

OHIO

SENATE

JOURNAL

TUESDAY, JULY 21, 2020

TWO HUNDRED THIRD DAY
Senate Chamber, Columbus, Ohio
Tuesday, July 21, 2020, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Senator Kristina D. Roegner, followed by the Pledge of Allegiance to the Flag.

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

The following guests were recognized by the Senate prior to the commencement of business:

Senator Craig requested a moment of silence in honor of Congressman John Lewis who passed away July 17, 2020.

Senator Gavarone recognized Montana Sharp for shadowing her.

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

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

Sub. H. B. No. 67 -Representatives Brinkman, Kelly, et al.

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.

To the Committee on Agriculture and Natural Resources.

Sub. H. B. No. 163 -Representative Brinkman, et al.

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.

To the Committee on Energy and Public Utilities.

H. B. No. 450 -Representative Stephens, et al.

To amend sections 319.27, 321.06, 503.28, and 3313.28 and to enact section 117.171 of the Revised Code to require fiscal officers of certain

political subdivisions to provide certificates of transition to their successors when leaving office and to modify language regarding the duty of a treasurer of a board of education to deliver to the treasurer's successor all papers related to the affairs of the district.

To the Committee on Local Government, Public Safety and Veterans Affairs.

S. B. No. 335 -Senator Craig, et al.

To amend sections 323.152, 323.153, and 4503.06 of the Revised Code to reduce property taxes on owner-occupied homes to the extent that property taxes increase by more than 3% from the previous year and to name this act the Property Tax Relief and Local Government Support Act.

To the Committee on Ways and Means.

S. B. No. 336 -Senator Hoagland

To amend sections 1509.02 and 1509.22 of the Revised Code to revise the law governing the permitting of oil and gas brine injection wells.

To the Committee on Government Oversight and Reform.

S. B. No. 337 -Senator Williams, et al.

To enact section 109.021 of the Revised Code to establish the duties and authority of the Attorney General to investigate and prosecute cases relating to the death of a person caused by a peace officer.

To the Committee on Judiciary.

S. B. No. 338 -Senator Williams, et al.

To amend sections 109.73, 109.77, 109.79, 109.80, 4117.10, and 5503.05 and to enact sections 109.805, 109.806, and 2933.84 of the Revised Code to prohibit police officers from engaging in biased policing and other status-based profiling, and to require the attorney general's office to establish rules regarding such police practices.

To the Committee on Judiciary.

S. B. No. 339 -Senator Fedor, et al.

To enact section 5534.419 of the Revised Code to designate a portion of State Route 184 in Lucas County as the "Officer Anthony Dia Memorial Highway."

To the Committee on Transportation, Commerce and Workforce.

S. J. R. No. 5 -Senator Thomas, et al.

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.

To the Committee on Government Oversight and Reform.

S. C. R. No. 16 -Senator Gavarone

To call for justice for victims of excessive force by police and declare opposition to efforts to defund law enforcement.

To the Committee on Government Oversight and Reform.

YES - 14: DAVE BURKE, WILLIAM P. COLEY, II, MATT DOLAN,
JOHN EKLUND, JAY HOTTINGER, MATT HUFFMAN,
STEPHANIE KUNZE, SEAN J. O'BRIEN, 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 and resolutions were considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Obhof submitted the following report:

Pursuant to Senate Rule No. 37 the standing committee on Rules and Reference, recommends that **Sub. H. B. No. 339**, having been reported by the standing committee on Insurance and Financial Institutions, be recommitted to the standing committee on Insurance and Financial Institutions.

YES - 14: DAVE BURKE, WILLIAM P. COLEY, II, MATT DOLAN,
JOHN EKLUND, JAY HOTTINGER, MATT HUFFMAN,
STEPHANIE KUNZE, SEAN J. O'BRIEN, 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.

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 House amendments to **Am. Sub. S. B. No. 10**, be informally passed and that they be taken up for consideration on Tuesday, August 18, 2020.

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

The motion was agreed to.

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 House amendments to **Sub. S. B. No. 163**, be informally passed and that they be taken up for consideration on Tuesday, August 18, 2020.

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

The motion was agreed to.

RESOLUTIONS REPORTED BY COMMITTEE

S. C. R. No. 10-Senator Lehner.

To approve the Director of Health's proposed revision of Chapter 3701-36 of the Ohio Administrative Code establishing standards to be met by boards of health and local health departments and procedures for payment of state subsidies for meeting those requirements.

WHEREAS, Ohio law requires the Director of Health to adopt rules establishing both minimum standards and optimum achievable standards for boards of health and local health departments and a formula for distributing state subsidy funds according to the level at which those standards are met; and

WHEREAS, The rules have been adopted as required by section 3701.342 of the Revised Code and are included in Chapter 3701-36 of the Administrative Code; and

WHEREAS, The Director of Health issued a notice of public hearing for August 1, 2018, to hear comments regarding its proposal to revise Chapter 3701-36 of the Administrative Code by amending rules 3701-36-01, 3701-36-02, 3701-36-03, 3701-36-05, 3701-36-11, and 3701-36-14, rescinding and proposing new rules 3701-36-10 and 3701-36-12, and rescinding rules 3701-36-04 and 3701-36-13; and

WHEREAS, The Director of Health's proposed revision of Chapter 3701-36 of the Administrative Code includes standards for protecting people from disease and injury, monitoring health status, assuring a safe and healthy environment, promoting healthy lifestyles, and addressing the need for

personal health services, as well as procedures for payment of state subsidies for meeting those standards; and

WHEREAS, On August 1, 2018, the Department of Health conducted a public hearing on its proposed revision of Chapter 3701-36 of the Administrative Code, and on August 13, 2018, the Joint Committee on Agency Rule Review considered the proposed revision of Chapter 3701-36 and took no action against it; and

WHEREAS, Section 3701.342 of the Revised Code provides that rules adopted by the Director of Health pursuant to that section cannot take effect unless approved by concurrent resolution of the General Assembly; now therefore be it

RESOLVED, That we, the members of the 133rd General Assembly of the State of Ohio, in adopting this concurrent resolution, approve the Director of Health's proposed revision of Chapter 3701-36 of the Administrative Code, as considered in a public hearing on August 1, 2018, and by the Joint Committee on Agency Rule Review on August 13, 2018; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the Director of Health, the Director of the Joint Committee on Agency Rule Review, and the Director of the Legislative Service Commission.

The question being, "Shall the concurrent resolution, **S. C. R. No. 10**, be adopted?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:
Those who voted in the affirmative were: Senators

Blessing	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Johnson	Kunze
Lehner	Maharath	Manning	McColley
O'Brien	Peterson	Roegner	Rulli
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the concurrent resolution was adopted.

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

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 123—Representatives Holmes, G., Manning, G.

Cosponsors: Representatives Blair, Boggs, Brent, Brown, Callender, Carruthers, Clites, Crawley, Crossman, DeVitis, Galonski, Greenspan, Hambley, Hicks-Hudson, Holmes, A., Howse, Jones, Lanese, Leland, Lepore-

Hagan, Lightbody, Liston, Miller, A., Miller, J., O'Brien, Oelslager, Patton, Russo, Ryan, Sheehy, Smith, K., Sobecki, Strahorn, Swearingen, Sweeney, Sykes, Upchurch, Weinstein, West. Senators Manning, Brenner, Sykes.

To amend sections 149.433, 3313.536, 3313.60, 3313.951, 3314.03, 3319.073, 3319.31, 3326.11, 3328.24, and 3737.73; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 3313.536 (5502.262); and to enact sections 3301.221, 3313.669, 3313.6610, 3313.6611, and 5502.263 of the Revised Code and to amend Sections 221.30 and 265.210, as subsequently amended, of H.B. 166 of the 133rd General Assembly to enact the "Safety and Violence Education Students (SAVE Students) Act" regarding school security and youth suicide awareness education and training, to specify which public schools are eligible for school safety training grants, to establish, for fiscal year 2021, a pilot program to provide additional funding for students enrolled in grades eight through twelve in certain internet- or computer-based community schools in which a majority of the students were enrolled in a dropout prevention and recovery program for the 2019-2020 school year, to earmark an appropriation, and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 9, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Johnson	Kunze
Lehner	Maharath	Manning	McColley
O'Brien	Peterson	Roegner	Rulli
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the section, Section 9, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Johnson	Kunze
Lehner	Maharath	Manning	McColley
O'Brien	Peterson	Roegner	Rulli
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the bill having received the required constitutional majority passed as an

emergency measure.

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

Senator Lehner moved to amend the title as follows:

Add the names: "Senators Blessing, Craig, Eklund, Fedor, Gavarone, Hackett, Hoagland, Hottinger, Huffman, S., Kunze, Maharath, Obhof, O'Brien, Rulli, Thomas, Williams, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

H. B. No. 230-Representative Crossman.

Cosponsors: Representatives Brent, Brown, Cross, Crawley, Cupp, O'Brien, Riedel, Sheehy, Skindell, Smith, K., Sobecki, Sykes, West, Butler, Clites, Ginter, Liston, Plummer, Russo, Abrams, Baldridge, Blair, Boggs, Callender, Carfagna, Carruthers, Denson, Edwards, Fraizer, Galonski, Ghanbari, Green, Hambley, Hicks-Hudson, Hillyer, Hoops, Ingram, Jones, Jordan, Kelly, Kick, Koehler, Lanese, LaRe, Leland, Lepore-Hagan, Lightbody, Lipps, Manning, D., Manning, G., Miller, A., Miranda, Oelslager, Patterson, Patton, Perales, Reineke, Richardson, Robinson, Roemer, Rogers, Romanchuk, Scherer, Seitz, Smith, T., Stein, Stephens, Strahorn, Sweeney, Upchurch, Weinstein, Wiggam, Wilkin. Senator Maharath.

To enact section 5.2313 of the Revised Code to designate the month of May as "Brain Cancer Awareness Month", was considered the third time.

The question being, "Shall the bill, **H. B. No. 230**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Johnson	Kunze
Lehner	Maharath	Manning	McColley
O'Brien	Peterson	Roegner	Rulli
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the bill passed.

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

Senator Burke moved to amend the title as follows:

Add the names: "Senators Blessing, Brenner, Burke, Coley, Craig, Dolan, Eklund, Fedor, Gavarone, Hackett, Hoagland, Hottinger, Huffman, M., Huffman, S., Kunze, Lehner, Manning, Obhof, O'Brien, Peterson, Roegner, Schaffer, Sykes, Thomas, Williams, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

S. B. No. 174-Senator Kunze.

Cosponsors: Senators Maharath, Williams, Schuring, Roegner, Hackett.

To enact section 5.246 of the Revised Code to designate September 7 as "Ohio Grateful Patient Day", was considered the third time.

The question being, "Shall the bill, **S. B. No. 174**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Johnson	Kunze
Lehner	Maharath	Manning	McColley
O'Brien	Peterson	Roegner	Rulli
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the bill passed.

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

Senator Kunze moved to amend the title as follows:

Add the names: "Senators Blessing, Brenner, Burke, Coley, Craig, Dolan, Eklund, Fedor, Gavarone, Hottinger, Huffman, M., Huffman, S., Manning, Obhof, O'Brien, Peterson, Rulli, Schaffer, Sykes, Thomas, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 276-Senators Roegner, Manning.

Cosponsors: Senators Brenner, Hackett, Eklund.

To amend sections 111.16, 122.16, 122.173, 135.14, 135.142, 135.35, 150.05, 718.01, 1329.01, 1329.02, 1701.03, 1701.05, 1701.791, 1702.05, 1702.411, 1703.04, 1729.36, 1729.38, 1745.461, 1751.01, 1776.69, 1776.82, 1782.02, 1782.432, 1785.09, 3345.203, 3964.03, 3964.17, 4701.14, 4703.18, 4703.331, 4715.18, 4715.22, 4715.365, 4715.431, 4717.06, 4723.16, 4725.33, 4729.161, 4729.541, 4731.226, 4731.228, 4732.28, 4733.16, 4734.17, 4755.111, 4755.471, 4757.37, 5701.14, 5715.19, 5733.04, 5733.33, 5733.42, 5747.01, and 5751.01; to enact sections 1706.01, 1706.02, 1706.03, 1706.04, 1706.05, 1706.06, 1706.061, 1706.07, 1706.08, 1706.081, 1706.082, 1706.09, 1706.16, 1706.161, 1706.17, 1706.171, 1706.172, 1706.173, 1706.174,

1706.175, 1706.18, 1706.19, 1706.20, 1706.26, 1706.27, 1706.28, 1706.281, 1706.29, 1706.30, 1706.31, 1706.311, 1706.32, 1706.33, 1706.331, 1706.332, 1706.34, 1706.341, 1706.342, 1706.41, 1706.411, 1706.412, 1706.46, 1706.461, 1706.47, 1706.471, 1706.472, 1706.473, 1706.474, 1706.475, 1706.51, 1706.511, 1706.512, 1706.513, 1706.514, 1706.515, 1706.61, 1706.611, 1706.612, 1706.613, 1706.614, 1706.615, 1706.616, 1706.617, 1706.62, 1706.71, 1706.711, 1706.712, 1706.713, 1706.72, 1706.721, 1706.722, 1706.723, 1706.73, 1706.74, 1706.76, 1706.761, 1706.762, 1706.763, 1706.764, 1706.765, 1706.766, 1706.767, 1706.768, 1706.769, 1706.7610, 1706.7611, 1706.7612, 1706.7613, 1706.81, 1706.82, 1706.83, and 1706.84; and to repeal sections 1705.01, 1705.02, 1705.03, 1705.031, 1705.04, 1705.05, 1705.06, 1705.07, 1705.08, 1705.081, 1705.09, 1705.10, 1705.11, 1705.12, 1705.13, 1705.14, 1705.15, 1705.16, 1705.161, 1705.17, 1705.18, 1705.19, 1705.20, 1705.21, 1705.22, 1705.23, 1705.24, 1705.25, 1705.26, 1705.27, 1705.28, 1705.281, 1705.282, 1705.29, 1705.291, 1705.292, 1705.30, 1705.31, 1705.32, 1705.33, 1705.34, 1705.35, 1705.36, 1705.361, 1705.37, 1705.371, 1705.38, 1705.381, 1705.39, 1705.391, 1705.40, 1705.41, 1705.42, 1705.43, 1705.44, 1705.45, 1705.46, 1705.47, 1705.48, 1705.49, 1705.50, 1705.51, 1705.52, 1705.53, 1705.54, 1705.55, 1705.56, 1705.57, 1705.58, and 1705.61 of the Revised Code to enact the Ohio Revised Limited Liability Company Act, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 276**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Blessing	Brenner	Burke	Coley
Craig	Dolan	Eklund	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, M.	Huffman, S.	Johnson	Kunze
Lehner	Maharath	Manning	McColley
O'Brien	Peterson	Roegner	Rulli
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Obhof-32

So the bill passed.

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

Senator Roegner moved to amend the title as follows:

Add the names: "Senators Blessing, Burke, Coley, Craig, Huffman, M., Huffman, S., McColley, O'Brien, Peterson, Rulli, Schaffer, Sykes, Thomas."

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, July 19, 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.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

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

S. B. No. 340 - Senators Kunze, Fedor.

Cosponsors: Senators Maharath, Thomas, Craig.

To amend section 4301.637 of the Revised Code to require places that sell alcohol to display a warning about fetal alcohol syndrome.

S. B. No. 341 - Senator Roegner.

To enact sections 4723.11 and 4723.111 of the Revised Code to enter into the Nurse Licensure Compact.

On the motion of Senator Peterson, the Senate recessed until 6:57 p.m.

The Senate met pursuant to the recess.

On the motion of Senator Peterson, the Senate adjourned until Thursday, July 23, 2020 at 9:00 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.