

**OHIO**

**SENATE**

**JOURNAL**

WEDNESDAY, DECEMBER 2, 2020

TWO HUNDRED FORTY-FOURTH DAY  
Senate Chamber, Columbus, Ohio  
**Wednesday, December 2, 2020, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Senator Hearcel F. Craig, 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 Peterson requested a moment of silence to honor former State Representative John Schlichter

**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:

**H. B. No. 32** -Representative Stein, et al.

To enact section 5.015 of the Revised Code to create a suggested ceremonial procedure for retiring an Ohio state flag.

To the Committee on Government Oversight and Reform.

**H. B. No. 36** -Representative Kick, et al.

To enact section 5.035 of the Revised Code to designate the Monarch Butterfly as the official state butterfly.

To the Committee on General Government and Agency Review.

**H. B. No. 199** -Representative Patton, et al.

To amend sections 715.27, 3781.102, 4740.01, 4740.02, 4740.04, 4740.12, and 4764.03 of the Revised Code to require commercial roofing contractors to have a license.

To the Committee on Transportation, Commerce and Workforce.

**Sub. H. B. No. 208** -Representatives Roemer, Miller, J., et al.

To amend section 2903.13 of the Revised Code to increase the penalties for assault if the victim is acting as a sports official or the assault is committed in

retaliation for the victim's actions as a sports official.

To the Committee on Judiciary.

**Sub. H. B. No. 255** -Representative Hoops, et al.

To amend sections 107.03, 5703.48, and 5703.95 of the Revised Code to require the Tax Commissioner's biennial tax expenditure report to include information on property tax exemptions and to require the Tax Expenditure Review Committee to periodically review each property tax exemption.

To the Committee on Ways and Means.

**Am. Sub. H. B. No. 310** -Representative Greenspan, et al.

To amend sections 2903.31, 3301.22, 3313.661, 3313.666, 3314.03, and 3326.11 and to enact sections 2903.311, 3301.165, 3313.669, 3319.318, and 3345.19 of the Revised Code to enact Collin's Law: The "Ohio Anti-Bullying and Hazing Act" with regard to school discipline and bullying and hazing policies at schools and colleges.

To the Committee on Education.

**Sub. H. B. No. 352** -Representatives Cross, Lang, et al.

To amend sections 2315.18, 2315.21, 4112.01, 4112.02, 4112.04, 4112.05, 4112.08, 4112.14, and 4112.99; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4112.051 (4112.055) and 4112.052 (4112.056); and to enact new sections 4112.051 and 4112.052 and section 4112.054 of the Revised Code to modify Ohio civil rights laws related to employment.

To the Committee on Judiciary.

**H. B. No. 367** -Representatives Miranda, Manchester, et al.

To enact section 3319.091 of the Revised Code to require the Department of Education to make recommendations for a job description for school counselors and to designate at least one staff member as a school counselor liaison.

To the Committee on Education.

**Am. H. B. No. 371** -Representative Merrin, et al.

To amend section 3333.31 of the Revised Code to expand the "Forever Buckeye" program by granting in-state college tuition to individuals who

receive a certificate of high school equivalence in Ohio.

To the Committee on Education.

**Am. H. B. No. 409** -Representative Koehler, et al.

To amend section 3314.03 and to enact section 3314.261 of the Revised Code regarding student attendance at internet- or computer-based community schools that are not dropout prevention and recovery schools.

To the Committee on Education.

**Sub. H. B. No. 444** -Representatives Baldrige, Abrams, et al.

To amend sections 3.061, 3.30, 9.65, 165.01, 165.03, 503.07, 505.43, 505.86, 505.87, 505.871, 517.27, 715.82, 742.33, 742.34, 1545.05, 1710.02, 2151.70, 2152.42, 3721.15, 4503.03, 4765.43, 5153.13, and 5705.25 of the Revised Code to make various changes to township law.

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

**Sub. H. B. No. 464** -Speaker Cupp, Representative Rogers, et al.

To amend sections 1721.21, 1901.123, 1907.143, 2106.13, 2108.05, 2108.06, 2108.07, 2108.23, 2108.24, 2108.34, 2111.10, 2111.50, 2133.07, 2701.10, 2717.01, 5122.15, 5804.11, 5805.06, 5816.02, 5816.05, 5816.06, 5816.09, 5816.10, and 5816.14; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 2717.01 (2717.02); to enact new section 2717.01 and sections 2717.03, 2717.04, 2717.05, 2717.06, 2717.07, 2717.08, 2717.09, 2717.10, 2717.11, 2717.13, 2717.14, 2717.16, 2717.18, and 2717.19; and to repeal section 2133.16 of the Revised Code to expand a guardian's authority to create estate plans for their wards, to clarify a surviving spouse's allowance for support upon the spouse's selection of an automobile, to make changes in the Ohio Trust Code and the Ohio Legacy Trust Act, to make changes in the law pertaining to the referral of actions to a retired judge, to make changes to the law regarding cemetery endowment care trusts, to permit a nonprofit corporation to serve as guardian of the person of an incompetent, to eliminate a donor's ability to make an anatomical gift through a will or a declaration or living will, and to make changes to the laws dealing with reimbursement of municipal and county court judges, procedures in involuntary mental health placements, and change of name procedures.

To the Committee on Judiciary.

**Am. H. B. No. 541** -Representative Perales, et al.

To amend section 319.38 of the Revised Code regarding valuation adjustments for destroyed or injured property.

To the Committee on Insurance and Financial Institutions.

**Am. H. B. No. 621** -Representatives Cross, Wilkin, et al.

To amend sections 3701.352, 3707.48, and 3709.211 and to enact sections 3701.353, 3707.481, and 3709.212 of the Revised Code to enact The Business Fairness Act and to declare an emergency.

To the Committee on Transportation, Commerce and Workforce.

**S. B. No. 384** -Senator Hackett

To amend section 5502.01 and to enact sections 145.364, 742.391, 3309.402, 4168.01, 4168.02, 4168.09, 4168.10, 4168.11, 4168.12, 4168.20, 4168.21, 4168.45, 4168.46, 4168.47, 4168.48, 4168.60, 4168.75, 4168.76, 4168.77, 4168.78, 4168.80, and 5505.182 of the Revised Code concerning compensation, medical benefits, and disability retirement for peace officers, firefighters, and emergency medical workers diagnosed with post-traumatic stress disorder arising from employment without an accompanying physical injury.

To the Committee on General Government and Agency Review.

**S. B. No. 385** -Senators Yuko, Rulli, et al.

To authorize grants for operators of performing arts venues, producers of performing arts, and promoters of performing artists, to make an appropriation, and to declare an emergency.

To the Committee on Finance.

**S. B. No. 386** -Senator Thomas, et al.

To enact section 5.083 of the Revised Code to designate the sugar cookie as the official cookie of Ohio.

To the Committee on General Government and Agency Review.

**S. B. No. 387** -Senator Burke

To terminate certain provisions of the "Director's Order for Retail and Business Compliance for Facial Coverings throughout the State of Ohio," issued on November 13, 2020, and to declare an emergency.

To the Committee on Transportation, Commerce and Workforce.

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

## REPORTS OF STANDING AND SELECT COMMITTEES

Senator Dolan submitted the following report:

The standing committee on Finance, to which was referred **S. B. No. 263-** Senator Hackett, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 13, delete "has" and insert "and "third-party administrator" have"; delete "meaning" and insert "meanings"

In line 51, after "entity" insert " "; delete "and"; after "organization" insert " "; after the second " " insert "and "third-party administrator""

In line 13, delete "has" and insert "and "third-party administrator" have"; delete "meaning" and insert "meanings"

In line 51, after "entity" insert " "; delete "and"; after "organization" insert " "; after the second " " insert "and "third-party administrator""

Co-Sponsor: Schuring.

YES - 12: KIRK SCHURING, NICKIE J. ANTONIO, SEAN J. O'BRIEN, VERNON SYKES, STEPHANIE KUNZE, PEGGY LEHNER, STEVE WILSON, BOB PETERSON, DAVE BURKE, MATT DOLAN, ROB MCCOLLEY, JOHN EKLUND

NO - 0.

Senator Eklund submitted the following report:

The standing committee on Judiciary, to which was referred **Sub. H. B. No. 251**-Representatives Lang, Hillyer, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Eklund.

YES - 8: NATHAN H. MANNING, JOHN EKLUND, CECIL THOMAS, SEAN J. O'BRIEN, TERESA FEDOR, PEGGY LEHNER, MATT HUFFMAN, ROB MCCOLLEY

NO - 1: WILLIAM P. COLEY, II

Senator Eklund submitted the following report:

The standing committee on Judiciary, to which was referred **Sub. H. B. No. 368**-Representative Baldrige, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

In line 1928, delete "convicted of violating any" and insert "who violates such a"; delete "of sections 2913.87"

In line 1929, delete "to 2913.92 of the Revised Code"

In line 1930, after "relief" insert "pursuant to section 2307.60 of the Revised Code"

In line 1928, delete "convicted of violating any" and insert "who violates such a"; delete "of sections 2913.87"

In line 1929, delete "to 2913.92 of the Revised Code"

In line 1930, after "relief" insert "pursuant to section 2307.60 of the Revised Code"

Co-Sponsors: Coley, Eklund.

YES - 8: NATHAN H. MANNING, JOHN EKLUND, CECIL THOMAS, SEAN J. O'BRIEN, TERESA FEDOR, PEGGY LEHNER, WILLIAM P. COLEY, II, ROB MCCOLLEY

NO - 1: MATT HUFFMAN

Senator Hackett submitted the following report:

The standing committee on Insurance and Financial Institutions, to which was referred **Sub. H. B. No. 150**-Representative Merrin, et al., having had the same under consideration, reports it back with the following amendments and

recommends its passage when so amended.

In line 237, after "years," insert "For the purposes of this division, a bank organization "first began operations" on the day the bank organization was issued a charter, a certificate of authority to commence business, or the equivalent document enabling the bank organization to begin conducting business as a bank organization. A "de novo bank organization" does not include a bank organization formed by, acquired by, merged with, or converted by a taxpayer that filed and paid the tax under this chapter in any preceding calendar year."

Co-Sponsor: Williams.

YES - 13: DAVE BURKE, MATT DOLAN, JAY HOTTINGER,  
ANDREW O. BRENNER, SANDRA R. WILLIAMS, CECIL  
THOMAS, STEVE WILSON, STEPHANIE KUNZE,  
STEPHEN A. HUFFMAN, BOB PETERSON, LOUIS W.  
BLESSING, III, HEARCEL F. CRAIG, BOB D. HACKETT

NO - 0.

Senator McColley submitted the following report:

The standing committee on Transportation, Commerce and Workforce, to which was referred **S. B. No. 243**-Senators Brenner, Peterson having had the same under consideration, reports it back and recommends its passage.

YES - 6: ROB MCCOLLEY, FRANK HOAGLAND, KRISTINA D.  
ROEGNER, NATHAN H. MANNING, JAY HOTTINGER,  
TERRY JOHNSON

NO - 5: VERNON SYKES, TINA MAHARATH, STEPHANIE  
KUNZE, MICHAEL A. RULLI, NICKIE J. ANTONIO

Senator Schuring submitted the following report:

The standing committee on General Government and Agency Review, to which was referred **H. B. No. 325**-Representatives Miller, J., Howse, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Schuring.

YES - 7: HEARCEL F. CRAIG, KIRK SCHURING, FRANK  
HOAGLAND, TIM SCHAFFER, LOUIS W. BLESSING, III,  
VERNON SYKES, JOHN EKLUND



NO - 0.

Senator Schuring submitted the following report:

The standing committee on General Government and Agency Review, to which was referred **S. B. No. 331**-Senator Roegner having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Schuring, Hoagland.

YES - 7: LOUIS W. BLESSING, III, MICHAEL A. RULLI, KIRK SCHURING, HEARCEL F. CRAIG, FRANK HOAGLAND, TIM SCHAFFER, JOHN EKLUND

NO - 2: SEAN J. O'BRIEN, VERNON SYKES

Senator Schuring submitted the following report:

The standing committee on General Government and Agency Review, to which was referred **S. B. No. 334**-Senators Craig, Brenner, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Schuring.

YES - 7: HEARCEL F. CRAIG, KIRK SCHURING, FRANK HOAGLAND, TIM SCHAFFER, LOUIS W. BLESSING, III, VERNON SYKES, JOHN EKLUND

NO - 0.

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

The reports of the committee were accepted.

Senator Obhof submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Governor of:

**Boehnke, Alexander**, from Columbus, Franklin County, Ohio, as a Member of the Materials Management Advisory Council for a term beginning August 12, 2020, ending at the close of business July 1, 2023, replacing Alexander T. Boehnke, whose term expired.

**Bowman, Jennifer**, Democrat, from Athens, Athens County, Ohio, as a Member of the Ohio Soil and Water Conservation Commission for a term beginning September 30, 2020, ending at the close of business June 30, 2022, replacing Bethany Gibson, who resigned.

**Brode, Tommie Jo**, Republican, from Stow, Summit County, Ohio, as a Member of the Self-Insuring Employers Evaluation Board for a term

beginning August 23, 2020, ending at the close of business August 22, 2024, replacing Tommie Jo Brode, whose term expired.

**Brook, Cara**, Republican, from Logan, Hocking County, Ohio, as a Member of the Ohio Air Quality Development Authority for a term beginning August 26, 2020, ending at the close of business June 30, 2021, replacing Thomas E. Niehaus, who resigned.

**Burke, Michelle**, Republican, from Rocky River, Cuyahoga County, Ohio, as a Member of the Waterways Safety Council for a term beginning July 31, 2020, ending at the close of business January 30, 2025, replacing Mary Jo Monte-Kaser, whose term expired.

**Cole, Philip**, Democrat, from Upper Arlington, Franklin County, Ohio, as a Member of the Ohio Fair Plan Underwriting Association Board of Governors for a term beginning October 26, 2020, ending at the close of business September 18, 2022, replacing Philip E. Cole, whose term expired.

**Conway, Adam**, Republican, from Granville, Licking County, Ohio, as a Member of the Forestry Advisory Council for a term beginning June 5, 2020, ending at the close of business February 27, 2024, replacing Adam M. Conway, whose term expired.

**DeJonckheere, Charles**, from Cincinnati, Hamilton County, Ohio, as a Member of the Materials Management Advisory Council for a term beginning August 12, 2020, ending at the close of business July 1, 2023, replacing Charles DeJonckheere, whose term expired.

**Fenderbosch, Jennifer**, from Avon Lake, Lorain County, Ohio, as a Member of the Materials Management Advisory Council for a term beginning August 12, 2020, ending at the close of business July 1, 2023, replacing Jennifer G. Fenderbosch, whose term expired.

**Foley Orosz, Janet**, Republican, from Powell, Delaware County, Ohio, as a Member of the Ohio Fair Plan Underwriting Association Board of Governors for a term beginning October 26, 2020, ending at the close of business September 18, 2022, replacing Janet E. Foley Orosz, whose term expired.

**Frobose, Daniel**, Republican, from Pemberville, Wood County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a term beginning July 31, 2020, ending at the close of business January 25, 2023, replacing Daniel L. Frobose, whose term expired.

**Garrison, Bradford**, Republican, from West Salem, Wayne County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a term beginning October 26, 2020, ending at the close of business January 25, 2023, replacing Ryan R. Zimmerman, whose term expired.

**Granito, Matthew**, from Middlefield, Geauga County, Ohio, as a Member of the Commercial Dog Breeding Advisory Board for a term beginning August 26, 2020, ending at the close of business March 12, 2023, replacing Matthew

Granito, whose term expired.

**Green, Stephanie**, Democrat, from Columbus, Franklin County, Ohio, as a Member of the Ohio Fair Plan Underwriting Association Board of Governors for a term beginning October 26, 2020, ending at the close of business September 18, 2022, replacing Stephanie E. Green, whose term expired.

**Griffith, Ralph**, Republican, from Columbus, Franklin County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning July 31, 2020, ending at the close of business January 31, 2026, replacing Ralph E. Griffith, Jr., whose term expired.

**Guinsler, Douglas**, from Zanesville, Muskingum County, Ohio, as a Member of the Advisory Board on Amusement Ride Safety for a term beginning June 9, 2020, ending at the close of business January 1, 2026, replacing Douglas C. Guinsler, whose term expired.

**Hausman, Constance**, Democrat, from Medina, Medina County, Ohio, as a Member of the Forestry Advisory Council for a term beginning August 12, 2020, ending at the close of business February 27, 2024, replacing Melvin J. Yoder, whose term expired.

**Hull, John**, Republican, from Ottawa Hills, Lucas County, Ohio, as a Member of the Petroleum Underground Storage Tank Release Compensation Board for a term beginning October 26, 2020, ending at the close of business July 10, 2023, replacing John H. Hull, whose term expired.

**Isaacson, Patricia**, Independent, from Worthington, Franklin County, Ohio, as a Member of the Ohio Housing Finance Agency for a term beginning July 31, 2020, ending at the close of business January 31, 2026, replacing Patricia Cash Isaacson, whose term expired.

**Johnson, Thomas**, Republican, from Columbus, Franklin County, Ohio, as a Member of the Environmental Review Appeals Commission for a term beginning July 6, 2020, ending at the close of business October 22, 2022, replacing Cynthia A. Hafner, who resigned.

**Klein, Jennifer**, from Columbus, Franklin County, Ohio, as a Member of the State Emergency Response Commission for a term beginning June 8, 2020, ending at the close of business January 13, 2022, replacing Jennifer Klein, whose term expired.

**Kress, Marcie**, from Stow, Summit County, Ohio, as a Member of the Materials Management Advisory Council for a term beginning October 26, 2020, ending at the close of business July 1, 2021, replacing Francis J. Szollosi, who resigned.

**Kress, Cathann**, Independent, from Powell, Delaware County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a term beginning July 31, 2020, ending at the close of business January 25, 2023, replacing Cathann A. Kress, whose term expired.

**Mason, Clifford**, from Hebron, Licking County, Ohio, as a Member of the State Emergency Response Commission for a term beginning June 8, 2020, ending at the close of business January 13, 2022, replacing Clifford L. Mason, whose term expired.

**McConville, Kimberly**, Republican, from Westerville, Franklin County, Ohio, as a Member of the Ohio Livestock Care Standards Board for a term beginning July 31, 2020, ending at the close of business January 25, 2023, replacing Kimberly S. McConville, whose term expired.

**Mechling, Paul**, Democrat, from Pierpoint, Ashtabula County, Ohio, as a Member of the Forestry Advisory Council for a term beginning June 5, 2020, ending at the close of business February 27, 2024, replacing Paul P. Mechling II, whose term expired.

**Miles, James**, from Miamisburg, Montgomery County, Ohio, as a Member of the Credit Union Council for a term beginning October 26, 2020, ending at the close of business September 22, 2023, replacing James C. Miles, whose term expired.

**Miller, Sean**, from Delaware, Delaware County, Ohio, as a Member of the State Emergency Response Commission for a term beginning June 8, 2020, ending at the close of business January 13, 2022, replacing Sean D. Miller, whose term expired.

**Podojil, Anthony**, Independent, from Painseville Twp., Lake County, Ohio, as a Member of the Ohio Retirement Study Council for a term beginning August 12, 2020, ending at the close of business June 30, 2023, replacing Anthony R. Podojil, whose term expired.

**Pohler, Susan**, from Columbus, Franklin County, Ohio, as a Member of the State Veterinary Medical Licensing Board for a term beginning June 5, 2020, ending at the close of business December 31, 2021, replacing Richard L. Heston, whose term expired.

**Ringhiser-Carlson, Loraine (Lori)**, from Heath, Licking County, Ohio, as a Member of the Commercial Dog Breeding Advisory Board for a term beginning August 26, 2020, ending at the close of business March 12, 2023, replacing James A. Tomaszewski, Jr., whose term expired.

**Scott, Kristen**, from Dublin, Franklin County, Ohio, as a Member of the Credit Union Council for a term beginning October 26, 2020, ending at the close of business September 22, 2023, replacing Kristen Scott, whose term expired.

**Shank, Adam**, from Powell, Delaware County, Ohio, as a Member of the Ohio Arts Council for a term beginning October 26, 2020, ending at the close of business July 1, 2024, replacing Juan P. Cespedes, who resigned.

**Sliva, Michael**, from Cadiz, Harrison County, Ohio, as a Member of the Ohio Reclamation Forfeiture Fund Advisory Board for a term beginning July 17,

2020, ending at the close of business January 10, 2024, replacing Michael A. Sliva, whose term expired.

**Zimmers, Neal**, Democrat, from Granville, Licking County, Ohio, as a Member of the Capitol Square Review and Advisory Board for a term beginning October 26, 2020, ending at the close of business April 22, 2022, replacing Juan P. Cespedes, who resigned.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

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 Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted – yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

|           |             |             |          |
|-----------|-------------|-------------|----------|
| Antonio   | 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-33 |

So the Senate advised and consented to said appointments.

## HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

**Sub. S. B. No. 21**-Senator Dolan.

Cosponsors: Senators Brenner, Thomas, Hackett, Maharath, Coley, Antonio, Burke, Craig, Eklund, Gavarone, Hill, Hoagland, Huffman, M., Huffman, S., Kunze, Manning, McColley, Obhof, O'Brien, Peterson, Rulli, Schuring, Sykes, Terhar, Uecker, Williams, Wilson, Yuko. Representatives Hambley, Ghanbari, Lang, Rogers, Smith, K.

To amend sections 1701.01, 1701.03, 1701.04, 1701.05, 1701.38, 1701.59, 1701.591, and 1701.94 and to enact section 1701.96 of the Revised Code to allow a corporation to become a benefit corporation, 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 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

|           |             |             |          |
|-----------|-------------|-------------|----------|
| Antonio   | 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-33 |

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

The amendments of the House of Representatives to:

**Am. Sub. S. B. No. 318**-Senators Kunze, Williams.

Cosponsors: Senators Eklund, Schuring, Schaffer, Blessing, Antonio, Burke, Coley, Craig, Dolan, Fedor, Gavarone, Hackett, Hoagland, Hottinger, Huffman, M., Huffman, S., Johnson, Lehner, Maharath, Manning, McColley, Obhof, O'Brien, Peterson, Roegner, Sykes, Thomas, Wilson, Yuko. Representatives Antani, Callender, Plummer, Scherer, Abrams, Baldrige, Brent, Carruthers, Clites, Ghanbari, Ginter, Green, Grendell, Hicks-Hudson, Holmes, A., Ingram, Miller, A., Perales, Richardson, Riedel, Rogers, Romanchuk, Russo, Sheehy, Smith, K., Sobecki, West, Speaker Cupp.

To amend Section 1 of S.B. 30 of the 133rd General Assembly to extend the Women's Suffrage Centennial Commission until December 31, 2021, and to declare an emergency, having been informally passed, were taken up.

The question being, "Shall the section, Section 3, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

|           |             |             |          |
|-----------|-------------|-------------|----------|
| Antonio   | 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-33 |

So the section, Section 3, setting forth the emergency features of the bill stood as a part of the bill.

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

The yeas and nays were taken and resulted – yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

|           |             |             |          |
|-----------|-------------|-------------|----------|
| Antonio   | 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-33 |

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

### BILLS FOR THIRD CONSIDERATION

#### **Sub. H. B. No. 136**-Representative Hillyer.

Cosponsors: Representatives Seitz, Weinstein, Crawley, Plummer, Leland, Crossman, Galonski, Rogers, West, Antani, Blessing, Brent, Callender, Denson, Ghanbari, Lepore-Hagan, Lightbody, Liston, Patton, Perales, Sheehy, Smith, K., Sobecki, Sykes, Upchurch. Senators Eklund, Manning.

To amend sections 2929.02, 2929.022, 2929.024, 2929.03, 2929.04, 2929.06, 2929.14, 2941.148, 2953.21, 2953.23, 2971.03, 2971.07, and 5120.61 and to enact section 2929.025 of the Revised Code to prohibit imposing the death penalty for aggravated murder when the offender had a serious mental illness at the time of the offense, having been informally passed were taken up.

The question being, "Shall the bill, **Sub. H. B. No. 136**, pass?"

Senator Peterson moved that **Sub. H. B. No. 136** be informally passed and retain its place on the calendar.

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

The motion was agreed to.

#### **Am. Sub. H. B. No. 150**-Representative Merrin.

Cosponsors: Representatives Antani, Carruthers, Dean, DeVitis, Ginter, Hillyer, Hood, Jordan, Keller, Lanese, Lang, Manning, D., Patton, Perales, Richardson, Riedel, Roemer, Romanchuk, Seitz, Sheehy, Stein, Swearingen, Vitale, Wiggam, Zeltwanger. Senator Williams.

To amend sections 5726.01, 5726.02, 5726.04, 5726.06, and 5751.01 of the Revised Code to reduce the tax liability of newly formed banks by up to one million dollars per year for their first three years and to exclude the principal balance of mortgage loans sold by a mortgage lender from the lender's

commercial activity tax gross receipts, was considered the third time.

The question being, "Shall the bill, **Am. Sub. H. B. No. 150**, pass?"

Senator Peterson moved that **Am. Sub. H. B. No. 150** be informally passed and retain its place on the calendar.

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

The motion was agreed to.

**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, Galonski, Hicks-Hudson, Holmes, A., Lanese, Liston, Manning, G., Reineke, Robinson, Rogers, Weinstein, Wiggam, Speaker Cupp. Senator Schuring.

To enact section 5.293 of the Revised Code to designate February 18 as "Toni Morrison Day", was considered the third time.

The question being, "Shall the bill, **H. B. No. 325**, pass?"

The yeas and nays were taken and resulted – yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

|           |             |             |          |
|-----------|-------------|-------------|----------|
| Antonio   | 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-33 |

So the bill passed.

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

Senator Craig moved to amend the title as follows:

Add the names: "Senators 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."

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

The motion was agreed to and the title so amended.

**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, 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, Speaker Cupp. Senators Kunze, Schuring.

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, was considered the third time.

The question being, "Shall the section, Section 3, setting forth the emergency features of the bill, stand as a part of the bill?"

Senator Senator Burke moved to amend as follows:

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

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

The motion to amend was agreed to.

The question recurred, "Shall the section, Section 3, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

|           |             |             |          |
|-----------|-------------|-------------|----------|
| Antonio   | 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-33 |

So the section, Section 3, 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 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

|           |             |             |          |
|-----------|-------------|-------------|----------|
| Antonio   | 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-33 |

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

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

Senator Kunze moved to amend the title as follows:

Add the names: "Senators 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."

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

The motion was agreed to and the title so amended.

**S. B. No. 243**-Senators Brenner, Peterson.

To amend section 4111.03 and to enact section 4111.031 of the Revised Code to except traveling to and from a worksite and performing certain routine tasks from the overtime pay requirement, was considered the third time.

The question being, "Shall the bill, **S. B. No. 243**, pass?"

Senator Peterson moved that **S. B. No. 243** be informally passed and retain its place on the calendar.

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

The motion was agreed to.

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

Cosponsors: Senators Maharath, Wilson, Craig, Thomas, Antonio, Kunze, Schuring.

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, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 263**, pass?"

The yeas and nays were taken and resulted – yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

|           |             |             |          |
|-----------|-------------|-------------|----------|
| Antonio   | 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-33 |

So the bill passed.

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

Senator Hackett moved to amend the title as follows:

Add the names: "Senators Blessing, Coley, Dolan, Fedor, Gavarone, Hoagland, Huffman, M., Huffman, S., Johnson, Lehner, Manning, McColley, O'Brien, Roegner, Rulli, Schaffer, Sykes, Yuko."

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

The motion was agreed to and the title so amended.

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

Cosponsor: Senator Schuring.

To amend section 4765.401 of the Revised Code regarding emergency medical services and stroke patient protocols, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 302**, pass?"

Senator Antonio moved to amend as follows:

In line 50, delete "large vessel occlusion" and insert "the assessment of stroke severity"

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

The motion to amend was agreed to.

The question recurred, "Shall the bill, **Am. S. B. No. 302**, pass?"

The yeas and nays were taken and resulted – yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

|           |             |             |          |
|-----------|-------------|-------------|----------|
| Antonio   | 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-33 |

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

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

The motion was agreed to and the title so amended.

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

Cosponsors: Senators Schuring, Hoagland.

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, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 331**, pass?"

The yeas and nays were taken and resulted – yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

|           |             |             |          |
|-----------|-------------|-------------|----------|
| Antonio   | 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-33 |

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 Antonio, Blessing, Burke, Coley, Craig, Dolan, Eklund, Hackett, Huffman, M., Huffman, S., Johnson, Lehner, McColley, Obhof, Peterson, Schaffer, Thomas, Wilson."

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

The motion was agreed to and the title so amended.

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

Cosponsors: Senators Thomas, Antonio, Yuko, Maharath, Sykes, O'Brien, Hottinger, Lehner, Kunze, Gavarone, Rulli, Obhof, Schuring.

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, was considered the third time.

The question being, "Shall the bill, **S. B. No. 334**, pass?"

The yeas and nays were taken and resulted – yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

|           |             |             |          |
|-----------|-------------|-------------|----------|
| Antonio   | 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-33 |

So the bill passed.

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

Senator Craig moved to amend the title as follows:

Add the names: "Senators Blessing, Burke, Dolan, Eklund, Fedor, Hackett, Hoagland, Huffman, S., Johnson, Manning, McColley, Schaffer, Williams, 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 5:15 p.m.

The Senate met pursuant to the recess.

### **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. 40** -Senators Brenner, McColley

Cosponsors: Senators Roegner, Blessing, Burke, Coley, Craig, Eklund, Hackett, Hoagland, Huffman, M., Huffman, S., Johnson, Lehner, Maharath, Obhof, Peterson, Rulli, Schaffer, Wilson Representatives Riedel, Antani, Carruthers, Cutrona, Ginter, Green, Grendell, Hoops, Jordan, Keller, Kick, Koehler, Lang, McClain, Merrin, Smith, T., Stein, Stoltzfus, Swearingen, Wiggam, Wilkin

To amend sections 3333.31, 3345.021, and 3345.21 and to enact sections 3345.0211, 3345.0212, 3345.0213, and 3345.0214 of the Revised Code to expand the "Forever Buckeye" program by granting in-state college tuition to individuals who receive a certificate of high school equivalence in Ohio and to enact the "Forming Open and Robust University Minds Act" regarding free

speech on college campuses.

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

Attest:

Bradley J. Young,  
Clerk.

Said amendments was 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. 284** -Senators Hottinger, Peterson

Cosponsors: Senators Hackett, Brenner, Blessing, Huffman, S., Antonio, Burke, Craig, Dolan, Kunze, Maharath, Manning, O'Brien, Rulli, Schaffer, Thomas, Wilson, Yuko Representatives Boggs, Carfagna, Carruthers, Fraizer, Galonski, Liston, Miller, A., Miller, J., Plummer, Reineke, Rogers, Russo, Seitz, Sweeney

To amend sections 149.43, 3901.62, and 3901.64 and to enact sections 3902.36 and 5167.47 of the Revised Code to amend the law related to insurers receiving credit for reinsurance, mental health and substance use disorder benefit parity, and the release of the telephone number of a person involved in a motor vehicle accident.

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

Attest:

Bradley J. Young,  
Clerk.

Said amendments was laid over under the rule.

**Message from the House of Representatives**

Mr. President:

I am directed to inform you that the Speaker of the House has appointed as

managers on the part of the House on matters of difference between the two Houses on:

**Am. Sub. S. B. No. 310**-Senator Dolan – et al.  
Representatives Oelslager, Scherer, Cera.

Attest:

Bradley J. Young,  
Clerk.

On the motion of Senator Roegner, the Senate adjourned until Thursday, December 3, 2020 at 11:00 a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.