

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 329

Representative Powell

Cosponsors: Representatives Wiggam, Manchester, Edwards, Holmes, Hall, Merrin, Young, B., Click, Creech, Zeltwanger, Fowler Arthur, Riedel, Schmidt, Gross, Kick, Brinkman, Stoltzfus, LaRe, Carruthers, Cutrona, Grendell, Dean, Plummer, Ferguson, Loychik, Young, T., Baldrige, Pavliga, Jordan

A BILL

To enact section 3770.23 of the Revised Code to 1
prohibit the state from conducting a lottery 2
dependent on an individual's COVID-19 3
vaccination status, to name the act the 4
"Taxpayer Protection Against the Frivolous 5
Vaccine Lottery Act," to make an appropriation, 6
and to declare an emergency. 7

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

Section 1. That section 3770.23 of the Revised Code be 8
enacted to read as follows: 9

Sec. 3770.23. (A) As used in this section: 10

"Administrative department" means a department listed 11
under section 121.02 of the Revised Code. 12

"Administrative department head" means a department head 13
listed under section 121.03 of the Revised Code. 14

"Event" means a contest, competition, drawing, lottery, 15

sweepstakes, raffle, promotion, or random selection, for which 16
the winner is an individual who receives a prize. 17

"State" means the state of Ohio, including a statewide 18
elected officer, administrative department, administrative 19
department head, or state agency. 20

"State agency" means any organized body, office, agency, 21
commission, board, institution, or other entity established by 22
the laws of the state for the exercise of any function of state 23
government. 24

"Statewide elected officer" means the governor, lieutenant 25
governor, secretary of state, auditor of state, attorney 26
general, and treasurer of state. 27

(B) The state shall not conduct an event for which 28
participation, or eligibility to receive a prize, is dependent 29
on an individual's COVID-19 vaccination status. 30

Section 2. ADJUSTMENTS TO FUND EARLY CHILDHOOD MENTAL 31
HEALTH AND SMALL BUSINESS GRANTS 32

Any appropriation from appropriation item 440674, 33
Coronavirus Relief - DOH, that the Department of Health has 34
encumbered or set aside for an event described in section 35
3770.23 of the Revised Code in which a winner receives a prize, 36
shall instead be used for the Early Childhood Mental Health 37
initiative within the Department of Mental Health and Addictions 38
Services and the Small Business Grant Relief Program within the 39
Development Services Agency. The appropriation to appropriation 40
item 440674, Coronavirus Relief - DOH, is hereby reduced in 41
fiscal year 2021 by the amount encumbered or set aside for this 42
purpose. 43

Of the amount encumbered or set aside, fifty per cent is 44

hereby appropriated to appropriation item 336647, Early 45
Childhood Mental Health, in fiscal year 2021. The remaining 46
fifty per cent is hereby appropriated to appropriation item 47
195631, Coronavirus Relief - Small Business Grant, in fiscal 48
year 2021. 49

Section 3. Within the limits set forth in this act, the 50
Director of Budget and Management shall establish accounts 51
indicating the source and amount of funds for each appropriation 52
made in this act, and shall determine the form and manner in 53
which appropriation accounts shall be maintained. Expenditures 54
from operating appropriations contained in this act shall be 55
accounted for as though made in H.B. 166 of the 133rd General 56
Assembly. The operating appropriations made in this act are 57
subject to all provisions of H.B. 166 of the 133rd General 58
Assembly that are generally applicable to such appropriations. 59

Section 4. This act shall be known as the "Taxpayer 60
Protection Against the Frivolous Vaccine Lottery Act." 61

Section 5. This act is hereby declared to be an emergency 62
measure necessary for the immediate preservation of the public 63
peace, health, and safety. The reason for such necessity is to 64
prevent the COVID-19 vaccination lottery from taking place. 65
Therefore, this act shall go into immediate effect. 66