

AN ACT

To create for a period of six months the Employment Disqualification Study Committee to study the provisions of the Revised Code that disqualify persons who are convicted of or plead guilty to certain offenses from obtaining specified employment, contracts, or licensing or from being permitted to perform specified duties; to determine the impact of those provisions on the Ohio Works First program; to seek federal funds to assist in conducting the study; within six months after this act's effective date, to make recommendations to the General Assembly regarding possible revisions to those provisions; and to declare an emergency.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. (A) There is hereby created the Employment Disqualification Study Committee consisting of eleven members. The Speaker of the House of Representatives shall appoint three members from the House of Representatives, no more than two of whom shall be from the same political party. The President of the Senate shall appoint three members from the Senate, no more than two of whom shall be from the same political party. The Attorney General shall appoint one member to represent the office of the Attorney General. The Superintendent of Public Instruction shall appoint one member to represent the Department of Education. The Director of Rehabilitation and Correction shall appoint one member to represent the Department of Rehabilitation and Correction. The Director of Human Services shall appoint one member to represent the Department of Human Services. The Superintendent of Public Instruction shall appoint one member who shall be a teacher or a school administrator.

The initial appointments to the Employment Disqualification Study Committee shall be made within thirty days after this section's effective date. A vacancy on the committee shall be filled in the same manner as the

original appointment. The Speaker of the House of Representatives shall appoint the chairperson of the committee. The members of the committee shall serve without compensation. The Department of Human Services shall provide facilities in which the committee shall meet, provide any clerical or other services required by the committee in performing its official duties, and be responsible for any administrative expenses incurred by the committee in performing its official duties.

(B) The Employment Disqualification Study Committee shall do all of the following:

(1) Hold its first meeting within fourteen days after the initial appointments to the committee described in division (A) of this section have been made;

(2) Review sections 173.41, 2151.86, 3301.32, 3301.541, 3319.31, 3319.311, 3319.39, 3701.881, 3712.09, 3721.121, 3722.151, 5104.012, 5104.013, 5126.28, 5126.281, and 5153.111 of the Revised Code and the offenses listed or described in those sections;

(3) Determine the impact of sections 173.41, 2151.86, 3301.32, 3301.541, 3319.31, 3319.311, 3319.39, 3701.881, 3712.09, 3721.121, 3722.151, 5104.012, 5104.013, 5126.28, 5126.281, and 5153.111 of the Revised Code on the ability of the Ohio Works First program to help the program's participants find self-sufficiency through employment;

(4) Seek any funds available under Title IV-A of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended, to assist the committee in fulfilling its duties;

(5) Develop recommendations regarding sections 173.41, 2151.86, 3301.32, 3301.541, 3319.31, 3319.311, 3319.39, 3701.881, 3712.09, 3721.121, 3722.151, 5104.012, 5104.013, 5126.28, 5126.281, and 5153.111 of the Revised Code and the offenses specified in those sections that shall include recommendations regarding all of the following:

(a) Whether a person who is convicted of or pleads guilty to committing more than one of the offenses specified in any of those sections should be permanently prevented or prevented for a specified period of time from obtaining the employment, contract, or licensing described in any of those sections or from being permitted to perform the duties described in any of those sections;

(b) Whether a person who has been convicted of or pleads guilty to committing only one of the offenses specified in any of those sections should be permanently prevented or prevented for a specified period of time from obtaining the employment, contract, or licensing described in any of those sections or from being permitted to perform the duties described in

any of those sections;

(c) Whether a person who is convicted of or pleads guilty to committing one or more of the offenses specified in any of those sections can be sufficiently rehabilitated as to merit the person obtaining the employment, contract, or licensing described in any of those sections or being permitted to perform the duties described in any of those sections and, if the person can be sufficiently rehabilitated, what standard should be used to determine whether the person has been sufficiently rehabilitated;

(d) Which of the offenses described in any of those sections, if any, the conviction of or plea of guilty to which merit permanently preventing a person from obtaining the employment, contract, or licensing described in any of those sections or from being permitted to perform the duties described in any of those sections and which of those offenses, if any, the conviction of or plea of guilty to which merit preventing a person from obtaining the employment, contract, or licensing described in any of those sections or from being permitted to perform the duties described in any of those sections for a specified period of time;

(e) If the conviction of or plea of guilty to one of the offenses specified in any of those sections merits preventing a person from obtaining the employment, contract, or licensing described in any of those sections or from being permitted to perform the duties described in any of those sections for a specified period of time, what that period of time should be.

(6) Within six months after the effective date of this section, submit a report of its findings and recommendations to the Speaker and Minority Leader of the House of Representatives and the President and Minority Leader of the Senate.

(C) The Employment Disqualification Study Committee shall cease to exist six months after the effective date of this section.

(D) As used in this section:

(1) "License" has the same meaning as in section 3319.31 of the Revised Code.

(2) "Licensing" means the issuance of a license.

SECTION 2. This act shall expire six months after its effective date.

SECTION 3. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that persons will begin to lose eligibility for the Ohio Works First program on October 1, 2000. The state crucially needs to determine prior to this date whether sections 173.41, 2151.86, 3301.32, 3301.541, 3319.31, 3319.311, 3319.39, 3701.881, 3712.09, 3721.121, 3722.151, 5104.012, 5104.013, 5126.28, 5126.281, and 5153.111 of the Revised Code create unreasonable impediments to the employment of Ohio Works First participants. Therefore, this act shall go into immediate effect.

Speaker _____ of the House of Representatives.

President _____ of the Senate.

Passed _____, 20____

Approved _____, 20____

Governor.

Am. H. B. No. 128

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The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the
____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____