

**As Passed by the Senate**

**124th General Assembly**

**Regular Session**

**2001-2002**

**Sub. H. B. No. 75**

**REPRESENTATIVES Williams, Jones, Carey, Core, Hoops, Calvert, Allen,  
D. Miller, Oakar, Faber, Evans, Buehrer, Barrett, R. Miller, Schmidt,  
Womer Benjamin, Grendell, Coates, Setzer, Cirelli, Perry, Patton, Schaffer  
SENATOR Nein**

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**A BILL**

To amend sections 4121.37, 4121.47, 4121.62, 4123.25, 1  
and 4123.291 and to repeal section 4121.48 of the 2  
Revised Code to make appropriations for the Bureau 3  
of Workers' Compensation for the biennium beginning 4  
July 1, 2001, and ending June 30, 2003, and to 5  
provide authorization and conditions for the 6  
operation of Bureau programs. 7

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 4121.37, 4121.47, 4121.62, 4123.25, 8  
and 4123.291 of the Revised Code be amended to read as follows: 9

**Sec. 4121.37.** The administrator of workers' compensation 10  
having, by virtue of Section 35 of Article II, Ohio Constitution, 11  
the expenditure of the fund therein created for the investigation 12  
and prevention of industrial accidents and diseases, shall, with 13  
the advice and consent of the workers' compensation oversight 14  
commission, in the exercise of the administrator's authority and 15  
in the performance of the administrator's duty, employ a 16  
superintendent and the necessary experts, engineers, 17

investigators, clerks, and stenographers for the efficient 18  
operation of a division of safety and hygiene of the bureau of 19  
workers' compensation, which is hereby created. 20

~~The general assembly hereby declares that in furtherance of 21  
the authority granted to the administrator pursuant to Section 35 22  
of Article II, Ohio Constitution, and to encourage public 23  
employers to operate and maintain safe places of employment for 24  
public employees of this state, the administrator, with the advice 25  
and consent of the oversight commission, may transfer funds, 26  
certified as provided in section 126.07 of the Revised Code, from 27  
the safety and hygiene fund to the occupational safety loan fund 28  
created in section 4121.48 of the Revised Code, for the purposes 29  
of that section. 30~~

The administrator of workers' compensation, with the advice 31  
and consent of the oversight commission, shall pay into the safety 32  
and hygiene fund, which is hereby created in the state treasury, 33  
the portion of the contributions paid by employers, calculated as 34  
though all employers paid premiums based upon payroll, not to 35  
exceed one per cent thereof in any year, as is necessary for the 36  
payment of the salary of the superintendent of the division of 37  
safety and hygiene and the compensation of the other employees of 38  
the division of safety and hygiene, and the expenses of 39  
investigations and researches for the prevention of industrial 40  
accidents and diseases. All investment ~~earning~~ earnings of the 41  
fund shall be credited to the fund. The administrator has the same 42  
powers to invest any of the funds belonging to the fund as are 43  
delegated to the administrator under section 4123.44 of the 44  
Revised Code with respect to the state insurance fund. The 45  
superintendent, under the direction of the administrator, with the 46  
advice and consent of the oversight commission, shall conduct 47  
investigations and researches for the prevention of industrial 48  
accidents and diseases, conduct loss prevention programs and 49

courses for employers, establish and administrate cooperative 50  
programs with employers for the purchase of individual safety 51  
equipment for employees, and print and distribute information as 52  
may be of benefit to employers and employees. The administrator 53  
shall pay from the safety and hygiene fund the salary of the 54  
superintendent of the division of safety and hygiene, the 55  
compensation of the other employees of the division of safety and 56  
hygiene, the expenses necessary or incidental to investigations 57  
and researches for the prevention of industrial accidents and 58  
diseases, and the cost of printing and distributing such 59  
information. 60

The superintendent, under the direction of the administrator, 61  
shall prepare an annual report, addressed to the governor, on the 62  
amount of the expenditures and the purposes for which they have 63  
been made, and the results of the investigations and researches. 64  
The administrator shall include the administrative costs, 65  
salaries, and other expenses of the division of safety and hygiene 66  
as a part of the budget of the bureau of workers' compensation 67  
that is submitted to the director of budget and management and 68  
shall identify those expenditures separately from other bureau 69  
expenditures. 70

The superintendent shall be a competent person with at least 71  
five years' experience in industrial accident or disease 72  
prevention work. The superintendent and up to six positions in the 73  
division of safety and hygiene as the administrator, with the 74  
advice and consent of the oversight commission, designates are in 75  
the unclassified civil service of the state as long as the 76  
administrator, with the advice and consent of the oversight 77  
commission, determines the positions subordinate to the 78  
superintendent are primarily and distinctively administrative, 79  
managerial, or professional in character. All other full-time 80  
employees of the division of safety and hygiene are in the 81

classified civil service of the state.

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**Sec. 4121.47.** (A) No employer shall violate a specific safety rule adopted by the administrator of workers' compensation pursuant to section 4121.13 of the Revised Code or an act of the general assembly to protect the lives, health, and safety of employees pursuant to Section 35 of Article II, Ohio Constitution. Chapter 4167. of the Revised Code and rules and standards adopted thereunder are not the rules or enactment referred to in this division and shall not be considered as such for purposes of this section.

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(B) If a staff hearing officer, in the course of ~~his~~ the staff hearing officer's determination of a claim for an additional award under Section 35 of Article II, Ohio Constitution, finds the employer guilty of violating division (A) of this section, ~~he~~ the staff hearing officer shall, in addition to any award paid to the claimant, issue an order to the employer to correct the violation within the period of time ~~he~~ the staff hearing officer fixes. For any violation occurring within twenty-four months of the last violation, the staff hearing officer shall assess against the employer a civil penalty in an amount ~~he~~ the staff hearing officer determines up to a maximum of fifty thousand dollars for each violation. In fixing the exact penalty, the staff hearing officer shall base ~~his~~ the decision upon the size of the employer as measured by the number of employees, assets, and earnings of the employer.

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(C) An employer dissatisfied with the imposition of a civil penalty pursuant to division (B) of this section may appeal the staff hearing officer's decision, if the commission refuses to hear the appeal under division (E) of section 4123.511 of the Revised Code, or a decision of the commission, if the commission hears the appeal under that division, to a court of common pleas

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pursuant to the Rules of Civil Procedure. An appeal operates to  
stay the payment of the fine pending the appeal.

(D) The administrator shall deposit all penalties collected  
pursuant to this section in the ~~occupational safety loan program~~  
safety and hygiene fund established pursuant to section ~~4121.48~~  
4121.37 of the Revised Code.

**Sec. 4121.62.** (A) The authority granted to the administrator  
of workers' compensation pursuant to sections 4121.61 to 4121.69  
of the Revised Code includes the authority to do all of the  
following:

(1) Contract with any public or private person for the  
rendition of rehabilitation services;

(2) Take actions and utilize money in the state insurance  
fund as necessary to obtain federal funds and assistance in the  
maximum amounts and most advantageous proportions and terms  
possible;

(3) Conduct rehabilitation educational programs for employers  
and employees;

(4) Establish within the bureau of workers' compensation a  
rehabilitation division under the supervision of a director of  
rehabilitation appointed by and responsible to the administrator.

(B) The director of the division established is in the  
unclassified civil service of the state. The appointing authority  
may designate up to three positions at each facility under the  
jurisdiction of the division, and up to six positions in the  
division which are part of the director's immediate staff as being  
in the unclassified service of the state as long as the  
administrator determines that the positions are primarily and  
distinctively administrative, managerial, or professional. All  
other full-time employees of the division are in the classified

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civil service. 143

(C) The administrator shall establish fees for use of 144  
services offered by the division of rehabilitation, including, 145  
without limitation, the expense of providing rehabilitation 146  
services, counseling, and training. The administrator shall adopt 147  
rules, in accordance with Chapter 119. of the Revised Code, which 148  
establish the specific services the division offers and the amount 149  
of the fee for those services, which amount shall be based upon 150  
the actual cost of the division providing the services to the 151  
employer and employee. 152

(D) Nothing in sections 4121.61 to 4121.69 of the Revised 153  
Code shall be interpreted to grant authority to the administrator 154  
to require a claimant to utilize a public provider of 155  
rehabilitation services, counseling, or training. 156

~~(E) There is hereby established in the state treasury the 157  
Camera center fund. The fund shall consist of all fees the 158  
administrator charges persons for the use of the services of the 159  
Camera center and all rent the center receives from its tenants. 160  
The fund shall be used solely to pay for the provision of 161  
rehabilitation services and expenses of the Camera center. All 162  
investment earnings of the fund shall be credited to the fund. 163~~

**Sec. 4123.25.** (A) No employer shall knowingly misrepresent to 164  
the bureau of workers' compensation the amount or classification 165  
of payroll upon which the premium under this chapter is based. 166  
Whoever violates this division shall be liable to the state in an 167  
amount determined by the administrator of workers' compensation 168  
for not more than ten times the amount of the difference in 169  
between the premium paid and the amount the employer should have 170  
paid. The liability to the state under this division ~~shall~~ may be 171  
enforced in a civil action in the name of the state, and all sums 172  
collected under this division shall be paid into the state 173

insurance fund. 174

(B) No self-insuring employer shall knowingly misrepresent 175  
the amount of paid compensation paid by such employer for purposes 176  
of the assessments provided under this chapter and Chapter 4121. 177  
of the Revised Code as required by section 4123.35 of the Revised 178  
Code. Whoever violates this division is liable to the state in an 179  
amount ~~assessed~~ determined by the self-insuring employers 180  
evaluation board pursuant to division (C) of section 4123.352 of 181  
the Revised Code or for an amount the board determines that is not 182  
more than ten times the amount of the difference between the 183  
assessment paid and the amount of the assessment that should have 184  
been paid ~~along with any other penalty as determined by the board.~~ 185  
The liability to the state under this division may be enforced in 186  
a civil action in the name of the state and all sums collected 187  
under this division shall be paid into the self-insurance 188  
assessment fund created pursuant to division (K) of section 189  
4123.35 of the Revised Code. 190

(C) The administrator of workers' compensation, with the 191  
advice and consent of the workers' compensation oversight 192  
commission, shall adopt rules establishing criteria for 193  
determining both of the following: 194

(1) The amount of the penalty assessed against an employer 195  
for a violation of division (A) of this section; 196

(2) Acts or omissions that do not constitute a violation of 197  
division (A) or (B) of this section. 198

**Sec. 4123.291.** (A) An adjudicating committee appointed by the 199  
administrator of workers' compensation to hear any matter 200  
specified in divisions (B)(1) to (6) of this section shall hear 201  
the matter within sixty days of the date on which an employer 202  
files the request, protest, or petition. An employer desiring to 203  
file a request, protest, or petition regarding any matter 204

specified in divisions (B)(1) to (6) of this section shall file 205  
the request, protest, or petition to the adjudicating committee on 206  
or before twenty-four months after the administrator sends notice 207  
of the determination about which the employer is filing the 208  
request, protest, or petition. 209

(B) An employer who is adversely affected by a decision of an 210  
adjudicating committee appointed by the administrator may appeal 211  
the decision of the committee to the administrator or ~~his~~ the 212  
administrator's designee. The employer shall file the appeal in 213  
writing within thirty days after the employer receives the 214  
decision of the adjudicating committee. The administrator or ~~his~~ 215  
the designee shall hear the appeal and hold a hearing, provided 216  
that the decision of the adjudicating committee relates to one of 217  
the following: 218

(1) An employer request for a waiver of a default in the 219  
payment of premiums pursuant to section 4123.37 of the Revised 220  
Code; 221

(2) An employer request for the settlement of liability as a 222  
noncomplying employer under section 4123.75 of the Revised Code; 223

(3) An employer petition objecting to the assessment of a 224  
premium pursuant to section 4123.37 of the Revised Code and the 225  
rules adopted pursuant to that section; 226

(4) An employer request for the abatement of penalties 227  
assessed pursuant to section 4123.32 of the Revised Code and the 228  
rules adopted pursuant to that section; 229

(5) An employer protest relating to an audit finding or a 230  
determination of a manual classification, experience rating, or 231  
transfer or combination of risk experience; 232

(6) Any decision relating to any other risk premium matter 233  
under Chapters 4121., 4123., and 4131. of the Revised Code. 234

**Section 2.** That existing sections 4121.37, 4121.47, 4121.62, 235  
4123.25, and 4123.291 and section 4121.48 of the Revised Code are 236  
hereby repealed. 237

**Section 3.** (A) The Administrator of Workers' Compensation, 238  
with the advice and consent of the Workers' Compensation Oversight 239  
Commission, may adopt rules that identify specified medical 240  
conditions that have a historical record of being allowed whenever 241  
included in a claim. The Administrator shall designate the rules 242  
to be effective only until three years after the effective date of 243  
this section. The Administrator, for a period of three years after 244  
the effective date of this section, may grant immediate allowance 245  
of any medical condition identified in those rules upon the filing 246  
of a claim involving that medical condition and may make immediate 247  
payment of medical bills for any medical condition identified in 248  
those rules that is included in a claim. If an employer contests 249  
the allowance of a claim involving any medical condition 250  
identified in those rules, and the claim is disallowed, payment 251  
for the medical condition included in that claim shall be charged 252  
to and paid from the surplus fund created under section 4123.34 of 253  
the Revised Code. 254

(B) The Administrator shall establish a pilot program to 255  
determine the effectiveness of implementing division (A) of this 256  
section. 257

**Section 4.** The Administrator of Workers' Compensation shall 258  
submit a series of reports to the Workers' Compensation Oversight 259  
Commission, the Office of Budget and Management, the Legislative 260  
Service Commission, and the General Assembly semiannually during 261  
the 2001-2003 biennium, beginning on or before October 1, 2001, 262  
containing information relative to all of the following: 263

(A) The premium cost per worker, which reports the average 264

annual cost a state fund employer pays to provide workers' 265  
compensation coverage for its employees. The premium cost per 266  
worker is calculated by adding together an employer's total 267  
amounts of premiums and assessments paid during a calendar year 268  
and dividing that sum by the employer's average number of workers. 269

(B) The claims cost per worker, which reports the average 270  
annual benefit cost paid for each worker who is employed by a 271  
state fund employer during the preceding twelve months. The claims 272  
cost per worker is calculated by dividing an employer's total 273  
claim expenses paid during the preceding twelve months by the 274  
employer's average number of workers. 275

(C) The administrative cost per claim, which reports the 276  
average annual administrative expense a state fund employer pays 277  
to process a claim. The administrative cost per claim is 278  
calculated by dividing an employer's total amount of 279  
administrative expenses incurred during the preceding twelve 280  
months by the total number of claims the employer processed. 281

(D) The direct loss ratio, which measures the relationship 282  
between an employer's revenues and workers' compensation benefits 283  
paid to an injured worker during the preceding twelve months; 284

(E) The rate of return generated by investments of the Bureau 285  
of Workers' Compensation; 286

(F) The customer service index, which accounts for various 287  
statistical measures reflecting the bureau's customer service 288  
levels; 289

(G) The Health Partnership Program performance index, which 290  
measures the effectiveness of managed care organizations working 291  
for the bureau and reflects the quality of care, customer 292  
satisfaction, and cost of care provided by the managed care 293  
organizations; 294

(H) The rate of injury in the state per 1,000 workers; 295

(I) The average and median number of days the bureau takes to adjudicate an injured worker's medical bill fee;	296
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(J) The return-to-work rate of state fund employers' injured workers who do not receive workers' compensation benefits for at least ninety days following their injury, which reports the number of injured workers who returned to work as a percentage of total injuries;	298
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(K) The average number of days it takes for an employer or injured worker to report an injury to the bureau, which is calculated by taking the average number of days between the date of injury and the date the claim was filed with the bureau;	303
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(L) The percentage of indemnity claims adjudicated by the bureau within fourteen days of the injury.	307
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**Section 5.** All items in this section are appropriated out of any moneys in the state treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2002, and those in the second column are for fiscal year 2003.

BWC BUREAU OF WORKERS' COMPENSATION				314
FND ALI	ALI TITLE	FY 2002	FY 2003	315
Workers' Compensation Fund Group				316
023 855-401	William Green Lease	\$ 17,570,700	\$ 18,174,700	317
Payments to OBA				
023 855-407	Claims, Risk & Medical Management	\$ 133,919,528	\$ 141,539,537	318
023 855-408	Fraud Prevention	\$ 10,698,376	\$ 11,713,797	319
023 855-409	Administrative Services	\$ 117,121,527	\$ 119,884,053	320
023 855-410	Attorney General Payments	\$ 4,078,273	\$ 4,314,644	321
4Y6 855-612	J.L. Camera Center	\$ 500,000	\$ 0	322

		Operating				
822	855-606	Coal Workers' Fund	\$	86,465	\$	91,894
823	855-608	Marine Industry	\$	50,755	\$	53,952
825	855-605	Disabled Workers	\$	668,280	\$	693,764
		Relief Fund				
826	855-609	Safety & Hygiene	\$	18,888,294	\$	20,130,820
		Operating				
		TOTAL WCF Workers' Compensation				327
		Fund Group	\$	303,582,198	\$	316,597,161
		TOTAL ALL BUDGET FUND GROUPS	\$	303,582,198	\$	316,597,161

WILLIAM GREEN LEASE PAYMENTS 330

The foregoing appropriation item 855-401, William Green Lease 331  
 Payments to OBA, shall be used for lease payments to the Ohio 332  
 Building Authority, and these appropriations shall be used to meet 333  
 all payments at the times they are required to be made during the 334  
 period from July 1, 2001, to June 30, 2003, by the Bureau of 335  
 Workers' Compensation to the Ohio Building Authority pursuant to 336  
 leases and agreements made under Chapter 152. of the Revised Code 337  
 and Section 6 of Am. Sub. H.B. 743 of the 118th General Assembly. 338  
 Of the amounts received in Fund 023, appropriation item 855-401, 339  
 up to \$35,745,400 shall be restricted for lease rental payments to 340  
 the Ohio Building Authority. If it is determined that additional 341  
 appropriations are necessary for such purpose, such amounts are 342  
 hereby appropriated. 343

Notwithstanding any other provision of law to the contrary, 344  
 all tenants of the William Green Building not funded by the 345  
 Workers' Compensation Fund (Fund 023) shall pay their fair share 346  
 of the costs of lease payments to the Workers' Compensation Fund 347  
 (Fund 023) by intrastate transfer voucher. 348

WORKERS' COMPENSATION FRAUD UNIT 349

The Workers' Compensation Section Fund (Fund 195) shall 350  
 receive payments from the Bureau of Workers' Compensation at the 351

beginning of each quarter of each fiscal year to fund expenses of 352  
the Workers' Compensation Fraud Unit of the Attorney General's 353  
Office. Of the foregoing appropriation item 855-410, Attorney 354  
General Payments, \$751,694 in fiscal year 2002 and \$773,151 in 355  
fiscal year 2003 shall be used to provide these payments. 356

CAMERA CENTER 357

The Camera Center Fund (Fund 4Y6) created in division (F) of 358  
section 4121.62 of the Revised Code shall receive revenues raised 359  
by the fees the Camera Center charges for its services and rent 360  
paid by tenants of the Center's facilities. The foregoing 361  
appropriation item 855-612, J.L. Camera Center Operating, shall be 362  
used for expenses related to the closing of the center. On January 363  
1, 2002, or as soon thereafter as possible, the Director of Budget 364  
and Management shall transfer the cash balance in the Camera 365  
Center Fund (Fund 4Y6) to the Administrative Fund (Fund 023). The 366  
director shall cancel any existing encumbrances against 367  
appropriation items 855-611, J.L. Camera Center Rent, and 855-612, 368  
J.L. Camera Center Operating, and reestablish them against 369  
appropriation item 855-409, Administrative Services (Fund 023). 370  
These amounts are hereby appropriated. 371

The Bureau of Workers' Compensation shall not consider 372  
appropriations made to the Camera Center Fund (Fund 4Y6) when 373  
establishing administrative cost rates. 374

SAFETY AND HYGIENE 375

Notwithstanding section 4121.37 of the Revised Code, the 376  
Administrator of Workers' Compensation shall transfer moneys from 377  
the State Insurance Fund so that appropriation item 855-609, 378  
Safety and Hygiene Operating, is provided \$18,888,294 in fiscal 379  
year 2002 and \$20,130,820 in fiscal year 2003. 380

OCCUPATIONAL SAFETY LOAN FUND 381

Not later than January 1, 2002, the Administrator of Workers' 382

Compensation shall transfer the cash balance in the Occupational  
Safety Loan Fund established in former section 4121.48 of the  
Revised Code to the Safety and Hygiene Fund (Fund 826) created in  
section 4121.37 of the Revised Code.

BALANCES 387

Notwithstanding any provision of law to the contrary, the  
Director of Budget and Management shall make any transfers of cash  
balances between funds made necessary by the creation of new funds  
or the consolidation of funds as authorized by the General  
Assembly. Within the first five days after the effective date of  
this section, the administering agency head shall certify to the  
director an estimate of the amount of the cash balance to be  
transferred to the receiving fund. The director may transfer the  
estimated amount when needed to make payments. Within thirty days  
after the effective date of this section, the administering agency  
head shall certify the final amount to the director. The director  
shall transfer the difference between any estimated amount  
previously transferred and such certified final amount.

To implement funding changes as described above pertaining to  
prior year encumbrance balances and commensurate appropriation  
authority, in fiscal year 2002 the Director of Budget and  
Management may cancel encumbrances outstanding on June 30, 2001,  
and reestablish such prior year encumbrances or parts of  
encumbrances as needed in fiscal year 2002 in the appropriate fund  
or appropriation item as authorized in this act for the same  
purpose and to the same vendor. As determined by the director, the  
appropriation authority necessary to reestablish such prior year  
encumbrances in fiscal year 2000 in a different fund or  
appropriation item within an agency or between agencies is  
authorized. The director shall reduce each prior year's  
appropriation authority by the amount of the encumbrances canceled  
in their respective funds and appropriation items.

VOCATIONAL REHABILITATION 415

The Bureau of Workers' Compensation and the Rehabilitation 416  
Services Commission shall enter into an interagency agreement for 417  
the provision of vocational rehabilitation services and staff to 418  
mutually eligible clients. The bureau shall provide \$554,033 in 419  
fiscal year 2002 and \$570,654 in fiscal year 2003 from the State 420  
Insurance Fund to fund vocational rehabilitation services and 421  
staff in accordance with the interagency agreement. 422

FUND BALANCE 423

Any unencumbered cash balance in excess of \$45,000,000 in the 424  
Workers' Compensation Fund (Fund 023) on the thirtieth day of June 425  
of each fiscal year shall be used to reduce the administrative 426  
cost rate charged to employers to cover appropriations for Bureau 427  
of Workers' Compensation and Industrial Commission operations. 428

**Section 6.** LAW GENERALLY APPLICABLE TO APPROPRIATIONS 429

Law contained in the main operating appropriations act of the 430  
124th General Assembly that applies generally to the 431  
appropriations made in that act also applies generally to the 432  
appropriations made in this act. 433

**Section 7.** The codified sections of law amended in this act, 434  
and the items of law of which the codified sections of law amended 435  
in this act are composed, are subject to the referendum. 436  
Therefore, under Ohio Constitution, Article II, Section 1c and 437  
section 1.471 of the Revised Code, the codified sections of law 438  
amended by this act, and the items of law of which the codified 439  
sections of law as amended by this act are composed, take effect 440  
on the ninety-first day after this act is filed with the Secretary 441  
of State. If, however, a referendum petition is filed against any 442  
such codified section of law as amended by this act, or against 443  
any item of law of which any such codified section of law as 444

amended by this act is composed, the codified section of law as 445  
amended, or item of law, unless rejected at the referendum, takes 446  
effect at the earliest time permitted by law. 447

**Section 8.** The repeal by this act of a codified section of 448  
law is subject to the referendum. Therefore, under Ohio 449  
Constitution, Article II, Section 1c and section 1.471 of the 450  
Revised Code, the repeal takes effect on the ninety-first day 451  
after this act is filed with the Secretary of State. If, however, 452  
a referendum petition is filed against the repeal, the repeal, 453  
unless rejected at the referendum, takes effect at the earliest 454  
time permitted by law. 455

**Section 9.** Section 4121.62 of the Revised Code, as amended by 456  
this act, is subject to the referendum and takes effect January 1, 457  
2002. 458

This section is subject to the referendum, together with 459  
section 4121.62 of the Revised Code as amended by this act. 460

**Section 10.** The uncodified sections of law enacted in this 461  
act, and the items of law of which the uncodified sections of law 462  
enacted in this act are composed, are not subject to the 463  
referendum. Therefore, under Ohio Constitution, Article II, 464  
Section 1d and section 1.471 of the Revised Code, the uncodified 465  
sections of law enacted in this act, and the items of law of which 466  
the uncodified sections of law enacted in this act are composed, 467  
go into immediate effect when this act becomes law. 468

**Section 11.** If the amendment in this act of a codified 469  
section of law is subject to the referendum, the corresponding 470  
indications in the amending and existing repeal clauses commanding 471  
the amendment also are subject to the referendum, along with the 472

amendment. 473

**Section 12.** An item, other than an amending or repealing 474  
clause, that composes the whole or part of an uncodified section 475  
contained in this act has no effect after June 30, 2003, unless 476  
its context clearly indicates otherwise. 477

**Section 13.** If any item of law that constitutes the whole or 478  
part of a codified or uncodified section of law contained in this 479  
act, or if any application of any item of law that constitutes the 480  
whole or part of a codified or uncodified section of law contained 481  
in this act, is held invalid, the invalidity does not affect other 482  
items of law or applications of items of law that can be given 483  
effect without the invalid item of law or application. To this 484  
end, the items of law of which the codified and uncodified 485  
sections contained in this act are composed, and their 486  
applications, are independent and severable. 487