OHIO

SENATE

JOURNAL

CORRECTED VERSION
WEDNESDAY, MARCH 29, 2023

TWENTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, March 29, 2023, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Brian Solomon, Capitol Ministries in Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the last legislative day was read and approved.

The following guests were recognized by the Senate prior to the commencement of business:

Senator Landis recognized Lucas Lane, a swimmer from Dover High School, as the Division II State Champion in the 100 and 200-yard freestyle.

Senator Gavarone recognized Stacie Anderson as the 2023 American Farm Bureau Excellence in Agriculture Award.

Senator O'Brien recognized the John F. Kennedy High School cheerleading squad from Warren, Ohio as the 2022 Division VI State Spirit Champion.

Senator Blessing recognized the St. John The Baptist Girls Soccer team as the 2022 State Champions.

Senator Antani recognized Centerville Mayor, Brooks Compton, and City Manager, Wayne Davis, with the Centerville City Council on their visit to the Statehouse.

Senator Reynolds recognized former State Senator, Janet Howard, in honor of Women's History Month. She was the first African American Republican woman elected to the Ohio Senate and served District 9 in Hamilton County from 1995-1998.

REPORTS OF REFERENCE AND BILLS FOR SECOND CONSIDERATION

Senator Huffman, M. reports for the standing committee on Rules and Reference, recommending that the following bills, standing in order for second consideration, be referred to committee as recommended:

S. B. No. 93-Senators Reynolds, Hicks-Hudson, et al.

To enact sections 4723.89, 4723.90, 5120.658, and 5164.071 of the Revised Code regarding doula services.

To the Committee on Health.

S. B. No. 94-Senators Brenner, Landis

To amend sections 113.05, 113.11, 113.12, 113.13, 113.40, 113.60, 131.01, 135.01, 135.02, 135.04, 135.05, 135.06, 135.08, 135.10, 135.12, 135.143, 135.15, 135.182, 135.47, 317.13, 317.32, 317.321, 317.36, 1113.13, 1337.04, 2329.02, 3366.05, 3737.945, 4513.61, 4513.62, 4513.63, 4513.64, 4513.66, 4749.01, and 5323.02; to enact sections 113.22 and 5301.234; and to repeal sections 113.07, 144.01, 144.02, 144.03, 144.04, 144.05, 144.06, and 144.07 of the Revised Code to make various changes regarding the Treasurer of State, recorded instruments, powers of attorney, judgment liens, mortgage subrogation, law enforcement towing laws, and state stock banks, and to make an appropriation.

To the Committee on Financial Institutions and Technology.

S. B. No. 95-Senator Reynolds

To amend section 4729.285 and to enact section 4729.554 of the Revised Code to authorize the operation of remote dispensing pharmacies.

To the Committee on Health.

S. B. No. 96-Senators Lang, Wilson

To amend sections 4109.08, 4111.09, 4112.07, 4115.07, 4123.54, 4123.83, and 4167.11 of the Revised Code to allow employers to post certain labor law notices on the internet.

To the Committee on Workforce and Higher Education.

S. B. No. 97-Senator Brenner

To enact section 5534.503 of the Revised Code to designate a portion of State Route 36 in Delaware County as the "Representative Kris Jordan Memorial Highway."

To the Committee on Transportation.

S. B. No. 98-Senator Rulli

To amend sections 1345.02, 1701.07, 1702.06, 1702.59, 1703.041, 1703.15, 1703.29, 1706.09, 1729.11, 1746.04, 1747.03, 1776.07, 1782.04, and 1785.06 and to enact sections 109.543, 111.242, and 111.243 of the Revised Code to address fraudulent business filings, deceptive mailings, reinstatement of canceled business entities, and addresses of statutory agents.

To the Committee on Judiciary.

S. B. No. 99-Senator Ingram, et al.

To amend sections 3313.713, 3314.03, 3326.11, and 3328.24 of the Revised Code to enact Sarah's Law to require public and chartered nonpublic schools to create a seizure action plan for each student with a seizure disorder.

To the Committee on Education.

S. B. No. 100-Senators Manning, Antonio

To enact section 2903.216 of the Revised Code to generally prohibit a person from knowingly installing a tracking device or application on another person's property without the other person's consent or failing to remove or ensure removal of such a device or application from another person's property if the other person gave consent and subsequently revokes it.

To the Committee on Financial Institutions and Technology.

YES - 12: MATT HUFFMAN, NICKIE J. ANTONIO, ANDREW O. BRENNER, HEARCEL F. CRAIG, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, STEPHANIE KUNZE, ROB MCCOLLEY, MICHELE REYNOLDS, TIM SCHAFFER, KENT SMITH

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Said bills were considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Dolan submitted the following report:

The standing committee on Finance, to which was referred **S. B. No. 54-** Senators Reynolds, Sykes, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 11: MATT DOLAN, JERRY C. CIRINO, VERNON SYKES, LOUIS W. BLESSING, III, ANDREW O. BRENNER, HEARCEL F. CRAIG, THERESA GAVARONE, GEORGE F. LANG, NATHAN H. MANNING, BILL REINEKE, MARK ROMANCHUK

NO - 0.

Senator Brenner submitted the following report:

The standing committee on Education, to which was referred **S. B. No. 49-** Senator Reynolds, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Huffman, S., Brenner.

YES - 7: ANDREW O. BRENNER, SANDRA O'BRIEN, CATHERINE D. INGRAM, LOUIS W. BLESSING, III, STEPHEN A. HUFFMAN, MICHELE REYNOLDS, VERNON SYKES

NO - 0.

The question being, "Shall the reports of the committee be accepted?"
The reports of the committee were accepted.

Senator Huffman, M. submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Governor of:

Baldridge, Brian, Adams County, Ohio, as the Director of the Department of Agriculture for a term beginning February 1, 2023, and continuing at the pleasure of the Governor.

Cheney, Keith, Republican, from Lima, Allen County, Ohio, as a Member of the Ohio Casino Control Commission for a term beginning February 24, 2023, ending at the close of business February 21, 2027, replacing June E. Taylor, whose term expired.

Cunningham, Penelope, Republican, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Casino Control Commission for a term beginning February 24, 2023, ending at the close of business February 21, 2027, replacing John S. Steinhauer, whose term expired.

Elaskary, Amr, from Monclova, Lucas County, Ohio, as a Member of the Accountancy Board for a term beginning January 6, 2023, ending at the close of business October 20, 2029, replacing Kenya Y. Watts, whose term expired.

Hankins, Robert, from Canton, Stark County, Ohio, as a Member of the Ohio Arts Council for a term beginning January 6, 2023, ending at the close of business July 1, 2027, replacing Robert James Hankins, whose term expired.

Henry, Clyde, from Orient, Madison County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a term beginning March 10, 2023, ending at the close of business January 14, 2026, replacing Clyde E.

Henry, whose term expired.

Holt, Jon, from Dayton, Montgomery County, Ohio, as a Member of the Ohio Arts Council for a term beginning January 6, 2023, ending at the close of business July 1, 2027, replacing Jon David Holt, whose term expired.

Kramb, Amy, from Dublin, Franklin County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a term beginning March 10, 2023, ending at the close of business January 14, 2026, replacing Amy L. Kramb, whose term expired.

Romick, Mark, from New Matamoras, Monroe County, Ohio, as a Member of the Belmont College Board of Trustees for a term beginning January 6, 2023, ending at the close of business May 12, 2025, replacing Todd Dunlap, whose term expired.

Smitherman, Christopher, Independent, from Cincinnati, Hamilton County, Ohio, as a Member of the Ohio Casino Control Commission for a term beginning February 24, 2023, ending at the close of business February 21, 2026, replacing Jo Ann Davidson, whose term expired.

Stickrath, Thomas, Independent, from Westerville, Franklin County, Ohio, as a Member of the Ohio Casino Control Commission for a term beginning February 24, 2023, ending at the close of business February 21, 2027, replacing McKinley E. Brown, whose term expired.

Uhas-Sauer, Doreen, from Columbus, Franklin County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a term beginning March 10, 2023, ending at the close of business January 14, 2026, replacing Doreen N. Uhas-Sauer, whose term expired.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES – 12: NICKIE J. ANTONIO, ANDREW O. BRENNER, HEARCEL F. CRAIG, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, MATT HUFFMAN, STEPHANIE KUNZE, ROB MCCOLLEY, MICHELE REYNOLDS, TIM SCHAFFER, KENT SMITH

NO – 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	DeMora	Dolan
Gavarone	Hackett	Hoagland	Huffman, S.

Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Smith	Sykes
Wilkin	Wilson		Huffman, M.-31

So the Senate advised and consented to said appointments.

REPORTS OF CONFERENCE COMMITTEES

Senator Kunze submitted the following report:

The committee of conference to which the matters of difference between the two houses were referred on **Sub. H. B. No. 23**, Representative Edwards - et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the Senate with the following amendments:

In line 9 of the title, after "sections" insert "746.01, 746.02, 746.03, 746.04, 746.05, 746.06, 746.07,"

In line 12 of the title, delete "and" and insert ";"

In line 16 of the title, after "Assembly" insert "; and to repeal Section 15149 of the General Code, Section 1 of Am. S.B. 200 of the 98th General Assembly, and Section 3 of H.B. 69 of the 112th General Assembly"

In line 29, after "sections" insert "746.01, 746.02, 746.03, 746.04, 746.05, 746.06, 746.07,"

After line 477, insert:

"**Sec. 746.01.** As used in this chapter:

"Ferguson Act of 1869" means the act titled "An act relating to cities of the first class having a population exceeding one hundred and fifty thousand inhabitants" passed May 4, 1869, (66 O. L. p. 80) pursuant to which the city of Cincinnati established the Cincinnati Southern Railway, as well as acts subsequently amending the act passed May 4, 1869, which included sections 15093 to 15150-20 of the General Code, as subsequently amended by Section 2 of S.B. 200 of the 98th general assembly, Section 1 of H.B. 314 of the 102nd general assembly, Section 1 of S.B. 562 of the 104th general assembly, and Sections 1 and 2 of H.B. 69 of the 112th general assembly.

"Railway" means any railroad built under and governed by the Ferguson Act of 1869, and does not include property, land, right-of-way, or easements which are a part of the railroad line but are no longer necessary for the operation of the railroad, as determined by the railway board of trustees.

"Railway board of trustees" means a board of trustees established by a municipal corporation pursuant to H.B. 69 of the 112th general assembly as

successor to a board of trustees that was established by the Ferguson Act of 1869.

Sec. 746.02. (A)(1) A railway board of trustees may solicit or receive offers for, and sell, all or any portion of a railway in accordance with the provisions of this chapter. The board of trustees may approve and enter into a sale agreement by adopting a resolution that shall include the terms of the proposed sale, and the method that will be used to determine the minimum annual amount to be transmitted to the municipal corporation under section 746.05 of the Revised Code, which may only be amended upon consultation with the fiscal officer of the municipal corporation, and which shall result in an annual amount equal to or greater than the minimum approved by the electors under this section, except as provided in section 746.05 of the Revised Code.

(2) After the railway board of trustees has adopted the resolution described in division (A)(1) of this section, the railway board of trustees may adopt a resolution setting the date of the election in which the question of approval of the sale is to be submitted to the electors of the municipal corporation, along with the applicable ballot language as described in division (D) of this section. The date of the election shall be either the date of the primary or the general election in 2023 or 2024.

The board of trustees shall only sell a railway or portion of a railway upon approval by the electors of the municipal corporation, as described in divisions (B), (C), (D), and (E) of this section.

(B)(1) The railway board of trustees, upon adopting a resolution under division (A)(2) of this section, shall certify the resolution to the legislative authority of the municipal corporation and to the fiscal officer of the municipal corporation. The legislative authority of the municipal corporation, upon receiving a copy of the resolution, shall certify the resolution to the board of elections not less than ninety days before the date of the election specified in the resolution.

(2) The board of elections shall submit the proposed resolution for the approval or rejection of the electors of the municipal corporation at the election specified in the resolution.

(C)(1) The legislative authority of the municipal corporation shall cause a notice of an election under this section to be published in a newspaper of general circulation within the municipal corporation for the two consecutive weeks before the election, or as provided in section 7.16 of the Revised Code.

(2) If the board of elections maintains a web site, the board of elections shall post notice of the election on its web site not later than thirty days before the election.

(3) A notice published under this section shall state the time and place of the election and shall include a description of the railway or portion of the railway to be sold, the name of the proposed purchaser, the purchase price to be paid, including the amount and due date of any installments of the purchase price, the purposes for which the proceeds of the sale may be used, and the initial minimum annual amount payable to the municipal corporation, as described in section 746.05 of the Revised Code.

(D) The ballot for an election under this section shall include the following language, as applicable:

"Shall the _____ (name of railway board of trustees) be authorized to sell _____ (name and description of railway or portion of railway being sold) to an entity, the ultimate parent company of which is _____ (name of ultimate parent company) for a purchase price of _____ (amount proposed for the sale), to be paid in ____ (number of installments) installments during the years _____ (years in which an installment will be paid), with the moneys received to be deposited into a trust fund operated by _____ (railway board of trustees), with _____ (municipal corporation) as the sole beneficiary, the moneys to be annually disbursed to the municipal corporation in an amount no less than _____ (dollar amount) per year, for the purpose of the rehabilitation, modernization, or replacement of existing streets, bridges, municipal buildings, parks and green spaces, site improvements, recreation facilities, improvements for parking purposes, and any other public facilities owned by _____ (municipal corporation), and to pay for the costs of administering the trust fund?

YES ____

NO ____"

(E) If the question is approved by a majority of electors voting on the question, the railway board of trustees may proceed and take all necessary actions to complete the sale on terms consistent with those described in the resolution adopted under division (A) of this section. Notwithstanding any other provisions of the Revised Code, any net proceeds from a sale pursuant to this section shall be deposited into the trust fund established under section 746.03 of the Revised Code.

(F) If the question is not approved by a majority of the electors voting on the question, the railway board of trustees shall not move forward with the sale and may not again submit to the electors a proposal to sell a railway or portion of a railway, unless otherwise authorized by the general assembly.

Sec. 746.03. (A) A railway board of trustees that sells a railway or any portion of a railway under section 746.02 of the Revised Code shall establish a railway proceeds trust fund for the purpose of receiving the net proceeds of the sale. The municipal corporation that owned the railway or portion of the railway before the sale shall be the sole beneficiary of the trust

fund. Any funds in the trust fund shall not be considered part of the unencumbered balance or revenue of the subdivision under section 5705.35 or 5705.36 of the Revised Code.

(B) The railway board of trustees shall manage and administer the railway proceeds trust fund established under division (A) of this section as trustees, in accordance with this chapter and with ordinances passed by the legislative authority of the municipal corporation not in conflict with this chapter.

(C) Notwithstanding section 9.481 of the Revised Code, no individual may be appointed to the railway board of trustees after the effective date of this section unless the individual is a resident of the municipal corporation.

Sec. 746.04. (A) A railway board of trustees that establishes a trust fund under section 746.03 of the Revised Code may invest and reinvest the moneys and assets held in the trust fund, subject to this chapter. The railway board of trustees shall invest and reinvest under the prudent investor standard of care, as described in section 5809.02 of the Revised Code.

(B) The railway board of trustees shall retain at least one independent financial advisor to assist the railway board of trustees in investing the trust fund. The railway board of trustees may retain managers, administrative staff, agents, attorneys, and employees, and engage advisors, as are appropriate and reasonable in relation to the assets of the trust fund, the purposes of the trust, and the skills and knowledge of the members of the railway board of trustees, in order to fulfill the board's duties and responsibilities in administering the trust fund. The railway board of trustees shall provide for payment of these and other reasonable expenses of administering the trust fund from the investment earnings on the trust fund.

(C) The railway board of trustees shall adopt management and investment policies containing objectives and criteria designed to ensure the trust fund is administered efficiently and self-sustaining, and that the money and assets in the trust fund are not diminished while providing the municipal corporation payments pursuant to section 746.05 of the Revised Code. These policies shall address asset allocation targets and ranges, risk factors, asset class benchmarks, eligible investments, time horizons, total return objectives, a strategy for long-term growth of the principal of the trust fund, competitive procurement processes, fees and administrative expenses, and performance evaluation guidelines.

The management and investment policies, and any amendments to those policies, shall be adopted after consultation with the fiscal officer of the municipal corporation.

The railway board of trustees shall make public any management and investment policies it adopts under this section.

(D) The railway board of trustees, following the creation of a trust fund under this chapter, shall report to the fiscal officer of the municipal corporation, each calendar year, the fiscal transactions of the trust fund for the calendar year, the amounts of accumulated moneys and securities, and the most recent balance sheet showing the financial condition of the fund by means of audited financial statements. The reports shall be delivered at such times, and shall be in a form and content, as reasonably requested by the fiscal officer of the municipal corporation.

(E) Except as otherwise provided in this chapter, no member of the railway board of trustees shall have any direct or indirect interest in the gains or profits of any investment made by the railway board of trustees. No member or person connected with the railway board of trustees directly or indirectly, for self or as an agent or partner of others, shall borrow any of the funds or deposits of the railway board of trustees or trust fund, or in any manner use the same except to make such current and necessary payments as are authorized by the railway board of trustees. No member or agent of the railway board of trustees shall become an indorser or surety or become in any manner an obligor for moneys loaned by or borrowed from the railway board of trustees.

(F) The railway board of trustees, and the management and investment of the trust fund, is not subject to Chapter 135., sections 731.56 to 731.59, or any other conflicting provisions of the Revised Code.

Sec. 746.05. (A) Not later than the thirtieth day of September of each year, the railway board of trustees shall certify to the municipal corporation the principal amount remaining in the trust fund, and the amount of funds that the railway board of trustees will disburse to the municipal corporation over the course of the municipal corporation's immediately following fiscal year. During the municipal corporation's immediately following fiscal year, and with such frequency and in such installments as may be determined by the railway board of trustees after consultation with the fiscal officer of the municipal corporation, the railway board of trustees shall transmit to the municipal corporation the certified amount.

(B) The railway board of trustees shall determine the amount transferred pursuant to this section, which, except as provided in division (C) of this section, shall be not less than the amount approved by the electors as provided in section 746.02 of the Revised Code, increased each year in the manner set forth in the methodology approved pursuant to that section. Amounts transferred pursuant to this section shall be paid from investment earnings of the trust fund after payments of expenses incurred under section 746.04 of the Revised Code. If there are not sufficient investment earnings in a year to pay the amount certified pursuant to this section, the railway board of trustees shall remit the remainder of the certified amount to the municipal corporation from the principal amount of the trust fund, except as provided in

division (C) of this section.

(C) If the principal amount in the trust fund, as certified by the railway board of trustees under division (A) of this section, is at an amount seventy-five per cent or less than the principal amount in the trust fund certified by the railway board of trustees in the previous fiscal year under division (A) of this section, the railway board of trustees shall cease making disbursements from the trust fund to the municipal corporation. The railway board of trustees shall resume making disbursements under this section when the railway board of trustees has certified to the municipal corporation, under division (A) of this section, that the principal amount in the trust fund is equal to or greater than the principal amount in the trust fund as certified by the railway board of trustees in the fiscal year before the fiscal year in which disbursements ceased.

Sec. 746.06. (A) As used in this section:

"Debt service" means the principal, interest, and redemption premium payments, and any deposits pertaining thereto, required with respect to bonds.

"Existing infrastructure improvements" means streets, bridges, municipal buildings, parks and green space, site improvements, recreation facilities, improvements for parking purposes, and any other public facilities that are owned by a municipal corporation with a useful life of five or more years. "Existing infrastructure improvements" does not include the construction of new infrastructure improvements.

(B) A municipal corporation that receives disbursements under section 746.05 of the Revised Code shall deposit the moneys received into a fund designated by the fiscal officer of the municipal corporation. The municipal corporation shall spend the funds received solely on the rehabilitation, modernization, or replacement of existing infrastructure improvements. The municipal corporation shall not use the funds received for payment of debt service or for the construction of new infrastructure improvements.

Sec. 746.07. All net earnings and income from the lease of a railway established under the Ferguson Act of 1869 shall be paid into the treasury of the municipal corporation that established the railway, to the credit of the sinking fund or bond retirement fund."

After line 4821, insert:

"Section 610.50. That Section 15149 of the General Code, Section 1 of Am. S.B. 200 of the 98th General Assembly, and Section 3 of H.B. 69 of the 112th General Assembly are hereby repealed.

Section 610.51. Any proceedings pending or in progress on the effective date of sections 746.01, 746.02, 746.03, 746.04, 746.05, 746.06,

and 746.07 of the Revised Code as enacted by this act are deemed to have been taken in conformity with those sections."

In line 8 of the title, delete "5709.48,"; delete "5709.49," and insert "and"; delete ", and"

In line 9 of the title, delete "5709.83"

In line 28, delete ", 5709.48"; delete "5709.49," and insert "and"; delete the last ","

In line 29, delete "and 5709.83"

Delete lines 3642 through 3855

Delete lines 3916 through 3950

In line 3963, delete "and in accordance with the"

Delete line 3964

In line 3965, delete "division (G) of section 5709.48 of the Revised Code"

In line 3990, reinsert "subdivisions"; delete "city, local, or exempted village,"; reinsert "taxing units"

In line 3991, delete "joint vocational school districts"

In line 3992, reinsert "agreements"; delete "arrangements"

Delete lines 4008 through 4062

In line 4068, delete ", 5709.48"; delete "5709.49," and insert "and"

In line 4069, delete ", and 5709.83"

Delete lines 4970 through 4974

In line 2398, delete "accept" and insert "do either of the following after requesting and obtaining the approval of the controlling board:

(1) Accept"

In line 2399, delete "or reject" and insert ";

(2) Reject"

In line 11 of the title, after "5501.521" insert ", 5501.60"

In line 30, after "5501.521" insert ", 5501.60"

After line 2359, insert:

"**Sec. 5501.60.** (A) When the boundaries of two municipal corporations are adjacent, the department of transportation shall ensure that limited access exit and entrance interchanges to an interstate highway located in those municipal corporations are constructed at intervals of at least one interchange every four and one-half miles when the following conditions exist:

(1) The adjacent municipal corporations each have a population of more than thirty-five thousand according to the most recent federal decennial census.

(2) The municipal corporations are located in different counties.

(3) At least one of the municipal corporations is located in a county with a population of more than one million according to the most recent federal decennial census.

(B) The department shall use money appropriated to it for highway purposes to comply with this section."

In line 3 of the title, delete ", 4504.22"

In line 6 of the title, delete ", 5595.01,"

In line 7 of the title, delete "5595.03, 5595.04, 5595.05, 5595.06, 5595.11"

In line 8 of the title, delete ", 5709.481"

In line 10 of the title, after "4999.09," insert "and"

In line 11 of the title, delete ", 5595.041, and 5595.042"

In line 25, delete ", 4504.22"

In line 27, delete ", 5595.01, 5595.03, 5595.04,"

In line 28, delete "5595.05, 5595.06, 5595.11"; delete ", 5709.481"

In line 30, after "4999.09," insert "and"; delete the sixth ","

In line 31, delete "5595.041, and 5595.042"

Delete lines 1530 through 1730

Delete lines 3280 through 3641

Delete lines 3856 through 3915

In line 3961, reinsert "the resolution"

In line 3962, reinsert "creating the transportation financing district"; delete "division (A) of"

In line 3963, delete "section 5595.06 of the Revised Code"

In line 4065, delete ", 4504.22"

In line 4067, delete ", 5595.01, 5595.03,"

In line 4068, delete "5595.04, 5595.05, 5595.06, 5595.11"; delete ", 5709.481"

In line 4234, delete "$2,600,000" and insert "$5,000,000"

In line 2 of the title, delete ", 723.53"

In line 24, delete ", 723.53"

In line 62, delete "by or"; delete "as"

In line 63, delete "applicable,"

In line 85, delete "by or"

In line 94, delete "by or"

Delete lines 385 through 450

After line 450, insert:

"Sec. 723.52. Before letting or making any contract for the construction, reconstruction, widening, resurfacing, or repair of a street or other public way, the director of public service in a city, or the legislative authority in a village, shall make an estimate of the cost of such work using the force account project assessment form developed by the auditor of state under section 117.16 of the Revised Code. In municipal corporations having an engineer, or an officer having a different title but the duties and functions of an engineer, the estimate shall be made by the engineer or other officer. Where the total estimated cost of any such work is ~~thirty~~ seventy thousand dollars or less, the proper officers may proceed by force account.

Where the total estimated cost of any such work exceeds ~~thirty~~ seventy thousand dollars, the proper officers of the municipal corporation shall be required to invite and receive competitive bids for furnishing all the labor, materials, and equipment and doing the work, after newspaper advertisement as provided by law. The officers shall consider and may reject such bids. If the bids are rejected, the officers may order the work done by force account or direct labor. When such bids are received, considered, and rejected, and the work done by force account or direct labor, such work shall be performed in compliance with the plans and specifications upon which the bids were based. It shall be unlawful to divide a street or connecting streets into separate sections for the purpose of defeating this section and section 723.53 of the Revised Code.

On the first day of July of every ~~odd-numbered~~ year beginning in ~~2021~~2024, the threshold amount established in this section shall increase by an amount not to exceed the lesser of ~~three~~ five per cent, or the percentage amount of any increase in the department of transportation's construction cost index as annualized and totaled for the prior ~~two~~ calendar ~~years~~year. The director of transportation shall notify each appropriate engineer or other officer of the increased amount.

"Street," as used in such sections, includes portions of connecting streets on which the same or similar construction, reconstruction, widening, resurfacing, or repair is planned or projected."

Delete lines 451 through 477

Delete lines 3081 through 3171

After line 3171, insert:

"Sec. 5543.19. (A) The county engineer may, when authorized by the board of county commissioners and not required by this section or other law to use competitive bidding, employ such laborers and vehicles, use such county employees and property, lease such implements and tools, and purchase such materials as are necessary in the construction, reconstruction, improvement, maintenance, or repair of roads by force account.

In determining whether construction or reconstruction, including widening and resurfacing, of roads may be undertaken by force account, the county engineer shall first cause to be made an estimate of the cost of such work using the force account project assessment form developed by the auditor of state under section 117.16 of the Revised Code. When the total estimated cost of the work exceeds ~~thirty~~ seventy thousand dollars per mile, the county commissioners shall invite and receive competitive bids for furnishing all the labor, materials, and equipment necessary to complete the work in accordance with sections 307.86 to 307.92 of the Revised Code.

(B) The county engineer may, when authorized by the board of county commissioners and not required by this section or other law to use competitive bidding, employ such laborers and vehicles, use such county employees and property, lease such implements and tools, and purchase such materials as are necessary in the construction, reconstruction, improvement, maintenance, or repair of bridges and culverts by force account.

In determining whether such construction, reconstruction, improvement, maintenance, or repair of bridges or culverts may be undertaken by force account, the county engineer shall first cause to be made an estimate of the cost of such work using the force account project assessment form. When the total estimated cost of the work exceeds ~~one~~ two hundred thirty-three thousand dollars, the board of county commissioners shall invite and receive competitive bids for furnishing all the labor,

materials, and equipment necessary to complete the work, in accordance with sections 307.86 to 307.92 of the Revised Code. The county engineer shall obtain the approval required by section 5543.02 of the Revised Code.

(C) On the first day of July of every ~~odd-numbered~~ year beginning in ~~2021~~2024, the threshold amounts established in this section shall increase by an amount not to exceed the lesser of ~~three~~ five per cent, or the percentage amount of any increase in the department of transportation's construction cost index as annualized and totaled for the prior ~~two~~ calendar ~~years~~year. The director of transportation shall notify each appropriate county engineer of the increased amount.

(D) "Force account," as used in this section means that the county engineer will act as contractor, using labor employed by the engineer using material and equipment either owned by the county or leased or purchased in compliance with sections 307.86 to 307.92 of the Revised Code and excludes subcontracting any part of such work unless done pursuant to sections 307.86 to 307.92 of the Revised Code.

The term "competitive bids" as used in this section requires competition for the whole contract and in regard to its component parts, including labor and materials. Neither plans nor specifications shall be drawn to favor any manufacturer or bidder unless required by the public interest."

Delete lines 3172 through 3259

After line 3259, insert:

"Sec. 5575.01. (A) In the maintenance and repair of roads, the board of township trustees may proceed either by contract or force account, but, unless the exemption specified in division (C) of this section applies, if the board wishes to proceed by force account, it first shall cause the county engineer to complete the force account assessment form developed by the auditor of state under section 117.16 of the Revised Code. Except as otherwise provided in sections 505.08 and 505.101 of the Revised Code, when the board proceeds by contract, the contract shall, if the amount involved exceeds ~~forty-five~~ one hundred five thousand dollars, be let by the board to the lowest responsible bidder after advertisement for bids once, not later than two weeks, prior to the date fixed for the letting of the contract, in a newspaper of general circulation within the township. If the amount involved is ~~forty-five~~ one hundred five thousand dollars or less, a contract may be let without competitive bidding, or the work may be done by force account. Such a contract shall be performed under the supervision of a member of the board or the township road superintendent.

(B) Before undertaking the construction or reconstruction of a township road, the board shall cause to be made by the county engineer an estimate of the cost of the work, which estimate shall include labor, material,

freight, fuel, hauling, use of machinery and equipment, and all other items of cost. If the board finds it in the best interest of the public, it may, in lieu of constructing the road by contract, proceed to construct the road by force account. Except as otherwise provided under sections 505.08 and 505.101 of the Revised Code, where the total estimated cost of the work exceeds ~~fifteen~~ thirty-five thousand dollars per mile, the board shall invite and receive competitive bids for furnishing all the labor, materials, and equipment and doing the work, as provided in section 5575.02 of the Revised Code, and shall consider and reject them before ordering the work done by force account. When such bids are received, considered, and rejected, and the work is done by force account, the work shall be performed in compliance with the plans and specifications upon which the bids were based.

(C) Force account assessment forms are not required under division (A) of this section for road maintenance or repair projects ~~of less than fifteen thousand dollars,~~ or under division (B) of this section for road construction or reconstruction projects of less than ~~five thousand dollars per mile~~one-third of the applicable force account limit.

(D) On the first day of July of every ~~odd-numbered~~ year beginning in ~~2021~~2024, the threshold amounts established in divisions (A) and (B) of this section shall increase by an amount not to exceed the lesser of ~~three~~ five per cent, or the percentage amount of any increase in the department of transportation's construction cost index as annualized and totaled for the prior ~~two~~ calendar ~~years~~year. The director of transportation shall notify each appropriate county engineer of the increased amount.

(E) All force account work under this section shall be done under the direction of a member of the board or the township road superintendent."

In line 4064, delete ", 723.53"

Delete lines 4280 through 4286

In line 3 of the title, after "4504.22" insert ", 4506.01, 4506.11, 4507.01, 4507.061, 4507.13, 4507.52"

In line 9 of the title, after "4505.131" insert ", 4506.072, 4507.021, 4507.063, 4507.511"

In line 25, after "4504.22" insert ", 4506.01, 4506.11, 4507.01, 4507.061, 4507.13, 4507.52"

In line 29, after "4505.131" insert ", 4506.072, 4507.021, 4507.063, 4507.511"

After line 1752, insert:

"Sec. 4506.01. As used in this chapter:

(A) "Alcohol concentration" means the concentration of alcohol in a person's blood, breath, or urine. When expressed as a percentage, it means grams of alcohol per the following:

(1) One hundred milliliters of whole blood, blood serum, or blood plasma;

(2) Two hundred ten liters of breath;

(3) One hundred milliliters of urine.

~~(B)~~(B)(1) "Commercial driver's license" means a license issued in accordance with this chapter that authorizes an individual to drive a commercial motor vehicle. Except as otherwise specifically provided, "commercial driver's license" includes an "enhanced commercial driver's license."

(2) "Enhanced commercial driver's license" means a commercial driver's license issued in accordance with sections 4507.021 and 4506.072 of the Revised Code that denotes citizenship and identity and is approved by the United States secretary of homeland security or other designated federal agency for purposes of entering the United States.

(C) "Commercial driver's license information system" means the information system established pursuant to the requirements of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 3207-171, 49 U.S.C.A. App. 2701.

(D) Except when used in section 4506.25 of the Revised Code, "commercial motor vehicle" means any motor vehicle designed or used to transport persons or property that meets any of the following qualifications:

(1) Any combination of vehicles with a gross vehicle weight or combined gross vehicle weight rating of twenty-six thousand one pounds or more, provided the gross vehicle weight or gross vehicle weight rating of the vehicle or vehicles being towed is in excess of ten thousand pounds;

(2) Any single vehicle with a gross vehicle weight or gross vehicle weight rating of twenty-six thousand one pounds or more;

(3) Any single vehicle or combination of vehicles that is not a class A or class B vehicle, but is designed to transport sixteen or more passengers including the driver;

(4) Any school bus with a gross vehicle weight or gross vehicle weight rating of less than twenty-six thousand one pounds that is designed to transport fewer than sixteen passengers including the driver;

(5) Is transporting hazardous materials for which placarding is required under subpart F of 49 C.F.R. part 172, as amended;

(6) Any single vehicle or combination of vehicles that is designed to be operated and to travel on a public street or highway and is considered by

the federal motor carrier safety administration to be a commercial motor vehicle, including, but not limited to, a motorized crane, a vehicle whose function is to pump cement, a rig for drilling wells, and a portable crane.

(E) "Controlled substance" means all of the following:

(1) Any substance classified as a controlled substance under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 U.S.C.A. 802(6), as amended;

(2) Any substance included in schedules I through V of 21 C.F.R. part 1308, as amended;

(3) Any drug of abuse.

(F) "Conviction" means an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

(G) "Disqualification" means any of the following:

(1) The suspension, revocation, or cancellation of a person's privileges to operate a commercial motor vehicle;

(2) Any withdrawal of a person's privileges to operate a commercial motor vehicle as the result of a violation of state or local law relating to motor vehicle traffic control other than parking, vehicle weight, or vehicle defect violations;

(3) A determination by the federal motor carrier safety administration that a person is not qualified to operate a commercial motor vehicle under 49 C.F.R. 391.

(H) "Domiciled" means having a true, fixed, principal, and permanent residence to which an individual intends to return.

(I) "Downgrade" means any of the following, as applicable:

(1) A change in the commercial driver's license, or commercial driver's license temporary instruction permit, holder's self-certified status as described in division (A)(1) of section 4506.10 of the Revised Code;

(2) A change to a lesser class of vehicle;

(3) Removal of commercial driver's license privileges from the individual's driver's license.

(J) "Drive" means to drive, operate, or be in physical control of a motor vehicle.

(K) "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle or is required to have a commercial driver's license.

(L) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes an individual to drive.

(M) "Drug of abuse" means any controlled substance, dangerous drug as defined in section 4729.01 of the Revised Code, harmful intoxicant as defined in section 2925.01 of the Revised Code, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes.

(N) "Electronic device" includes a cellular telephone, a personal digital assistant, a pager, a computer, and any other device used to input, write, send, receive, or read text.

(O) "Eligible unit of local government" means a village, township, or county that has a population of not more than three thousand persons according to the most recent federal census.

(P) "Employer" means any person, including the federal government, any state, and a political subdivision of any state, that owns or leases a commercial motor vehicle or assigns a person to drive such a motor vehicle.

(Q) "Endorsement" means an authorization on a person's commercial driver's license that is required to permit the person to operate a specified type of commercial motor vehicle.

(R) "Farm truck" means a truck controlled and operated by a farmer for use in the transportation to or from a farm, for a distance of not more than one hundred fifty miles, of products of the farm, including livestock and its products, poultry and its products, floricultural and horticultural products, and in the transportation to the farm, from a distance of not more than one hundred fifty miles, of supplies for the farm, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production, and livestock, poultry, and other animals and things used for breeding, feeding, or other purposes connected with the operation of the farm, when the truck is operated in accordance with this division and is not used in the operations of a motor carrier, as defined in section 4923.01 of the Revised Code.

(S) "Fatality" means the death of a person as the result of a motor vehicle accident occurring not more than three hundred sixty-five days prior to the date of death.

(T) "Felony" means any offense under federal or state law that is punishable by death or specifically classified as a felony under the law of this state, regardless of the penalty that may be imposed.

(U) "Foreign jurisdiction" means any jurisdiction other than a state.

(V) "Gross vehicle weight rating" means the value specified by the manufacturer as the maximum loaded weight of a single or a combination vehicle. The gross vehicle weight rating of a combination vehicle is the gross vehicle weight rating of the power unit plus the gross vehicle weight rating of each towed unit.

(W) "Hazardous materials" means any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73, as amended.

(X) "Imminent hazard" means the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury, or endangerment.

(Y) "Medical variance" means one of the following received by a driver from the federal motor carrier safety administration that allows the driver to be issued a medical certificate:

(1) An exemption letter permitting operation of a commercial motor vehicle under 49 C.F.R. 381, subpart C or 49 C.F.R. 391.64;

(2) A skill performance evaluation certificate permitting operation of a commercial motor vehicle pursuant to 49 C.F.R. 391.49.

(Z) "Mobile telephone" means a mobile communication device that falls under or uses any commercial mobile radio service as defined in 47 C.F.R. 20, except that mobile telephone does not include two-way or citizens band radio services.

(AA) "Motor vehicle" means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power used on highways, except that such term does not include a vehicle, machine, tractor, trailer, or semitrailer operated exclusively on a rail.

(BB) "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, local, Canadian, or Mexican jurisdiction declaring that a driver, commercial motor vehicle, or commercial motor carrier operation is out of service as defined in 49 C.F.R. 390.5.

(CC) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.

(DD) "Portable tank" means a liquid or gaseous packaging designed primarily to be loaded onto or temporarily attached to a vehicle and equipped with skids, mountings, or accessories to facilitate handling of the tank by mechanical means.

(EE) "Public safety vehicle" has the same meaning as in divisions (E)

(1) and (3) of section 4511.01 of the Revised Code.

(FF) "Recreational vehicle" includes every vehicle that is defined as a recreational vehicle in section 4501.01 of the Revised Code and is used exclusively for purposes other than engaging in business for profit.

(GG) "Residence" means any person's residence determined in accordance with standards prescribed in rules adopted by the registrar.

(HH) "School bus" has the same meaning as in section 4511.01 of the Revised Code.

(II) "Serious traffic violation" means any of the following:

(1) A conviction arising from a single charge of operating a commercial motor vehicle in violation of any provision of section 4506.03 of the Revised Code;

(2)(a) Except as provided in division (II)(2)(b) of this section, a violation while operating a commercial motor vehicle of a law of this state, or any municipal ordinance or county or township resolution, or any other substantially similar law of another state or political subdivision of another state prohibiting either of the following:

(i) Texting while driving;

(ii) Using a handheld mobile telephone.

(b) It is not a serious traffic violation if the person was texting or using a handheld mobile telephone to contact law enforcement or other emergency services.

(3) A conviction arising from the operation of any motor vehicle that involves any of the following:

(a) A single charge of any speed in excess of the posted speed limit by fifteen miles per hour or more;

(b) Violation of section 4511.20 or 4511.201 of the Revised Code or any similar ordinance or resolution, or of any similar law of another state or political subdivision of another state;

(c) Violation of a law of this state or an ordinance or resolution relating to traffic control, other than a parking violation, or of any similar law of another state or political subdivision of another state, that results in a fatal accident;

(d) Violation of section 4506.03 of the Revised Code or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license with the proper class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported;

(e) Violation of section 4506.03 of the Revised Code or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license being in the person's possession;

(f) Violation of section 4511.33 or 4511.34 of the Revised Code, or any municipal ordinance or county or township resolution substantially similar to either of those sections, or any substantially similar law of another state or political subdivision of another state;

(g) Violation of any other law of this state, any law of another state, or any ordinance or resolution of a political subdivision of this state or another state that meets both of the following requirements:

(i) It relates to traffic control, other than a parking violation;

(ii) It is determined to be a serious traffic violation by the United States secretary of transportation and is designated by the director as such by rule.

(JJ) "State" means a state of the United States and includes the District of Columbia.

(KK) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks that are either permanently or temporarily attached to the vehicle or its chassis and have an individual rated capacity of more than one hundred nineteen gallons and an aggregate rated capacity of one thousand gallons or more. "Tank vehicle" does not include a commercial motor vehicle transporting an empty storage container tank that is not designed for transportation, has a rated capacity of one thousand gallons or more, and is temporarily attached to a flatbed trailer.

(LL) "Tester" means a person or entity acting pursuant to a valid agreement entered into pursuant to division (B) of section 4506.09 of the Revised Code.

(MM) "Texting" means manually entering alphanumeric text into, or reading text from, an electronic device. Texting includes short message service, e-mail, instant messaging, a command or request to access a world wide web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone, or engaging in any other form of electronic text retrieval or entry, for present or future communication. Texting does not include the following:

(1) Using voice commands to initiate, receive, or terminate a voice communication using a mobile telephone;

(2) Inputting, selecting, or reading information on a global positioning system or navigation system;

(3) Pressing a single button to initiate or terminate a voice communication using a mobile telephone; or

(4) Using, for a purpose that is not otherwise prohibited by law, a device capable of performing multiple functions, such as a fleet management system, a dispatching device, a mobile telephone, a citizens band radio, or a music player.

(NN) "Texting while driving" means texting while operating a commercial motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Texting while driving does not include operating a commercial motor vehicle with or without the motor running when the driver has moved the vehicle to the side of, or off, a highway and is stopped in a location where the vehicle can safely remain stationary.

(OO) "United States" means the fifty states and the District of Columbia.

(PP) "Upgrade" means a change in the class of vehicles, endorsements, or self-certified status as described in division (A)(1) of section 4506.10 of the Revised Code, that expands the ability of a current commercial driver's license holder to operate commercial motor vehicles under this chapter;

(QQ) "Use of a handheld mobile telephone" means:

(1) Using at least one hand to hold a mobile telephone to conduct a voice communication;

(2) Dialing or answering a mobile telephone by pressing more than a single button; or

(3) Reaching for a mobile telephone in a manner that requires a driver to maneuver so that the driver is no longer in a seated driving position, or restrained by a seat belt that is installed in accordance with 49 C.F.R. 393.93 and adjusted in accordance with the vehicle manufacturer's instructions.

(RR) "Vehicle" has the same meaning as in section 4511.01 of the Revised Code.

Sec. 4506.072. (A) Pursuant to the memorandum of understanding agreement authorized by section 4507.021 of the Revised Code between the director of public safety and the United States department of homeland security or other designated federal agency, and in accordance with the rules adopted by the registrar of motor vehicles under that section, the registrar or a deputy registrar shall issue an enhanced commercial driver's license to an eligible applicant. An applicant for an enhanced commercial driver's license shall do all of the following:

(1) Provide satisfactory proof of the applicant's identity and citizenship;

(2) Submit a biometric identifier as required by rule;

(3) Sign a declaration on a form prescribed by the registrar acknowledging the use of the one-to-many biometric match and radio frequency identification or other security features of the license;

(4) Pay a fee of twenty-five dollars, in addition to any other applicable fees in section 4506.08 of the Revised Code for issuance of a commercial driver's license. The fee shall be paid into the state treasury to the credit of the public safety - highway purposes fund created in section 4501.06 of the Revised Code.

(5) Comply with all other conditions, qualifications, and requirements for issuance of a commercial driver's license.

(B) All provisions in the Revised Code relating to a commercial driver's license include and apply to an enhanced commercial driver's license. An enhanced commercial driver's license may be used in the same manner as a commercial driver's license and additionally is approved for purposes of entering the United States at authorized land and sea ports.

Sec. 4506.11. (A) Every commercial driver's license shall be marked "commercial driver's license" or "CDL" and shall be of such material and so designed as to prevent its reproduction or alteration without ready detection. The commercial driver's license for licensees under twenty-one years of age shall have characteristics prescribed by the registrar of motor vehicles distinguishing it from that issued to a licensee who is twenty-one years of age or older. Every commercial driver's license shall display all of the following information:

(1) The name and residence address of the licensee;

(2) A color photograph of the licensee showing the licensee's uncovered face;

(3) A physical description of the licensee, including sex, height, weight, and color of eyes and hair;

(4) The licensee's date of birth;

(5) The licensee's social security number if the person has requested that the number be displayed in accordance with section 4501.31 of the Revised Code or if federal law requires the social security number to be displayed and any number or other identifier the director of public safety considers appropriate and establishes by rules adopted under Chapter 119. of the Revised Code and in compliance with federal law;

(6) The licensee's signature;

(7) The classes of commercial motor vehicles the licensee is authorized to drive and any endorsements or restrictions relating to the licensee's driving of those vehicles;

(8) The name of this state;

(9) The dates of issuance and of expiration of the license;

(10) If the licensee has certified willingness to make an anatomical gift under section 2108.05 of the Revised Code, any symbol chosen by the registrar of motor vehicles to indicate that the licensee has certified that willingness;

(11) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument;

(12) On and after October 7, 2009, if the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States;

(13) If the licensee is a noncitizen of the United States, a notation designating that the licensee is a noncitizen;

(14) Any other information the registrar considers advisable and requires by rule.

(B) Every enhanced commercial driver's license shall have any additional characteristics established by the rules adopted under section 4507.021 of the Revised Code.

(C) The registrar may establish and maintain a file of negatives of photographs taken for the purposes of this section.

~~(C)~~ (D) Neither the registrar nor any deputy registrar shall issue a commercial driver's license to anyone under twenty-one years of age that does not have the characteristics prescribed by the registrar distinguishing it from the commercial driver's license issued to persons who are twenty-one years of age or older.

~~(D)~~ (E) Whoever violates division ~~(C)~~ (D) of this section is guilty of a minor misdemeanor.

Sec. 4507.01. (A) As used in this chapter, "motor vehicle," "motorized bicycle," "state," "owner," "operator," "chauffeur," and "highways" have the same meanings as in section 4501.01 of the Revised Code.

"Driver's license" means a class D license issued to any person to operate a motor vehicle or motor-driven cycle, other than a commercial

motor vehicle, and includes "probationary license," "restricted license," and any operator's or chauffeur's license issued before January 1, 1990. Except as otherwise specifically provided, "driver's license" includes an "enhanced driver's license."

"Enhanced driver's license" means a driver's license issued in accordance with sections 4507.021 and 4507.063 of the Revised Code that denotes citizenship and identity and is approved by the United States secretary of homeland security or other designated federal agency for purposes of entering the United States.

"Probationary license" means the license issued to any person between sixteen and eighteen years of age to operate a motor vehicle.

"Restricted license" means the license issued to any person to operate a motor vehicle subject to conditions or restrictions imposed by the registrar of motor vehicles.

"Commercial driver's license" means the license issued to a person under Chapter 4506. of the Revised Code to operate a commercial motor vehicle.

"Commercial motor vehicle" has the same meaning as in section 4506.01 of the Revised Code.

"Motorcycle operator's temporary instruction permit, license, or endorsement" includes a temporary instruction permit, license, or endorsement for a motor-driven cycle or motor scooter unless otherwise specified.

"Motorized bicycle license" means the license issued under section 4511.521 of the Revised Code to any person to operate a motorized bicycle including a "probationary motorized bicycle license."

"Probationary motorized bicycle license" means the license issued under section 4511.521 of the Revised Code to any person between fourteen and sixteen years of age to operate a motorized bicycle.

"Identification card" means a card issued under sections 4507.50 ~~and 4507.51~~ to 4507.52 of the Revised Code. Except as otherwise specifically provided, "identification card" includes an "enhanced identification card."

"Enhanced identification card" means an identification card issued in accordance with sections 4507.021 and 4507.511 of the Revised Code that denotes citizenship and identity and is approved by the United States secretary of homeland security or other designated federal agency for purposes of entering the United States.

"Resident" means a person who, in accordance with standards prescribed in rules adopted by the registrar, resides in this state on a permanent basis.

"Temporary resident" means a person who, in accordance with standards prescribed in rules adopted by the registrar, resides in this state on a temporary basis.

(B) In the administration of this chapter and Chapter 4506. of the Revised Code, the registrar has the same authority as is conferred on the registrar by section 4501.02 of the Revised Code. Any act of an authorized deputy registrar of motor vehicles under direction of the registrar is deemed the act of the registrar.

To carry out this chapter, the registrar shall appoint such deputy registrars in each county as are necessary.

The registrar also shall provide at each place where an application for a driver's or commercial driver's license or identification card may be made the necessary equipment to take a color photograph of the applicant for such license or card as required under section 4506.11 or 4507.06 of the Revised Code, and to conduct the vision screenings required by section 4507.12 of the Revised Code.

The registrar shall assign one or more deputy registrars to any driver's license examining station operated under the supervision of the director of public safety, whenever the registrar considers such assignment possible. Space shall be provided in the driver's license examining station for any such deputy registrar so assigned. The deputy registrars shall not exercise the powers conferred by such sections upon the registrar, unless they are specifically authorized to exercise such powers by such sections.

(C) No agent for any insurance company, writing automobile insurance, shall be appointed deputy registrar, and any such appointment is void. No deputy registrar shall in any manner solicit any form of automobile insurance, nor in any manner advise, suggest, or influence any licensee or applicant for license for or against any kind or type of automobile insurance, insurance company, or agent, nor have the deputy registrar's office directly connected with the office of any automobile insurance agent, nor impart any information furnished by any applicant for a license or identification card to any person, except the registrar. This division shall not apply to any nonprofit corporation appointed deputy registrar.

(D) The registrar shall immediately remove a deputy registrar who violates the requirements of this chapter.

Sec. 4507.021. (A)(1) The director of public safety shall enter into a memorandum of understanding agreement with the United States department of homeland security or other designated federal agency. The purpose of the agreement is to obtain approval to issue enhanced driver's licenses, enhanced commercial driver's licenses, and enhanced identification cards to Ohio residents for use as proof of identity and citizenship and for purposes of entering the United States at authorized land and sea ports.

(2) In conjunction with the United States department of homeland security or other designated federal agency, the director may enter into an agreement with the United Mexican States, any country within the region of the Caribbean, Canada, or any Canadian province for the purpose of implementing a border-crossing initiative.

(B)(1) Pursuant to an agreement under division (A)(1) of this section, the registrar of motor vehicles, subject to approval by the director, shall adopt rules in accordance with Chapter 119. of the Revised Code governing issuance of an enhanced driver's license, enhanced commercial driver's license, and enhanced identification card.

(2) The rules shall establish all of the following:

(a) Acceptable methods of proving citizenship for an applicant for an enhanced driver's license, enhanced commercial driver's license, or enhanced identification card;

(b) Reasonable security measures to prevent counterfeiting of enhanced licenses and identification cards and to protect against unauthorized disclosure of personal information that is contained in an enhanced license or identification card. The rules may require a one-to-many biometric matching system for identification purposes, use of radio frequency identification technology, or use of other secure technology that is acceptable to the United States department of homeland security and is encrypted or otherwise secure from unauthorized data access.

(c) Any other additional characteristics of an enhanced license or identification card as determined by the registrar.

(C) The registrar may adopt any other rules necessary to administer the issuance of an enhanced driver's license, enhanced commercial driver's license, and enhanced identification card.

Sec. 4507.061. (A) Beginning on and after July 1, 2022, the registrar of motor vehicles may authorize the online renewal of a driver's license or identification card issued by the bureau of motor vehicles for eligible applicants. An applicant is eligible for online renewal if all of the following apply:

(1) The applicant's current driver's license or identification card was processed in person at a deputy registrar office.

(2) The applicant has a photo on file with the bureau of motor vehicles from the applicant's current driver's license or identification card.

(3) The applicant's current driver's license or identification card expires on the birthday of the applicant in the fourth year after the date it was issued.

(4) The applicant is applying for a driver's license or identification card that expires on the birthday of the applicant in the fourth year after the

date it is issued.

(5) The applicant's current driver's license or identification card is unexpired or expired not more than six months prior to the date of the application.

(6) The applicant is a citizen of the United States and a permanent resident of this state.

(7) The applicant is twenty-one years of age or older, but less than sixty-five years of age.

(8) The applicant's current driver's license or driving privileges are not suspended, canceled, revoked, or restricted, and the applicant is not otherwise prohibited by law from obtaining a driver's license or identification card.

(9) The applicant has no changes to the applicant's name or personal information, other than a change of address.

(10) The applicant has no medical restrictions that would require the applicant to apply for a driver's license or identification card in person at a deputy registrar office. The registrar shall determine the medical restrictions that require in person applications.

(B) An applicant may not submit an application online for any of the following:

(1) A temporary instruction permit;

(2) A commercial driver's license or a commercial driver's license temporary instruction permit;

(3) An initial issuance of an Ohio driver's license or identification card;

(4) An initial issuance of a federally compliant driver's license or identification card;

(5) An initial issuance of an enhanced driver's license or enhanced identification card;

(6) An ignition interlock license;

~~(6)~~ (7) A nonrenewable license.

(C) The registrar may require an applicant to provide a digital copy of any identification documents and supporting documents as required by statute or administrative rule to comply with current state and federal requirements.

(D) Except as otherwise provided, an applicant shall comply with all other applicable laws related to the issuance of a driver's license or identification card in order to renew a driver's license or identification card under this section.

(E) The registrar may adopt rules in accordance with Chapter 119. of the Revised Code to implement and administer this section.

Sec. 4507.063. (A) Pursuant to the memorandum of understanding agreement authorized by section 4507.021 of the Revised Code between the director of public safety and the United States department of homeland security or other designated federal agency, and in accordance with the rules adopted by the registrar of motor vehicles under that section, the registrar or a deputy registrar shall issue an enhanced driver's license to an eligible applicant. An applicant for an enhanced driver's license shall do all of the following:

(1) Provide satisfactory proof of the applicant's identity and citizenship;

(2) Submit a biometric identifier as required by rule;

(3) Sign a declaration on a form prescribed by the registrar acknowledging the use of the one-to-many biometric match and radio frequency identification or other security features of the license;

(4) Pay a fee of twenty-five dollars, in addition to any other applicable fees in sections 4507.23 and 4507.24 of the Revised Code for issuance of a driver's license. The fee shall be paid into the state treasury to the credit of the public safety - highway purposes fund created in section 4501.06 of the Revised Code.

(5) Comply with all other conditions, qualifications, and requirements for issuance of a driver's license.

(B) All provisions in the Revised Code relating to a driver's license include and apply to an enhanced driver's license. An enhanced driver's license may be used in the same manner as a driver's license and additionally is approved for purposes of entering the United States at authorized land and sea ports.

Sec. 4507.13. (A)(1) The registrar of motor vehicles shall issue a driver's license to every person licensed as an operator of motor vehicles other than commercial motor vehicles. No person licensed as a commercial motor vehicle driver under Chapter 4506. of the Revised Code need procure a driver's license, but no person shall drive any commercial motor vehicle unless licensed as a commercial motor vehicle driver.

(2) Every driver's license shall display all of the following information:

(a) The distinguishing number assigned to the licensee.;

(b) The licensee's name and date of birth;

(c) The licensee's residence address and county of residence;

(d) A color photograph of the licensee;

(e) A brief description of the licensee for the purpose of identification;

(f) A facsimile of the signature of the licensee as it appears on the application for the license;

(g) A notation, in a manner prescribed by the registrar, indicating any condition described in division (D)(3) of section 4507.08 of the Revised Code to which the licensee is subject;

(h) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument;

(i) If the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States;

(j) If the licensee is a noncitizen of the United States, a notation designating that the licensee is a noncitizen;

(k) Any additional information that the registrar requires by rule.

(3) No license shall display the licensee's social security number unless the licensee specifically requests that the licensee's social security number be displayed on the license. If federal law requires the licensee's social security number to be displayed on the license, the social security number shall be displayed on the license notwithstanding this section.

(4) The driver's license for licensees under twenty-one years of age shall have characteristics prescribed by the registrar distinguishing it from that issued to a licensee who is twenty-one years of age or older, except that a driver's license issued to a person who applies no more than thirty days before the applicant's twenty-first birthday shall have the characteristics of a license issued to a person who is twenty-one years of age or older.

(5) The driver's license issued to a temporary resident shall contain the word "nonrenewable" and shall have any additional characteristics prescribed by the registrar distinguishing it from a license issued to a resident.

(6) Every enhanced driver's license shall have any additional characteristics established by the rules adopted under section 4507.021 of the Revised Code.

(7) Every driver's or commercial driver's license displaying a

motorcycle operator's endorsement and every restricted license to operate a motor vehicle also shall display the designation "novice," if the endorsement or license is issued to a person who is eighteen years of age or older and previously has not been licensed to operate a motorcycle by this state or another jurisdiction recognized by this state. The "novice" designation shall be effective for one year after the date of issuance of the motorcycle operator's endorsement or license.

~~(7)~~ (8) Each license issued under this section shall be of such material and so designed as to prevent its reproduction or alteration without ready detection.

(B) Except in regard to a driver's license issued to a person who applies no more than thirty days before the applicant's twenty-first birthday, neither the registrar nor any deputy registrar shall issue a driver's license to anyone under twenty-one years of age that does not have the characteristics prescribed by the registrar distinguishing it from the driver's license issued to persons who are twenty-one years of age or older.

(C) Whoever violates division (B) of this section is guilty of a minor misdemeanor.

Sec. 4507.511. (A) Pursuant to the memorandum of understanding agreement authorized by section 4507.021 of the Revised Code between the director of public safety and the United States department of homeland security or other designated federal agency, and in accordance with the rules adopted by the registrar of motor vehicles under that section, the registrar or a deputy registrar shall issue an enhanced identification card to an eligible applicant. An applicant for an enhanced identification card shall do all of the following:

(1) Provide satisfactory proof of the applicant's identity and citizenship;

(2) Submit a biometric identifier as required by rule;

(3) Sign a declaration on a form prescribed by the registrar acknowledging the use of the one-to-many biometric match and radio frequency identification or other security features of the card;

(4) Pay a fee of twenty-five dollars, in addition to any other applicable fees in section 4507.50 of the Revised Code for issuance of an identification card. The fee shall be paid into the state treasury to the credit of the public safety - highway purposes fund created in section 4501.06 of the Revised Code.

(5) Comply with all other requirements for issuance of an identification card.

(B) All provisions in the Revised Code relating to an identification card issued under sections 4507.50 to 4507.52 of the Revised Code include

and apply to an enhanced identification card. An enhanced identification card may be used in the same manner as an identification card and additionally is approved for purposes of entering the United States at authorized land and sea ports.

Sec. 4507.52. (A)(1) Each identification card issued by the registrar of motor vehicles or a deputy registrar shall display a distinguishing number assigned to the cardholder, and shall display the following inscription:

"STATE OF OHIO IDENTIFICATION CARD

This card is not valid for the purpose of operating a motor vehicle. It is provided solely for the purpose of establishing the identity of the bearer described on the card, who currently is not licensed to operate a motor vehicle in the state of Ohio."

(2) The identification card shall display substantially the same information as contained in the application and as described in division (A)(1) of section 4507.51 of the Revised Code, including, if the cardholder is a noncitizen of the United States, a notation designating that the cardholder is a noncitizen. The identification card shall not display the cardholder's social security number unless the cardholder specifically requests that the cardholder's social security number be displayed on the card. If federal law requires the cardholder's social security number to be displayed on the identification card, the social security number shall be displayed on the card notwithstanding this section.

(3) The identification card also shall display the color photograph of the cardholder.

(4) If the cardholder has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the cardholder wishes the identification card to indicate that the cardholder has executed either type of instrument, the card also shall display any symbol chosen by the registrar to indicate that the cardholder has executed either type of instrument.

(5) If the cardholder has specified that the cardholder wishes the identification card to indicate that the cardholder is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the cardholder's DD-214 form or an equivalent document, the card also shall display any symbol chosen by the registrar to indicate that the cardholder is a veteran, active duty, or reservist of the armed forces of the United States.

(6) The card shall be designed as to prevent its reproduction or alteration without ready detection.

(7) The identification card for persons under twenty-one years of age shall have characteristics prescribed by the registrar distinguishing it from

that issued to a person who is twenty-one years of age or older, except that an identification card issued to a person who applies no more than thirty days before the applicant's twenty-first birthday shall have the characteristics of an identification card issued to a person who is twenty-one years of age or older.

(8)(a) Except as provided in division (A)(8)(b) of this section, every identification card issued to a resident of this state shall expire, unless canceled or surrendered earlier, on the birthday of the cardholder in the fourth or the eighth year after the date on which it is issued, based on the period of renewal requested by the applicant.

(b) Upon request, the registrar or a deputy registrar shall issue an identification card to a resident of this state who is permanently or irreversibly disabled that shall expire, unless canceled or surrendered earlier, on the birthday of the cardholder in the eighth year after the date on which it is issued. The registrar shall issue a reminder notice to a cardholder, at the last known address of the cardholder, six months before the identification card is scheduled to expire. The registrar shall adopt rules governing the documentation a cardholder shall submit to certify that the cardholder is permanently or irreversibly disabled.

As used in this section, "permanently or irreversibly disabled" means a condition of disability from which there is no present indication of recovery.

(c) Every identification card issued to a temporary resident shall expire in accordance with rules adopted by the registrar and is nonrenewable, but may be replaced with a new identification card upon the applicant's compliance with all applicable requirements.

(9) A cardholder may renew the cardholder's identification card within ninety days prior to the day on which it expires by filing an application and paying the prescribed fee, if required, in accordance with section 4507.50 of the Revised Code.

(10) If a cardholder applies for a driver's or commercial driver's license in this state or another licensing jurisdiction, the cardholder shall surrender the cardholder's identification card to the registrar or any deputy registrar before the license is issued.

(11) Every enhanced identification card shall have any additional characteristics established by the rules adopted under section 4507.021 of the Revised Code.

(B)(1) If a card is lost, destroyed, or mutilated, the person to whom the card was issued may obtain a duplicate by doing both of the following:

(a) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar or a deputy registrar;

(b) Filing an application and presenting documentary evidence under

section 4507.51 of the Revised Code.

(2) A cardholder may apply to obtain a reprint of the cardholder's identification card through electronic means in accordance with section 4507.40 of the Revised Code.

(3) Any person who loses a card and, after obtaining a duplicate or reprint, finds the original, immediately shall surrender the original to the registrar or a deputy registrar.

(4) A cardholder may obtain a replacement identification card that reflects any change of the cardholder's name by furnishing suitable proof of the change to the registrar or a deputy registrar and surrendering the cardholder's existing card.

(5) Except as provided in division (A)(6) or (7) of this section, when a cardholder applies for a duplicate, reprint, or replacement identification card, the cardholder shall pay the following fees:

(a) Two dollars and fifty cents;

(b) A deputy registrar or service fee equal to the amount established under section 4503.038 of the Revised Code.

(6) The following cardholders may apply for a duplicate, reprint, or replacement identification card without payment of any fee prescribed in division (B)(5) of this section:

(a) A disabled veteran who has a service-connected disability rated at one hundred per cent by the veterans' administration;

(b) A resident who is permanently or irreversibly disabled and who is unemployed.

(7) A cardholder who is seventeen years of age or older may apply for a replacement identification card without payment of any fee prescribed in division (B)(5) of this section.

(8) A duplicate, reprint, or replacement identification card expires on the same date as the card it replaces.

(C) The registrar shall cancel any card upon determining that the card was obtained unlawfully, issued in error, or was altered. The registrar also shall cancel any card that is surrendered to the registrar or to a deputy registrar after the holder has obtained a duplicate, reprint, replacement, or driver's or commercial driver's license.

(D)(1) No agent of the state or its political subdivisions shall condition the granting of any benefit, service, right, or privilege upon the possession by any person of an identification card. Nothing in this section shall preclude any publicly operated or franchised transit system from using an identification card for the purpose of granting benefits or services of the system.

(2) No person shall be required to apply for, carry, or possess an identification card.

(E) Except in regard to an identification card issued to a person who applies no more than thirty days before the applicant's twenty-first birthday, neither the registrar nor any deputy registrar shall issue an identification card to a person under twenty-one years of age that does not have the characteristics prescribed by the registrar distinguishing it from the identification card issued to persons who are twenty-one years of age or older.

(F) Whoever violates division (E) of this section is guilty of a minor misdemeanor."

In line 4065, after "4504.22" insert ", 4506.01, 4506.11, 4507.01, 4507.061, 4507.13, 4507.52"

In line 642, strike through the first "," and insert "and"; strike through ", and (4)"

In line 667, strike through "an additional fee of two hundred dollars" and insert "the following additional fee, as applicable,"

In line 668, after "any" insert "hybrid motor vehicle,"

In line 669, after "vehicle" insert ","

In line 670, after "vehicle" insert ":

(a) One hundred dollars for a hybrid motor vehicle;

(b) One hundred fifty dollars for a plug-in hybrid electric motor vehicle;

(c) Two hundred dollars for a battery electric motor vehicle"; strike through "The fee shall be prorated based on the number of months"

Strike through lines 671 through 680

In line 681, strike through "motor vehicle. The" and insert "Each"; after "fee" insert "imposed under this division"

In line 682, strike through "hybrid motor"

In line 683, strike through "the" and insert "each"; strike through "imposed"

In line 684, strike through "by division (C)(4) of this section"

In line 871, strike through the first "," and insert "or"; strike through ", or (4)"

After line 4969, insert:

"Section 803.10. The amendments made by this act to divisions (C)(1), (3), and (4) of section 4503.10 and division (A)(3) of section 4503.103 of the Revised Code apply beginning on January 1, 2024."

In line 9 of the title, delete the second ","

In line 10 of the title, delete "4511.765"

In line 29, delete the second ","

In line 30, delete "4511.765"

Delete lines 1793 through 1815

In line 5 of the title, after "5525.16" insert ", 5531.09, 5531.10"

In line 26, after "5525.16" insert ", 5531.09, 5531.10"

After line 2549, insert:

"Sec. 5531.09. (A) As used in this section and section 5531.10 of the Revised Code:

(1) "Qualified project" means any public or private transportation project as determined by the director of transportation, including, without limitation, planning, environmental impact studies, engineering, construction, reconstruction, resurfacing, restoring, rehabilitation, or replacement of public or private transportation facilities within the state, studying the feasibility thereof, and the acquisition of real or personal property or interests therein; any highway, public transit, aviation, rail, or other transportation project eligible for financing or aid under any federal or state program; and any project involving the maintaining, repairing, improving, or construction of any public or private highway, road, street, parkway, public transit, aviation, or rail project, and any related rights-of-way, bridges, tunnels, railroad-highway crossings, drainage structures, signs, guardrails, or protective structures.

(2) "Small municipal corporation" means a municipal corporation that is determined by the department of transportation to be an eligible small city in accordance with the department's small city program.

(B) The state infrastructure bank shall consist of the highway and transit infrastructure bank fund, the aviation infrastructure bank fund, the rail infrastructure bank fund, and the infrastructure bank obligations fund, which are hereby created as funds of the state treasury, to be administered by the director of transportation and used for the purposes described in division ~~(B)~~ (C) of this section. The highway and transit infrastructure bank fund, the aviation infrastructure bank fund, and the rail infrastructure bank fund shall consist of federal grants and awards or other assistance received by the state and eligible for deposit therein under applicable federal law, payments

received by the department in connection with providing financial assistance for qualifying projects under division ~~(B)~~ (C) of this section, and such other amounts as may be provided by law. The infrastructure bank obligations fund shall consist of such amounts of the proceeds of obligations issued under section 5531.10 of the Revised Code as the director of transportation determines with the advice of the director of budget and management; and such other amounts as may be provided by law. The director of budget and management, upon the request of the director of transportation, may transfer amounts between the funds created in this division, except the infrastructure bank obligations fund. The investment earnings of each fund created by this division shall be credited to such fund.

~~(B)~~ (C) The director of transportation shall use the state infrastructure bank to encourage public and private investment in transportation facilities that contribute to the multi-modal and intermodal transportation capabilities of the state, develop a variety of financing techniques designed to expand the availability of funding resources and to reduce direct state costs, maximize private and local participation in financing projects, and improve the efficiency of the state transportation system by using and developing the particular advantages of each transportation mode to the fullest extent. In furtherance of these purposes, the director shall use the state infrastructure bank to provide financial assistance to public or private entities for qualified projects. Such assistance shall be in the form of loans, loan guarantees, letters of credit, leases, lease-purchase agreements, interest rate subsidies, debt service reserves, and such other forms as the director determines to be appropriate. All fees, charges, rates of interest, payment schedules, security for, and other terms and conditions relating to such assistance shall be determined by the director. Any loan made to a small municipal corporation from the state infrastructure bank shall be a zero interest loan.

~~(C)~~ (D) The director of transportation shall adopt rules establishing guidelines necessary for the implementation and exercise of the authority granted by this section, including rules for receiving, reviewing, evaluating, and selecting projects for which financial assistance may be approved.

~~(D) As used in this section and in section 5531.10 of the Revised Code, "qualified project" means any public or private transportation project as determined by the director of transportation, including, without limitation, planning, environmental impact studies, engineering, construction, reconstruction, resurfacing, restoring, rehabilitation, or replacement of public or private transportation facilities within the state, studying the feasibility thereof, and the acquisition of real or personal property or interests therein; any highway, public transit, aviation, rail, or other transportation project eligible for financing or aid under any federal or state program; and any project involving the maintaining, repairing, improving, or construction of any public or private highway, road, street, parkway, public transit, aviation,~~

~~or rail project, and any related rights-of-way, bridges, tunnels, railroad-highway crossings, drainage structures, signs, guardrails, or protective structures.~~

(E) The general assembly finds that state infrastructure projects, as defined in division (A)(8) of section 5531.10 of the Revised Code, and the state infrastructure bank, will materially contribute to the economic revitalization of areas of the state and result in improving the economic welfare of all the people of the state. Accordingly, it is declared to be the public purpose of the state, through operations under sections 5531.09 and 5531.10 of the Revised Code, and other applicable laws adopted pursuant to Section 13 of Article VIII, Ohio Constitution, and other authority vested in the general assembly, to assist in and facilitate the purposes set forth in division (B) of section 5531.10 of the Revised Code, and to assist and cooperate with any governmental agency in achieving such purposes.

Sec. 5531.10. (A) As used in this chapter:

(1) "Bond proceedings" means the resolution, order, trust agreement, indenture, lease, lease-purchase agreements, and other agreements, amendments and supplements to the foregoing, or any one or more or combination thereof, authorizing or providing for the terms and conditions applicable to, or providing for the security or liquidity of, obligations issued pursuant to this section, and the provisions contained in such obligations.

(2) "Bond service charges" means principal, including mandatory sinking fund requirements for retirement of obligations, and interest, and redemption premium, if any, required to be paid by the state on obligations.

(3) "Bond service fund" means the applicable fund and accounts therein created for and pledged to the payment of bond service charges, which may be, or may be part of, the state infrastructure bank revenue bond service fund created by division (R) of this section including all moneys and investments, and earnings from investments, credited and to be credited thereto.

(4) "Issuing authority" means the treasurer of state, or the officer who by law performs the functions of the treasurer of state.

(5) "Obligations" means bonds, notes, or other evidence of obligation including interest coupons pertaining thereto, issued pursuant to this section.

(6) "Pledged receipts" means moneys accruing to the state from the lease, lease-purchase, sale, or other disposition, or use, of qualified projects, and from the repayment, including interest, of loans made from proceeds received from the sale of obligations; accrued interest received from the sale of obligations; income from the investment of the special funds; any gifts, grants, donations, and pledges, and receipts therefrom, available for the payment of bond service charges; and any amounts in the state infrastructure

bank pledged to the payment of such charges. If the amounts in the state infrastructure bank are insufficient for the payment of such charges, "pledged receipts" also means moneys that are apportioned by the United States secretary of transportation under United States Code, Title XXIII, as amended, or any successor legislation, or under any other federal law relating to aid for highways, and that are to be received as a grant by the state, to the extent the state is not prohibited by state or federal law from using such moneys and the moneys are pledged to the payment of such bond service charges.

(7) "Special funds" or "funds" means, except where the context does not permit, the bond service fund, and any other funds, including reserve funds, created under the bond proceedings, and the state infrastructure bank revenue bond service fund created by division (R) of this section to the extent provided in the bond proceedings, including all moneys and investments, and earnings from investment, credited and to be credited thereto.

(8) "State infrastructure project" means any public transportation project undertaken by the state, including, but not limited to, all components of any such project, as described in division ~~(D)~~ (A)(1) of section 5531.09 of the Revised Code.

(9) "District obligations" means bonds, notes, or other evidence of obligation including interest coupons pertaining thereto, issued to finance a qualified project by a transportation improvement district created pursuant to section 5540.02 of the Revised Code, of which the principal, including mandatory sinking fund requirements for retirement of such obligations, and interest and redemption premium, if any, are payable by the department of transportation.

(B) The issuing authority, after giving written notice to the director of budget and management and upon the certification by the director of transportation to the issuing authority of the amount of moneys or additional moneys needed either for state infrastructure projects or to provide financial assistance for any of the purposes for which the state infrastructure bank may be used under section 5531.09 of the Revised Code, or needed for capitalized interest, funding reserves, and paying costs and expenses incurred in connection with the issuance, carrying, securing, paying, redeeming, or retirement of the obligations or any obligations refunded thereby, including payment of costs and expenses relating to letters of credit, lines of credit, insurance, put agreements, standby purchase agreements, indexing, marketing, remarketing and administrative arrangements, interest swap or hedging agreements, and any other credit enhancement, liquidity, remarketing, renewal, or refunding arrangements, all of which are authorized by this section, shall issue obligations of the state under this section in the required amount. The proceeds of such obligations, except for the portion to be deposited in special funds, including reserve funds, as may be provided in

the bond proceedings, shall as provided in the bond proceedings be credited to the infrastructure bank obligations fund of the state infrastructure bank created by section 5531.09 of the Revised Code and disbursed as provided in the bond proceedings for such obligations. The issuing authority may appoint trustees, paying agents, transfer agents, and authenticating agents, and may retain the services of financial advisors, accounting experts, and attorneys, and retain or contract for the services of marketing, remarketing, indexing, and administrative agents, other consultants, and independent contractors, including printing services, as are necessary in the issuing authority's judgment to carry out this section. The costs of such services are payable from funds of the state infrastructure bank or as otherwise provided in the bond proceedings.

(C) The holders or owners of such obligations shall have no right to have moneys raised by taxation by the state of Ohio obligated or pledged, and moneys so raised shall not be obligated or pledged, for the payment of bond service charges. The right of such holders and owners to the payment of bond service charges is limited to all or that portion of the pledged receipts and those special funds pledged thereto pursuant to the bond proceedings for such obligations in accordance with this section, and each such obligation shall bear on its face a statement to that effect. Moneys received as repayment of loans made by the state infrastructure bank pursuant to section 5531.09 of the Revised Code shall not be considered moneys raised by taxation by the state of Ohio regardless of the source of the moneys.

(D) Obligations shall be authorized by order of the issuing authority and the bond proceedings shall provide for the purpose thereof and the principal amount or amounts, and shall provide for or authorize the manner or agency for determining the principal maturity or maturities, not exceeding twenty-five years from the date of issuance or, with respect to obligations issued to finance a transportation facility pursuant to a public-private agreement, not exceeding forty-five years from the date of issuance, the interest rate or rates or the maximum interest rate, the date of the obligations and the dates of payment of interest thereon, their denomination, and the establishment within or without the state of a place or places of payment of bond service charges. Sections 9.98 to 9.983 of the Revised Code are applicable to obligations issued under this section. The purpose of such obligations may be stated in the bond proceedings in terms describing the general purpose or purposes to be served. The bond proceedings also shall provide, subject to the provisions of any other applicable bond proceedings, for the pledge of all, or such part as the issuing authority may determine, of the pledged receipts and the applicable special fund or funds to the payment of bond service charges, which pledges may be made either prior or subordinate to other expenses, claims, or payments, and may be made to secure the obligations on a parity with obligations theretofore or thereafter

issued, if and to the extent provided in the bond proceedings. The pledged receipts and special funds so pledged and thereafter received by the state immediately are subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledges is valid and binding against all parties having claims of any kind against the state or any governmental agency of the state, irrespective of whether such parties have notice thereof, and shall create a perfected security interest for all purposes of Chapter 1309. of the Revised Code, without the necessity for separation or delivery of funds or for the filing or recording of the bond proceedings by which such pledge is created or any certificate, statement, or other document with respect thereto; and the pledge of such pledged receipts and special funds is effective and the money therefrom and thereof may be applied to the purposes for which pledged without necessity for any act of appropriation. Every pledge, and every covenant and agreement made with respect thereto, made in the bond proceedings may therein be extended to the benefit of the owners and holders of obligations authorized by this section, and to any trustee therefor, for the further security of the payment of the bond service charges.

For purposes of this division, "transportation facility" and "public-private agreement" have the same meanings as in section 5501.70 of the Revised Code.

(E) The bond proceedings may contain additional provisions as to:

(1) The redemption of obligations prior to maturity at the option of the issuing authority at such price or prices and under such terms and conditions as are provided in the bond proceedings;

(2) Other terms of the obligations;

(3) Limitations on the issuance of additional obligations;

(4) The terms of any trust agreement or indenture securing the obligations or under which the same may be issued;

(5) The deposit, investment, and application of special funds, and the safeguarding of moneys on hand or on deposit, without regard to Chapter 131. or 135. of the Revised Code, but subject to any special provisions of this section with respect to particular funds or moneys, provided that any bank or trust company which acts as depository of any moneys in the special funds may furnish such indemnifying bonds or may pledge such securities as required by the issuing authority;

(6) Any or every provision of the bond proceedings being binding upon such officer, board, commission, authority, agency, department, or other person or body as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part of the duty required by such provision;

(7) Any provision that may be made in a trust agreement or indenture;

(8) Any other or additional agreements with the holders of the obligations, or the trustee therefor, relating to the obligations or the security therefor, including the assignment of mortgages or other security relating to financial assistance for qualified projects under section 5531.09 of the Revised Code.

(F) The obligations may have the great seal of the state or a facsimile thereof affixed thereto or printed thereon. The obligations and any coupons pertaining to obligations shall be signed or bear the facsimile signature of the issuing authority. Any obligations or coupons may be executed by the person who, on the date of execution, is the proper issuing authority although on the date of such bonds or coupons such person was not the issuing authority. In case the issuing authority whose signature or a facsimile of whose signature appears on any such obligation or coupon ceases to be the issuing authority before delivery thereof, such signature or facsimile nevertheless is valid and sufficient for all purposes as if the former issuing authority had remained the issuing authority until such delivery; and in case the seal to be affixed to obligations has been changed after a facsimile of the seal has been imprinted on such obligations, such facsimile seal shall continue to be sufficient as to such obligations and obligations issued in substitution or exchange therefor.

(G) All obligations are negotiable instruments and securities under Chapter 1308. of the Revised Code, subject to the provisions of the bond proceedings as to registration. The obligations may be issued in coupon or in registered form, or both, as the issuing authority determines. Provision may be made for the registration of any obligations with coupons attached thereto as to principal alone or as to both principal and interest, their exchange for obligations so registered, and for the conversion or reconversion into obligations with coupons attached thereto of any obligations registered as to both principal and interest, and for reasonable charges for such registration, exchange, conversion, and reconversion.

(H) Obligations may be sold at public sale or at private sale, as determined in the bond proceedings.

(I) Pending preparation of definitive obligations, the issuing authority may issue interim receipts or certificates which shall be exchanged for such definitive obligations.

(J) In the discretion of the issuing authority, obligations may be secured additionally by a trust agreement or indenture between the issuing authority and a corporate trustee which may be any trust company or bank possessing corporate trust powers that has a place of business within or without the state. Any such agreement or indenture may contain the order authorizing the issuance of the obligations, any provisions that may be contained in any bond proceedings, and other provisions which are

customary or appropriate in an agreement or indenture of such type, including, but not limited to:

(1) Maintenance of each pledge, trust agreement, indenture, or other instrument comprising part of the bond proceedings until the state has fully paid the bond service charges on the obligations secured thereby, or provision therefor has been made;

(2) In the event of default in any payments required to be made by the bond proceedings, or any other agreement of the issuing authority made as a part of the contract under which the obligations were issued, enforcement of such payments or agreement by mandamus, the appointment of a receiver, suit in equity, action at law, or any combination of the foregoing;

(3) The rights and remedies of the holders of obligations and of the trustee, and provisions for protecting and enforcing them, including limitations on the rights of individual holders of obligations;

(4) The replacement of any obligations that become mutilated or are destroyed, lost, or stolen;

(5) Such other provisions as the trustee and the issuing authority agree upon, including limitations, conditions, or qualifications relating to any of the foregoing.

(K) Any holder of obligations or a trustee under the bond proceedings, except to the extent that the holder's or trustee's rights are restricted by the bond proceedings, may by any suitable form of legal proceedings, protect and enforce any rights under the laws of this state or granted by such bond proceedings. Such rights include the right to compel the performance of all duties of the issuing authority and the director of transportation required by the bond proceedings or sections 5531.09 and 5531.10 of the Revised Code; to enjoin unlawful activities; and in the event of default with respect to the payment of any bond service charges on any obligations or in the performance of any covenant or agreement on the part of the issuing authority or the director of transportation in the bond proceedings, to apply to a court having jurisdiction of the cause to appoint a receiver to receive and administer the pledged receipts and special funds, other than those in the custody of the treasurer of state, which are pledged to the payment of the bond service charges on such obligations or which are the subject of the covenant or agreement, with full power to pay, and to provide for payment of bond service charges on, such obligations, and with such powers, subject to the direction of the court, as are accorded receivers in general equity cases, excluding any power to pledge additional revenues or receipts or other income or moneys of the state or local governmental entities, or agencies thereof, to the payment of such principal and interest and excluding the power to take possession of, mortgage, or cause the sale or otherwise dispose of any project facilities.

Each duty of the issuing authority and the issuing authority's officers and employees, and of each state or local governmental agency and its officers, members, or employees, undertaken pursuant to the bond proceedings or any loan, loan guarantee, lease, lease-purchase agreement, or other agreement made under authority of section 5531.09 of the Revised Code, and in every agreement by or with the issuing authority, is hereby established as a duty of the issuing authority, and of each such officer, member, or employee having authority to perform such duty, specifically enjoined by the law resulting from an office, trust, or station within the meaning of section 2731.01 of the Revised Code.

The person who is at the time the issuing authority, or the issuing authority's officers or employees, are not liable in their personal capacities on any obligations issued by the issuing authority or any agreements of or with the issuing authority.

(L) The issuing authority may authorize and issue obligations for the refunding, including funding and retirement, and advance refunding with or without payment or redemption prior to maturity, of any obligations previously issued by the issuing authority or district obligations. Such refunding obligations may be issued in amounts sufficient for payment of the principal amount of the prior obligations or district obligations, any redemption premiums thereon, principal maturities of any such obligations or district obligations maturing prior to the redemption of the remaining obligations or district obligations on a parity therewith, interest accrued or to accrue to the maturity dates or dates of redemption of such obligations or district obligations, and any expenses incurred or to be incurred in connection with such issuance and such refunding, funding, and retirement. Subject to the bond proceedings therefor, the portion of proceeds of the sale of refunding obligations issued under this division to be applied to bond service charges on the prior obligations or district obligations shall be credited to an appropriate account held by the trustee for such prior or new obligations or to the appropriate account in the bond service fund for such obligations or district obligations. Obligations authorized under this division shall be deemed to be issued for those purposes for which such prior obligations or district obligations were issued and are subject to the provisions of this section pertaining to other obligations, except as otherwise provided in this section. The last maturity of obligations authorized under this division shall not be later than the latest permitted maturity of the original securities issued for the original purpose.

(M) The authority to issue obligations under this section includes authority to issue obligations in the form of bond anticipation notes and to renew the same from time to time by the issuance of new notes. The holders of such notes or interest coupons pertaining thereto shall have a right to be paid solely from the pledged receipts and special funds that may be pledged

to the payment of the bonds anticipated, or from the proceeds of such bonds or renewal notes, or both, as the issuing authority provides in the order authorizing such notes. Such notes may be additionally secured by covenants of the issuing authority to the effect that the issuing authority and the state will do such or all things necessary for the issuance of such bonds or renewal notes in the appropriate amount, and apply the proceeds thereof to the extent necessary, to make full payment of the principal of and interest on such notes at the time or times contemplated, as provided in such order. For such purpose, the issuing authority may issue bonds or renewal notes in such principal amount and upon such terms as may be necessary to provide funds to pay when required the principal of and interest on such notes, notwithstanding any limitations prescribed by or for purposes of this section. Subject to this division, all provisions for and references to obligations in this section are applicable to notes authorized under this division.

The issuing authority in the bond proceedings authorizing the issuance of bond anticipation notes shall set forth for such bonds an estimated interest rate and a schedule of principal payments for such bonds and the annual maturity dates thereof.

(N) Obligations issued under this section are lawful investments for banks, societies for savings, savings and loan associations, deposit guarantee associations, trust companies, trustees, fiduciaries, insurance companies, including domestic for life and domestic not for life, trustees or other officers having charge of sinking and bond retirement or other special funds of political subdivisions and taxing districts of this state, the commissioners of the sinking fund of the state, the administrator of workers' compensation, the state teachers retirement system, the public employees retirement system, the school employees retirement system, and the Ohio police and fire pension fund, notwithstanding any other provisions of the Revised Code or rules adopted pursuant thereto by any agency of the state with respect to investments by them, and are also acceptable as security for the deposit of public moneys.

(O) Unless otherwise provided in any applicable bond proceedings, moneys to the credit of or in the special funds established by or pursuant to this section may be invested by or on behalf of the issuing authority only in notes, bonds, or other obligations of the United States, or of any agency or instrumentality of the United States, obligations guaranteed as to principal and interest by the United States, obligations of this state or any political subdivision of this state, and certificates of deposit of any national bank located in this state and any bank, as defined in section 1101.01 of the Revised Code, subject to inspection by the superintendent of financial institutions. If the law or the instrument creating a trust pursuant to division (J) of this section expressly permits investment in direct obligations of the United States or an agency of the United States, unless expressly prohibited

by the instrument, such moneys also may be invested in no-front-end-load money market mutual funds consisting exclusively of obligations of the United States or an agency of the United States and in repurchase agreements, including those issued by the fiduciary itself, secured by obligations of the United States or an agency of the United States; and in collective investment funds as defined in division (A) of section 1111.01 of the Revised Code and consisting exclusively of any such securities. The income from such investments shall be credited to such funds as the issuing authority determines, and such investments may be sold at such times as the issuing authority determines or authorizes.

(P) Provision may be made in the applicable bond proceedings for the establishment of separate accounts in the bond service fund and for the application of such accounts only to the specified bond service charges on obligations pertinent to such accounts and bond service fund and for other accounts therein within the general purposes of such fund. Unless otherwise provided in any applicable bond proceedings, moneys to the credit of or in the several special funds established pursuant to this section shall be disbursed on the order of the treasurer of state, provided that no such order is required for the payment from the bond service fund when due of bond service charges on obligations.

(Q)(1) The issuing authority may pledge all, or such portion as the issuing authority determines, of the pledged receipts to the payment of bond service charges on obligations issued under this section, and for the establishment and maintenance of any reserves, as provided in the bond proceedings, and make other provisions therein with respect to pledged receipts as authorized by this chapter, which provisions are controlling notwithstanding any other provisions of law pertaining thereto.

(2) An action taken under division (Q)(2) of this section does not limit the generality of division (Q)(1) of this section, and is subject to division (C) of this section and, if and to the extent otherwise applicable, Section 13 of Article VIII, Ohio Constitution. The bond proceedings may contain a covenant that, in the event the pledged receipts primarily pledged and required to be used for the payment of bond service charges on obligations issued under this section, and for the establishment and maintenance of any reserves, as provided in the bond proceedings, are insufficient to make any such payment in full when due, or to maintain any such reserve, the director of transportation shall so notify the governor, and shall determine to what extent, if any, the payment may be made or moneys may be restored to the reserves from lawfully available moneys previously appropriated for that purpose to the department of transportation. The covenant also may provide that if the payments are not made or the moneys are not immediately and fully restored to the reserves from such moneys, the director shall promptly submit to the governor and to the director of budget

and management a written request for either or both of the following:

(a) That the next biennial budget submitted by the governor to the general assembly include an amount to be appropriated from lawfully available moneys to the department for the purpose of and sufficient for the payment in full of bond service charges previously due and for the full replenishment of the reserves;

(b) That the general assembly be requested to increase appropriations from lawfully available moneys for the department in the current biennium sufficient for the purpose of and for the payment in full of bond service charges previously due and to come due in the biennium and for the full replenishment of the reserves.

The director of transportation shall include with such requests a recommendation that the payment of the bond service charges and the replenishment of the reserves be made in the interest of maximizing the benefits of the state infrastructure bank. Any such covenant shall not obligate or purport to obligate the state to pay the bond service charges on such bonds or notes or to deposit moneys in a reserve established for such payments other than from moneys that may be lawfully available and appropriated for that purpose during the then-current biennium.

(R) There is hereby created the state infrastructure bank revenue bond service fund, which shall be in the custody of the treasurer of state but shall not be a part of the state treasury. All moneys received by or on account of the issuing authority or state agencies and required by the applicable bond proceedings, consistent with this section, to be deposited, transferred, or credited to the bond service fund, and all other moneys transferred or allocated to or received for the purposes of the fund, shall be deposited and credited to such fund and to any separate accounts therein, subject to applicable provisions of the bond proceedings, but without necessity for any act of appropriation. The state infrastructure bank revenue bond service fund is a trust fund and is hereby pledged to the payment of bond service charges to the extent provided in the applicable bond proceedings, and payment thereof from such fund shall be made or provided for by the treasurer of state in accordance with such bond proceedings without necessity for any act of appropriation.

(S) The obligations issued pursuant to this section, the transfer thereof, and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation within this state."

In line 4066, after "5525.16" insert ", 5531.09, 5531.10"

Managers on the Part of the House of Representatives	Managers on the Part of the Senate

/S/ JAY EDWARDS JAY EDWARDS	/S/ STEPHANIE KUNZE STEPHANIE KUNZE
/S/ JAY EDWARDS JAY EDWARDS	/S/ ROB MCCOLLEY ROB MCCOLLEY
/S/ THOMAS F. PATTON THOMAS F. PATTON	/S/ NICKIE J. ANTONIO NICKIE J. ANTONIO

Senator McColley moved that pursuant to Senate Rule No. 44, the report of the committee of conference on **Sub. H. B. No. 23**, Representative Edwards - et al., be brought up for consideration.

The question being, "Shall the report of the committee of conference be agreed to?"

The yeas and nays were taken and resulted – yeas 30, nays 1, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	DeMora	Dolan
Gavarone	Hackett	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Rulli
Schaffer	Smith	Sykes	Wilkin
Wilson			Huffman, M.-30

Senator Romanchuk voted in the negative-1.

So the report of committee of conference was agreed to.

BILLS FOR THIRD CONSIDERATION

Am. Sub. H. B. No. 52-Representatives Fowler Arthur, John. Cosponsors: Representatives Brennan, Miller, A., Hall, Gross, Ferguson, Schmidt, Holmes, Jones, Manchester, Mathews, Young, B., Lear, King, Plummer, Stein, Creech, McClain, Click, Williams, Stewart, Kick, Forhan, Thomas, C., Abdullahi, Baker, Barhorst, Bird, Blackshear, Brent, Brewer, Brown, Carruthers, Claggett, Cross, Cutrona, Dell'Aquila, Demetriou, Dobos, Edwards, Galonski, Ghanbari, Grim, Hillyer, Hoops, Humphrey, Isaacsohn, Jarrells, Johnson, Klopfenstein, Loychik, McNally, Miller, K., Miller, M., Mohamed, Pavliga, Peterson, Robb Blasdel, Santucci, Somani, Thomas, J., Weinstein, White, Wiggam, Willis.

To amend sections 4765.10, 4765.11, 4765.15, 4765.16, 4765.17, 4765.18, 4765.22, 4765.23, 4765.24, 4765.29, 4765.30, 4765.31, 4765.49, and 4765.50 of the Revised Code to restore law related to emergency medical services training and continuing education programs, to amend the versions of sections 4765.10, 4765.11, and 4765.30 of the Revised Code that are scheduled to take

effect on December 29, 2023, to continue the changes on and after that date, and to declare an emergency, was considered the third time.

The question being, “Shall the section, Section 8, setting forth the emergency features of the bill, stand as a part of the bill?”

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	DeMora	Dolan
Gavarone	Hackett	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Smith	Sykes
Wilkin	Wilson		Huffman, M.-31

So the section, Section 8, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	DeMora	Dolan
Gavarone	Hackett	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Smith	Sykes
Wilkin	Wilson		Huffman, M.-31

So the bill having received the required constitutional majority passed as an emergency measure.

The title was amended as follows:

Add the names: "Blessing, Brenner, Cirino, Craig, DeMora, Gavarone, Hackett, Hoagland, Huffman, S., Ingram, Johnson, Kunze, Landis, McColley, Reineke, Reynolds, Roegner, Rulli, Schaffer, Wilson."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

S. B. No. 41-Senator Roegner.

To amend sections 3781.19 and 3781.20 and to enact section 3781.21 of the Revised Code to make changes to the law relating to building inspections, was considered the third time.

The question being, "Shall the bill, **S. B. No. 41**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	DeMora	Dolan
Gavarone	Hackett	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Smith	Sykes
Wilkin	Wilson		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Senators Brenner, Cirino, Dolan, Gavarone, Hackett, Hoagland, Landis, Lang, Reineke, Romanchuk, Rulli, Schaffer, Wilkin, Wilson."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

S. B. No. 42-Senators Johnson, Huffman, S.
Cosponsors: Senators Hoagland, DeMora, Wilson, Craig, Hackett, Roegner.

To enact section 5.022 of the Revised Code to adopt the 1905 Wright Flyer III as the state airplane, was considered the third time.

The question being, "Shall the bill, **S. B. No. 42**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	DeMora	Dolan
Gavarone	Hackett	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Smith	Sykes
Wilkin	Wilson		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Blessing, Brenner, Cirino, Dolan, Gavarone, Ingram, Kunze, Landis, Lang, Manning, O'Brien, Reineke, Reynolds, Romanchuk, Rulli, Schaffer, Smith, Wilkin."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

S. B. No. 43-Senator Brenner.
Cosponsors: Senators Cirino, Romanchuk, Hoagland, Lang, Craig.

To amend sections 323.151, 323.152, 323.153, 4503.064, 4503.065, and 4503.066 of the Revised Code to modify the homestead exemption for the

surviving spouse of a disabled veteran, was considered the third time.

The question being, "Shall the bill, **S. B. No. 43**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	DeMora	Dolan
Gavarone	Hackett	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Smith	Sykes
Wilkin	Wilson		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Blessing, Dolan, Gavarone, Hackett, Huffman, S., Ingram, Johnson, Kunze, Landis, Manning, O'Brien, Reineke, Reynolds, Schaffer, Smith, Sykes, Wilkin, Wilson."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

S. B. No. 54-Senators Reynolds, Sykes.
Cosponsors: Senators Hicks-Hudson, Brenner, Antonio, Craig, Smith, Romanchuk, Ingram, DeMora, Reineke.

To enact section 4112.33 of the Revised Code to establish the New African Immigrants Grant and Gift Fund in the state treasury, was considered the third time.

The question being, "Shall the bill, **S. B. No. 54**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	DeMora	Dolan
Gavarone	Hackett	Hoagland	Huffman, S.
Ingram	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Smith	Sykes
Wilkin	Wilson		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Blessing, Cirino, Dolan, Gavarone, Hackett, Johnson, Kunze, Landis, Lang, Roegner, Rulli, Schaffer, Wilson."

The question being, “Shall the motion be agreed to?”

The motion was agreed to and the title so amended.

MOTIONS

Senator Gavarone moved that Senators absent the week of Sunday, March 26, 2023, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered for the first time:

S. B. No. 101 - Senators Antonio, Huffman, S.
Cosponsors: Senators Craig, DeMora, Hicks-Hudson, Ingram, Smith, Sykes, Lang, Reynolds, Blessing, Roegner.

To amend sections 9.07, 120.03, 120.041, 120.06, 120.14, 120.16, 120.18, 120.24, 120.26, 120.28, 120.33, 120.34, 149.43, 149.436, 1901.183, 2152.13, 2152.67, 2301.20, 2307.60, 2317.02, 2701.07, 2743.51, 2901.02, 2909.24, 2929.02, 2929.13, 2929.14, 2929.61, 2930.19, 2937.222, 2941.021, 2941.14, 2941.148, 2941.401, 2941.43, 2941.51, 2945.06, 2945.10, 2945.13, 2945.21, 2945.25, 2945.33, 2945.38, 2949.02, 2949.03, 2953.02, 2953.07, 2953.08, 2953.09, 2953.10, 2953.21, 2953.23, 2953.71, 2953.72, 2953.73, 2953.81, 2967.05, 2967.12, 2967.13, 2967.193, 2967.194, 2971.03, 2971.07, 5120.113, 5120.53, 5120.61, 5139.04, and 5919.16 and to repeal sections 109.97, 120.35, 2725.19, 2929.021, 2929.022, 2929.023, 2929.024, 2929.025, 2929.03, 2929.04, 2929.05, 2929.06, 2945.20, 2947.08, 2949.21, 2949.22, 2949.221, 2949.222, 2949.24, 2949.25, 2949.26, 2949.27, 2949.28, 2949.29, 2949.31, and 2967.08 of the Revised Code to abolish the death penalty and to modify the number of jurors that may be challenged in cases where a defendant may be sentenced to life imprisonment.

S. B. No. 102 - Senator Wilkin.

To amend sections 4903.083, 4905.491, 4909.04, 4909.05, 4909.052, 4909.06, 4909.15, 4909.156, 4909.18, 4909.19, 4909.42, 4909.43, 4928.01, 4928.08, 4928.14, 4928.141, 4928.144, 4928.148, 4928.17, 4928.20, 4928.23, 4928.231, 4928.232, 4928.54, 4928.542, 4928.64, 4929.161, 4929.163, and 4929.20; to enact new sections 4928.142 and 4928.143 and sections 4903.101, 4905.131, 4905.321, 4905.331, 4909.041, 4909.042, 4909.173, 4909.174, 4909.175, 4909.177, 4909.178, 4909.181, 4909.46, 4928.101, 4928.102, 4928.147, 4928.149, 4928.1410, 4928.171, and 4929.221; and to repeal sections 4928.142, 4928.143, 4928.581, 4928.582, and 4928.583 of the Revised Code regarding public utilities and competitive retail electric and natural gas services.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 55, the following resolutions were offered:

S. R. No. 81 - Senator Hackett.
Honoring the Beavercreek High School boys bowling team on placing first at the 2023 Division I State Championship.

S. R. No. 82 - Senator Lang.
Cosponsors: Senators Blessing, Wilson.
Honoring Taylor Bacher as the 2023 Division II State Swimming Champion in the 200-yard freestyle.

S. R. No. 83 - Senator Lang.
Cosponsors: Senators Blessing, Wilson.
Honoring Logan Ottke as a 2023 Division II State Swimming Champion.

S. R. No. 84 - Senator Lang.
Cosponsors: Senators Wilson, Blessing.
Honoring Julia Shafer as a 2023 Division II State Swimming Champion.

The question being, "Shall the resolutions listed under the President's prerogative be adopted?"
So the resolutions were adopted.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rules No. 19 and 20, the President of the Senate appoints Senator Roegner to the Senate General Government Committee as a temporary replacement for Senator Schuring for the purposes of the committee's meeting on Wednesday, March 29, 2023.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has agreed to the report of the committee of conference on matters of difference between the two houses on:

Sub. H. B. No. 23-Representative Edwards – et al.

Attest: Bradley J. Young,
Clerk.

On the motion of Senator McColley, the Senate adjourned until Thursday, March 30, 2023 at 11:00 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.