

**OHIO**

**SENATE**

**JOURNAL**

TUESDAY, JUNE 30, 2020

## ONE HUNDRED NINETY-SEVENTH DAY

Senate Chamber, Columbus, Ohio

**Tuesday, June 30, 2020, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Senator Dave Burke, followed by the Pledge of Allegiance to the Flag.

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

**REPORTS OF REFERENCE AND BILLS FOR SECOND  
CONSIDERATION**

Senator Obhof reports for the standing committee on Rules and Reference, recommending that the following bills, standing in order for second consideration, be referred to committee as recommended:

**Sub. H. B. No. 13** -Representatives Carfagna, O'Brien, et al.

To amend sections 133.13, 727.01, and 4928.17 and to enact sections 188.01, 188.03, 188.05, 188.06, 188.07, 188.08, 188.09, 188.10, 188.13, 188.15, 188.16, 188.17, 188.18, 188.19, 188.20, 188.21, 188.23, 188.24, 188.25, 188.30, 188.31, 188.33, 188.34, 188.35, 188.36, 188.37, 188.40, 188.41, 188.43, 188.44, 188.45, 188.46, 188.50, 188.51, 188.53, 188.55, 188.60, 188.61, 188.63, 188.70, 188.71, 188.73, 188.75, 188.76, 188.77, 188.80, 188.81, 188.83, 188.84, 188.85, 188.87, 188.88, 188.89, 188.91, 188.93, 188.95, 303.251, 505.881, 4926.01, 4926.02, 4926.03, 4926.04, 4926.05, 4926.06, 4926.07, 4926.09, 4926.10, 4926.13, 4926.15, 4926.16, 4926.20, 4926.21, 4926.26, 4926.27, 4926.29, 4926.31, 4926.311, 4926.33, 4926.35, 4926.36, 4926.37, 4926.38, 4926.39, 4926.40, 4926.50, 4926.51, 4926.52, 4926.54, 4926.56, 4926.58, 4926.60, 4926.63, 4926.64, 4926.65, 4926.70, 4926.71, 4926.72, 4926.85, 4926.86, 4926.88, 4926.90, 4926.91, 4926.92, 4926.93, and 4926.95 of the Revised Code regarding broadband expansion, including access to electric cooperative easements and facilities and railroad rights of way, to repeal sections 4926.01, 4926.03, 4926.04, 4926.05, 4926.06, 4926.07, 4926.09, 4926.10, 4926.13, 4926.15, 4926.16, 4926.20, 4926.21, 4926.26, 4926.27, 4926.29, 4926.31, 4926.33, 4926.35, 4926.36, 4926.37, 4926.38, 4926.39, and 4926.40 of the Revised Code on the date that is three years after the act's effective date, and to make an appropriation.

To the Committee on Energy and Public Utilities.

**Sub. H. B. No. 33** -Representatives Lanese, Carruthers, et al.

To amend sections 959.99, 2151.421, 4741.22, and 4757.36 and to enact

sections 959.07, 959.08, 959.09, 959.10, and 5101.93 of the Revised Code to establish animal abuse reporting requirements.

To the Committee on Agriculture and Natural Resources.

**Sub. H. B. No. 104** -Representative Stein, et al.

To amend section 3748.03 and to enact sections 3748.23, 4164.01, 4164.04, 4164.05, 4164.07, 4164.08, 4164.10, 4164.11, 4164.12, 4164.13, 4164.15, 4164.16, 4164.18, 4164.19, and 4164.20 of the Revised Code to enact the Advanced Nuclear Technology Helping Energize Mankind (ANTHEM) Act by establishing the Ohio Nuclear Development Authority.

To the Committee on Energy and Public Utilities.

**Sub. H. B. No. 253** -Representatives Manning, D., O'Brien, et al.

To amend sections 3743.01, 3743.04, 3743.08, 3743.15, 3743.17, 3743.21, 3743.25, 3743.44, 3743.45, 3743.57, 3743.59, 3743.60, 3743.61, 3743.63, 3743.65, 3743.75, 3743.99, and 5703.21 and to enact sections 3743.021, 3743.041, 3743.151, 3743.171, 3743.22, 3743.26, 3743.27, 3743.28, 3743.29, 3743.451, 3743.46, 3743.47, and 3743.67 of the Revised Code to revise the Fireworks Law.

To the Committee on Transportation, Commerce and Workforce.

**Am. Sub. H. B. No. 270** -Representative Merrin, et al.

To amend sections 122.58, 126.37, 169.01, 169.02, 169.03, 169.05, 169.07, 169.08, 169.09, 169.12, 169.99, and 5703.21; to enact sections 169.052, 169.091, and 169.18; and to repeal section 169.10 of the Revised Code to create the Unclaimed Funds Reform Act.

To the Committee on Finance.

**Sub. H. B. No. 340** -Representative Cupp, et al.

To amend sections 305.31, 940.01, 940.02, 940.05, 940.06, 940.07, 940.08, 940.10, 940.11, 940.12, 940.13, 940.19, 940.20, 940.21, 940.22, 940.23, 940.26, 940.29, 940.31, 940.32, 940.33, 940.34, 940.35, 6131.01, 6131.04, 6131.05, 6131.06, 6131.07, 6131.08, 6131.09, 6131.10, 6131.11, 6131.12, 6131.13, 6131.14, 6131.15, 6131.16, 6131.17, 6131.19, 6131.21, 6131.22, 6131.23, 6131.24, 6131.25, 6131.27, 6131.28, 6131.30, 6131.32, 6131.33, 6131.34, 6131.36, 6131.42, 6131.43, 6131.47, 6131.50, 6131.51, 6131.52, 6131.55, 6131.57, 6131.60, 6131.63, 6131.631, 6131.64, 6133.01, 6133.02, 6133.03, 6133.04, 6133.041, 6133.05, 6133.06, 6133.07, 6133.08, 6133.09,

6133.10, 6133.11, 6133.14, 6137.01, 6137.02, 6137.03, 6137.04, 6137.05, 6137.051, 6137.06, 6137.07, 6137.08, 6137.09, 6137.10, 6137.11, 6137.111, 6137.112, 6137.12, 6137.13, and 6137.14; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 940.26 (940.24), 940.29 (940.31), 940.33 (940.32), 940.34 (940.33), 940.31 (940.35), 940.32 (940.36), 940.35 (940.37), and 6131.57 (6131.061); to enact new sections 940.25, 940.26, 940.27, 940.28, 940.29, 940.30, and 940.34 and sections 940.38, 940.39, and 6131.101; and to repeal sections 940.18, 940.24, 940.25, 940.26, 940.27, 940.28, 940.29, 940.30, 6131.18, 6131.26, 6131.29, 6131.35, 6131.44, 6131.48, 6131.49, 6131.56, and 6131.62 of the Revised Code to revise the state's drainage laws.

To the Committee on Agriculture and Natural Resources.

**Sub. H. B. No. 431** -Representatives Abrams, Carfagna, et al.

To amend sections 2152.021, 2905.32, 2929.01, and 2950.01 and to enact section 109.96 of the Revised Code to create the Sexual Exploitation Database, to require a juvenile court in specified circumstances to hold a delinquency complaint in abeyance in certain cases related to prostitution or human trafficking, and to provide that the elements for the offense of trafficking in persons that apply to a victim under age 16 also apply to a victim who is age 16 or 17.

To the Committee on Judiciary.

**H. B. No. 436** -Representative Baldrige, et al.

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.

To the Committee on Education.

**Sub. H. B. No. 442** -Representatives Roemer, West, et al.

To amend sections 4701.06 and 4701.17 of the Revised Code to modify the requirements to obtain a certified public accountant certificate.

To the Committee on Transportation, Commerce and Workforce.

**Sub. H. B. No. 614** -Representatives Fraizer, Richardson, et al.

To amend sections 4141.13 and 4141.28 and to enact sections 4141.12 and 5101.04 of the Revised Code to create the Unemployment Compensation

Modernization and Improvement Council, to revise the claims process and duties related to that process, to require the Auditor of State to examine and make recommendations on the efficiency of the process, and to require the Director of Job and Family Services to create a constituent referral system and a strategic staffing plan for employees who handle inquiries and claims for unemployment benefits.

To the Committee on Government Oversight and Reform.

**Am. H. B. No. 616** -Representatives Miranda, Denson, et al.

To enact sections 5534.415, 5534.417, 5534.418, 5534.421, 5534.511, 5534.54, 5534.819, 5534.821, 5534.828, 5534.835, 5534.836, 5534.837, 5534.838, 5534.872, 5534.899, 5534.912, 5534.914, 5534.915, and 5534.921 of the Revised Code to designate a portion of Interstate Route 275 in Hamilton County as the "Officer Kaia L. Grant Memorial Highway" and make other memorial designations.

To the Committee on Transportation, Commerce and Workforce.

**Sub. H. B. No. 624** -Representative Grendell, et al.

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

To the Committee on Government Oversight and Reform.

**Am. Sub. H. B. No. 665** -Representatives Jones, Wilkin, et al.

To amend sections 901.06, 901.71, 901.74, 1711.01, 1711.02, 1711.03, 1711.05, 1711.07, 1711.08, 1711.09, 1711.11, 1711.13, 1711.22, 1711.26, 1711.33, 1711.50, 1711.51, 1711.52, 1711.53, 1711.532, 1711.533, 1711.534, 1711.54, 1711.55, 1711.551, 1711.552, 1711.56, 1711.57, 1711.99, 3749.01, 3769.082, 3769.0811, and 5709.10; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 901.06 (1711.06), 1711.50 (993.01), 1711.51 (993.02), 1711.52 (993.03), 1711.53 (993.04), 1711.531 (993.05), 1711.532 (993.041), 1711.533 (993.042), 1711.534 (993.043), 1711.54 (993.06), 1711.55 (993.07), 1711.551 (993.08), 1711.552 (993.071), 1711.56 (993.09), and 1711.57 (993.10); to enact sections 993.99, 1711.071, 1711.091, 3769.086, and 6119.092; and to repeal sections 755.35, 755.36, 755.37, 901.07, and 1711.06 of the Revised Code to modify the laws governing agricultural societies, to recodify the law governing amusement ride safety, and to address funding and other issues related to county and independent agricultural societies and the Ohio Expositions Commission.

To the Committee on Agriculture and Natural Resources.

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

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.

To the Committee on Agriculture and Natural Resources.

**Am. Sub. H. B. No. 674** -Representatives Hillyer, Becker, et al.

To amend sections 3717.22, 3717.42, 4301.03, 4301.171, 4301.22, 4301.24, 4301.322, 4301.33, 4301.332, 4301.333, 4301.334, 4301.35, 4301.351, 4301.353, 4301.354, 4301.355, 4301.356, 4301.36, 4301.361, 4301.364, 4301.365, 4301.366, 4301.37, 4301.403, 4301.404, 4301.82, 4303.021, 4303.15, 4303.171, 4303.181, 4303.184, 4303.19, 4303.202, 4303.205, 4303.30, and 4303.99; to enact new section 4303.182 and sections 4301.011, 4301.245, 4301.246, 4303.2011, 4303.221, and 4303.222; and to repeal section 4303.182 of the Revised Code to revise specified provisions of the liquor control law.

To the Committee on Agriculture and Natural Resources.

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

To amend sections 101.83, 101.84, 101.85, 101.86, 101.87, 105.911, 150.06, 355.02, 355.03, 355.04, 3301.079, 3711.12, 4723.493, and 4723.50 and to repeal sections 133.021, 181.22, 718.60, 1521.031, 3711.20, 3711.21, 3711.22, 4723.49, 4723.491, 4723.492, 5101.91, 5101.92, 5913.12, 5913.13, and 5913.14 of the Revised Code 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.

To the Committee on General Government and Agency Review.

**S. B. No. 332** -Senator Fedor, et al.

To enact section 4503.53 of the Revised Code to create the "Ohio Carpenters" license plate.

To the Committee on Transportation, Commerce and Workforce.

**S. B. No. 333** -Senator Schaffer

To amend section 1546.21 and to enact section 1501.29 of the Revised Code to require the Ohio Department of Natural Resources to make payments

in lieu of taxes to local taxing units for significant land acquisitions by the department after 2018.

To the Committee on Agriculture and Natural Resources.

**S. B. No. 334** -Senators Craig, Brenner, et al.

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.

To the Committee on General Government and Agency Review.

YES - 13: DAVE BURKE, WILLIAM P. COLEY, II, MATT DOLAN, JOHN EKLUND, JAY HOTTINGER, MATT HUFFMAN, STEPHANIE KUNZE, LARRY OBHOF, BOB PETERSON, CECIL THOMAS, SANDRA R. WILLIAMS, STEVE WILSON, KENNY YUKO

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Said bills were considered a second time and referred to committee as recommended.

## REPORTS OF STANDING AND SELECT COMMITTEES

Senator Eklund submitted the following report:

The standing committee on Judiciary, to which was referred **Am. Sub. H. B. No. 606**-Representative Grendell, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Coley.

YES - 7: JOHN EKLUND, NATHAN H. MANNING, WILLIAM P. COLEY, II, THERESA GAVARONE, PEGGY LEHNER, ROB MCCOLLEY, MATT HUFFMAN

NO - 3: CECIL THOMAS, NICKIE J. ANTONIO, VERNON SYKES

Senator Eklund submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 3-** Senators Eklund, O'Brien, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Coley.

YES - 10: JOHN EKLUND, NATHAN H. MANNING, MATT HUFFMAN, CECIL THOMAS, NICKIE J. ANTONIO, VERNON SYKES, THERESA GAVARONE, PEGGY LEHNER, ROB MCCOLLEY, WILLIAM P. COLEY, II

NO - 0.

Senator Eklund submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 276-** Senators Roegner, Manning, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 10: JOHN EKLUND, NATHAN H. MANNING, CECIL THOMAS, NICKIE J. ANTONIO, VERNON SYKES, THERESA GAVARONE, PEGGY LEHNER, ROB MCCOLLEY, MATT HUFFMAN, WILLIAM P. COLEY, II

NO - 0.

Senator Wilson submitted the following report:

The standing committee on Energy and Public Utilities, to which was referred **H. B. No. 264-** Representatives Wilkin, O'Brien, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 12: MATT HUFFMAN, BOB PETERSON, SANDRA R. WILLIAMS, STEVE WILSON, ROB MCCOLLEY, ANDREW O. BRENNER, DAVE BURKE, FRANK HOAGLAND, JOHN EKLUND, HEARCEL F. CRAIG, MATT DOLAN, MICHAEL A. RULLI

NO - 0.

The question being, "Shall the reports of the committee be accepted?"  
The reports of the committee were accepted.



**HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS**

The amendments of the House of Representatives to:

**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, having been informally passed, were taken up.

Senator Peterson moved that the amendments of the House of Representatives to **Am. Sub. S. B. No. 10**, be informally passed and retain their place on the calendar.

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

The motion was agreed to.

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.

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

The yeas and nays were taken and resulted – yeas 18, nays 10, as follows:

Those who voted in the affirmative were: Senators

Brenner	Burke	Eklund	Gavarone
Hackett	Hoagland	Hottinger	Huffman, M.
Huffman, S.	Johnson	Lehner	Manning
McColley	Peterson	Rulli	Schaffer
Wilson			Obhof-18

Those who voted in the negative were: Senators

Antonio	Blessing	Craig	Dolan
Kunze	Schuring	Sykes	Thomas
Williams			Yuko-10

So the Senate concurred in the amendments of the House of Representatives.

The amendments of the House of Representatives to:

**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, having been informally passed, were taken up.

Senator Peterson moved that the amendments of the House of Representatives to **Sub. S. B. No. 163**, be informally passed and retain their place on the calendar.

The question being, “Shall the motion be agreed to?”

The motion was agreed to.

## BILLS FOR THIRD CONSIDERATION

**Sub. H. B. No. 264**-Representatives Wilkin, O'Brien.

Cosponsors: Representatives Riedel, Miranda, Ginter, Smith, K., Hambley,

Lang, Stein, Miller, A., Scherer, Arndt, Smith, T., Abrams, Baldrige, Blair, Brent, Brown, Carfagna, Carruthers, Cera, Clites, Crawley, Cross, Crossman, Cupp, Dean, Denson, Edwards, Fraizer, Galonski, Ghanbari, Green, Hicks-Hudson, Hillyer, Hoops, Jones, Kick, Koehler, Lanese, LaRe, Lepore-Hagan, Liston, Manning, D., McClain, Patterson, Patton, Perales, Plummer, Reineke, Richardson, Robinson, Roemer, Rogers, Seitz, Sheehy, Sobocki, Stephens, Strahorn, Swearingen, Upchurch, Weinstein, West, Wiggam.

To amend sections 3706.49, 6121.03, and 6121.04 and to enact sections 3706.491 and 3706.551 of the Revised Code to allow the Ohio Water Development Authority to provide for the refinancing of loans for certain public water and waste water infrastructure projects, to waive certain deadlines for qualifying renewable resources that applied for renewable energy credits before March 1, 2020, and to provide for payment of Ohio Air Quality Development Authority administrative costs under the law governing nuclear resource and renewable energy credits, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 264**, pass?"

The yeas and nays were taken and resulted – yeas 29, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Johnson	Kunze
Lehner	Manning	McColley	Peterson
Rulli	Schaffer	Schuring	Sykes
Thomas	Williams	Wilson	Yuko
			Obhof-29

So the bill passed.

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

Senator Wilson moved to amend the title as follows:

Add the names: "Senators Antonio, Blessing, Burke, Craig, Hackett, Peterson, Rulli, Sykes, Thomas, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

**Sub. H. B. No. 606**–Representative Grendell.

Cosponsors: Representatives Seitz, Baldrige, Carfagna, Cross, DeVitis, Fraizer, Ginter, Green, Greenspan, Holmes, A., Hoops, Jones, Jordan, Keller, Kick, Koehler, Lanese, Lang, LaRe, McClain, Patton, Perales, Plummer, Reineke, Richardson, Riedel, Roemer, Scherer, Smith, T., Stein, Stephens, Wiggam, Wilkin. Senator Coley.

To make temporary changes related to qualified civil immunity for health care and emergency services provided during a government-declared disaster

or emergency and for exposure to or transmission or contraction of certain coronaviruses and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 6, setting forth the emergency features of the bill, stand as a part of the bill?"

Senator Craig moved to amend as follows:

In line 1 of the title, after "To" insert "amend section 4123.68 of the Revised Code to"

In line 6 of the title, after "coronaviruses" insert ", to make COVID-19 contracted by certain employees an occupational disease under the Workers' Compensation Law under specific circumstances,"

After line 381, insert:

**"Section 5. That section 4123.68 of the Revised Code be amended to read as follows:**

Sec. 4123.68. Every employee who is disabled because of the contraction of an occupational disease or the dependent of an employee whose death is caused by an occupational disease, is entitled to the compensation provided by sections 4123.55 to 4123.59 and 4123.66 of the Revised Code subject to the modifications relating to occupational diseases contained in this chapter. An order of the administrator issued under this section is appealable pursuant to sections 4123.511 and 4123.512 of the Revised Code.

The following diseases are occupational diseases and compensable as such when contracted by an employee in the course of the employment in which such employee was engaged and due to the nature of any process described in this section. A disease which meets the definition of an occupational disease is compensable pursuant to this chapter though it is not specifically listed in this section.

#### SCHEDULE

Description of disease or injury and description of process:

(A) Anthrax: Handling of wool, hair, bristles, hides, and skins.

(B) Glanders: Care of any equine animal suffering from glanders; handling carcass of such animal.

(C) Lead poisoning: Any industrial process involving the use of lead or its preparations or compounds.

(D) Mercury poisoning: Any industrial process involving the use of mercury or its preparations or compounds.

(E) Phosphorous poisoning: Any industrial process involving the use of phosphorous or its preparations or compounds.

(F) Arsenic poisoning: Any industrial process involving the use of arsenic or its preparations or compounds.

(G) Poisoning by benzol or by nitro-derivatives and amido-derivatives of benzol (dinitro-benzol, anilin, and others): Any industrial process involving the use of benzol or nitro-derivatives or amido-derivatives of benzol or its preparations or compounds.

(H) Poisoning by gasoline, benzine, naphtha, or other volatile petroleum products: Any industrial process involving the use of gasoline, benzine, naphtha, or other volatile petroleum products.

(I) Poisoning by carbon bisulphide: Any industrial process involving the use of carbon bisulphide or its preparations or compounds.

(J) Poisoning by wood alcohol: Any industrial process involving the use of wood alcohol or its preparations.

(K) Infection or inflammation of the skin on contact surfaces due to oils, cutting compounds or lubricants, dust, liquids, fumes, gases, or vapors: Any industrial process involving the handling or use of oils, cutting compounds or lubricants, or involving contact with dust, liquids, fumes, gases, or vapors.

(L) Epithelion cancer or ulceration of the skin or of the corneal surface of the eye due to carbon, pitch, tar, or tarry compounds: Handling or industrial use of carbon, pitch, or tarry compounds.

(M) Compressed air illness: Any industrial process carried on in compressed air.

(N) Carbon dioxide poisoning: Any process involving the evolution or resulting in the escape of carbon dioxide.

(O) Brass or zinc poisoning: Any process involving the manufacture, founding, or refining of brass or the melting or smelting of zinc.

(P) Manganese dioxide poisoning: Any process involving the grinding or milling of manganese dioxide or the escape of manganese dioxide dust.

(Q) Radium poisoning: Any industrial process involving the use of radium and other radioactive substances in luminous paint.

(R) Tenosynovitis and prepatellar bursitis: Primary tenosynovitis characterized by a passive effusion or crepitus into the tendon sheath of the flexor or extensor muscles of the hand, due to frequently repetitive motions or vibrations, or prepatellar bursitis due to continued pressure.

(S) Chrome ulceration of the skin or nasal passages: Any industrial process involving the use of or direct contact with chromic acid or bichromates of ammonium, potassium, or sodium or their preparations.

(T) Potassium cyanide poisoning: Any industrial process involving the use of or direct contact with potassium cyanide.

(U) Sulphur dioxide poisoning: Any industrial process in which sulphur dioxide gas is evolved by the expansion of liquid sulphur dioxide.

(V) Berylliosis: Berylliosis means a disease of the lungs caused by breathing beryllium in the form of dust or fumes, producing characteristic changes in the lungs and demonstrated by x-ray examination, by biopsy or by autopsy.

This chapter does not entitle an employee or the employee's dependents to compensation, medical treatment, or payment of funeral expenses for disability or death from berylliosis unless the employee has been subjected to injurious exposure to beryllium dust or fumes in the employee's employment in this state preceding the employee's disablement and only in the event of such disability or death resulting within eight years after the last injurious exposure; provided that such eight-year limitation does not apply to disability or death from exposure occurring after January 1, 1976. In the event of death following continuous total disability commencing within eight years after the last injurious exposure, the requirement of death within eight years after the last injurious exposure does not apply.

Before awarding compensation for partial or total disability or death due to berylliosis, the administrator of workers' compensation shall refer the claim to a qualified medical specialist for examination and recommendation with regard to the diagnosis, the extent of the disability, the nature of the disability, whether permanent or temporary, the cause of death, and other medical questions connected with the claim. An employee shall submit to such examinations, including clinical and x-ray examinations, as the administrator requires. In the event that an employee refuses to submit to examinations, including clinical and x-ray examinations, after notice from the administrator, or in the event that a claimant for compensation for death due to berylliosis fails to produce necessary consents and permits, after notice from the administrator, so that such autopsy examination and tests may be performed, then all rights for compensation are forfeited. The reasonable compensation of such specialist and the expenses of examinations and tests shall be paid, if the claim is allowed, as part of the expenses of the claim, otherwise they shall be paid from the surplus fund.

(W) Cardiovascular, pulmonary, or respiratory diseases incurred by firefighters or police officers following exposure to heat, smoke, toxic gases, chemical fumes and other toxic substances: Any cardiovascular, pulmonary, or respiratory disease of a firefighter or police officer caused or induced by the cumulative effect of exposure to heat, the inhalation of smoke, toxic gases, chemical fumes and other toxic substances in the performance of the firefighter's or police officer's duty constitutes a presumption, which may be

refuted by affirmative evidence, that such occurred in the course of and arising out of the firefighter's or police officer's employment. For the purpose of this section, "firefighter" means any regular member of a lawfully constituted fire department of a municipal corporation or township, whether paid or volunteer, and "police officer" means any regular member of a lawfully constituted police department of a municipal corporation, township or county, whether paid or volunteer.

This chapter does not entitle a firefighter, or police officer, or the firefighter's or police officer's dependents to compensation, medical treatment, or payment of funeral expenses for disability or death from a cardiovascular, pulmonary, or respiratory disease, unless the firefighter or police officer has been subject to injurious exposure to heat, smoke, toxic gases, chemical fumes, and other toxic substances in the firefighter's or police officer's employment in this state preceding the firefighter's or police officer's disablement, some portion of which has been after January 1, 1967, except as provided in division (E) of section 4123.57 of the Revised Code.

Compensation on account of cardiovascular, pulmonary, or respiratory diseases of firefighters and police officers is payable only in the event of temporary total disability, permanent total disability, or death, in accordance with section 4123.56, 4123.58, or 4123.59 of the Revised Code. Medical, hospital, and nursing expenses are payable in accordance with this chapter. Compensation, medical, hospital, and nursing expenses are payable only in the event of such disability or death resulting within eight years after the last injurious exposure; provided that such eight-year limitation does not apply to disability or death from exposure occurring after January 1, 1976. In the event of death following continuous total disability commencing within eight years after the last injurious exposure, the requirement of death within eight years after the last injurious exposure does not apply.

This chapter does not entitle a firefighter or police officer, or the firefighter's or police officer's dependents, to compensation, medical, hospital, and nursing expenses, or payment of funeral expenses for disability or death due to a cardiovascular, pulmonary, or respiratory disease in the event of failure or omission on the part of the firefighter or police officer truthfully to state, when seeking employment, the place, duration, and nature of previous employment in answer to an inquiry made by the employer.

Before awarding compensation for disability or death under this division, the administrator shall refer the claim to a qualified medical specialist for examination and recommendation with regard to the diagnosis, the extent of disability, the cause of death, and other medical questions connected with the claim. A firefighter or police officer shall submit to such examinations, including clinical and x-ray examinations, as the administrator requires. In the event that a firefighter or police officer refuses to submit to

examinations, including clinical and x-ray examinations, after notice from the administrator, or in the event that a claimant for compensation for death under this division fails to produce necessary consents and permits, after notice from the administrator, so that such autopsy examination and tests may be performed, then all rights for compensation are forfeited. The reasonable compensation of such specialists and the expenses of examination and tests shall be paid, if the claim is allowed, as part of the expenses of the claim, otherwise they shall be paid from the surplus fund.

(X)(1) Cancer contracted by a firefighter: Cancer contracted by a firefighter who has been assigned to at least six years of hazardous duty as a firefighter constitutes a presumption that the cancer was contracted in the course of and arising out of the firefighter's employment if the firefighter was exposed to an agent classified by the international agency for research on cancer or its successor organization as a group 1 or 2A carcinogen.

(2) The presumption described in division (X)(1) of this section is rebuttable in any of the following situations:

(a) There is evidence that the firefighter's exposure, outside the scope of the firefighter's official duties, to cigarettes, tobacco products, or other conditions presenting an extremely high risk for the development of the cancer alleged, was probably a significant factor in the cause or progression of the cancer.

(b) There is evidence that shows, by a preponderance of competent scientific evidence, that exposure to the type of carcinogen alleged did not or could not have caused the cancer being alleged.

(c) There is evidence that the firefighter was not exposed to an agent classified by the international agency for research on cancer as a group 1 or 2A carcinogen.

(d) There is evidence that the firefighter incurred the type of cancer alleged before becoming a member of the fire department.

(e) The firefighter is seventy years of age or older.

(3) The presumption described in division (X)(1) of this section does not apply if it has been more than fifteen years since the firefighter was last assigned to hazardous duty as a firefighter.

(4) Compensation for cancer contracted by a firefighter in the course of hazardous duty under division (X) of this section is payable only in the event of temporary total disability, working wage loss, permanent total disability, or death, in accordance with division (A) or (B)(1) of section 4123.56 and sections 4123.58 and 4123.59 of the Revised Code.

(5) As used in division (X) of this section, "hazardous duty" has the same meaning as in 5 C.F.R. 550.902, as amended.



(Y) Silicosis: Silicosis means a disease of the lungs caused by breathing silica dust (silicon dioxide) producing fibrous nodules distributed through the lungs and demonstrated by x-ray examination, by biopsy or by autopsy.

(Z) Coal miners' pneumoconiosis: Coal miners' pneumoconiosis, commonly referred to as "black lung disease," resulting from working in the coal mine industry and due to exposure to the breathing of coal dust, and demonstrated by x-ray examination, biopsy, autopsy or other medical or clinical tests.

This chapter does not entitle an employee or the employee's dependents to compensation, medical treatment, or payment of funeral expenses for disability or death from silicosis, asbestosis, or coal miners' pneumoconiosis unless the employee has been subject to injurious exposure to silica dust (silicon dioxide), asbestos, or coal dust in the employee's employment in this state preceding the employee's disablement, some portion of which has been after October 12, 1945, except as provided in division (E) of section 4123.57 of the Revised Code.

Compensation on account of silicosis, asbestosis, or coal miners' pneumoconiosis are payable only in the event of temporary total disability, permanent total disability, or death, in accordance with sections 4123.56, 4123.58, and 4123.59 of the Revised Code. Medical, hospital, and nursing expenses are payable in accordance with this chapter. Compensation, medical, hospital, and nursing expenses are payable only in the event of such disability or death resulting within eight years after the last injurious exposure; provided that such eight-year limitation does not apply to disability or death occurring after January 1, 1976, and further provided that such eight-year limitation does not apply to any asbestosis cases. In the event of death following continuous total disability commencing within eight years after the last injurious exposure, the requirement of death within eight years after the last injurious exposure does not apply.

This chapter does not entitle an employee or the employee's dependents to compensation, medical, hospital and nursing expenses, or payment of funeral expenses for disability or death due to silicosis, asbestosis, or coal miners' pneumoconiosis in the event of the failure or omission on the part of the employee truthfully to state, when seeking employment, the place, duration, and nature of previous employment in answer to an inquiry made by the employer.

Before awarding compensation for disability or death due to silicosis, asbestosis, or coal miners' pneumoconiosis, the administrator shall refer the claim to a qualified medical specialist for examination and recommendation with regard to the diagnosis, the extent of disability, the cause of death, and other medical questions connected with the claim. An employee shall submit

to such examinations, including clinical and x-ray examinations, as the administrator requires. In the event that an employee refuses to submit to examinations, including clinical and x-ray examinations, after notice from the administrator, or in the event that a claimant for compensation for death due to silicosis, asbestosis, or coal miners' pneumoconiosis fails to produce necessary consents and permits, after notice from the commission, so that such autopsy examination and tests may be performed, then all rights for compensation are forfeited. The reasonable compensation of such specialist and the expenses of examinations and tests shall be paid, if the claim is allowed, as a part of the expenses of the claim, otherwise they shall be paid from the surplus fund.

(AA) Radiation illness: Any industrial process involving the use of radioactive materials.

Claims for compensation and benefits due to radiation illness are payable only in the event death or disability occurred within eight years after the last injurious exposure provided that such eight-year limitation does not apply to disability or death from exposure occurring after January 1, 1976. In the event of death following continuous disability which commenced within eight years of the last injurious exposure the requirement of death within eight years after the last injurious exposure does not apply.

(BB) Asbestosis: Asbestosis means a disease caused by inhalation or ingestion of asbestos, demonstrated by x-ray examination, biopsy, autopsy, or other objective medical or clinical tests.

(CC)(1) COVID-19: COVID-19 contracted by an employee described in division (CC)(2) of this section during the emergency declared by Executive Order 2020-01D, issued March 9, 2020, constitutes a presumption, which may be refuted by affirmative evidence, that COVID-19 was contracted in the course of and arising out of the employee's employment. This division applies only to claims arising during the period that begins with the issuance of Executive Order 2020-01D, issued on March 9, 2020 and ending December 31, 2020.

(2) Division (CC)(1) of this section applies to all of the following:

(a) An employee of a retail food establishment as defined in section 3717.01 of the Revised Code;

(b) An employee of a food processing establishment as defined in section 3715.021 of the Revised Code;

(c) A peace officer, firefighter, or emergency medical worker as those terms are defined in section 4123.026 of the Revised Code;

(d) A person employed as a corrections officer by any public or private place used for the confinement of a person charged with or convicted of any crime in this state or another state or under the laws of the United

States or alleged or found to be a delinquent child or unruly child in this state or another state or under the laws of the United States.

All conditions, restrictions, limitations, and other provisions of this section, with reference to the payment of compensation or benefits on account of silicosis or coal miners' pneumoconiosis apply to the payment of compensation or benefits on account of any other occupational disease of the respiratory tract resulting from injurious exposures to dust.

The refusal to produce the necessary consents and permits for autopsy examination and testing shall not result in forfeiture of compensation provided the administrator finds that such refusal was the result of bona fide religious convictions or teachings to which the claimant for compensation adhered prior to the death of the decedent.

**Section 6.** That existing section 4123.68 of the Revised Code is hereby repealed."

In line 382, delete "5." and insert "7."

In line 387, delete "6." and insert "8."

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

Senator Peterson moved that the amendment be laid on the table.

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

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted – yeas 20, nays 9, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Burke	Coley
Dolan	Eklund	Gavarone	Hackett
Hoagland	Hottinger	Huffman, M.	Huffman, S.
Johnson	McColley	Peterson	Rulli
Schaffer	Schuring	Wilson	Obhof-20

Those who voted in the negative were: Senators

Antonio	Craig	Kunze	Lehner
Manning	Sykes	Thomas	Williams
			Yuko-9

The amendment was laid on the table.

The question recurred, "Shall the section, Section 6, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 23, nays 6, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Burke	Coley
Dolan	Eklund	Gavarone	Hackett
Hoagland	Hottinger	Huffman, M.	Huffman, S.
Johnson	Kunze	Lehner	Manning
McColley	Peterson	Rulli	Schaffer

Schuring                      Wilson                      Obhof-23  
 Senators Antonio, Craig, Sykes, Thomas, Williams, and Yuko voted in the negative-6.

So the section, Section 6, setting forth the emergency features of the bill stood as a part of the bill.

The yeas and nays were taken and resulted – yeas 23, nays 6, as follows:  
 Those who voted in the affirmative were: Senators

Blessing	Brenner	Burke	Coley
Dolan	Eklund	Gavarone	Hackett
Hoagland	Hottinger	Huffman, M.	Huffman, S.
Johnson	Kunze	Lehner	Manning
McColley	Peterson	Rulli	Schaffer
Schuring	Wilson		Obhof-23

Senators Antonio, Craig, Sykes, Thomas, Williams, and Yuko voted in the negative-6.

So the bill having received the required constitutional majority passed as an emergency measure.

The question being, “Shall the title be agreed to?”

Senator Eklund moved to amend the title as follows:

Add the names: "Senators Blessing, Brenner, Burke, Dolan, Eklund, Gavarone, Hackett, Hoagland, Hottinger, Huffman, M., Huffman, S., Lehner, McColley, Peterson, Schaffer, Schuring, Wilson."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

On the motion of Senator Peterson, the Senate recessed until 5:50 p.m.

The Senate met pursuant to the recess.

## BILLS FOR THIRD CONSIDERATION

**Sub. S. B. No. 3**-Senators Eklund, O'Brien.

Cosponsors: Senators Obhof, Coley.

To amend sections 109.572, 128.04, 177.01, 1901.186, 1901.20, 1907.02, 2152.021, 2152.18, 2743.60, 2901.13, 2923.01, 2923.02, 2923.13, 2923.241, 2923.31, 2923.41, 2925.01, 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.13, 2925.22, 2925.23, 2925.36, 2925.37, 2925.38, 2925.42, 2925.51, 2927.21, 2929.01, 2929.13, 2929.14, 2929.141, 2929.15, 2929.18, 2929.25, 2929.34, 2931.03, 2933.51, 2935.36, 2941.1410, 2945.71, 2951.041, 2953.31, 2953.32, 2953.52, 2967.18, 2967.19, 2967.28, 2981.01, 3301.32, 3301.541, 3313.662, 3319.31, 3319.39, 3712.09, 3719.013, 3719.21, 3719.99, 3721.121, 3734.44, 3767.01, 4112.02, 4510.17, 4729.99, 4742.03, 5103.0319, 5119.36, 5119.37, 5119.93, 5119.94, 5120.53, 5153.111, and 5502.13 and to enact sections 181.27, 2925.031, 2925.032, 2925.111, and

2925.112 of the Revised Code to modify the controlled substance possession and trafficking prohibitions and penalties, modify the drug and alcohol abuse civil commitment mechanism, require the State Criminal Sentencing Commission to study the impact of those changes, and prohibit restraining or confining a woman or child who is a charged, convicted, or adjudicated criminal offender or delinquent child at certain points during pregnancy or postpartum recovery, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 3**, pass?"

The yeas and nays were taken and resulted – yeas 25, nays 4, as follows:

Those who voted in the affirmative were: Senators

Antonio	Blessing	Brenner	Burke
Coley	Craig	Dolan	Eklund
Gavarone	Hackett	Hottinger	Huffman, S.
Johnson	Kunze	Lehner	Manning
McColley	Peterson	Rulli	Sykes
Thomas	Williams	Wilson	Yuko
			Obhof-25

Senators Hoagland, Huffman, M., Schaffer, and Schuring voted in the negative-4.

So the bill passed.

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

Senator Eklund moved to amend the title as follows:

Add the names: "Senators Antonio, Blessing, Brenner, Burke, Craig, Dolan, Hackett, Hottinger, Kunze, Lehner, Manning, McColley, Sykes, Thomas, Williams, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

## MOTIONS

Senator Hottinger moved that Senators absent the week of Sunday, June 28, 2020, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

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

The motion was agreed to.

## OFFERING OF RESOLUTIONS

Senator Thomas offered the following joint resolution:

**S. J. R. No. 5**-Senator Thomas.

Cosponsors: Senators Craig, Maharath, Antonio, Fedor, Lehner, Yuko, Kunze.

Proposing to amend Section 6 of Article I of the Constitution of the State of Ohio to prohibit slavery or involuntary servitude in Ohio for the punishment of crime.

The question being, "Shall the joint resolution, **S. J. R. No. 5**, be adopted?"

On the motion of Senator Peterson, **S. J. R. No. 5**, was referred to the Committee on Rules and Reference.

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

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following bill:

**Am. S. B. No. 4**-Senators Rulli, Kunze – et al.

Attest:

Bradley J. Young,  
Clerk.

The President signed said bill.

### **MESSAGE FROM THE PRESIDENT**

Pursuant to Senate Rules No. 19 and 20, the President of the Senate temporarily appoints Senators Antonio and Sykes to the Senate's Judiciary Committee, replacing Senators Fedor and O'Brien for the purpose of the committee's meeting on June 30, 2020.

### **MESSAGE FROM THE PRESIDENT**

Pursuant to Senate Rules No. 19 and 20, the President of the Senate temporarily appoints Senators Craig and Thomas to the Senate's Education Committee, replacing Senators Maharath and Fedor for the purpose of the committee's meeting on June 30 2020.

On the motion of Senator Peterson, the Senate adjourned until Wednesday, July 1, 2020 at 9:00 a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.