



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 618
135th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 618's Bill Analysis](#)

Version: As Introduced

Primary Sponsor: Rep. Schmidt

Local Impact Statement Procedure Required: No

Jessica Murphy, Senior Budget Analyst

Highlights

- Defining antisemitism for the purpose of investigations and proceedings by state agencies would codify an existing executive order (Executive Order 2022-06D), thus it should have no fiscal effect on most state agencies. However, it may add to the complexity of investigations and, potentially, increase charges filed for the Ohio Civil Rights Commission.
- The bill requires anti-discrimination and anti-bias training for state agency employees to use the International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism as an educational tool to familiarize staff and officials with antisemitism. As a result, some state agencies may experience a one-time administrative cost to modify, as necessary, their existing training programs.

Detailed Analysis

Definition of antisemitism in certain investigations and proceedings

Under the bill, when a state agency reviews, investigates, or decides whether there has been a violation of any relevant policy, law, or regulation prohibiting discriminatory acts the agency must consider the working definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA) on May 26, 2016, to determine whether an alleged act was motivated by discriminatory antisemitic intent. Currently, pursuant to an executive order, all state agencies, departments, boards, and commissions (including all public colleges and universities) must use this definition, or an “appropriate alternative” definition, when taking these actions. Thus, as the bill would codify the executive order, it should have no fiscal effect on most state agencies.

However, according to the Ohio Civil Rights Commission, complying with the bill would add an additional step to their current investigatory process. This step would involve determining whether an act or practice constitutes antisemitism based upon the IHRA definition. Commission representatives stated that the bill could potentially lead to investigations into behaviors that may not necessarily constitute unlawful discrimination under current law. Some behavior under current law may rise meeting the definition of an antisemitic act, but only if other criteria are met. The bill effectively removes the burden of meeting these other criteria first. As a result, the Commission's workload may increase depending on the extent to which investigations increase in complexity and the potential for additional charges of discrimination being filed annually.

The bill also requires a court and any court-appointed authority to apply the same legal standard to a claim alleging discrimination based on antisemitism, as defined by the IHRA, to similar claims of discrimination arising under the Ohio Civil Rights Law. Because the source of the definition is not a state or national body, this could potentially lead to inconsistencies in its interpretation and application in context of criminal prohibition. However, it is unlikely to have a significant impact on most court proceedings.

Anti-discrimination and anti-bias training

The bill requires anti-discrimination and anti-bias training for state agency employees to use the IHRA working definition of antisemitism as an educational tool to familiarize staff and officials with antisemitism. As a result, some state agencies may incur no more than minimal one-time costs to modify their existing training programs.