (2) Contracting to supply services or goods in this state;
- (3) Causing tortious injury by an act or omission in this state;

(4) Causing tortious injury in this state by an act or omission outside this state if ~~he~~ the person regularly does or solicits business, or engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered in this state;

(5) Causing injury in this state to any person by breach of warranty expressly or impliedly made in the sale of goods outside this state when ~~he~~ the person might reasonably have expected such person to use, consume, or be affected by the goods in this state, provided that ~~he~~ the person also regularly does or solicits business, or engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered in this state;

(6) Causing tortious injury in this state to any person by an act outside this state committed with the purpose of injuring persons, when ~~he~~ the person might reasonably have expected that some person would be injured thereby in this state;

(7) Causing tortious injury to any person by a criminal act, any element of which takes place in this state, which ~~he~~ the person commits or in the commission of which ~~he~~ the person is guilty of complicity.

(8) Having an interest in, using, or possessing real property in this state;

(9) Contracting to insure any person, property, or risk located within this state at the time of contracting.

(B) For purposes of this section, a person who enters into an agreement, as a principal, with a sales representative for the solicitation of orders in this state is transacting business in this state. As used in this division, "principal" and "sales representative" have the same meanings as in section 1335.11 of the Revised Code.

(C) ~~When~~ In addition to a court's exercise of personal jurisdiction under division (A) of this section, a court may exercise personal jurisdiction over a person is based solely upon this section, only a cause of action arising from acts enumerated in this section may be asserted against him on any basis consistent with the Ohio Constitution and the United States Constitution.

In line 892, after "319.16" insert ", 2307.382"

In line 3 of the title, after "Code" insert "and to amend Section 22 of H.B. 197 of the 133rd General Assembly"

In line 12 of the title, delete "and"

In line 14 of the title, after "order" insert ", and to declare an emergency"

After line 903, insert:

"Section 4. That Section 22 of H.B. 197 of the 133rd General Assembly be amended to read as follows:

Sec. 22. (A) The following that are set to expire between March 9, 2020, and July 30, 2020, shall be tolled:

(1) A statute of limitation, as follows:

(a) For any criminal offense, notwithstanding any other provision of law to the contrary, the applicable period of limitation set forth in section 2901.13 of the Revised Code for the criminal offense;

(b) When a civil cause of action accrues against a person, notwithstanding any other provision of law to the contrary, the period of limitation for commencement of the action as provided under any section in Chapter 2305. of the Revised Code, or under any other provision of the Revised Code that applies to the cause of action;

(c) For any administrative action or proceeding, the period of limitation for the action or proceeding as provided under the Revised Code or the Administrative Code, if applicable.

(2) The time within which a bill of indictment or an accusation must be returned or the time within which a matter must be brought before a grand jury;

(3) The time within which an accused person must be brought to trial or, in the case of a felony, to a preliminary hearing and trial;

(4) Time deadlines and other schedule requirements regarding a juvenile, including detaining a juvenile;

(5) The time within which a commitment hearing must be held;

(6) The time by which a warrant must be issued;

(7) The time within which discovery or any aspect of discovery must be completed;

(8) The time within which a party must be served;

(9) The time within which an appearance regarding a dissolution of marriage must occur pursuant to section 3105.64 of the Revised Code;

(10) Any other criminal, civil, or administrative time limitation under the Revised Code.

(B) This section applies retroactively to the date of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020.

(C) Division (A) of this section expires on ~~the date the period of emergency ends or July 30, 2020, whichever is sooner.~~

(D) The time period from March 9, 2020, to July 30, 2020, shall not

be computed as part of the periods of limitation and time limitations described in division (A) of this section.

Section 5. That existing Section 22 of H.B. 197 of the 133rd General Assembly is hereby repealed.

Section 6. Sections 1, 2, and 3 of this act take effect ninety days after the effective date of this section.

Section 7. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to respond to the declared pandemic and global health emergency related to COVID-19. Therefore, this act shall go into immediate effect."

Attest:

Bradley J. Young,  
Clerk.

Said amendments were laid over under the rule.

### **Message from the House of Representatives**

Mr. President:

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

#### **Sub. S. B. No. 163** -Senator Kunze

Cosponsors: Senators Williams, Yuko, Schaffer, Fedor, Antonio, Johnson, Manning, Hoagland, Sykes, Maharath, Blessing, Brenner, Burke, Craig, Dolan, Eklund, Gavarone, Hackett, Hottinger, Huffman, M., Huffman, S., Lehner, McColley, Obhof, O'Brien, Peterson, Rulli, Thomas, Wilson  
Representatives Green, Sheehy, Manning, G., O'Brien, Abrams, Butler, Carruthers, Crossman, DeVitis, Galonski, Ginter, Grendell, Hambley, Ingram, Lanese, Lepore-Hagan, Liston, Richardson, Riedel, Roemer, Rogers, Scherer

To amend sections 4501.21, 4503.571, 4503.68, and 4503.70 and to enact sections 4503.506, 4503.557, 4503.558, 4503.581, 4503.596, 4503.714, 4503.716, 4503.725, 4503.767, 4503.881, 4503.883, 4503.893, 4503.899, 4503.931, 4503.932, 4503.942, 4503.945, 4503.956, 4503.957, 4503.958, 4503.961, 4503.962, and 4503.963 of the Revised Code to create and amend multiple nonstandard license plates.

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As a substitute bill, in which the concurrence of the Senate is requested.

Attest:

Bradley J. Young,  
Clerk.

Said amendments were laid over under the rule.

On the motion of Senator Craig, the Senate adjourned until Tuesday, June 16, 2020 at 9:00 a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.