

As Passed by the House

133rd General Assembly

Regular Session

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Am. H. B. No. 621

Representatives Cross, Wilkin

Cosponsors: Representatives Wiggam, Manchester, Zeltwanger, Vitale, Baldrige, Lipps, Becker, Jordan, Ginter, Abrams, Powell, Stephens, Stein, Ghanbari, Lang, Perales, Holmes, A., McClain, Scherer, Reineke, Hoops, Brinkman, Smith, T., Stoltzfus, Hood, Jones, Plummer, Romanchuk, LaRe, Richardson, Riedel, Merrin, Hambley, Carfagna, Carruthers, Crossman, Cutrona, Edwards, Fraizer, Green, Grendell, Hillyer, Keller, Kick, Koehler, Lanese, Roemer, Seitz, Swearingen

A BILL

To amend sections 3701.352, 3707.48, and 3709.211 1
and to enact sections 3701.353, 3707.481, and 2
3709.212 of the Revised Code to enact The 3
Business Fairness Act. 4

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

Section 1. That sections 3701.352, 3707.48, and 3709.211 5
be amended and sections 3701.353, 3707.481, and 3709.212 of the 6
Revised Code be enacted to read as follows: 7

Sec. 3701.352. ~~No~~Except as otherwise provided in section 8
3701.353 of the Revised Code, no person shall violate any rule 9
the director of health or department of health adopts or any 10
order the director or department of health issues under this 11
chapter to prevent a threat to the public caused by a pandemic, 12
epidemic, or bioterrorism event. 13

Sec. 3701.353. A business that has been required to cease 14
or limit operations by order or rule of the director or 15

department of health, issued under this chapter to prevent a 16
threat to the public caused by a pandemic, epidemic, or 17
bioterrorism event, may continue or resume operations if it 18
complies with any safety precautions that the order or rule 19
requires of businesses that are permitted to continue 20
operations. 21

Sec. 3707.48. ~~No~~ Except as otherwise provided in section 22
3707.481 of the Revised Code, no person shall violate sections 23
3707.01 to 3707.50 or section 3707.53 of the Revised Code, or 24
any order or regulation of the board of health of a city or 25
general health district made in pursuance thereof, obstruct or 26
interfere with the execution of such order, or willfully or 27
illegally omit to obey such order. 28

Sec. 3707.481. A business that has been required to cease 29
or limit operations by order or regulation of the board of 30
health of a city or general health district, issued under this 31
chapter due to epidemic, threatened epidemic, or the unusual 32
prevalence of a dangerous communicable disease, may continue or 33
resume operations if it complies with any safety precautions 34
that the order or regulation requires of businesses that are 35
permitted to continue operations. 36

Sec. 3709.211. ~~When~~ Except as otherwise provided in 37
section 3709.212 of the Revised Code, when an order of the board 38
of health of a city or general health district made pursuant to 39
section 3709.20 or 3709.21 of the Revised Code is not complied 40
with in whole or in part, the board may petition the court of 41
common pleas for injunctive or other appropriate relief 42
requiring all persons to whom such order of the board is 43
directed to comply with such order. The court of the county in 44
which such offense is alleged to be occurring may grant such 45

injunctive or other appropriate relief as the equities of the 46
case require. 47

Sec. 3709.212. A business that has been required to cease 48
or limit operations by order or regulation of the board of 49
health of a city or general health district, issued under this 50
chapter, in the case of an emergency caused by an epidemic of 51
contagious or infectious disease, may continue or resume 52
operations if it complies with any safety precautions that the 53
order or regulation requires of businesses that are permitted to 54
continue operations. 55

Section 2. That existing sections 3701.352, 3707.48, and 56
3709.211 of the Revised Code are hereby repealed. 57

Section 3. This act's amendment of sections 3701.352, 58
3707.48, and 3709.211 of the Revised Code and enactment of 59
sections 3701.353, 3707.481, and 3709.212 of the Revised Code 60
shall be known as "The Business Fairness Act." 61