

OHIO

SENATE

JOURNAL

FRIDAY, JUNE 30, 2023

SIXTY-SECOND DAY
Senate Chamber, Columbus, Ohio
Friday, June 30, 2023, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

Prayer was offered by Senator Hearcel F. Craig, followed by the Pledge of Allegiance to the Flag.

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

The following guest was recognized by the Senate prior to the commencement of business:

Senator Rulli recognized Senior Legislative Aide, Gabe Gary, on his outstanding service to the Ohio Senate.

Senator Landis recognized Senior Legislative Aide, Isaac Paine, on his outstanding service to the Ohio Senate.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Hackett submitted the following report:

The standing committee on Insurance, to which was referred **Am. H. B. No. 31**-Representative Edwards, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

In line 7 of the title, delete "Department's" and insert "Bureau's"; delete "and"

In line 8 of the title, after "Law" insert ", and to enact a three-day interim budget"

After line 411, insert:

"Section 300.10. (A) There is hereby appropriated for the period July 1, 2023, through July 3, 2023, to each agency, board, commission, department, office, authority, or other organization for which an operating appropriation was made in, or accounted for as though made in, H.B. 110 of the 134th General Assembly, including the legislative and judicial branches and their respective agencies, out of money in the state treasury to the credit of the respective funds of the state from which appropriations were made for the 2023 fiscal year, for each specific item for which an appropriation was made by the 134th General Assembly, taking into account any Controlling Board actions, an amount equal to the following:

(1) One hundred per cent of three three hundred sixty-fifths of each

item's expenditure levels for the 2023 fiscal year.

(2) Amounts necessary to reappropriate the unexpended balance of operating appropriation or reappropriation that a state agency lawfully encumbered prior to the close of fiscal year 2023.

(3) Amounts necessary to support mission critical expenditures through July 3, 2023, that are not otherwise authorized in this section.

(B) There is also hereby appropriated amounts necessary to pay any debt service and financing costs on general obligation bonds and notes, lease rental payments pursuant to lease agreements on bonds and notes, or other obligations of the state issued under the Ohio Constitution and acts of the General Assembly scheduled for payment during that period.

(C) The Director of Budget and Management shall make any determinations necessary to decide to effectuate this section. Any expenditures authorized by the Director of Budget and Management under this section are hereby appropriated. The Director of Budget and Management may transfer cash between funds from which cash was transferred for this purpose.

(D) All appropriations contained in this section shall be encompassed within the subsequent main operating appropriation act of the 135th General Assembly, and the Director of Budget and Management shall account for expenditures from appropriations contained in this section accordingly."

In line 427, after "200.20," insert "300.10,"

YES - 12: BOB D. HACKETT, GEORGE F. LANG, HEARCEL F. CRAIG, LOUIS W. BLESSING, III, WILLIAM P. DEMORA, FRANK HOAGLAND, STEPHEN A. HUFFMAN, CATHERINE D. INGRAM, STEPHANIE KUNZE, NATHAN H. MANNING, TIM SCHAFFER, STEVE WILSON

NO - 0.

Senator Hackett submitted the following report:

The standing committee on Insurance, to which was referred **H. B. No. 32-** Representative Edwards, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 12: BOB D. HACKETT, GEORGE F. LANG, HEARCEL F. CRAIG, LOUIS W. BLESSING, III, WILLIAM P. DEMORA, FRANK HOAGLAND, STEPHEN A. HUFFMAN, CATHERINE D. INGRAM, STEPHANIE

KUNZE, NATHAN H. MANNING, TIM SCHAFFER,
STEVE WILSON

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:

Hottinger, Cheri, Republican, from Newark, Licking County, Ohio, as a Member of the Industrial Commission of Ohio for a term beginning July 1, 2023, ending at the close of business June 30, 2029, replacing Karen L. Gillmor, whose term expired.

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

YES – 13: MATT HUFFMAN, NICKIE J. ANTONIO, ANDREW O. BRENNER, HEARCEL F. CRAIG, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, PAULA HICKS-HUDSON, STEPHANIE KUNZE, ROB MCCOLLEY, MICHELE REYNOLDS, TIM SCHAFFER, KENT SMITH

NO – 0.

The question being, "Shall the Senate advise and consent to the appointment 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	Hicks-Hudson	Hoagland
Huffman, S.	Ingram	Johnson	Kunze
Landis	Lang	Manning	McColley
O'Brien	Reineke	Reynolds	Roegner
Romanchuk	Rulli	Schaffer	Smith
Wilkin	Wilson		Huffman, M.-31

So the Senate advised and consented to said appointment.

Message from the House of Representatives

Mr. President:

The Minority Leader of the House of Representatives has made the following changes to the committee of conference on the matters of difference between the two Houses on:

Sub. H. B. No. 33 -Representative Edwards, et al.

Remove Representative Sweeney; appoint Representative Liston.

Attest:

Bradley J. Young,
Clerk.

MESSAGE FROM THE PRESIDENT

Pursuant to Senate Rules 19 and 20, the President of the Senate removes Senator Vernon Sykes and appoints Senator Nickie J. Antonio to serve on the Conference Committee for Sub. H.B. 33.

REPORTS OF CONFERENCE COMMITTEES

Senator Dolan 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. 33**, 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 9128, reinsert "section 122.4023 and"

In line 2317, delete "various"

Delete lines 2318 through 2321 and insert "communities with persons who self-identify as possessing eastern European ancestry, shall be appointed proportionally relative to the population of eastern European people in the state, and shall be all of the following:

(a) A person who meets the definition of eastern European people or a person who is allied with those people;"

In line 2322, delete "United States"; after "citizen" insert ", or a lawful and permanent resident, of the United States"

After line 2354, insert:

"(F) Members appointed to the commission shall affirm the territorial

sovereignty and integrity of Ukraine, relative to its territorial holdings before Russia's annexation of Crimea in 2014 and subsequent invasion in 2022, as well as the territorial sovereignty and integrity of other countries in the region and generally."

Delete lines 2391 through 2393

In line 2394, delete "(2) Identify" and insert "self-identify"; delete "or are regarded in the community as being of"

Delete lines 2395 through 2400 and insert "possessing ancestry relative to any of the following:

Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Czechia, Estonia, Georgia, Hungary, Latvia, Lithuania, Montenegro, North Macedonia, Poland, Republic of Moldova, Romania, Russia, Serbia, Slovakia, Slovenia, and Ukraine."

In line 732 of the title, after "Sections" insert "207.08,"

In line 280458, after "Sections" insert "207.08,"

After line 280460, insert:

"Sec. 207.08.

CLS CLEVELAND STATE UNIVERSITY

Reappropriations

Higher Education Improvement Taxable Fund (Fund 7024)

C26092	Workforce Based Training and Equipment - Taxable	\$237,160
--------	--	-----------

TOTAL Higher Education Improvement Taxable Fund	\$237,160
---	-----------

Higher Education Improvement Fund (Fund 7034)

C26000	Basic Renovations	\$700,000
--------	-------------------	-----------

C26008	Geographic Information Systems	\$4,951
--------	--------------------------------	---------

C26022	Campus Fire Alarm Upgrade	\$15,575
--------	---------------------------	----------

C26065	Main Classroom Renovation	\$12,961
--------	---------------------------	----------

C26072	Fenn Hall Addition Project	\$190,322
--------	----------------------------	-----------

C26079	Rhodes Tower Restroom Renovation	\$23,204
--------	----------------------------------	----------

C26082	Campus Wide Elevator Modifications	\$52,386
--------	------------------------------------	----------

C26083	Science Research Building	\$16,000,000
--------	---------------------------	--------------

	Renovation and Expansion	
C26084	IT Security Upgrade and Data Center Restructuring	\$451,220
C26086	Mandel Jewish Community Center	\$210,000
C26088	UH Center for Advanced Pediatric Surgery and Dentistry	\$750,000
C26089	Metro Health Rehabilitation Research Institute	\$250,000
C26090	Jennings Center Safe Movement Equipment	\$250,000
C26091	Tower City/City Block	\$2,000,000
TOTAL Higher Education Improvement Fund		\$20,910,620
		<u>\$18,910,620</u>
TOTAL ALL FUNDS		\$21,147,780
		<u>\$19,147,780</u>

BASIC RENOVATIONS

The amount reappropriated for the foregoing appropriation item C26000, Basic Renovations, is the unencumbered balance as of June 30, 2022, in appropriation item C26000, Basic Renovations, plus \$700,000. Prior to the expenditure of this appropriation, Cleveland State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$291,677.

CAMPUS WIDE ELEVATOR MODIFICATIONS

The amount reappropriated for the foregoing appropriation item C26082, Campus Wide Elevator Modifications, is the unencumbered balance as of June 30, 2022, in appropriation item C26082, Campus Wide Elevator Modifications, plus \$15,742. Prior to the expenditure of this appropriation, Cleveland State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$15,742."

In line 280621, after "Sections" insert "207.08,"

In line 29 of the title, after "173.21," insert "173.24,"

In line 111 of the title, after "3721.026," insert "3721.08, 3721.17, 3721.99,"

In line 189 of the title, after "5165.152," insert "5165.157,"

In line 190 of the title, after "5165.192," insert "5165.23,"

In line 194 of the title, after "5168.26," insert "5168.40,"

In line 273 of the title, after "5164.913," insert "5165.158,"

In line 783, after "173.21," insert "173.24,"

In line 844, after "3721.026," insert "3721.08, 3721.17, 3721.99,"

In line 900, after "5165.152," insert "5165.157,"; after "5165.192," insert "5165.23,"

In line 903, after "5168.26," insert "5168.40,"

In line 962, after "5164.913," insert "5165.158,"

After line 19661, insert:

"Sec. 173.24. (A) As used in this section:

(1) "Employee" and "employer" have the same meanings as in section 4113.51 of the Revised Code.

(2) "Retaliatory action" includes physical, mental, or verbal abuse; change of room assignment; withholding of services; failure to provide care in a timely manner; discharge; and termination of employment.

(B) An employee providing information to or participating in good faith in registering a complaint with the office of the state long-term care ombudsman program or participating in the investigation of a complaint or in administrative or judicial proceedings resulting from a complaint registered with the office shall have the full protection against disciplinary or retaliatory action provided by division ~~(G)~~(E) of section 3721.17 and by sections 4113.51 to 4113.53 of the Revised Code.

(C) No long-term care provider or other entity, no person employed by a long-term care provider or other entity, and no other individual shall knowingly subject any resident, recipient, employee, representative of the office of the state long-term care ombudsman program, or another individual to any form of retaliation, reprisal, discipline, or discrimination for doing any of the following:

(1) Providing information to the office;

(2) Participating in registering a complaint with the office;

(3) Cooperating with or participating in the investigation of a complaint by the office or in administrative or judicial proceedings resulting from a complaint registered with the office."

In line 65380, delete "The director"

Delete lines 65381 and 65382

In line 65385, delete "Full and complete disclosure" and insert "Disclosure"

In line 65388, after "of" insert "the building or buildings in which"; after

"home" insert "is housed"; after the second "owner" insert "of the building or buildings"

In line 65390, after "(iii)" insert "The owner of the legal rights associated with the ownership and operation of the nursing home beds, if the owner is a different person from the applicant;

(iv)"; delete "manager of" and insert "management firm or business employed to manage"; delete the second "manager" and insert "management firm or business employed to manage the nursing home"

In line 65392, delete "(iv)" and insert "(v)"

In line 65393, delete "whether"; delete the second "the"

In line 65394, delete "applicant, owner, or manager of the nursing home" and insert "any party identified in division (A)(1)(a) of this section"

In line 65395, delete "Full and complete disclosure" and insert "Disclosure"

In line 65411, after "(c)" delete the balance of the line

Delete lines 65412 and 65413

In line 65414, delete "(d)"

In line 65475, delete "submits copies of the nursing"

In line 65476, delete "home's policies and procedures, including" and insert "attests that the applicant has"

In line 65477, delete "that are required"

In line 65479, delete "submits" and insert "attests that the applicant has"

In line 65483, delete "demonstrates that" and insert "attests that the applicant has"

In line 65484, after "experience," insert "who"

In line 65528, after "(D)" insert "(1) The director shall investigate an allegation that a change of operator has occurred and the entering operator failed to submit an application in accordance with this section or an application was filed but the information was fraudulent. The director may request the attorney general's assistance with an investigation under this section.

(2)"; after "aware" insert ", by means of an investigation or otherwise,"

In line 65332, after "1396r(f)(10)" insert ".

(14) "Real and present danger" means immediate danger of serious physical or life-threatening harm to one or more occupants of a home"

After line 65546, insert:

"Sec. 3721.08. (A) ~~As used in this section, "real and present danger" means imminent danger of serious physical or life-threatening harm to one or more occupants of a home.~~

~~(B)~~ The director of health may petition the court of common pleas of the county in which the home is located for an order enjoining any person from operating a home without a license or enjoining a county home or district home that has had its license revoked from continuing to operate. The court shall have jurisdiction to grant such injunctive relief upon a showing that the respondent named in the petition is operating a home without a license or that the county home or district home named in the petition is operating despite the revocation of its license. The court shall have jurisdiction to grant such injunctive relief against the operation of a home without a valid license regardless of whether the home meets essential licensing requirements.

~~(C)~~(B) Unless the department of medicaid or contracting agency has taken action under section 5165.77 of the Revised Code to appoint a temporary manager or seek injunctive relief, if, in the judgment of the director of health, real and present danger exists at any home, the director may petition the court of common pleas of the county in which the home is located for such injunctive relief as is necessary to close the home, transfer one or more occupants to other homes or other appropriate care settings, or otherwise eliminate the real and present danger. The court shall have the jurisdiction to grant such injunctive relief upon a showing that there is real and present danger.

~~(D)~~(1)~~(C)~~(1) If the director determines that real and present danger exists at a home and elects not to immediately seek injunctive relief under division ~~(C)~~(B) of this section, the director may give written notice of proposed action to the home. The notice shall specify all of the following:

- (a) The nature of the conditions giving rise to the real and present danger;
- (b) The measures that the director determines the home must take to respond to the conditions;
- (c) The date on which the director intends to seek injunctive relief under division ~~(C)~~(B) of this section if the director determines that real and present danger exists at the home.

(2) If the home notifies the director, within the time specified pursuant to division ~~(D)~~(1)~~(C)~~(1)~~(c)~~ of this section, that it believes the conditions giving rise to the real and present danger have been substantially corrected, the director shall conduct an inspection to determine whether real and present danger exists. If the director determines on the basis of the inspection that real and present danger exists, the director may petition under division ~~(C)~~(B) of

this section for injunctive relief.

~~(E)(1)~~(D)(1) If in the judgment of the director of health conditions exist at a home that will give rise to real and present danger if not corrected, the director shall give written notice of proposed action to the home. The notice shall specify all of the following:

- (a) The nature of the conditions giving rise to the director's judgment;
- (b) The measures that the director determines the home must take to respond to the conditions;
- (c) The date, which shall be no less than ten days after the notice is delivered, on which the director intends to seek injunctive relief under division ~~(C)~~(B) of this section if the conditions are not substantially corrected and the director determines that a real and present danger exists.

(2) If the home notifies the director, within the period of time specified pursuant to division ~~(E)(1)(c)~~(D)(1)(c) of this section, that the conditions giving rise to the director's determination have been substantially corrected, the director shall conduct an inspection. If the director determines on the basis of the inspection that the conditions have not been corrected and a real and present danger exists, the director may petition under division ~~(C)~~(B) of this section for injunctive relief.

~~(F)(1)~~(E)(1) A court that grants injunctive relief under division ~~(C)~~(B) of this section may also appoint a special master who, subject to division ~~(F)(2)~~(E)(2) of this section, shall have such powers and authority over the home and length of appointment as the court considers necessary. Subject to division ~~(F)(2)~~(E)(2) of this section, the salary of a special master and any costs incurred by a special master shall be the obligation of the home.

(2) No special master shall enter into any employment contract on behalf of a home, or purchase with the home's funds any capital goods totaling more than ten thousand dollars, unless the special master has obtained approval for the contract or purchase from the home's operator or the court.

~~(G)(F)~~ If the director takes action under division ~~(C)~~(B), ~~(D)~~(C), or ~~(E)~~(D) of this section, the director may also appoint employees of the department of health to conduct on-site monitoring of the home. Appointment of monitors is not subject to appeal under Chapter 119. or any other section of the Revised Code. No employee of a home for which monitors are appointed, no person employed by the home within the previous two years, and no person who currently has a consulting contract with the department or a home, shall be appointed under this division. Every monitor shall have the professional qualifications necessary to monitor correction of the conditions that give rise to or, in the director's judgment, will give rise to real and present danger. The number of monitors present at a home at any given time shall not exceed one

for every fifty residents, or fraction thereof.

~~(H)~~(G) On finding that the real and present danger for which injunctive relief was granted under division ~~(C)~~(B) of this section has been eliminated and that the home's operator has demonstrated the capacity to prevent the real and present danger from recurring, the court shall terminate its jurisdiction over the home and return control and management of the home to the operator. If the real and present danger cannot be eliminated practicably within a reasonable time following appointment of a special master, the court may order the special master to close the home and transfer all residents to other homes or other appropriate care settings.

~~(H)~~(H) The director of health shall give notice of proposed action under divisions ~~(D)~~(C) and ~~(E)~~(D) of this section to both of the following:

(1) The home's administrator;

(2) If the home is operated by an organization described in subsection 501(c)(3) and tax exempt under subsection 501(a) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended, the board of trustees of the organization; or, if the home is not operated by such an organization, the owner of the home.

Notices shall be delivered by certified mail or hand delivery. If notices are mailed, they shall be addressed to the persons specified in divisions ~~(H)~~~~(H)~~(H) (1) and (2) of this section, as indicated in the department of health's records. If they are hand delivered, they shall be delivered to persons who would reasonably appear to the average prudent person to have authority to accept them.

~~(H)~~(I) If ownership of a home is assigned or transferred to a different person, the new owner is responsible and liable for compliance with any notice of proposed action or order issued under this section prior to the effective date of the assignment or transfer.

Sec. 3721.17. (A) Any resident who believes that the resident's rights under sections 3721.10 to 3721.17 of the Revised Code have been violated may file a grievance under procedures adopted pursuant to division (A)(2) of section 3721.12 of the Revised Code.

When the grievance committee determines a violation of sections 3721.10 to 3721.17 of the Revised Code has occurred, it shall notify the administrator of the home. If the violation cannot be corrected within ten days, or if ten days have elapsed without correction of the violation, the grievance committee shall refer the matter to the department of health.

(B) Any person who believes that a resident's rights under sections 3721.10 to 3721.17 of the Revised Code have been violated may report or cause

reports to be made of the information directly to the department of health. No person who files a report is liable for civil damages resulting from the report.

(C)(1) ~~Within thirty days of receiving a complaint under this section, the~~ The department of health shall investigate any complaint referred to it by a home's grievance committee and any complaint from any source that alleges that the home provided substantially less than adequate care or treatment, or substantially unsafe conditions, or, ~~within seven days of receiving a complaint, refer it to the attorney general, if the attorney general agrees to investigate within thirty days.~~

(2) ~~Within thirty days of receiving a complaint under this section, the~~ The department of health may investigate any alleged violation of sections 3721.10 to 3721.17 of the Revised Code, or of rules, policies, or procedures adopted pursuant to those sections, not covered by division (C)(1) of this section, or it may, ~~within seven days of receiving a complaint, refer the~~ complaint to the grievance committee at the home where the alleged violation occurred, or to the attorney general ~~if the attorney general agrees to investigate within thirty days.~~

(D) If, after an investigation, the department of health finds probable cause to believe that a violation of sections 3721.10 to 3721.17 of the Revised Code, or of rules, policies, or procedures adopted pursuant to those sections, has occurred ~~at a home that is certified under the medicare or medicaid program, it shall cite one or more findings or deficiencies under sections 5165.60 to 5165.89 of the Revised Code. If the home is not so certified, the department shall hold an adjudicative hearing within thirty days under Chapter 119. of the Revised Code, and, if necessary, take action under section 3721.99 of the Revised Code.~~

(E) ~~Upon a finding at an adjudicative hearing under division (D) of this section that a violation of sections 3721.10 to 3721.17 of the Revised Code, or of rules, policies, or procedures adopted pursuant thereto, has occurred, the department of health shall make an order for compliance, set a reasonable time for compliance, and assess a fine pursuant to division (F) of this section. The fine shall be paid to the general revenue fund only if compliance with the order is not shown to have been made within the reasonable time set in the order. The department of health may issue an order prohibiting the continuation of any violation of sections 3721.10 to 3721.17 of the Revised Code.~~

~~Findings at the hearings conducted under this section may be appealed pursuant to Chapter 119. of the Revised Code, except that an appeal may be made to the court of common pleas of the county in which the home is located.~~

~~The department of health shall initiate proceedings in court to collect any~~

fine assessed under this section that is unpaid thirty days after the violator's final appeal is exhausted.

(F) Any home found, pursuant to an adjudication hearing under division (D) of this section, to have violated sections 3721.10 to 3721.17 of the Revised Code, or rules, policies, or procedures adopted pursuant to those sections may be fined not less than one hundred nor more than five hundred dollars for a first offense. For each subsequent offense, the home may be fined not less than two hundred nor more than one thousand dollars.

A violation of sections 3721.10 to 3721.17 of the Revised Code is a separate offense for each day of the violation and for each resident who claims the violation.

(G) No home or employee of a home shall retaliate against any person who:

(1) Exercises any right set forth in sections 3721.10 to 3721.17 of the Revised Code, including, but not limited to, filing a complaint with the home's grievance committee or reporting an alleged violation to the department of health;

(2) Appears as a witness in any hearing conducted under ~~this section or~~ section 3721.162 of the Revised Code;

(3) Files a civil action alleging a violation of sections 3721.10 to 3721.17 of the Revised Code, or notifies a county prosecuting attorney or the attorney general of a possible violation of sections 3721.10 to 3721.17 of the Revised Code.

If, under the procedures outlined in this section, a home or its employee is found to have retaliated, the violator may be fined up to one thousand dollars department of health may take action under section 3721.99 of the Revised Code.

~~(H)~~(F) When legal action is indicated, any evidence of criminal activity found in an investigation under division (C) of this section shall be given to the prosecuting attorney in the county in which the home is located for investigation.

~~(I)(1)(a)~~(G)(1)(a) Any resident whose rights under sections 3721.10 to 3721.17 of the Revised Code are violated has a cause of action against any person or home committing the violation.

(b) An action under division ~~(I)(1)(a)~~(G)(1)(a) of this section may be commenced by the resident or by the resident's legal guardian or other legally authorized representative on behalf of the resident or the resident's estate. If the resident or the resident's legal guardian or other legally authorized representative is unable to commence an action under that division on behalf of the resident, the following persons in the following order of priority have

the right to and may commence an action under that division on behalf of the resident or the resident's estate:

- (i) The resident's spouse;
- (ii) The resident's parent or adult child;
- (iii) The resident's guardian if the resident is a minor child;
- (iv) The resident's brother or sister;
- (v) The resident's niece, nephew, aunt, or uncle.

(c) Notwithstanding any law as to priority of persons entitled to commence an action, if more than one eligible person within the same level of priority seeks to commence an action on behalf of a resident or the resident's estate, the court shall determine, in the best interest of the resident or the resident's estate, the individual to commence the action. A court's determination under this division as to the person to commence an action on behalf of a resident or the resident's estate shall bar another person from commencing the action on behalf of the resident or the resident's estate.

(d) The result of an action commenced pursuant to division ~~(F)(1)(a)(G)(1)~~ (a) of this section by a person authorized under division ~~(F)(1)(b)(G)(1)(b)~~ of this section shall bind the resident or the resident's estate that is the subject of the action.

(e) A cause of action under division ~~(F)(1)(a)(G)(1)(a)~~ of this section shall accrue, and the statute of limitations applicable to that cause of action shall begin to run, based upon the violation of a resident's rights under sections 3721.10 to 3721.17 of the Revised Code, regardless of the party commencing the action on behalf of the resident or the resident's estate as authorized under divisions ~~(F)(1)(b)(G)(1)(b)~~ and (c) of this section.

(2)(a) The plaintiff in an action filed under division ~~(F)(1)(G)(1)~~ of this section may obtain injunctive relief against the violation of the resident's rights. The plaintiff also may recover compensatory damages based upon a showing, by a preponderance of the evidence, that the violation of the resident's rights resulted from a negligent act or omission of the person or home and that the violation was the proximate cause of the resident's injury, death, or loss to person or property.

(b) If compensatory damages are awarded for a violation of the resident's rights, section 2315.21 of the Revised Code shall apply to an award of punitive or exemplary damages for the violation.

(c) The court, in a case in which only injunctive relief is granted, may award to the prevailing party reasonable attorney's fees limited to the work reasonably performed.

(3) Division ~~(H)(2)(b)~~(G)(2)(b) of this section shall be considered to be purely remedial in operation and shall be applied in a remedial manner in any civil action in which this section is relevant, whether the action is pending in court or commenced on or after July 9, 1998.

(4) Within thirty days after the filing of a complaint in an action for damages brought against a home under division ~~(H)(1)(a)~~(G)(1)(a) of this section by or on behalf of a resident or former resident of the home, the plaintiff or plaintiff's counsel shall send written notice of the filing of the complaint to the department of medicaid if the department has a right of recovery under section 5160.37 of the Revised Code against the liability of the home for the cost of medicaid services arising out of injury, disease, or disability of the resident or former resident.

Sec. 3721.99. ~~(A) Whoever violates section 3721.021, division (B), (D), or (E) of section 3721.05, division (A), (C), or (D) of section 3721.051, section 3721.06, division (A) of section 3721.22, division (A) or (B) of section 3721.24, division (E) or (F) of section 3721.30, or section 3721.65 of the Revised Code shall be fined one hundred dollars for a first offense. For each subsequent offense, the violator shall be fined five hundred dollars. If the director of health determines that a violation of sections 3721.01 to 3721.17 of the Revised Code has occurred, the director may do any of the following:~~

(1) Request a licensee to submit an acceptable plan of correction to the director stating all of the following:

(a) The actions being taken or to be taken to correct the violation;

(b) The time frame for completion of the plan of correction;

(c) The means by which continuing compliance with the plan of correction will be monitored.

(2) In accordance with Chapter 119. of the Revised Code, impose a civil monetary penalty as follows:

(a) For violations that result in no actual harm with the potential for more than minimal harm that is not a real and present danger to one or more residents, that are cited more than once during a fifteen-month period from the exit of an inspection, a civil penalty of not less than two thousand dollars and not more than three thousand dollars.

(b) For violations that result in actual harm that is not a real and present danger to one or more residents, a civil penalty of not less than three thousand one hundred dollars and not more than six thousand dollars.

(c) For violations that result in a real and present danger to one or more residents, a civil penalty of not less than six thousand one dollars and not more than ten thousand dollars.

(d)(i) For violations of sections 3721.10 to 3721.17 of the Revised Code, other than a violation of division (E) of section 3721.17 of the Revised Code, a civil penalty of not less than one thousand dollars and not more than five thousand dollars for a first offense. For each subsequent offense, the violator may be fined not less than two thousand dollars and not more than ten thousand dollars.

(ii) For violations of division (E) of section 3721.17 of the Revised Code, a civil penalty up to five thousand dollars for each offense.

~~(B) Whoever violates~~(e) For violations of division (A) or (C) of section 3721.05 or division (B) of section 3721.051 of the Revised Code shall be fined five thousand dollars for a first offense. For each subsequent offense, the violator shall be fined ten thousand dollars.

(3) In accordance with section 3721.03 of the Revised Code, revoke a license to operate.

(B) All monies collected by the director under division (A) of this section shall be deposited into the state treasury to the credit of the general operations fund created in section 3701.83 of the Revised Code for use only in administering and enforcing this chapter and the rules adopted under it.

(C) In determining a civil monetary penalty under division (A)(2) of this section, the director shall consider all of the following:

(1) The number of residents directly affected by the violation;

(2) The number of staff involved in the violation;

(3) Any actions taken by the home to correct or mitigate the violation, including the timeliness and sufficiency of the home's response to the violation and the outcome of that response;

(4) Any concurrent federal penalties being imposed for the same violations by the United States centers for medicare and medicaid services, which shall reduce any civil monetary penalty imposed under this section by the same amount;

(5) The home's history of compliance.

(D) If the director determines the need for a civil monetary penalty under this section, the director may enter into settlement negotiations with the affected home. Settlements may include any of the following:

(1) A lesser civil monetary penalty than initially proposed;

(2) Allowing the home to invest an amount equal to or less than the proposed civil monetary penalty on remedial measures or quality improvement initiatives designed to reduce the likelihood of similar violations

occurring in the future, which, unless authorized by the director, shall be conducted or undertaken by a third party;

(3) Other penalties warranted by the deficient practice and negotiations between the director and the home.

(E) Whoever violates division (D) of section 3721.031 or division (E) of section 3721.22 of the Revised Code is guilty of registering a false complaint, a misdemeanor of the first degree.

(~~D~~)(F) Whoever violates section 3721.66 of the Revised Code is guilty of tampering with an electronic monitoring device, a misdemeanor of the first degree."

In line 105907, after "operator" insert "or there is a change in owner of a nursing facility"

In line 105910, after "operator's" insert "or owner's"

In line 105915, after "operator" insert "or owner"

In line 105918, after "operator" insert "or owner"

In line 105919, after the first "operator's" insert "or owner's"; after the second "operator's" insert "or owner's"

In line 105921, after "operator" insert "or owner"

In line 105925, after "operator" insert "or owner"

In line 105935, after "operator" insert "or owner"

In line 105940, delete "manage" and insert "assume control of the operations and cash flow of"

In line 105941, after "operator's" insert "or owner's"; after "agent" insert";

(h) A change in control of the owner of the real property associated with the nursing facility if, within one year of the change of control, there is a material increase in lease payments or other financial obligations of the operator to the owner"

In line 105949, strike though "A" and insert "Except as provided in division (J)(1) of this section, a

In line 105953, after "operator" insert "or owner"

In line 105957, after "operator" insert "or owner"

In line 105961, after "operator" insert "or owner"

After line 106186, after "(NN)" insert """Private room" means a nursing facility bedroom that meets all of the following criteria:

(1) It has four permanent, floor-to-ceiling walls and a full door.

(2) It contains one licensed or certified bed that is occupied by one individual.

(3) It has access to a hallway without traversing another bedroom.

(4) It has access to a toilet and sink shared by not more than one other resident without traversing another bedroom.

(5) It meets all applicable licensure or other standards pertaining to furniture, fixtures, and temperature control.

(OO)"

In line 106187, delete "(OO)" and insert "(PP)"

In line 106192, delete "(PP)" and insert "(QQ)"

In line 106196, delete "(QQ)" and insert "(RR)"

In line 106203, delete "(RR)" and insert "(SS)"

In line 106216, delete "(SS)" and insert "(TT)"

In line 106250, delete "(TT)" and insert "(UU)"

In line 106262, delete "(UU)" and insert "(VV)"

In line 106264, delete "(VV)" and insert "(WW)"

In line 106267, delete "(WW)" and insert "(XX)"

In line 106269, delete "(XX)" and insert "(YY)"

After line 106270, insert:

"(ZZ) "Surrender" has the same meaning as in section 5168.40 of the Revised Code."

In line 106271, delete "(YY)" and insert "(AAA)"

In line 106274, delete "(ZZ)" and insert "(BBB)"

In line 106276, delete "(AAA)" and insert "(CCC)"

In line 106278, delete "(BBB)" and insert "(DDD)"

In line 106372, strike through "5165.157" and insert "5165.158"

After line 106401, insert:

"(D) If the nursing facility qualifies as a low occupancy nursing facility, subtract from the sum determined under division (C) of this section the nursing facility's low occupancy deduction determined under section 5165.23 of the Revised Code."

After line 106477, insert:

"Sec. 5165.157. (A) As used in this section, "SFF list" and "CMS" have the same meanings as in section 5165.26 of the Revised Code.

(B) The medicaid director shall establish an alternative purchasing model for nursing facility services provided by designated discrete units of nursing facilities to medicaid recipients with specialized health care needs. The director shall do all of the following with regard to the model:

(1) Establish criteria that a discrete unit of a nursing facility must meet to be designated as a unit that, under the alternative purchasing model, may admit and provide nursing facility services to medicaid recipients with specialized health care needs; Beginning July 1, 2023, the director shall not approve an application for a discrete unit of a nursing facility that provides ventilator services if, at the time of the application, the nursing facility is listed on table A or table D of the SFF list or is designated as having a one-star overall rating in CMS's nursing facility five-star rating system known as care compare.

(2) Specify the health care conditions that medicaid recipients must have to have specialized health care needs, which may include dependency on a ventilator, severe traumatic brain injury, the need to be admitted to a long-term acute care hospital or rehabilitation hospital if not for nursing facility services, and other serious health care conditions;

(3) For each fiscal year, set the total per medicaid day payment rate for nursing facility services provided by designated discrete units of nursing facilities under the alternative purchasing model at either of the following:

(a) Thirty-four per cent of the statewide average of the total per medicaid day payment rate for long-term acute care hospital services as of the first day of the fiscal year;

(b) Another amount determined in accordance with an alternative methodology that includes improved health outcomes as a factor in determining the payment rate.

(4) Require, to the extent the director considers necessary, a medicaid recipient to obtain prior authorization for admission to a long-term acute care hospital or rehabilitation hospital as a condition of medicaid payment for long-term acute care hospital or rehabilitation hospital services.

~~(B)(C)~~ The criteria established under division ~~(A)(1)~~~~(B)(1)~~ of this section shall provide for a discrete unit of a nursing facility to be excluded from the alternative purchasing model if the unit is paid for nursing facility services in accordance with section 5165.153, 5165.154, or 5165.156 of the Revised Code. The criteria may require the provider of a nursing facility that has a

discrete unit designated for participation in the alternative purchasing model to report health outcome measurement data to the department of medicaid.

(C)A(D) Except as provided in division (E) of this section, a discrete unit of a nursing facility that provides nursing facility services to medicaid recipients with specialized health care needs under the alternative purchasing model shall be paid for those services in accordance with division (A)(3)(B) (3) of this section instead of the total per medicaid day payment rate determined under section 5165.15, 5165.153, 5165.154, or 5165.156 of the Revised Code.

(E) Beginning January 1, 2024, a discrete unit of a nursing facility that provides ventilator services and that is listed on table A or table D of the SFF list or is designated as having a one-star overall rating by CMS under CMS's nursing facility five-star rating system known as care compare shall be paid the total per medicaid day payment rate determined under section 5165.15, 5165.153, 5165.154, or 5165.156 of the Revised Code for those services instead of the rate determined in accordance with division (B)(3) of this section. The rate determined under this division applies to any resident who was admitted to the discrete unit on or after the later of January 1, 2024, or the date on which the nursing facility is added to table A or table D or receives a one-star overall rating. If the nursing facility is removed from table A or table D or no longer has a one-star overall rating, it shall be paid the rate determined in accordance with division (B)(3) of this section for ventilator residents in the discrete unit on or after the date on which the nursing facility is removed from table A or table D or no longer has a one-star overall rating. The director may waive the requirements of this division for a discrete unit of a nursing facility if the director determines that the waiver is necessary to ensure access to ventilator services in the area served by the discrete unit.

Sec. 5165.158.(A) As used in this section:

(1) "Category one private room" means a private room that has unshared access to a toilet and sink.

(2) "Category two private room" means a private room that has shared access to a toilet and sink.

(B) Beginning six months following approval by the United States Centers for medicare and medicaid services or on the effective date of applicable department of medicaid rules, whichever is later, but not sooner than April 1, 2024, the total per medicaid day payment rate for nursing facility services provided on or after that date in private rooms approved by the department of medicaid under division (C) of this section shall be the sum of both of the following:

(1) The total per medicaid day payment rate determined for the nursing

facility under section 5165.15 of the Revised Code:

(2) The private room incentive payment. The private room incentive payment shall be thirty dollars per day for a category one private room and twenty dollars per day for a category two private room, beginning in state fiscal year 2024. The department may increase the payment amount for subsequent fiscal years.

(C)(1) The department shall approve rooms in nursing facilities to qualify for the rate described in division (B) of this section. A nursing facility provider shall apply for approval of its private rooms by submitting an application in the form and manner prescribed by the department. The department shall begin accepting applications for approval of category one private rooms on January 1, 2024, and category two private rooms on March 1, 2024. The department may specify evidence that an applicant must supply to demonstrate that a room meets the definition of a private room under section 5165.01 of the Revised Code and may conduct an on-site inspection of the room to verify that it meets the definition. Subject to division (C)(2) of this section, the department shall approve an application if the rooms included in the application meet the definition of a private room under section 5165.01 of the Revised Code.

(2) The department shall only consider applications that meet the following criteria:

(a) Private rooms that are in existence on July 1, 2023, in facilities where all of the licensed beds are in service on the application date;

(b) Private rooms created by surrendering licensed beds from its licensed capacity, or, if the facility does not hold a license, surrendering beds that have been certified by CMS. A nursing facility where the beds are owned by a county and the facility is operated by a person other than the county may satisfy this requirement by removing beds from service.

(c) Private rooms created by adding space to the nursing facility or renovating nonbedroom space, without increasing the total licensed bed capacity;

(d) A nursing facility licensed after July 1, 2023, in which all licensed beds are in service on the application date or in which private rooms were created by surrendering licensed beds from its licensed capacity.

(3) The department may specify evidence that an applicant must supply to demonstrate that it meets the conditions specified in division (C)(2) of this section and may conduct an on-site inspection to verify that the conditions are met.

(4) The department may deny an application if the department determines

that any of the following circumstances apply:

(a) The rooms included in the application do not meet the definition of a private room under section 5165.01 of the Revised Code;

(b) The rooms included in the application do not meet the criteria specified in division (C)(2) of this section;

(c) The applicant created private rooms by reducing the number of available beds without surrendering the beds, and surrender of the beds is required by this section;

(d) Approval of the room would cause projected expenditures for private room incentive payments under this section for the fiscal year to exceed forty million dollars in fiscal year 2024 or one hundred sixty million dollars in fiscal year 2025 or subsequent fiscal years. In projecting expenditures for private room incentive payments, the department shall use a medicaid utilization percentage of fifty per cent. If the department determines that there are more approvable eligible applications submitted than can be accommodated within the applicable spending limit specified in this division, the department shall prioritize category one private rooms.

(e) On the application date, the nursing facility is listed on table A or table D of the SFF list, as defined in section 5165.01 of the Revised Code or is designated as having a one-star overall rating in the United States centers for medicare and medicaid services nursing facility five-star quality rating system known as care compare.

(5) Beginning July 1, 2025, to retain eligibility for private room rates, a nursing facility must do both of the following:

(a) Have a policy in place to prioritize placement in a private room based on the medical and psychosocial needs of the resident;

(b) Participate in the resident or family satisfaction survey performed pursuant to section 173.47 of the Revised Code.

(6) The department shall hold all applications for a private room incentive payment in a pending status until the United States centers for medicare and medicaid services approves private room incentive payments and the department determines a facility is qualified for the payment. An application in pending status shall be included in the payment cap described in division (C)(4)(d) of this section as if the application were approved.

(7) An applicant may request reconsideration of a denial under division (C) of this section."

In line 106629, strike through "twenty-fifth" and insert "seventieth"

In line 106696, reinsert "June 30, 1999"; delete "October 1, 2019"

In line 106748, reinsert all after "(b)"

Reinsert lines 106749 and 106750

In line 106751, reinsert "(c)"

In line 106755, reinsert "(d)"; delete "(c)"

In line 106757, reinsert all after "(i)"

Reinsert lines 106758 through 106760

In line 106761, reinsert "(iii)"

In line 106762, reinsert "June"

In line 106763, reinsert "30, 1999"; delete "October 1, 2019"

In line 106764, reinsert "(iv)"; delete "(ii)"

In line 106766, reinsert "(e)"; delete "(d)"

In line 106769, reinsert "(f)"; delete "(e)"

In line 106775, reinsert "(g)"; delete "(f)"

After line 106786, insert:

"Sec. 5165.23. (A) Each state fiscal year, the department of medicaid shall determine the critical access incentive payment for each nursing facility that qualifies as a critical access nursing facility. To qualify as a critical access nursing facility for a state fiscal year, a nursing facility must meet all of the following requirements:

(1) The nursing facility must be located in an area that, on December 31, 2011, was designated an empowerment zone under the "Internal Revenue Code of 1986," section 1391, 26 U.S.C. 1391.

(2) The nursing facility must have an occupancy rate of at least eighty-five per cent as of the last day of the calendar year immediately preceding the state fiscal year.

(3) The nursing facility must have a medicaid utilization rate of at least sixty-five per cent as of the last day of the calendar year immediately preceding the state fiscal year.

(B) A critical access nursing facility's critical access incentive payment for a state fiscal year shall equal five per cent of the portion of the nursing facility's total per medicaid day payment rate for the state fiscal year that is the sum of the rates identified in divisions (A)(1) to (4) of section 5165.15 of the Revised Code.

(C) Each state fiscal year, the department shall determine the low

occupancy deduction for each nursing facility that qualifies as a low occupancy nursing facility. To qualify as a low occupancy nursing facility for a state fiscal year, a nursing facility must have an occupancy rate lower than sixty-five per cent. For purposes of this division, the department shall utilize a nursing facility's occupancy rate for the licensed beds reported on the facility's cost report for the calendar year preceding the fiscal year for which the rate is determined, or if the facility is not required to be licensed, the facility's occupancy rate for its certified beds. If the facility surrenders licensed or certified beds before the first day of July of the calendar year in which the fiscal year begins, the department shall calculate a nursing facility's occupancy rate by dividing the inpatient days reported on the facility's cost report for the calendar year preceding the fiscal year for which the rate is determined by the product of the number of days in the calendar year and the facility's number of licensed, or if applicable, certified beds on the first day of July of the calendar year in which the fiscal year begins.

A low occupancy nursing facility's low occupancy deduction for a state fiscal year shall equal five per cent of the nursing facility's total per medicaid day payment rate for the state fiscal year identified in division (D) of section 5165.15 of the Revised Code, for the state fiscal year.

This division does not apply to any of the following:

(1) A nursing facility where the beds are owned by a county and the facility is operated by a person other than the county;

(2) A nursing facility that opened during the calendar year preceding the fiscal year for which the rate is determined or the preceding fiscal year;

(3) A nursing facility that underwent a renovation during the calendar year preceding the fiscal year for which the rate is determined if both of the following apply:

(a) The renovation involved a capital expenditure of one hundred fifty thousand dollars or more, excluding expenditures for equipment;

(b) The renovation included one or more rooms housing beds that are part of the nursing facility's licensed capacity and that were taken out of service for at least thirty days while the rooms were being renovated."

In line 106801, after "~~(6)~~" insert "(5)" and reinsert the balance of the line

Reinsert lines 106802 and 106803

In line 106804, after "~~(7)~~" insert "(6)" and reinsert the balance of the line

Reinsert lines 106805 through 106807

In line 106809, reinsert "divisions"; delete "division"; after the first stricken comma insert "and"; reinsert "(E),"

In line 106810, delete "(E)" and insert "(F)"

In line 106827, delete "(D)(2)" and insert "(E)(2)"

In line 106834, strike through "division" and insert "divisions"; after "(C)(2)" insert "and (3)"

In line 106860, delete "Two" and insert "Seven"; after "points" insert "for fiscal year 2024 and three points for fiscal year 2025 and subsequent fiscal years"

In line 106861, delete "but not more than" and insert "per cent."

Delete lines 106862 through 106864

In line 106865, delete all before "For"

In line 106871, delete "May" and insert "July"

In line 106878, delete "May" and insert "July"

After line 106893, after "medication" insert ";

(iv) Adjusted total nurse staffing hours per resident per day using quintiles instead of deciles by using the points assigned to the higher of the two deciles that constitute the quintile"

In line 106904, reinsert "or (c)"

In line 106910, reinsert all before "~~for~~"; after "~~points~~" insert "calculated"; reinsert "for" and insert "or during a"

In line 106911, reinsert "state fiscal year"; reinsert "for all of"

In line 106912, reinsert "the quality metrics specified in" and insert "divisions (C)(1)(a), and if applicable, division (C)(1)(c)"; reinsert "of this section"

Reinsert line 106913

In line 106914, reinsert all before the comma; after "~~facilities~~" insert "calculated using the points for the July 1 rate setting of that fiscal year"; reinsert "reduce the nursing"

In line 106915, reinsert "facility's points to zero" and insert "until the next point calculation. If a facility's recalculated points under division (C)(3) of this section are below the number of points determined to be the twenty-fifth percentile for that fiscal year, the facility shall receive zero points for the remainder of that fiscal year."

In line 106916, reinsert all before "~~zero~~" and insert "recalculated"; reinsert "for" and insert "the second half of the"

In line 106917, reinsert "state fiscal year"

In line 106919, after "~~section~~" insert "based on the most recent four quarter average data, or the average data for fewer quarters in the case of successor metrics, available in the database maintained by CMS and known as the care compare, in the most recent month of the calendar year during which the fiscal year for which the rate is determined begins. The metrics specified by division (C)(1)(b) of this section shall not be recalculated"; reinsert the stricken period and insert "In redetermining the quality payment for each facility based on the recalculated points, the department shall use the same per point value determined for the quality payment at the start of the fiscal year."

In line 106976, after "~~(E)~~" insert "(D)" and reinsert the balance of the line

In line 106977, reinsert "payment"; reinsert "if"

Reinsert lines 106978 and 106979

In line 106980, reinsert "facility is listed in table A"; reinsert "on the first"

Reinsert lines 106981 and 106982

In line 106983, delete "(D)" and insert "(E)"

In line 106993, delete "sum of the"

Delete lines 106994 through 106999

In line 107000 delete "(ii) The"

In line 107003, delete "for state"

In line 107004, delete "fiscal year 2024"

In line 107006, delete "(D)(1)(a)" and insert "(E)(1)(a)"

In line 107010, delete "(D)(1)(b)" and insert "(E)(1)(b)"

In line 107013, delete "(D)(2)" and insert "(E)(2)"

In line 107015, reinsert "twenty-five"

In line 107016, delete "(E)(1)" and insert "(F)(1)"

In line 107026, delete all after "(2)" and insert "A"

In line 107028, delete "April" and insert "July"

Delete lines 107037 through 107046

In line 107048, reinsert "at least"

In line 107049, reinsert "five"; delete "two"; strike through "a" and insert "the"

In line 107051, strike through ", ancillary and support,"

After line 108152, insert:

"Sec. 5168.40. As used in sections 5168.40 to 5168.56 of the Revised Code:

(A) "Bed surrender" means the following:

(1) In the case of a nursing home, the removal of a bed from a nursing home's licensed capacity in a manner that reduces the total licensed capacity of all nursing homes and makes it impossible for the bed to ever be a part of any nursing home's licensed capacity;

(2) In the case of a hospital, the removal of a hospital bed from registration under section 3701.07 of the Revised Code as a skilled nursing facility bed or long-term care bed in a manner that reduces the total number of hospital beds registered under that section as skilled nursing facility beds or long-term care beds and makes it impossible for the bed to ever be registered as a skilled nursing facility bed or long-term care bed.

(B) "Change of operator" ~~means an entering operator becoming the operator of a nursing home or hospital in the place of the exiting operator.~~

~~(1) Actions that constitute a change of operator include the following:~~

~~(a) A change in an exiting operator's form of legal organization, including the formation of a partnership or corporation from a sole proprietorship;~~

~~(b) A transfer of all the exiting operator's ownership interest in the operation of the nursing home or hospital to the entering operator, regardless of whether ownership of any or all of the real property or personal property associated with the nursing home or hospital is also transferred;~~

~~(c) A lease of the nursing home or hospital to the entering operator or the exiting operator's termination of the exiting operator's lease;~~

~~(d) If the exiting operator is a partnership, dissolution of the partnership;~~

~~(e) If the exiting operator is a partnership, a change in composition of the partnership unless both of the following apply:~~

~~(i) The change in composition does not cause the partnership's dissolution under state law.~~

~~(ii) The partners agree that the change in composition does not constitute a change in operator.~~

~~(f) If the operator is a corporation, dissolution of the corporation, a merger of the corporation into another corporation that is the survivor of the merger, or a consolidation of one or more other corporations to form a new~~

corporation.

(2) The following, alone, do not constitute a change of operator:

(a) A contract for an entity to manage a nursing home or hospital as the operator's agent, subject to the operator's approval of daily operating and management decisions;

(b) A change of ownership, lease, or termination of a lease of real property or personal property associated with a nursing home or hospital if an entering operator does not become the operator in place of an exiting operator;

(c) If the operator is a corporation, a change of one or more members of the corporation's governing body or transfer of ownership of one or more shares of the corporation's stock, if the same corporation continues to be the operator has the same meaning as in section 5165.01 of the Revised Code.

(C) "Effective date of a change of operator" means the day an entering operator becomes the operator of a nursing home or hospital.

(D) "Entering operator" means the person or government entity that will become the operator of a nursing home or hospital on the effective date of a change of operator.

(E) "Exiting operator" means an operator that will cease to be the operator of a nursing home or hospital on the effective date of a change of operator.

(F) "Franchise permit fee rate" means the rate determined in accordance with section 5168.41 of the Revised Code.

(G) "Hospital" has the same meaning as in section 3727.01 of the Revised Code.

(H) "Hospital long-term care unit" means any distinct part of a hospital in which any of the following beds are located:

(1) Beds registered pursuant to section 3701.07 of the Revised Code as skilled nursing facility beds or long-term care beds;

(2) Beds licensed as nursing home beds under section 3721.02 or 3721.09 of the Revised Code.

(I) "Indirect guarantee percentage" means the percentage specified in the "Social Security Act," section 1903(w)(4)(C)(ii), 42 U.S.C. 1396b(w)(4)(C)(ii), that is to be used in determining whether a class of providers is indirectly held harmless for any portion of the costs of a broad-based health-care-related tax. If the indirect guarantee percentage changes during a fiscal year, the indirect guarantee percentage is the following:

(1) For the part of the fiscal year before the change takes effect, the percentage in effect before the change;

(2) For the part of the fiscal year beginning with the date the indirect guarantee percentage changes, the new percentage.

(J) "Medicaid days" and "nursing facility" have the same meanings as in section 5165.01 of the Revised Code.

(K)(1) "Nursing home" means all of the following:

(a) A nursing home licensed under section 3721.02 or 3721.09 of the Revised Code, including any part of a home for the aging licensed as a nursing home;

(b) A facility or part of a facility, other than a hospital, that is certified as a skilled nursing facility under Title XVIII;

(c) A nursing facility, other than a portion of a hospital certified as a nursing facility.

(2) "Nursing home" does not include either of the following:

(a) A county home, county nursing home, or district home operated pursuant to Chapter 5155. of the Revised Code;

(b) A nursing home maintained and operated by the department of veterans services under section 5907.01 of the Revised Code.

(L) "Operator" means the person or government entity responsible for the daily operating and management decisions for a nursing home or hospital.

(M) "Title XIX" means Title XIX of the "Social Security Act," 42 U.S.C. 1396 et seq.

(N) "Title XVIII" means Title XVIII of the "Social Security Act," 42 U.S.C. 1395 et seq."

In line 124606, after "173.21," insert "173.24,"

In line 124668, after "3721.026," insert "3721.08, 3721.17, 3721.99,"

In line 124724, after "5165.152," insert "5165.157,"; after "5165.192," insert "5165.23,"

In line 124727, after "5168.26," insert "5168.40,"

In line 272722, delete "\$5,267,359,400 \$6,004,894,000" and insert "\$5,381,259,400 \$6,165,694,000"

In line 272723, delete "\$13,997,454,600 \$15,249,073,000" and insert "\$14,210,154,600 \$15,534,873,000"

In line 272724, delete "\$19,264,814,000 \$21,253,967,000" and insert "\$19,591,414,000 \$21,700,567,000"

In line 272727, add \$113,900,000 to fiscal year 2024 and \$160,800,000 to fiscal year 2025

In line 272728, add \$212,700,000 to fiscal year 2024 and \$285,800,000 to fiscal year 2025

In line 272729, add \$326,600,000 to fiscal year 2024 and \$446,600,000 to fiscal year 2025

In line 272755, add \$326,600,000 to fiscal year 2024 and \$446,600,000 to fiscal year 2025

In line 273413, delete "the sum of"

In line 273414, delete all before "the" and insert "due to"

In line 281791, after "3701.021," insert "3721.08, 3721.17, 3721.99, 5165.01, 5165.15, 5165.151, 5165.152, 5165.157, 5165.158, 5165.16, 5165.19, 5165.192, 5165.23, 5165.26, 5165.36, 5165.771, 5168.40,"

In line 65 of the title, delete "3111.041,"

In line 131 of the title, after "4301.19," insert "4301.26,"; delete "4301.26,"

In line 166 of the title, delete "4776.20,"

In line 244 of the title, after "3109.054," insert "3111.041,"

In line 262 of the title, delete "3727.34,"

In line 284 of the title, delete "175.03,"

In line 299 of the title, after the semicolon insert "to repeal section 5126.022 of the Revised Code on July 1, 2025; to repeal sections 175.03 and 175.051 of the Revised Code on January 1, 2024;"

Delete lines 326 and 327 of the title

In line 328 of the title, delete "Revised Code on January 1, 2024;"

In line 694 of the title, after the fourth comma insert "and"; delete ", and"

In line 695 of the title, delete "1501.04"

In line 731 of the title, after the semicolon insert "to amend Sections 3 and 4 of S.B. 131 of the 134th General Assembly;"

In line 809, delete "3111.041,"

In line 833, after "3335.02," insert "3335.09,"

In line 858, after "4301.19," insert "4301.26,"; delete "4301.26,"

In line 883, delete "4776.20,"

In line 909, after "5725.05," insert "5725.98,"

In line 911, delete "5728.98,"

In line 940, after "3109.054," insert "3111.041,"

In line 948, after "3333.303," insert "3335.39,"

In line 953, delete "3727.34,"

Delete lines 5361 through 5391

In line 8475, strike through "services"

In line 8529, after the first "the" insert "department of"; strike through "services agency"

In line 8535, strike through "agency" and insert "department"

In line 8562, strike through "services"

In line 8673, strike through "services"

In line 8732, strike through "of"

In line 8733, strike through "development services"

In line 8745, strike through "of development services"

Delete lines 9111 through 9127

In line 9470, after "seven" insert "years of experience"

In line 9478, delete "years of experience"

Delete lines 9525 through 9536

In line 10563, after "determined" insert "under"

In line 13218, after "port" insert "authorities,"

In line 20701, after the comma insert "the governor's office of housing transformation shall"

In line 20702, delete "the governor's office of housing transformation"

In line 20703, delete "shall"

In line 20880, strike through "and any fund"

In line 20881, strike through "created under division"; delete "(B)(11)"; strike through "of section 175.05 of the"

In line 20882, strike through "Revised Code"

In line 21759, delete "(A)(1)" and insert "(B)(1)"

In line 21760, delete "5713.031" and insert "5713.03"

In line 21762, delete "(A)(1)" and insert "(B)(1)"

In line 31356, delete "(K)" and insert "(J)"

In line 36812, reinsert "to"; delete the underlined colon

In line 36813, delete "(a) To"; strike through "to" and insert ";
(a) To"

In line 42274, after "education" insert "and workforce"

In line 42650, strike through "the Ohio board of regents" and insert "higher education"

In line 44071, delete "(G)" and insert "(H)"

In line 44082, strike through ", the student is not eligible for an"

Strike through line 44083

In line 44084, strike through "Revised Code,"

Delete line 46251

In line 46689, delete "special" and insert "career-technical"

Delete line 48624

In line 53642, delete "department" and insert "state board"

In line 54354, delete "department" and insert "state board"

Move lines 54640 through 54734 of the bill (R.C. 3319.391) to after line 54587

In line 59411, strike through "Ohio board" and insert "chancellor"; strike through "regents" and insert "higher education"; strike through "which" and insert "who"

Delete line 61104

Delete line 64286

In line 64947, delete "(B)" and insert "(A)(2)"

In line 64948, delete "(A)" and insert "(A)(1)"

Move lines 74673 through 74679 of the bill (R.C. 4301.26) to after line 74663

Delete line 86937

In line 94141, delete the underlined period and insert an underlined

semicolon

Delete lines 95221 through 95273

In line 100887, delete "shall have" and insert "has"

In line 101027, strike through the first "applicant"

Delete line 103777

After line 113824, insert:

"Sec. 5726.58. (A) Terms used in this section have the same meanings as in section 175.16 of the Revised Code.

(B) A taxpayer may claim a nonrefundable tax credit against the tax imposed under section 5726.02 of the Revised Code for each person included in the annual report of the taxpayer that is allocated a credit issued by the director of the governor's office of housing transformation under section 175.16 of the Revised Code. The credit equals the amount allocated to such person for the taxable year and reported by the designated reporter on the form prescribed by division (I) of section 175.16 of the Revised Code.

The credit authorized in this section shall be claimed in the order required under section 5726.98 of the Revised Code. If the amount of a credit exceeds the tax otherwise due under section 5726.02 of the Revised Code after deducting all other credits preceding the credit in the order prescribed in section 5726.98 of the Revised Code, the excess may be carried forward for not more than five ensuing tax years. The amount of the excess credit claimed in any such year shall be deducted from the balance carried forward to the next tax year.

No credit shall be claimed under this section to the extent the credit was claimed under section 5725.36, 5729.19, or 5747.83 of the Revised Code."

In line 123788, delete "(A)(2)" and insert "(B)(2)"

In line 124616, after "515.01," insert "517.07,"

In line 124633, delete "3111.041,"

In line 124681, after "4301.19," insert "4301.26,"

In line 124682, delete "4301.26,"

In line 124706, delete "4776.20,"

In line 124752, delete "175.03,"

Delete line 124764

In line 124767, delete "section" and insert "sections 175.03 and"; delete "is" and insert "are"

After line 161288, insert:

"Section 109.57 of the Revised Code as amended by both H.B. 405 and S.B. 288 of the 134th General Assembly."

In line 184731, delete "3311.061," and insert "3316.061,"

In line 247348, after the seventh comma insert "and"

In line 247349, delete ", and 1501.04"

Delete lines 251604 through 251611

In line 251658, delete "1501.04" and insert "1501.16"

In line 251726, delete "1501.04" and insert "1501.16"

In line 251929, delete "1501.04" and insert "1501.16"

In line 252012, delete "1501.04" and insert "1501.16"

In line 252099, delete "1501.04" and insert "1501.16"

In line 252369, delete "1501.04" and insert "1501.16"

In line 268570, delete "200691" and insert "200681"

In line 274316, delete "5TZ0" and insert "5ZT0"

In line 279132, delete "and"

In line 279134, delete the period and insert "; and"

In line 281706, delete the first "division" and insert "divisions (E)(2) and"

Delete lines 281826 and 281827

In line 145 of the title, delete "4709.07,"

In line 146 of the title, delete "4709.10,"

In line 311 of the title, delete "4709.07, 4709.10,"

In line 868, delete "4709.07,"

In line 869, delete "4709.10,"

Delete lines 83042 through 83173

In line 83197, reinsert "five"

In line 83198, reinsert "hundred"

In line 124692, delete "4709.07, 4709.10,"

In line 125607, delete "4709.07, 4709.10,"

Delete lines 127595 through 127746

In line 127770, reinsert "five"

In line 127771, reinsert "hundred"

In line 128820, delete "4709.07,"

In line 128821, delete "4709.10,"

Delete lines 281889 through 281894

In line 649 of the title, after the semicolon insert "to amend section 128.01, 128.02, 128.021, 128.022, 128.03, 128.06, 128.07, 128.08, 128.12, 128.18, 128.22, 128.25, 128.26, 128.27, 128.32, 128.34, 128.40, 128.42, 128.44, 128.45, 128.46, 128.461, 128.462, 128.47, 128.52, 128.54, 128.55, 128.57, 128.60, 128.63, 128.99, 149.43, 4776.20, 5703.052, 5733.55, and 5751.01; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 128.18 (128.33), 128.22 (128.35), 128.25 (128.37), 128.26 (128.38), 128.27 (128.39), 128.32 (128.96), 128.34 (128.98), 128.40 (128.20), 128.42 (128.40), and 128.45 (128.451); to enact new sections 128.22, 128.25, 128.26, 128.27, 128.42, and 128.45 and sections 128.05, 128.21, 128.211, 128.212, 128.221, 128.23, 128.24, 128.241, 128.242, 128.243, 128.28, 128.41, 128.412, 128.413, 128.414, 128.419, 128.421, 128.422, and 128.43; and to repeal sections 128.04, 128.09, 128.15, 128.571, 4742.01, 4742.02, 4742.03, 4742.04, 4742.05, 4742.06, and 4742.07 of the Revised Code;"

After line 171908, insert:

"Section 130.60. That sections 128.01, 128.02, 128.021, 128.022, 128.03, 128.06, 128.07, 128.08, 128.12, 128.18, 128.22, 128.25, 128.26, 128.27, 128.32, 128.34, 128.40, 128.42, 128.44, 128.45, 128.46, 128.461, 128.462, 128.47, 128.52, 128.54, 128.55, 128.57, 128.60, 128.63, 128.99, 149.43, 4776.20, 5703.052, 5733.55, and 5751.01 be amended; sections 128.18 (128.33), 128.22 (128.35), 128.25 (128.37), 128.26 (128.38), 128.27 (128.39), 128.32 (128.96), 128.34 (128.98), 128.40 (128.20), 128.42 (128.40), and 128.45 (128.451) be amended for the purpose of adopting new section numbers as indicated in parentheses; and new sections 128.22, 128.25, 128.26, 128.27, 128.42, and 128.45 and sections 128.05, 128.21, 128.211, 128.212, 128.221, 128.23, 128.24, 128.241, 128.242, 128.243, 128.28, 128.41, 128.412, 128.413, 128.414, 128.419, 128.422, and 128.43 of the Revised Code be enacted to read as follows:

Sec. 128.01. As used in this chapter:

(A) "9-1-1 system" means a system through which individuals can request emergency service using the ~~telephone~~ access number 9-1-1.

(B) "Basic 9-1-1" means ~~a 9-1-1~~ an emergency telephone system in to which all of the following apply:

(1) The system automatically connects a caller provides information on the nature of and the location of an emergency, and the personnel receiving the call must determine the appropriate emergency service provider to respond at that location to a designated public safety answering point.

(2) Call routing is determined by a central office only.

(3) Automatic number identification and automatic location information may or may not be supported.

(C) "Enhanced 9-1-1" means a ~~9-1-1~~ an emergency telephone system capable of providing both enhanced wireline 9-1-1 and wireless enhanced 9-1-1 that includes both of the following:

(1) Network switching;

(2) Database- and public-safety-answering-point premise elements capable of providing automatic location identification data, selective routing, selective transfer, fixed transfer, and a call back number.

(D) "Enhanced wireline 9-1-1" means a 9-1-1 system in which the wireline telephone network, in providing wireline 9-1-1, does either of the following:

(1) Automatically routes the call to emergency service providers that serve the location from which the call is made and immediately provides to personnel answering the 9-1-1 call information on the location and the telephone number from which the call is being made;

(2) Receives, develops, collects, or processes requests for emergency assistance and relays, transfers, operates, maintains, or provides emergency notification services or system capabilities.

(E) "Wireless enhanced 9-1-1" means a 9-1-1 system that, in providing wireless 9-1-1, has the capabilities of phase I and, to the extent available, phase II enhanced 9-1-1 services as described in 47 C.F.R. 20.18 (d) to (h).

(F)(1) "Wireless service" means federally licensed commercial mobile service as defined in 47 U.S.C. 332(d) and further defined as commercial mobile radio service in 47 C.F.R. 20.3, and includes service provided by any wireless, two-way communications device, including a radio-telephone communications line used in cellular telephone service or personal communications service, a network radio access line, or any functional or competitive equivalent of such a radio-telephone communications or network radio access line.

(2) Nothing in this chapter applies to paging or any service that cannot be used to call or contact 9-1-1.

(G) "Wireless service provider" means ~~a facilities-based provider of~~ any of the following that provides wireless service to one or more end users in this

state;

(1) A facilities-based provider;

(2) A mobile virtual network operator;

(3) A mobile other licensed operator.

(H) "Wireless 9-1-1" means the emergency calling service provided by a 9-1-1 system pursuant to a call originating in the network of a wireless service provider.

(I) "Wireline 9-1-1" means the emergency calling service provided by a 9-1-1 system pursuant to a call originating in the network of a wireline service provider.

(J) "Wireline service provider" means a facilities-based provider of wireline service to one or more ~~end-users~~ end users in this state.

(K) "Wireline service" means basic local exchange service, as defined in section 4927.01 of the Revised Code, that is transmitted by means of interconnected wires or cables by a wireline service provider authorized by the public utilities commission.

(L) "Wireline telephone network" means the selective router and data base processing systems, trunking and data wiring cross connection points at the public safety answering point, and all other voice and data components of the 9-1-1 system.

(M) "Subdivision" means a county, municipal corporation, township, township fire district, joint fire district, township police district, joint police district, joint ambulance district, or joint emergency medical services district that provides emergency service within its territory, or that contracts with another municipal corporation, township, or district or with a private entity to provide such service; and a state college or university, port authority, or park district of any kind that employs law enforcement officers that act as the primary police force on the grounds of the college or university or port authority or in the parks operated by the district.

(N) "Emergency service" means emergency law enforcement, firefighting, ambulance, rescue, and medical service.

(O) "Emergency service provider" means the state highway patrol and an emergency service department or unit of a subdivision or that provides emergency service to a subdivision under contract with the subdivision.

(P) "Public safety answering point" means ~~a facility to which an entity responsible for receiving requests for emergency services sent by dialing 9-1-1 system calls for within a specific specified territory are initially routed for response and where personnel respond to specific and processing those~~

requests for emergency ~~service by~~ services according to a specific operational policy that includes directly dispatching the appropriate emergency service provider, relaying a message to the appropriate emergency service provider, or transferring the ~~call request for emergency services~~ to the appropriate emergency service provider. A public safety answering point may be either of the following:

(1) Located in a specific facility;

(2) Virtual, if telecommunicators are geographically dispersed and do not work from the same facility. The virtual workplace may be a logical combination of physical facilities, an alternate work environment such as a satellite facility, or a combination of the two. Workers may be connected and interoperate via internet-protocol connectivity.

(Q) "Customer premises equipment" means telecommunications equipment, including telephone instruments, on the premises of a public safety answering point that is used in answering and responding to 9-1-1 system calls.

(R) "Municipal corporation in the county" includes any municipal corporation that is wholly contained in the county and each municipal corporation located in more than one county that has a greater proportion of its territory in the county to which the term refers than in any other county.

(S) "Board of county commissioners" includes the legislative authority of a county established under Section 3 of Article X, Ohio Constitution, or Chapter 302. of the Revised Code.

(T) "Final plan" means a final plan adopted under division (B) of section 128.08 of the Revised Code and, except as otherwise expressly provided, an amended final plan adopted under section 128.12 of the Revised Code.

(U) "Subdivision served by a public safety answering point" means a subdivision that provides emergency service for any part of its territory that is located within the territory of a public safety answering point whether the subdivision provides the emergency service with its own employees or pursuant to a contract.

(V) A township's population includes only population of the unincorporated portion of the township.

(W) "Telephone company" means a company engaged in the business of providing local exchange telephone service by making available or furnishing access and a dial tone to persons within a local calling area for use in originating and receiving voice grade communications over a switched network operated by the provider of the service within the area and gaining access to other telecommunications services. Unless otherwise specified,

"telephone company" includes a wireline service provider, a wireless service provider, and any entity that is a covered 9-1-1 service provider under 47 C.F.R. 12.4. For purposes of sections ~~128.25~~ 128.37 and ~~128.26~~ 128.38 of the Revised Code, "telephone company" means a wireline service provider.

(X) "Prepaid wireless calling service" has the same meaning as in division (AA)(5) of section 5739.01 of the Revised Code.

(Y) "Provider of a prepaid wireless calling service" means a wireless service provider that provides a prepaid wireless calling service.

(Z) "Retail sale" has the same meaning as in section 5739.01 of the Revised Code.

(AA) "Seller" means a person that sells a prepaid wireless calling service to another person by retail sale.

(BB) "Consumer" means the ~~person~~ end user for whom the prepaid wireless calling service is provided, to whom the transfer effected or license given by a sale is or is to be made or given, to whom the prepaid wireless calling service is charged, or to whom the admission is granted.

(CC) "Reseller" means a nonfacilities-based provider of wireless service that provides wireless service under its own name to one or more end users in this state using the network of a wireless service provider.

(DD) "Steering committee" means the statewide ~~emergency services internet-protocol network~~ 9-1-1 steering committee established by division (A)(1) of section 128.02 of the Revised Code.

(EE) "Next generation 9-1-1" means an internet-protocol-based system comprised of managed emergency services internet protocol networks, functional elements, and databases that replicate traditional enhanced 9-1-1 features and functions and provide additional capabilities.

(FF) "Emergency services internet-protocol network" means a managed internet-protocol network that is used for emergency services communications and provides the internet-protocol transport infrastructure upon which independent application platforms and core services can be deployed, including those necessary for providing next generation 9-1-1 services. The term designates the network and not the services that ride on the network.

(GG) "9-1-1 system service provider" means a company or entity engaged in the business of providing all or part of the emergency services internet-protocol network, software applications, hardware, databases, customer premises equipment components and operations, and management procedures required to support basic 9-1-1, enhanced 9-1-1, enhanced wireline 9-1-1, wireless enhanced 9-1-1, or next generation 9-1-1 systems.

(HH) "Voice over internet protocol" means technologies for the delivery of voice communications and multimedia sessions over internet-protocol networks, including private networks or the internet.

(II) "Multiline telephone system" means a system to which both of the following apply:

(1) The system consists of common control units, telephone sets, control hardware and software, and adjunct systems, including network and premises-based systems.

(2) The system is designed to aggregate more than one incoming voice communication channel for use by more than one telephone.

(JJ) "Business service user" means a user of business service that provides telecommunications service, including 9-1-1 service, to end users through a publicly or privately owned or controlled telephone switch.

(KK) "Emergency response location" means an additional location identification that provides a specific location. It may include information regarding a specific location within a building, structure, complex, or campus, including a building name, floor number, wing name or number, unit name or number, room name or number, or office or cubicle name or number.

(LL) "Operator of a multiline telephone system" means an entity to which both of the following apply:

(1) The entity manages or operates a multiline telephone system through which an end user may initiate communication using the 9-1-1 system.

(2) The entity owns, leases, or rents a multiline telephone system through which an end user may initiate communication using the 9-1-1 system.

(MM) "Core services" means the base set of services needed to process a 9-1-1 call on an emergency services internet-protocol network. It includes all of the following:

(1) Emergency services routing proxy;

(2) Emergency call routing function;

(3) Location validation function;

(4) Border control function;

(5) Bridge, policy-store, and logging services;

(6) Typical internet-protocol services such as domain name system and dynamic host configuration protocol.

The term includes the services and not the network on which they operate.

(NN) "Bill and keep arrangements" has the same meaning as in 47 C.F.R. 51.713.

Sec. 128.02. (A)(1) There is hereby created the statewide ~~emergency-services internet protocol network~~ 9-1-1 steering committee, consisting of the following ten members:

- (a) The state chief information officer or the officer's designee;
- (b) Two members of the house of representatives appointed by the speaker, one from the majority party and one from the minority party;
- (c) Two members of the senate appointed by the president, one from the majority party and one from the minority party;
- (d) Five members appointed by the governor.

(2) In appointing the five members under division (A)(1)(d) of this section, the governor shall appoint two representatives of the county commissioners' association of Ohio or a successor organization, two representatives of the Ohio municipal league or a successor organization, and one representative of the Ohio township association or a successor organization. For each of these appointments, the governor shall consider a nominee proposed by the association or successor organization. The governor may reject any of the nominees and may request that a nominating entity submit alternative nominees.

~~(3) Initial appointments shall be made not later than ten days after September 28, 2012.~~

(B)(1) The state chief information officer or the officer's designee shall serve as the chairperson of the steering committee and shall be a nonvoting member. All other members shall be voting members.

(2) A member of the steering committee appointed from the membership of the senate or the house of representatives shall serve during the member's term as a member of the general assembly and until a successor is appointed and qualified, notwithstanding adjournment of the general assembly or the expiration of the member's term as a member of the general assembly.

(3) The initial terms of one of the representatives of the county commissioners' association of Ohio, one of the representatives of the Ohio municipal league, and the representative of the Ohio township association shall all expire on December 31, 2016. The initial terms of the other representatives of the county commissioners' association of Ohio and the Ohio municipal league shall expire on December 31, 2014. Thereafter, terms of the members appointed by the governor shall be for four years, with each term ending on the same day of the same month as the term it succeeds. Each member appointed by the governor shall hold office from the date of the

member's appointment until the end of the term for which the member was appointed, and may be reappointed. A member appointed by the governor shall continue in office after the expiration date of the member's term until the member's successor takes office or until a period of sixty days has elapsed, whichever occurs first. Members appointed by the governor shall serve without compensation and shall not be reimbursed for expenses.

(4) A vacancy in the position of any member of the steering committee shall be filled for the unexpired term in the same manner as the original appointment.

(C) The steering committee shall generally advise the state on the implementation, operation, and maintenance of a statewide emergency services internet protocol network ~~that would support state and local government, statewide next-generation~~ next generation 9-1-1 core-services system, and the dispatch of emergency service providers. The steering committee shall do all of the following:

(1) ~~On or before May 15, 2013, deliver an initial report to the speaker of the house of representatives, the president of the senate, and the governor providing recommendations for the state to address the development of a statewide emergency services internet protocol network, which recommendations shall include a review of the current funding model for this state's 9-1-1 systems and may include a recommendation for a reduction in wireless 9-1-1 charges;~~

(2) Examine the readiness of the state's current technology infrastructure for a statewide emergency services internet protocol network;

(3)(2) Research legislative authority with regard to governance and funding of a statewide emergency services internet protocol network, and provide recommendations on best practices to limit duplicative efforts to ensure an effective transition to ~~next-generation~~ next generation 9-1-1;

(4)(3) ~~Make~~ Where feasible, make recommendations for consolidation of public-safety-answering-point operations in this state, ~~including recommendations for accelerating the consolidation schedule established in section 128.571 of the Revised Code, to accommodate next-generation~~ next generation 9-1-1 technology and to facilitate a more efficient and effective emergency services system;

(5)(4) Recommend policies, procedures, and statutory or regulatory authority to effectively govern a statewide ~~emergency services internet protocol network~~ next generation 9-1-1 system;

(6)(5) Designate a ~~next-generation~~ next generation 9-1-1 statewide coordinator to serve as the primary point of contact for federal initiatives;

~~(7)~~(6) Coordinate with statewide initiatives and associations such as the state interoperable executive committee, the Ohio geographically referenced information program council, the Ohio multi-agency radio communications system steering committee, and other interested parties;

~~(8)~~(7) Serve as the entity responsible for the administration of Chapter 128. of the Revised Code.

(D)(1) A 9-1-1 service provider shall provide to the steering committee:

(a) The aggregate number of access lines that the provider maintains within the state of Ohio;

(b) The aggregate amount of costs and cost recovery associated with providing 9-1-1 service, including coverage under tariffs and bill and keep arrangements within this state;

(c) Any other information requested by the steering committee deemed necessary to support the transition to next generation 9-1-1.

(2) Any ~~political subdivision or governmental~~ entity operating a public safety answering point shall provide to the steering committee:

(a) The geographic location and population of the area for which the ~~planning committee~~ entity is responsible;

(b) Statistics detailing the number of 9-1-1 calls received;

(c) A report of expenditures made from disbursements for 9-1-1;

(d) An inventory of and the technical specifications for the current 9-1-1 network and equipment;

(e) Any other information requested by the steering committee that is deemed necessary to support the transition to next generation 9-1-1.

(3) The information requested under divisions (D)(1) and (2) of this section shall be provided by the 9-1-1 service provider, political subdivision, or governmental entity within forty-five days of the request of the steering committee.

(E) The ~~steering committee shall hold its inaugural meeting not later than thirty days after September 28, 2012. Thereafter, the steering committee shall~~ meet at least once a ~~month~~ quarter, either in person or utilizing telecommunication-conferencing technology. A majority of the voting members shall constitute a quorum.

(F)(1) The steering committee shall have a permanent technical-standards subcommittee and a permanent public-safety-answering-point-operations subcommittee, and may, from time to time, establish additional subcommittees, to advise and assist the steering committee based upon the

subcommittees' areas of expertise. The subcommittees may meet either in person or utilizing telecommunication-conferencing technology. A majority of the voting members shall constitute a quorum.

(2) The membership of subcommittees shall be determined by the steering committee.

(a) The technical-standards subcommittee shall include one member representing a wireline or wireless service provider that participates in the state's 9-1-1 system, one representative of the Ohio academic resources network, one representative of the Ohio multi-agency radio communications system steering committee, one representative of the Ohio geographically referenced information program, and one member representing each of the following associations selected by the steering committee from nominations received from that association:

(i) The Ohio telephone association;

(ii) The Ohio chapter of the association of public-safety communications officials;

(iii) The Ohio chapter of the national emergency number association.

(b) The public-safety-answering-point-operations subcommittee shall include one member representing the division of emergency management of the department of public safety, one member representing the state highway patrol, one member representing the division of emergency medical services of the department of public safety, two members recommended by the county commissioners' association of Ohio who are managers of public safety answering points, two members recommended by the Ohio municipal league who are managers of public safety answering points, and one member from each of the following associations selected by the steering committee from nominations received from that association:

(i) The buckeye state sheriffs' association;

(ii) The Ohio association of chiefs of police;

(iii) The Ohio ~~association of~~ fire chiefs association;

(iv) The Ohio chapter of the association of public-safety communications officials;

(v) The Ohio chapter of the national emergency number association.

(G) The committee is not an agency, as defined in section 101.82 of the Revised Code, for purposes of sections 101.82 to 101.87 of the Revised Code.

~~(H) As used in this section, "9-1-1 system," "wireless service provider," "wireline service provider," "emergency service provider," and "public safety~~

~~answering point" have the same meanings as in section 128.01 of the Revised Code.~~

~~(I) As used in this section, "bill and keep arrangements" has the same meaning as in 47 C.F.R. 51.713.~~

Sec. 128.021.(A) Not later than January 1, 2014, and in accordance with Chapter 119. of the Revised Code, the steering committee shall adopt rules that establish technical and operational standards for public safety answering points eligible to receive disbursements under section 128.55 of the Revised Code. The rules shall incorporate industry standards and best practices for ~~wireless~~ 9-1-1 services. Public safety answering points shall comply with the standards not later than two years after the effective date of the rules adopting the standards. A public safety answering point may be deemed compliant with rules for minimum staffing standards, if it can demonstrate compliance with all other rules for operational standards.

(B) Not later than one year after September 29, 2015, and in accordance with Chapter 119. of the Revised Code, the steering committee shall conduct an assessment of the operational standards for public safety answering points developed under division (A) of this section and revise the standards as necessary to ensure that the operational standards contain the following:

(1) Policies to ensure that public safety answering point personnel prioritize life-saving questions in responding to each call to a 9-1-1 system established under this chapter;

(2) A requirement that all public safety answering point personnel complete proper training or provide proof of prior training to give instructions regarding emergency situations.

(C) Upon the effective date of the amendments to this section by this act, all public safety answering points that answer 9-1-1 calls for service from wireless services shall be subject to the public safety answering point operations rules. Public safety answering points not originally required to be compliant shall comply with the standards not later than two years after the effective date of the amendments to this section by this act.

Sec. 128.022. (A) The steering committee shall establish guidelines for the tax commissioner to use when disbursing money from the ~~next generation~~ 9-1-1 government assistance fund to countywide 9-1-1 systems in the state, as well as guidelines for the use of funds from the next generation 9-1-1 fund. The guidelines shall be consistent with the standards adopted in section 128.021 of the Revised Code and shall specify that disbursements may be used for costs associated with the operation of and equipment for phase II wireless systems and for costs associated with a county's migration to next generation 9-1-1 systems and technology. The committee shall periodically

review the guidelines described in this division and adjust them as needed.

(B) The committee shall report any adjustments to the guidelines described in division (A) of this section to the department of taxation. The adjustments shall take effect six months from the date the department is notified of the adjustments.

Sec. 128.03. ~~(A)(1)(A)~~ A countywide 9-1-1 system shall include all of the territory of the townships and municipal corporations in the county and any portion of such a municipal corporation that extends into an adjacent county.

~~(2) The system shall exclude any territory served by a wireline service provider that is not capable of reasonably meeting the technical and economic requirements of providing the wireline telephone network portion of the countywide system for that territory. The system shall exclude from enhanced 9-1-1 any territory served by a wireline service provider that is not capable of reasonably meeting the technical and economic requirements of providing the wireline telephone network portion of enhanced 9-1-1 for that territory. If a 9-1-1 planning committee and a wireline service provider do not agree on whether the provider is so capable, the planning committee shall notify the steering committee, and the steering committee shall determine whether the wireline service provider is so capable. The planning committee shall ascertain whether such disagreement exists before making its implementation proposal under division (A) of section 128.07 of the Revised Code. The steering committee's determination shall be in the form of an order. No final plan shall require a wireline service provider to provide the wireline telephone network portion of a 9-1-1 system that the steering committee has determined the provider is not reasonably capable of providing.~~

(B) A countywide 9-1-1 system may be a ~~basic or~~ an enhanced or next generation 9-1-1 system, or a combination of the two, and shall be ~~for the purpose of providing both wireline 9-1-1 and wireless 9-1-1~~ designed to provide access to emergency services from all connected communications sources.

~~(C)(1)~~ Every emergency service provider that provides emergency service within the territory of a countywide 9-1-1 system shall participate in the countywide system.

(2) A countywide 9-1-1 system may be provided directly by the county, by a regional council of governments, or by connecting directly to the statewide next generation 9-1-1 system for call routing and core services.

(D)(1) Each public safety answering point shall be operated by a subdivision or a regional council of governments and shall be operated constantly.

(2) A subdivision or a regional council of governments that operates a

public safety answering point shall pay all of the costs associated with establishing, equipping, furnishing, operating, and maintaining that facility and shall allocate those costs among itself and the subdivisions served by the answering point based on the allocation formula in a final plan. The wireline service provider or other entity that provides or maintains the customer premises equipment shall bill the operating subdivision or the operating regional council of governments for the cost of providing such equipment, or its maintenance. A wireless service provider and a subdivision or regional council of governments operating a public safety answering point may enter into a service agreement for providing wireless enhanced 9-1-1 pursuant to a final plan adopted under this chapter.

(E) Except to the extent provided in a final plan that provides for funding of a 9-1-1 system in part through charges imposed under section ~~128.22~~128.35 of the Revised Code, each subdivision served by a public safety answering point shall pay the subdivision or regional council of governments that operates the answering point the amount computed in accordance with the allocation formula set forth in the final plan.

(F) Notwithstanding any other provision of law, the purchase or other acquisition, installation, and maintenance of the telephone network for a 9-1-1 system and the purchase or other acquisition, installation, and maintenance of customer premises equipment at a public safety answering point made in compliance with a final plan ~~or an agreement under section 128.09 of the Revised Code~~, including customer premises equipment used to provide wireless enhanced 9-1-1, are not subject to any requirement of competitive bidding.

(G) Each emergency service provider participating in a countywide 9-1-1 system shall maintain a telephone number in addition to 9-1-1.

~~(H) Whenever a final plan provides for the implementation of basic 9-1-1, the planning committee shall so notify the steering committee, which shall determine whether the wireline service providers serving the territory covered by the plan are capable of reasonably meeting the technical and economic requirements of providing the wireline telephone network portion of an enhanced 9-1-1 system. The determination shall be made solely for purposes of division (C)(2) of section 128.18 of the Revised Code.~~

(H) If the public safety answering point personnel reasonably determine that a 9-1-1 call is not an emergency, the personnel shall provide the caller with the telephone number of an appropriate subdivision agency as applicable.

~~(I) A final plan adopted under this chapter, or an agreement under section 128.09 of the Revised Code, may provide that, by further agreement included in the plan or agreement, the state highway patrol or one or more public safety answering points of another 9-1-1 system is the public safety answering point~~

or points for the provision of wireline or wireless 9-1-1 for all or part of the territory of the 9-1-1 system established under the plan ~~or agreement~~. In that event, the subdivision for which the wireline or wireless 9-1-1 is provided as named in the agreement shall be deemed the subdivision operating the public safety answering point or points for purposes of this chapter, except that, for the purpose of division (D)(2) of this section, that subdivision shall pay only so much of the costs of establishing, equipping, furnishing, operating, or maintaining any such public safety answering point as are specified in the agreement with the patrol or other system.

~~(K)~~(J) A final plan for the provision of wireless enhanced 9-1-1 shall provide that any wireless 9-1-1 calls routed to a state highway patrol-operated public safety answering point by default, due to a wireless service provider so routing all such calls of its subscribers without prior permission, are instead to be routed as provided under the plan. Upon the implementation of countywide wireless enhanced 9-1-1 pursuant to a final plan, the state highway patrol shall cease any functioning as a public safety answering point providing wireless 9-1-1 within the territory covered by the countywide 9-1-1 system so established, unless the patrol functions as a public safety answering point providing wireless enhanced 9-1-1 pursuant to an agreement included in the plan as authorized under division ~~(J)~~(I) of this section.

Sec. 128.05. Each county shall appoint a county 9-1-1 coordinator to serve as the administrative coordinator for all public safety answering points participating in the countywide 9-1-1 final plan described in section 128.03 of the Revised Code and shall also serve as a liaison with other county coordinators and the 9-1-1 program office.

Sec. 128.06. (A) ~~A board of~~ Except as provided in divisions (B) and (C) of this section, every county commissioners or the legislative authority of any municipal corporation in the county that contains at least thirty per cent of the county's population may adopt a resolution to convene shall maintain a county 9-1-1 planning program review committee, which shall serve without compensation and shall consist of ~~three~~ six voting members as follows:

(1) ~~The president or other presiding officer~~ A member of the board of county commissioners, or a designee, who shall serve as chairperson of the committee;

(2) The chief executive officer of the most populous municipal corporation in the county;

(3) ~~From the more populous of the following, either the chief executive officer of the second most populous municipal corporation in the county or a~~ A member of the board of township trustees of the most populous township in the county as selected by majority vote of the board of trustees.

~~In counties with a population of one hundred seventy-five thousand or more, the planning committee shall consist of two additional voting members as follows: a;~~

~~(4) A member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to resolutions they adopt, and the chief executive officer;~~

~~(5) A member of the legislative authority of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt;~~

~~(6) An elected official from within the county appointed by the board of county commissioners.~~

When determining population under ~~this~~ division (A)(2) of this section, population residing outside the county shall be excluded.

(B) In counties with fewer than five townships, a population in excess of seven hundred fifty thousand, and which contains more than one public safety answering point, the composition of the 9-1-1 program review committee shall consist of five members as follows:

(1) A member of the board of county commissioners, or a designee, who shall serve as chairperson of the committee;

(2) The chief executive officer of the most populous municipal corporation in the county. Population residing outside the county shall be excluded when making this determination.

(3) A member from one of the following, whichever is more populous:

(a) The chief executive officer of the second most populous municipal corporation in the county;

(b) A member of the board of township trustees of the most populous township in the county as selected by majority vote of the board of trustees.

(4) The chief executive officer of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt;

(5) A member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to resolutions they adopt.

~~Within thirty days after the adoption of a resolution to convene the~~ (C) In counties that contain only one public safety answering point, the composition of the 9-1-1 review committee shall consist of three members as follows:

(1) If the public safety answering point is not operated by the board of county commissioners, the committee shall be composed of the following:

(a) A member of the board of county commissioners, or the member's designee, who shall serve as chairperson of the committee;

(b) One of the following:

(i) If the public safety answering point is operated by a township, then a member of the board of township trustees;

(ii) If the public safety answering point is operated by a municipal corporation, then the chief executive officer of the municipal corporation;

(iii) If the public safety answering point is operated by a subdivision that is not a township or municipal corporation or is operated by a regional council of governments, then an elected official of that subdivision or regional council of governments.

(c) A member who is an elected official of the most populous township or municipal corporation in the county that does not operate the public safety answering point. When determining population under this division, population residing outside the county shall be excluded.

(2) If the public safety answering point is operated by the board of county commissioners, then the board of county commissioners shall serve as the 9-1-1 program review committee.

(D) Each committee under division (A) of this section, the committee shall convene for the sole purpose of developing maintain and amend a final plan for implementing and operating a countywide 9-1-1 system. The Any amendment to the final plan shall require a two-thirds vote of the committee. Each committee shall convene at least once annually for the purposes of maintaining or amending a final plan described in this section.

(E) Each committee shall, not later than the first day of March of each year, submit a report to the political subdivisions within the county and to the 9-1-1 program office detailing the sources and amounts of revenue expended to support and all costs incurred to operate the countywide 9-1-1 system and the public safety answering points that are a part of that system for the previous calendar year. A county shall provide the county's committee with any clerical, legal, and other staff assistance necessary to develop the final plan and shall pay for copying, mailing, and any other such expenses incurred by the committee in developing the final plan and in meeting the requirements imposed by sections 128.06 to 128.08 of the Revised Code.

(C) The 9-1-1 planning committee shall appoint a 9-1-1 technical advisory committee to assist it in planning the countywide 9-1-1 system. The advisory committee shall include at least one fire chief and one police chief serving in the county, the county sheriff, a representative of the state highway patrol selected by the patrol, one representative of each telephone company in each

case selected by the telephone company represented, the director/coordinator of emergency management appointed under section 5502.26, 5502.27, or 5502.271 of the Revised Code, as appropriate, and a member of a board of township trustees of a township in the county selected by a majority of boards of township trustees in the county pursuant to resolutions they adopt.

Sec. 128.07. (A) The 9-1-1 planning committee shall prepare a proposal on the implementation of a countywide 9-1-1 system and shall hold a public meeting on the proposal to explain the system to and receive comments from public officials. At least thirty but not more than sixty days before the meeting, the committee shall send a copy of the implementation proposal and written notice of the meeting:

(1) To the board of county commissioners, the legislative authority of each municipal corporation in the county, and to the board of trustees of each township in the county, either by certified mail or, if the committee has record of an internet identifier of record associated with the board or legislative authority, by ordinary mail and by that internet identifier of record; and

(2) To the board of trustees, directors, or park commissioners of each subdivision that will be served by a public safety answering point under the plan.

(B) The proposal and the final plan adopted by the committee required under section 128.06 of the Revised Code shall specify:

(1) Which telephone companies serving customers in the county and, as authorized in division ~~(A)~~~~(1)~~~~(A)~~ of section 128.03 of the Revised Code, in an adjacent county will participate in the 9-1-1 system;

(2) The location and number of public safety answering points; how ~~they~~ the public safety answering points will be connected to a ~~company's telephone network~~ county's preferred next generation 9-1-1 system; from what geographic territory each public safety answering point will receive 9-1-1 calls; whether ~~basic~~ enhanced 9-1-1 ~~or next generation 9-1-1~~ service will be provided within such territory; what subdivisions will be served by the public safety answering point; and whether ~~an~~ a public safety answering point will respond to calls by directly dispatching an emergency service provider, by relaying a message to the appropriate emergency service provider, or by transferring the call to the appropriate emergency service provider;

(3) How originating service providers must connect to the core 9-1-1 system identified by the final plan and what methods will be utilized by the originating service providers to provide 9-1-1 voice, text, other forms of messaging media, and caller location to the core 9-1-1 system;

(4) That in instances where a public safety answering point, even if capable, does not directly dispatch all entities that provide the emergency

services potentially needed for an incident, without significant delay, that request shall be transferred or the information electronically relayed to the entity that directly dispatches the potentially needed emergency services;

(5) Which subdivision or regional council of governments will establish, equip, furnish, operate, and maintain a particular public safety answering point;

(4)(6) A projection of the initial cost of establishing, equipping, and furnishing and of the annual cost of the first five years of operating and maintaining each public safety answering point;

(5)(7) Whether the cost of establishing, equipping, furnishing, operating, or maintaining each public safety answering point should be funded through charges imposed under section ~~128.22~~128.35 of the Revised Code or will be allocated among the subdivisions served by the answering point and, if any such cost is to be allocated, the formula for so allocating it;

(6)(8) How each emergency service provider will respond to a misdirected call or the provision of a caller location that is either misrepresentative of the actual location or does not meet requirements of the federal communications commission or other accepted national standards as they exist on the date of the call origination.

~~(C) Following the meeting required by this section, the 9-1-1 planning committee may modify the implementation proposal and, no later than nine months after the resolution authorized by section 128.06 of the Revised Code is adopted, may adopt, by majority vote, a final plan for implementing a countywide 9-1-1 system. If a planning committee and wireline service provider do not agree on whether the wireline service provider is capable of providing the wireline telephone network as described under division (A) of section 128.03 of the Revised Code and the planning committee refers that question to the steering committee, the steering committee may extend the nine-month deadline established by this division to twelve months. Immediately on completion of the plan, the planning (B)(1) The 9-1-1 program review~~ committee shall send a copy of the final plan:

(1)(a) To the board of county commissioners of the county, to the legislative authority of each municipal corporation in the county, and to the board of township trustees of each township in the county either by certified mail or, if the committee has record of an internet identifier of record associated with the board or legislative authority, by ordinary mail and by that internet identifier of record; and

(2)(b) To the board of trustees, directors, or park commissioners of each subdivision that will be served by a public safety answering point under the plan.

~~(D)~~(2) The 9-1-1 program review committee shall file a copy of its current final plan with the Ohio 9-1-1 program office not later than six months after the effective date of this amendment. Any revisions or amendments shall be filed not later than ninety days after adoption.

(C) As used in this section, "internet identifier of record" has the same meaning as in section 9.312 of the Revised Code.

Sec. 128.08. (A) Within sixty days after receipt of the final plan pursuant to division ~~(C)~~(B)(1) of section 128.07 of the Revised Code, the board of county commissioners of the county and the legislative authority of each municipal corporation in the county and of each township whose territory is proposed to be included in a countywide 9-1-1 system shall act by resolution to approve or disapprove the plan, except that, with respect to a final plan that provides for funding of the 9-1-1 system in part through charges imposed under section ~~128.22~~128.35 of the Revised Code, the board of county commissioners shall not act by resolution to approve or disapprove the plan until after a resolution adopted under section ~~128.22~~128.35 of the Revised Code has become effective as provided in division (D) of that section. ~~A municipal corporation or township whose territory is proposed to be included in the system includes any municipal corporation or township in which a part of its territory is excluded pursuant to division (A)(2) of section 128.03 of the Revised Code.~~ Each such authority immediately shall notify the board of county commissioners in writing of its approval or disapproval of the final plan. Failure by a board or legislative authority to notify the board of county commissioners of approval or disapproval within such sixty-day period shall be deemed disapproval by the board or authority.

(B) As used in this division, "county's population" excludes the population of any municipal corporation or township that, under the plan, is completely excluded from 9-1-1 service in the county's final plan. A countywide plan is effective if all of the following entities approve the plan in accordance with this section:

- (1) The board of county commissioners;
- (2) The legislative authority of a municipal corporation that contains at least thirty per cent of the county's population, if any;
- (3) The legislative authorities of municipal corporations and townships that contain at least sixty per cent of the county's population or, if the plan has been approved by a municipal corporation that contains at least sixty per cent of the county's population, by the legislative authorities of municipal corporations and townships that contain at least seventy-five per cent of the county's population.

(C) After a countywide plan approved in accordance with this section is

adopted, all of the telephone companies, subdivisions, and regional councils of governments included in the plan are subject to the specific requirements of the plan and to this chapter.

Sec. 128.12. (A) An amended final plan is required for any of the following purposes:

- (1) Expanding the territory included in the countywide 9-1-1 system;
- (2) Upgrading any part or all of a the countywide 9-1-1 system ~~from basic to enhanced wireline 9-1-1~~;
- (3) Adjusting the territory served by a public safety answering point;
- (4) Permitting a regional council of governments to operate a public safety answering point;
- (5) Represcribing the funding of public safety answering points as between the alternatives set forth in division ~~(B)(5)(A)(7)~~ of section 128.07 of the Revised Code;
- (6) Providing for wireless enhanced 9-1-1;
- (7) ~~Adding, changing, or removing a telephone company 9-1-1 system service provider as a participant in a the countywide 9-1-1 system after the implementation of wireline 9-1-1 or wireless enhanced 9-1-1;~~
- (8) Providing that the state highway patrol or one or more public safety answering points of another 9-1-1 system function as a public safety answering point or points for the provision of wireline or wireless 9-1-1 for all or part of the territory of the system established under the final plan, as contemplated under division ~~(F)(I)~~ of section 128.03 of the Revised Code;
- (9) Making any other necessary adjustments to the plan.

~~(B)(1) To amend a final plan for the purpose described in division (A)(7) of this section, an entity that wishes to be added as a participant in a 9-1-1 system shall file a written letter of that intent with the board of county commissioners of the county that approved the final plan. The final plan is deemed amended upon the filing of that letter. The entity that files the letter shall send written notice of that filing to all subdivisions, regional councils of governments, and telephone companies participating in the system.~~

~~(2)~~ An amendment to a final plan for any other purpose set forth in division (A) of this section may be made by an addendum approved by a majority of the 9-1-1 planning program review committee. The board of county commissioners shall call a meeting of the 9-1-1 planning program review committee for the purpose of considering an addendum pursuant to this division.

(3)(2) Adoption of any resolution under section ~~128.22~~128.35 of the Revised Code pursuant to a final plan that both has been adopted and provides for funding through charges imposed under that section is not an amendment of a final plan for the purpose of this division.

(C) When a final plan is amended for a purpose described in division (A) (1), (2), or (7) of this section, sections ~~128.18~~128.35 and 5733.55 of the Revised Code apply with respect to the receipt of the nonrecurring and recurring rates and charges for the wireline telephone network portion of the 9-1-1 system.

Sec. 128.40. There is hereby created within the department of administrative services the 9-1-1 program office, headed by an administrator in the unclassified civil service pursuant to division (A)(9) of section 124.11 of the Revised Code. The administrator shall be appointed by and serve at the pleasure of the director of administrative services ~~and shall report directly to the state chief information officer.~~ The program office shall oversee administration of the ~~wireless~~ 9-1-1 government assistance fund, the ~~wireless~~ 9-1-1 program fund, and the next generation 9-1-1 fund.

Sec. 128.21. (A) The 9-1-1 program office shall coordinate and manage a statewide next generation 9-1-1 core services system. The office shall interoperate the system with Canada and the states that border this state. The office shall also manage the vendors supplying the equipment and services for the system to the department of administrative services.

(B)(1) The statewide next generation 9-1-1 core services system shall be capable of providing 9-1-1 core services for all of the territory of all the counties within this state, over both land and water. The system shall route all 9-1-1 traffic using location and policy-based routing to legacy enhanced 9-1-1 public safety answering points, next generation 9-1-1 public safety answering points, and local next generation 9-1-1 systems. The system shall be designed to provide access to emergency services from all connected communications sources and provide multimedia data capabilities for public safety answering points and other emergency service organizations.

(2) The emergency services internet protocol network that supports the statewide next generation 9-1-1 core services system shall be capable of being shared by all public safety agencies. It may be constructed from a mix of dedicated and shared facilities. It may be interconnected at local, regional, state, federal, national, and international levels to form an internet-protocol-based inter-network, or network of networks.

Sec. 128.211. (A) Not later than six months after the effective date of this section, the 9-1-1 program office shall draft, submit, or update a state of Ohio 9-1-1 plan to the steering committee. The plan shall include all of the following:

(1) A specific plan to address the amendments to this chapter by this act;

(2) Specific system details describing interoperability among counties, the states bordering this state, and Canada;

(3) A progression plan for the system and sustainability within the funding method encompassed by sections 128.41 to 128.422 of the Revised Code.

(B) Not later than six months after the plan is submitted under division (A) of this section, the steering committee shall review and may approve the plan.

Sec. 128.212.(A) Any entity in this state that operates a 9-1-1 system, emergency services internet-protocol network, or public safety answering point and that pursues a 9-1-1 grant from the state or federal government shall present a letter of coordination from the 9-1-1 program office.

(B) The letter of coordination shall state all of the following:

(1) The entity described in division (A) of this section;

(2) The specific grantor identification;

(3) The dollar amount of the grant;

(4) The intended use of the grant;

(5) The system, equipment, software, or any component to be procured with the grant and the purpose of the grant do not inhibit, conflict, or reduce interoperability with the statewide next generation 9-1-1 core services system and emergency services internet-protocol network and is consistent with the state of Ohio 9-1-1 plan.

Sec. 128.22.The 9-1-1 program office may do all of the following:

(A) Expend funds from the 9-1-1 program fund for the purposes of 9-1-1 public education;

(B) Coordinate, adopt, and communicate all necessary technical and operational standards and requirements to ensure an effective model for a statewide interconnected 9-1-1 system;

(C) Collect and distribute data from and to public safety answering points, service providers, and emergency service providers regarding both of the following:

(1) The status and operation of the components of the statewide 9-1-1 system, including all of the following:

(a) The aggregate number of access lines that the provider maintains within this state;

(b) The aggregate amount of costs and cost recovery associated with

providing 9-1-1 service, including coverage under tariffs and bill and keep arrangements within this state;

(c) Any other information requested by the steering committee and deemed necessary to support the transition to next generation 9-1-1.

(2) Location information necessary for the reconciliation and synchronization of next generation 9-1-1 location information, including all of the following:

(a) Address location information;

(b) Master street address guide;

(c) Service order inputs;

(d) Geographic information system files;

(e) Street center lines;

(f) Response boundaries;

(g) Administrative boundaries;

(h) Address points.

(D) Require, coordinate, oversee, and limit data collection and distribution to ensure that data collection and distribution meets legal privacy and confidentiality requirements;

(E) With advice from the 9-1-1 steering committee, enter into interlocal contracts, interstate contracts, intrastate contracts, and federal contracts for the purpose of implementing statewide 9-1-1 services.

Sec. 128.221.(A) The data described in section 128.22 of the Revised Code shall be protected in accordance with applicable provisions of the Revised Code. Charges, terms, and conditions for the disclosure or use of that data provided by public safety answering points, service providers, and emergency service providers for the purpose of 9-1-1 shall be subject to the jurisdiction of the steering committee.

(B) Data and information that contribute to more effective 9-1-1 services and emergency response may be accessed and shared among 9-1-1 and emergency response functions specifically for the purposes of effective emergency response, while ensuring the overall privacy and confidentiality of the data and information involved.

Sec. 128.23.(A) Every telecommunication service provider able to generate 9-1-1 traffic within the state shall do all of the following:

(1) Register with the 9-1-1 program office;

(2) Provide a single point of contact to the 9-1-1 program office who has the authority to assist in location-data discrepancies, including 9-1-1 traffic misroutes and no-record-found errors;

(3) Provide location data for all 9-1-1 traffic with the accuracy and validity necessary to ensure proper routing to the most appropriate public safety answering point or local next generation 9-1-1 system. Provision of this location data may include both of the following:

(a) Preprovisioning of location data into a state-operated database utilizing industry standard protocols;

(b) Providing a routable location with the 9-1-1 traffic at call time, utilizing approved standards for both legacy and next generation 9-1-1.

(B) If a service provider subject to division (A) of this section is notified by the 9-1-1 program office of a discrepancy in location data, the service provider shall correct the discrepancy within seventy-two hours.

(C) All data provided under this section is private and subject to applicable privacy laws and shall not be considered a "public record" for purposes of section 149.43 of the Revised Code.

Sec. 128.24. (A) Except as provided in division (C) of this section:

(1) Each operator of a multiline telephone system that was installed or substantially renovated on or after the effective date of this section, shall provide to the end user the same level of 9-1-1 service that is provided to other end users of 9-1-1 within the state. That service shall include the provision of either of the following, which shall satisfy the requirements of division (A)(3) of this section:

(a) Legacy automatic number identification and automatic location identification;

(b) Next generation 9-1-1 location data.

(2) Each operator of a multiline telephone system that was installed or substantially renovated on or after the effective date of this section, shall provide an emergency-response-location identifier as part of the location transmission to the public safety answering point, using either legacy private-switch automatic location identification or next generation 9-1-1 methodologies.

(3) Each operator of a multiline telephone system that was installed or substantially renovated on or after the effective date of this section, shall identify the specific location of the caller using an emergency response location that includes the public street address of the building from which the call originated, a suite or room number, the building floor, and a building

identifier, if applicable.

(B) All locations provided under this section shall be either master-street-address-guide or next-generation-9-1-1-location-validation-function valid.

(C) The requirements of divisions (A)(1), (2), and (3) of this section do not apply to a multiline telephone system in a workspace of less than seven thousand square feet in a single building, on a single level of a structure, having a single public street address.

Sec. 128.241. Beginning not later than one year after the effective date of this section and except as provided in sections 128.242 and 128.243 of the Revised Code, a business service user that provides residential or business facilities, owns or controls a multiline telephone system or voice over internet protocol system in those facilities, and provides outbound dialing capacity from those facilities shall ensure both of the following:

(A) In the case of a multiline telephone system that is capable of initiating a 9-1-1 call, the system is connected to the public switched telephone network in such a way that when an individual using the system dials 9-1-1, the call connects to the public safety answering point without requiring the user to dial any additional digit or code.

(B) The system is configured to provide notification of any 9-1-1 call made through the system to a centralized location on the same site as the system. The business service user is not required to have a person available at the location to receive a notification.

Sec. 128.242. Except as provided in section 128.243 of the Revised Code, a business service user to which all of the following apply is exempt from the requirements of section 128.241 of the Revised Code until two years after the effective date of this section:

(A) The requirements would be unduly and unreasonably burdensome.

(B) The multiline telephone system or voice over internet protocol system needs to be reprogrammed or replaced.

(C) The business service user made a good-faith attempt to reprogram or replace the system.

(D) The business service user agrees to place an instructional sticker next to the telephones that explains how to access 9-1-1 in case of emergency, provides the specific location where the device is installed, and reminds the caller to give the location information to the 9-1-1 call taker.

(E) The instructions described in division (D) of this section are printed in at least sixteen-point boldface type in a contrasting color using a font that is easily readable.

(F) The business service user affirms in an affidavit the conditions specified in divisions (B), (C), (D), and (E) of this section.

(G) The affidavit described in division (F) of this section includes the manufacturer and model number of the system.

Sec. 128.243. Sections 128.241 and 128.242 of the Revised Code shall not apply if they are preempted by or in conflict with federal law.

Sec. 128.25. Each county shall provide a single point of contact to the 9-1-1 program office who has the authority to assist in location-data discrepancies, 9-1-1 traffic misroutes, and boundary disputes between public safety answering points.

Sec. 128.26. Not later than five years after the date that the statewide next generation 9-1-1 core services system is operationally available to all counties in the state, each county or, as applicable, each regional council of governments, shall provide next generation 9-1-1 service for all areas to be covered as set forth in the county's final plan or the council's agreement.

Sec. 128.27. A service provider that operates within a county that participates in the statewide next generation 9-1-1 core services system or within the area served by a regional council of governments that participates in that system shall deliver the 9-1-1 traffic that originates in that geographic area to the next generation 9-1-1 core for that geographic area.

Sec. 128.28. If a service provider or county participates in the statewide next generation 9-1-1 core services system, the service provider or county shall adhere to standards of the 9-1-1 program office, which may include standards created by the national emergency number association and the internet engineering task force.

Sec. 128.18. (A) In accordance with this chapter and Chapters 4901., 4903., 4905., and 4909. of the Revised Code, the public utilities commission shall determine the just, reasonable, and compensatory rates, tolls, classifications, charges, or rentals to be observed and charged for the wireline telephone network portion of a basic or enhanced 9-1-1 system, and each telephone company that is a wireline service provider participating in the system shall be subject to those chapters, to the extent they apply, as to the service provided by its portion of the wireline telephone network for the system as described in the final plan ~~or to be installed pursuant to agreements under section 128.09 of the Revised Code~~, and as to the rates, tolls, classifications, charges, or rentals to be observed and charged for that service.

(B) Only the customers of a participating telephone company described in division (A) of this section that are served within the area covered by a 9-1-1 system shall pay the recurring rates for the maintenance and operation of the company's portion of the wireline telephone network of the system. Such rates

shall be computed by dividing the total monthly recurring rates set forth in the company's schedule as filed in accordance with section 4905.30 of the Revised Code, by the total number of residential and business customer access lines, or their equivalent, within the area served. Each residential and business customer within the area served shall pay the recurring rates based on the number of its residential and business customer access lines or their equivalent. No company shall include such amount on any customer's bill until the company has completed its portion of the wireline telephone network in accordance with the terms, conditions, requirements, and specifications of the final plan ~~or an agreement made under section 128.09 of the Revised Code.~~

(C)(1) Except as otherwise provided in division (C)(2) of this section, a participating telephone company described in division (A) of this section may receive through the credit authorized by section 5733.55 of the Revised Code the total nonrecurring charges for its portion of the wireline telephone network of the system and the total nonrecurring charges for any updating or modernization of that wireline telephone network in accordance with the terms, conditions, requirements, and specifications of the final plan ~~or pursuant to agreements under section 128.09 of the Revised Code,~~ as such charges are set forth in the schedule filed by the telephone company in accordance with section 4905.30 of the Revised Code. However, that portion, updating, or modernization shall not be for or include the provision of wireless 9-1-1. As applicable, the receipt of permissible charges shall occur only upon the completion of the installation of the network or the completion of the updating or modernization.

(2) The credit shall not be allowed under division (C)(1) of this section for the upgrading of a system from basic to enhanced wireline 9-1-1 if both of the following apply:

(a) The telephone company received the credit for the wireline telephone network portion of the basic 9-1-1 system now proposed to be upgraded.

(b) At the time the final plan ~~or agreement pursuant to section 128.09 of the Revised Code~~ calling for the basic 9-1-1 system was agreed to, the telephone company was capable of reasonably meeting the technical and economic requirements of providing the wireline telephone network portion of an enhanced 9-1-1 system within the territory proposed to be upgraded, ~~as determined by the steering committee under division (A) or (H) of section 128.03 or division (C) of section 128.09 of the Revised Code.~~

(3) If the credit is not allowed under division (C)(2) of this section, the total nonrecurring charges for the wireline telephone network used in providing 9-1-1 service, as set forth in the schedule filed by a telephone company in accordance with section 4905.30 of the Revised Code, on completion of the

installation of the network in accordance with the terms, conditions, requirements, and specifications of the final plan ~~or pursuant to section 128.09 of the Revised Code~~, shall be paid by the municipal corporations and townships with any territory in the area in which such upgrade from basic to enhanced 9-1-1 is made.

(D) If customer premises equipment for a public safety answering point is supplied by a telephone company that is required to file a schedule under section 4905.30 of the Revised Code pertaining to customer premises equipment, the recurring and nonrecurring rates and charges for the installation and maintenance of the equipment specified in the schedule shall apply.

Sec. 128.22. (A)(1) For the purpose of paying the costs of establishing, equipping, and furnishing one or more public safety answering points as part of a countywide 9-1-1 system effective under division (B) of section 128.08 of the Revised Code and paying the expense of administering and enforcing this section, the board of county commissioners of a county, in accordance with this section, may fix and impose, on each lot or parcel of real property in the county that is owned by a person, municipal corporation, township, or other political subdivision and is improved, or is in the process of being improved, reasonable charges to be paid by each such owner. The charges shall be sufficient to pay only the estimated allowed costs and shall be equal in amount for all such lots or parcels.

(2) For the purpose of paying the costs of operating and maintaining the answering points and paying the expense of administering and enforcing this section, the board, in accordance with this section, may fix and impose reasonable charges to be paid by each owner, as provided in division (A)(1) of this section, that shall be sufficient to pay only the estimated allowed costs and shall be equal in amount for all such lots or parcels. The board may fix and impose charges under this division pursuant to a resolution adopted for the purposes of both divisions (A)(1) and (2) of this section or pursuant to a resolution adopted solely for the purpose of division (A)(2) of this section, and charges imposed under division (A)(2) of this section may be separately imposed or combined with charges imposed under division (A)(1) of this section.

(B) Any board adopting a resolution under this section pursuant to a final plan initiating the establishment of a 9-1-1 system or pursuant to an amendment to a final plan shall adopt the resolution within sixty days after the board receives the final plan for the 9-1-1 system pursuant to division ~~(C)~~**(B)** **(1)** of section 128.07 of the Revised Code. The board by resolution may change any charge imposed under this section whenever the board considers it advisable. Any resolution adopted under this section shall declare whether securities will be issued under Chapter 133. of the Revised Code in

anticipation of the collection of unpaid special assessments levied under this section.

(C) The board shall adopt a resolution under this section at a public meeting held in accordance with section 121.22 of the Revised Code. Additionally, the board, before adopting any such resolution, shall hold at least two public hearings on the proposed charges. Prior to the first hearing, the board shall publish notice of the hearings once a week for two consecutive weeks in a newspaper of general circulation in the county or as provided in section 7.16 of the Revised Code. The notice shall include a listing of the charges proposed in the resolution and the date, time, and location of each of the hearings. The board shall hear any person who wishes to testify on the charges or the resolution.

(D) No resolution adopted under this section shall be effective sooner than thirty days following its adoption nor shall any such resolution be adopted as an emergency measure. The resolution is subject to a referendum in accordance with sections 305.31 to 305.41 of the Revised Code unless, in the resolution, the board of county commissioners directs the board of elections of the county to submit the question of imposing the charges to the electors of the county at the next primary or general election in the county occurring not less than ninety days after the resolution is certified to the board. No resolution shall go into effect unless approved by a majority of those voting upon it in any election allowed under this division.

(E) To collect charges imposed under division (A) of this section, the board of county commissioners shall certify them to the county auditor of the county who then shall place them upon the real property duplicate against the properties to be assessed, as provided in division (A) of this section. Each assessment shall bear interest at the same rate that securities issued in anticipation of the collection of the assessments bear, is a lien on the property assessed from the date placed upon the real property duplicate by the auditor, and shall be collected in the same manner as other taxes.

(F) All money collected by or on behalf of a county under this section shall be paid to the county treasurer of the county and kept in a separate and distinct fund to the credit of the county. The fund shall be used to pay the costs allowed in division (A) of this section and specified in the resolution adopted under that division. In no case shall any surplus so collected be expended for other than the use and benefit of the county.

Sec. 128.25. (A) This section applies only to a county that meets both of the following conditions:

(1) A final plan for a countywide 9-1-1 system either has not been approved in the county under section 128.08 of the Revised Code or has been approved but has not been put into operation because of a lack of funding;

(2) The board of county commissioners, at least once, has submitted to the electors of the county the question of raising funds for a 9-1-1 system under section ~~428.22~~ 128.35, 5705.19, or 5739.026 of the Revised Code, and a majority of the electors has disapproved the question each time it was submitted.

(B) A board of county commissioners may adopt a resolution imposing a monthly charge on telephone access lines to pay for the equipment costs of establishing and maintaining no more than three public safety answering points of a countywide 9-1-1 system, which public safety answering points shall be only twenty-four-hour dispatching points already existing in the county. The resolution shall state the amount of the charge, which shall not exceed fifty cents per month, and the month the charge will first be imposed, which shall be no earlier than four months after the special election held pursuant to this section. Each residential and business telephone company customer within the area served by the 9-1-1 system shall pay the monthly charge for each of its residential or business customer access lines or their equivalent.

Before adopting a resolution under this division, the board of county commissioners shall hold at least two public hearings on the proposed charge. Before the first hearing, the board shall publish notice of the hearings once a week for two consecutive weeks in a newspaper of general circulation in the county or as provided in section 7.16 of the Revised Code. The notice shall state the amount of the proposed charge, an explanation of the necessity for the charge, and the date, time, and location of each of the hearings.

(C) A resolution adopted under division (B) of this section shall direct the board of elections to submit the question of imposing the charge to the electors of the county at a special election on the day of the next primary or general election in the county. The board of county commissioners shall certify a copy of the resolution to the board of elections not less than ninety days before the day of the special election. No resolution adopted under division (B) of this section shall take effect unless approved by a majority of the electors voting upon the resolution at an election held pursuant to this section.

In any year, the board of county commissioners may impose a lesser charge than the amount originally approved by the electors. The board may change the amount of the charge no more than once a year. The board may not impose a charge greater than the amount approved by the electors without first holding an election on the question of the greater charge.

(D) Money raised from a monthly charge on telephone access lines under this section shall be deposited into a special fund created in the county treasury by the board of county commissioners pursuant to section 5705.12 of

the Revised Code, to be used only for the necessary equipment costs of establishing and maintaining no more than three public safety answering points of a countywide 9-1-1 system pursuant to a resolution adopted under division (B) of this section. In complying with this division, any county may seek the assistance of the steering committee with regard to operating and maintaining a 9-1-1 system.

(E) Pursuant to the voter approval required by division (C) of this section, the final plan for a countywide 9-1-1 system that will be funded through a monthly charge imposed in accordance with this section shall be amended by the existing 9-1-1 planning program review committee, and the amendment of such a final plan is not an amendment of a final plan for the purpose of division (A) of section 128.12 of the Revised Code.

Sec. 128.26. (A) This section applies only to a county that has a final plan for a countywide 9-1-1 system that either has not been approved in the county under section 128.08 of the Revised Code or has been approved but has not been put into operation because of a lack of funding.

(B) A board of county commissioners may adopt a resolution imposing a monthly charge on telephone access lines to pay for the operating and equipment costs of establishing and maintaining no more than one public safety answering point of a countywide 9-1-1 system. The resolution shall state the amount of the charge, which shall not exceed fifty cents per month, and the month the charge will first be imposed, which shall be no earlier than four months after the special election held pursuant to this section. Each residential and business telephone company customer within the area of the county served by the 9-1-1 system shall pay the monthly charge for each of its residential or business customer access lines or their equivalent.

Before adopting a resolution under this division, the board of county commissioners shall hold at least two public hearings on the proposed charge. Before the first hearing, the board shall publish notice of the hearings once a week for two consecutive weeks in a newspaper of general circulation in the county or as provided in section 7.16 of the Revised Code. The notice shall state the amount of the proposed charge, an explanation of the necessity for the charge, and the date, time, and location of each of the hearings.

(C) A resolution adopted under division (B) of this section shall direct the board of elections to submit the question of imposing the charge to the electors of the county at a special election on the day of the next primary or general election in the county. The board of county commissioners shall certify a copy of the resolution to the board of elections not less than ninety days before the day of the special election. No resolution adopted under division (B) of this section shall take effect unless approved by a majority of the electors voting upon the resolution at an election held pursuant to this

section.

In any year, the board of county commissioners may impose a lesser charge than the amount originally approved by the electors. The board may change the amount of the charge no more than once a year. The board shall not impose a charge greater than the amount approved by the electors without first holding an election on the question of the greater charge.

(D) Money raised from a monthly charge on telephone access lines under this section shall be deposited into a special fund created in the county treasury by the board of county commissioners pursuant to section 5705.12 of the Revised Code, to be used only for the necessary operating and equipment costs of establishing and maintaining no more than one public safety answering point of a countywide 9-1-1 system pursuant to a resolution adopted under division (B) of this section. In complying with this division, any county may seek the assistance of the steering committee with regard to operating and maintaining a 9-1-1 system.

(E) Nothing in ~~sections 128.01 to 128.34 of the Revised Code~~ this chapter precludes a final plan adopted in accordance with those sections from being amended to provide that, by agreement included in the plan, a public safety answering point of another countywide 9-1-1 system is the public safety answering point of a countywide 9-1-1 system funded through a monthly charge imposed in accordance with this section. In that event, the county for which the public safety answering point is provided shall be deemed the subdivision operating the public safety answering point for purposes of ~~sections 128.01 to 128.34 of the Revised Code~~ this chapter, except that, for the purpose of division (D) of section 128.03 of the Revised Code, the county shall pay only so much of the costs associated with establishing, equipping, furnishing, operating, or maintaining the public safety answering point specified in the agreement included in the final plan.

(F) Pursuant to the voter approval required by division (C) of this section, the final plan for a countywide 9-1-1 system that will be funded through a monthly charge imposed in accordance with this section, or that will be amended to include an agreement described in division (E) of this section, shall be amended by the existing 9-1-1 ~~planning program~~ review committee, and the amendment of such a final plan is not an amendment of a final plan for the purpose of division (A) of section 128.12 of the Revised Code.

Sec. 128.27. (A) As part of its normal monthly billing process, each telephone company with customers in the area served by a 9-1-1 system shall bill and collect from those customers any charge imposed under section ~~128.25~~ 128.37 or ~~128.26~~ 128.38 of the Revised Code. The company may list the charge as a separate entry on each bill and may indicate on the bill that the charge is made pursuant to approval of a ballot issue by county voters. Any

customer billed by a company for a charge imposed under section ~~428.25~~ 128.37 or ~~428.26~~ 128.38 of the Revised Code is liable to the county for the amount billed. The company shall apply any partial payment of a customer's bill first to the amount the customer owes the company. The company shall keep complete records of charges it bills and collects, and such records shall be open during business hours for inspection by the county commissioners or their agents or employees. If a company fails to bill any customer for the charge, it is liable to the county for the amount that was not billed.

(B) A telephone company that collects charges under this section shall remit the money to the county on a quarterly basis. The company may retain three per cent of any charge it collects as compensation for the costs of such collection. If a company collects charges under this section and fails to remit the money to the county as prescribed, it is liable to the county for any amount collected and not remitted.

Sec. 128.42. (A) ~~There is~~ Ending January 1, 2024, there are hereby imposed a the following wireless 9-1-1 ~~charge of twenty-five cents per month~~ as follows charges:

(1) On each wireless telephone number of a wireless service subscriber who has a billing address in this state, a charge of twenty-five cents per month. The subscriber shall pay the wireless 9-1-1 charge for each such wireless telephone number assigned to the subscriber. Each wireless service provider and each reseller shall collect the wireless 9-1-1 charge as a specific line item on each subscriber's monthly bill. The line item shall be expressly designated "State/Local Wireless-E911 Costs (\$0.25/billed number)." If a provider bills a subscriber for any wireless enhanced 9-1-1 costs that the provider may incur, the charge or amount is not to appear in the same line item as the state/local line item. If the charge or amount is to appear in its own, separate line item on the bill, the charge or amount shall be expressly designated "[Name of Provider] Federal Wireless-E911 Costs."

~~(2)(a) Prior to January 1, 2014, on each subscriber of prepaid wireless service. A wireless service provider or reseller shall collect the wireless 9-1-1 charge in either of the following manners:~~

~~(i) If the subscriber has a positive account balance on the last day of the month and has used the service during that month, by reducing that balance not later than the end of the first week of the following month by twenty-five cents or an equivalent number of airtime minutes;~~

~~(ii) By dividing the total earned prepaid wireless telephone revenue from sales within this state received by the wireless service provider or reseller during the month by fifty, multiplying the quotient by twenty-five cents.~~

~~(b) Amounts collected under division (A)(2) of this section shall be~~

remitted pursuant to division (A)(1) of section 128.46 of the Revised Code.

~~The wireless 9-1-1 charges authorized under this section shall not be imposed on a subscriber of wireless lifeline service or a provider of that service.~~

~~(B) Beginning January 1, 2014:~~

~~(1) There is hereby imposed, on~~(2) On each retail sale of a prepaid wireless calling service occurring in this state, a wireless 9-1-1 charge of five-tenths of one per cent of the sale price.

(2)(B) For purposes of division ~~(B)(1)(A)(2)~~ of this section, a retail sale occurs in this state if it is effected by the consumer appearing in person at a seller's business location in this state, or if the sale is sourced to this state under division (E)(3) of section 5739.034 of the Revised Code, except that under that division, in lieu of sourcing a sale under division (C)(5) of section 5739.033 of the Revised Code, the seller, rather than the service provider, may elect to source the sale to the location associated with the mobile telephone number.

~~(3)(a)(C)(1)~~ Except as provided in division ~~(B)(4)(e)(D)(3)~~ of this section, the seller of the prepaid wireless calling service shall collect the charge imposed under division (A) of this section from the consumer at the time of each retail sale and disclose the amount of the charge to the consumer at the time of the sale by itemizing the charge on the receipt, invoice, or similar form of written documentation provided to the consumer.

~~(b)(2)~~ The seller that collects the charge imposed under division (A) of this section shall comply with the reporting and remittance requirements under section 128.46 of the Revised Code.

(4)(D) When a prepaid wireless calling service is sold with one or more other products or services for a single, nonitemized price, the wireless 9-1-1 charge imposed under division ~~(B)(1)(A)(2)~~ of this section shall apply to the entire nonitemized price, except as provided in divisions ~~(B)(4)(a)(D)(1) to (e)(3)~~ of this section.

~~(a)(1)~~ If the amount of the prepaid wireless calling service is disclosed to the consumer as a dollar amount, the seller may elect to apply the charge only to that dollar amount.

~~(b)(2)~~ If the seller can identify the portion of the nonitemized price that is attributable to the prepaid wireless calling service, by reasonable and verifiable standards from the seller's books and records that are kept in the regular course of business for other purposes, including nontax purposes, the seller may elect to apply the charge only to that portion.

~~(e)(3)~~ If a minimal amount of a prepaid wireless calling service is sold

with a prepaid wireless calling device for the single, nonitemized price, the seller may elect not to collect the charge. As used in this division, "minimal" means either ten minutes or less or five dollars or less.

(E) The wireless 9-1-1 charges authorized under this section shall not be imposed on a subscriber of wireless lifeline service or a provider of that service.

(F) The wireless 9-1-1 charges shall be exempt from state or local taxation.

Sec. 128.41. (A) As used in this section, "communications service" means any wireless service, multiline telephone system, and voice over internet protocol system to which both of the following apply:

(1) The service or system is registered to the subscriber's address within this state or the subscriber's primary place of using the service or system is in this state.

(2) The service or system is capable of initiating a direct connection to 9-1-1.

(B) After the expiration of the charge described in division (A)(1) of section 128.40 of the Revised Code and except as provided in sections 128.413 and 128.42 of the Revised Code, there is imposed a next generation 9-1-1 access fee of forty cents per month on each communications service, which shall be imposed as follows:

(1) In the case of wireless telephone service, a subscriber shall pay a separate next generation 9-1-1 access fee for each wireless telephone number assigned to the subscriber.

(2) In the case of a voice over internet protocol system, a subscriber shall pay a separate fee for each voice channel provided to the subscriber through the system. The number of voice channels shall be equal to the number of outbound calls the subscriber can maintain at the same time using the system, but excludes a direct inward dialing number that merely routes an inbound call. The maximum number of separate fees imposed on a subscriber's system shall not exceed one hundred voice channels per network.

(3) In the case of a multiline telephone system, the subscriber shall pay a separate fee for each line. The maximum number of separate fees imposed on a single subscriber with a multiline telephone system shall not exceed one hundred per building with a unique street address or physically identifiable location.

(C) If more than one communications service shares the same telephone number, then the next generation 9-1-1 access fee imposed shall not exceed forty cents per month.

Sec. 128.412. Beginning October 1, 2025, the next generation 9-1-1 access fee imposed under section 128.41 of the Revised Code shall be twenty-five cents per month and shall be imposed in the same manner as described in divisions (B) and (C) of that section.

Sec. 128.413. The following are exempt from the next generation 9-1-1 access fee imposed under section 128.41 of the Revised Code:

(A) A subscriber of wireless lifeline service.

(B) Wholesale transactions between telecommunications service providers where the service is a component of a service provided to an end user. This exemption includes network access charges and interconnection charges paid to a local exchange carrier.

Sec. 128.414. Each service provider and each reseller shall collect the next generation 9-1-1 access fee imposed under section 128.41 of the Revised Code as a specific line item on each subscriber's monthly bill or point of sale invoice. The line item shall be the "Ohio Next Generation 9-1-1 Access Fee ([amount]/service/month)" or similar language. If a provider bills a subscriber for any other 9-1-1 costs that the provider may incur, the charge or amount may appear in the same line item as the next generation 9-1-1 access fee line item. If the charge or amount is to appear in a separate line item on the bill, the charge or amount shall be expressly designated "[Name of Provider] [Description of charge or amount]."

Sec. 128.419. Wireless service that is priced lower than five dollars per month shall not be subject to the next generation 9-1-1 access fee described in section 128.41 of the Revised Code.

Sec. 128.42. (A) After the expiration of the charge described in division (A) (2) of section 128.40 of the Revised Code, there is imposed, on each retail sale of a prepaid wireless calling service occurring in this state, a next generation 9-1-1 access fee of five-tenths of one per cent of the sale price.

(B) For purposes of division (A) of this section, a retail sale occurs in this state if it is effected by the consumer appearing in person at a seller's business location in this state, or if the sale is sourced to this state under division (E)(3) of section 5739.034 of the Revised Code, except that under that division, in lieu of sourcing a sale under division (C)(5) of section 5739.033 of the Revised Code, the seller, rather than the service provider, may elect to source the sale to the location associated with the mobile telephone number.

(C) A prepaid wireless calling service priced below a single fee of less than ten dollars does not constitute a retail sale for purposes of this section.

Sec. 128.421. Except as provided in division (B)(3) of section 128.422 of the Revised Code, the seller of the prepaid calling service shall collect the

next generation 9-1-1 access fee imposed under section 128.42 of the Revised Code in the same manner as described in section 128.414 of the Revised Code.

Sec. 128.422. (A) When a prepaid calling service is sold with one or more other products or services for a single, nonitemized price, the next generation 9-1-1 access fee imposed under section 128.42 of the Revised Code shall apply to the entire nonitemized price, except as provided in divisions (B)(1) to (3) of this section.

(B)(1) If the amount of the prepaid calling service is disclosed to the consumer as a dollar amount, the seller may elect to apply the fee only to that dollar amount.

(2) If the seller can identify the portion of the nonitemized price that is attributable to the prepaid calling service, by reasonable and verifiable standards from the seller's books and records that are kept in the regular course of business for other purposes, including nontax purposes, the seller may elect to apply the fee only to that portion.

(3) If a minimal amount of a prepaid calling service is sold with a prepaid wireless calling device for the single, nonitemized price, the seller may elect not to collect the fee. As used in this division, "minimal" means ten minutes or less.

Sec. 128.43. The next generation 9-1-1 access fee imposed under sections 128.41 and 128.42 of the Revised Code shall be exempt from state or local taxation.

Sec. 128.44. ~~Beginning January 1, 2014, the~~ The tax commissioner shall provide notice to all known wireless service providers, resellers, and sellers of prepaid wireless calling services of any increase or decrease in either of the wireless next generation 9-1-1 charges access fees imposed under section sections 128.41 and 128.42 of the Revised Code. Each notice shall be provided not less than thirty days before the effective date of the increase or decrease.

Sec. 128.45. (A) Each entity required to bill and collect a wireless 9-1-1 charge under section 128.40 of the Revised Code or the next generation 9-1-1 access fee under section 128.414 or 128.421 of the Revised Code shall keep complete and accurate records of bills that include the charges and fees, together with a record of the charges and fees collected under those sections. The entities shall keep all related invoices and other pertinent documents.

(B) Each seller shall keep complete and accurate records of retail sales of prepaid wireless calling services, together with a record of the charges and fees collected under sections 128.40 and 128.421 of the Revised Code, and shall keep all related invoices and other pertinent documents.

Sec. 128.45. Beginning January 1, 2014:

(A) Each wireless service provider and reseller shall keep complete and accurate records of bills for wireless service, together with a record of the wireless 9-1-1 charges collected under section 128.42 of the Revised Code, and shall keep all related invoices and other pertinent documents. Each seller shall keep complete and accurate records of retail sales of prepaid wireless-calling services, together with a record of the wireless 9-1-1 charges collected under section 128.42 of the Revised Code, and shall keep all related invoices and other pertinent documents.

(B) Records, invoices, and documents required to be kept under this section 128.45 of the Revised Code shall be open during business hours to the inspection of the tax commissioner. They shall be preserved for a period of four years unless the tax commissioner, in writing, consents to their destruction within that period, or by order requires that they be kept longer.

Sec. 128.46. (A) Prior to January 1, 2014:

(1) A wireless service provider or reseller, not later than the last day of each month, shall remit the full amount of all wireless 9-1-1 charges it collected under division (A) of section 128.42 of the Revised Code for the second preceding calendar month to the administrator, with the exception of charges equivalent to the amount authorized as a billing and collection fee under division (A)(2) of this section. In doing so, the provider or reseller may remit the requisite amount in any reasonable manner consistent with its existing operating or technological capabilities, such as by customer address, location associated with the wireless telephone number, or another allocation method based on comparable, relevant data. If the wireless service provider or reseller receives a partial payment for a bill from a wireless service subscriber, the wireless service provider or reseller shall apply the payment first against the amount the subscriber owes the wireless service provider or reseller and shall remit to the administrator such lesser amount, if any, as results from that invoice.

(2) A wireless service provider or reseller may retain as a billing and collection fee two per cent of the total wireless 9-1-1 charges it collects in a month and shall account to the administrator for the amount retained.

(3) The administrator shall return to, or credit against the next month's remittance of, a wireless service provider or reseller the amount of any remittances the administrator determines were erroneously submitted by the provider or reseller.

(B) Beginning January 1, 2014:

(1) Each seller of a prepaid wireless-calling service, wireless service provider, and reseller An entity required to collect a wireless 9-1-1 charge

under section 128.40 of the Revised Code or the next generation 9-1-1 access fee under section 128.414 or 128.421 of the Revised Code shall, on or before the twenty-third day of each month, except as provided in divisions (B)(2)(A) (2) and (3) of this section, do both of the following:

(a) Make and file a return for the preceding month, in the form prescribed by the tax commissioner, showing the amount of the ~~wireless 9-1-1 charges or fees due under section 128.42 of the Revised Code~~ for that month;

(b) Remit the full amount due, as shown on the return, with the exception of charges or fees equivalent to the amount authorized as a collection fee under division ~~(B)(4)(B)~~ of this section.

(2) The commissioner may grant one or more thirty-day extensions for making and filing returns and remitting amounts due.

(3) If a seller is required to collect prepaid wireless 9-1-1 charges under section 128.40 of the Revised Code or next generation 9-1-1 access fees under section 128.421 of the Revised Code in amounts that do not merit monthly returns, the commissioner may authorize the seller to make and file returns less frequently. The commissioner shall ascertain whether this authorization is warranted upon the basis of administrative costs to the state.

~~(4)(B)~~ A wireless service provider, reseller, and seller may each retain as a collection fee three per cent of the total wireless 9-1-1 charges required to be collected under ~~section~~ sections 128.40, 128.41, and 128.42 of the Revised Code, and shall account to the tax commissioner for the amount retained.

~~(5)(C)~~ The return required under division ~~(B)(4)(a)(A)(1)(a)~~ of this section shall be filed electronically using the Ohio business gateway, as defined in section 718.01 of the Revised Code, ~~the Ohio telefile system~~, or any other electronic means prescribed by the tax commissioner. Remittance of the amount due shall be made electronically in a manner approved by the commissioner. ~~A wireless service provider, reseller, or seller~~ An entity required to file the return may apply to the commissioner on a form prescribed by the commissioner to be excused from either electronic requirement of this division. For good cause shown, the commissioner may excuse the ~~provider, reseller, or seller~~ entity from either or both of the requirements and may permit the ~~provider, reseller, or seller~~ entity to file returns or make remittances by nonelectronic means.

~~(C)(1)~~ Prior to January 1, 2014, each subscriber on which a wireless 9-1-1 charge is imposed under division (A) of section 128.42 of the Revised Code is liable to the state for the amount of the charge. If a wireless service provider or reseller fails to collect the charge under that division from a subscriber of prepaid wireless service, or fails to bill any other subscriber for the charge, the wireless service provider or reseller is liable to the state for the amount not

~~collected or billed. If a wireless service provider or reseller collects charges under that division and fails to remit the money to the administrator, the wireless service provider or reseller is liable to the state for any amount collected and not remitted.~~

(2) Beginning January 1, 2014:

~~(a)(D)(1)~~ Each subscriber or consumer on which a wireless 9-1-1 charge is imposed under section 128.42 of the Revised Code or on which a next generation 9-1-1 access fee is imposed under section 128.41 or 128.42 of the Revised Code is liable to the state for the amount of the charge. ~~If a wireless service provider or reseller fails~~

(2) An entity required to bill or collect the wireless 9-1-1 charge, under section 128.40 of the Revised Code or if a seller fails to collect the charge, the provider, reseller, or seller is liable to the state for the amount not billed or collected. If a provider, reseller, or seller fails to remit money to the tax commissioner as required under this section, the provider, reseller, or seller the next generation 9-1-1 access fee under section 128.414 or 128.421 of the Revised Code is liable to the state for the any amount that was required to be collected but that was not remitted, regardless of whether the amount was collected.

~~(b)(3)~~ No provider of a prepaid wireless calling service shall be liable to the state for any wireless 9-1-1 charge imposed under ~~division (B)(1) of section 128.40 of the Revised Code or any next generation 9-1-1 access fee imposed under section 128.42 of the Revised Code~~ that was not collected or remitted.

~~(D)~~ Prior to January 1, 2014:

~~(1) If the steering committee has reason to believe that a wireless service provider or reseller has failed to bill, collect, or remit the wireless 9-1-1 charge as required by divisions (A)(1) and (C)(1) of this section or has retained more than the amount authorized under division (A)(2) of this section, and after written notice to the provider or reseller, the steering committee may audit the provider or reseller for the sole purpose of making such a determination. The audit may include, but is not limited to, a sample of the provider's or reseller's billings, collections, remittances, or retentions for a representative period, and the steering committee shall make a good faith effort to reach agreement with the provider or reseller in selecting that sample.~~

~~(2) Upon written notice to the wireless service provider or reseller, the steering committee, by order after completion of the audit, may make an assessment against the provider or reseller if, pursuant to the audit, the steering committee determines that the provider or reseller has failed to bill, collect, or remit the wireless 9-1-1 charge as required by divisions (A)(1) and (C)(1) of this section or has retained more than the amount authorized under~~

division (A)(2) of this section. The assessment shall be in the amount of any remittance that was due and unpaid on the date notice of the audit was sent by the steering committee to the provider or reseller or, as applicable, in the amount of the excess amount under division (A)(2) of this section retained by the provider or reseller as of that date.

(3) The portion of any assessment not paid within sixty days after the date of service by the steering committee of the assessment notice under division (D)(2) of this section shall bear interest from that date until paid at the rate per annum prescribed by section 5703.47 of the Revised Code. That interest may be collected by making an assessment under division (D)(2) of this section. An assessment under this division and any interest due shall be remitted in the same manner as the wireless 9-1-1 charge imposed under division (A) of section 128.42 of the Revised Code.

(4) Unless the provider, reseller, or seller assessed files with the steering committee within sixty days after service of the notice of assessment, either personally or by certified mail, a written petition for reassessment, signed by the party assessed or that party's authorized agent having knowledge of the facts, the assessment shall become final and the amount of the assessment shall be due and payable from the party assessed to the administrator. The petition shall indicate the objections of the party assessed, but additional objections may be raised in writing if received by the administrator or the steering committee prior to the date shown on the final determination.

(5) After an assessment becomes final, if any portion of the assessment remains unpaid, including accrued interest, a certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas in the county in which the place of business of the assessed party is located. If the party assessed maintains no place of business in this state, the certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas of Franklin county. Immediately upon the filing, the clerk shall enter a judgment for the state against the assessed party in the amount shown on the final assessment. The judgment may be filed by the clerk in a loose-leaf book entitled "special judgments for wireless 9-1-1 charges" and shall have the same effect as other judgments. The judgment shall be executed upon the request of the steering committee.

(6) An assessment under this division does not discharge a subscriber's liability to reimburse the provider or reseller for the wireless 9-1-1 charge imposed under division (A) of section 128.42 of the Revised Code. If, after the date of service of the audit notice under division (D)(1) of this section, a subscriber pays a wireless 9-1-1 charge for the period covered by the assessment, the payment shall be credited against the assessment.

(7) All money collected by the administrator under division (D) of this

section shall be paid to the treasurer of state, for deposit to the credit of the wireless 9-1-1 government assistance fund.

(E) Beginning January 1, 2014:

(1) If the tax commissioner has reason to believe that ~~a wireless service provider, reseller, or seller~~ an entity required to collect a wireless 9-1-1 charge under section 128.40 of the Revised Code or the next generation 9-1-1 access fee under section 128.414 or 128.421 of the Revised Code has failed to bill, collect, or remit the ~~wireless 9-1-1 charge or fee~~ as required by this section and section 128.42 sections 128.40 to 128.422 of the Revised Code or has retained more than the amount authorized under division ~~(B)(4)(B)~~ of this section, and after written notice to the ~~provider, reseller, or seller~~ entity, the tax commissioner may audit the ~~provider, reseller, or seller~~ entity for the sole purpose of making such a determination. The audit may include, but is not limited to, a sample of the ~~provider's, reseller's, or seller's~~ entity's billings, collections, remittances, or retentions for a representative period, and the tax commissioner shall make a good faith effort to reach agreement with the ~~provider, reseller, or seller~~ entity in selecting that sample.

(2) Upon written notice to the ~~wireless service provider, reseller, or seller~~ entity, the tax commissioner, after completion of the audit, may make an assessment against the ~~provider, reseller, or seller~~ entity if, pursuant to the audit, the tax commissioner determines that the ~~provider, reseller, or seller~~ entity has failed to bill, collect, or remit the ~~wireless 9-1-1 charge or fee~~ as required by this section and section 128.42 sections 128.40 to 128.422 of the Revised Code or has retained more than the amount authorized under division ~~(B)(4)(B)~~ of this section. The assessment shall be in the amount of any remittance that was due and unpaid on the date notice of the audit was sent by the tax commissioner to the ~~provider, reseller, or seller~~ entity or, as applicable, in the amount of the excess amount under division ~~(B)(4)(B)~~ of this section retained by the ~~provider, reseller, or seller~~ entity as of that date.

(3) The portion of any assessment consisting of ~~wireless 9-1-1 charges or fees~~ due and not paid within sixty days after the date that the assessment was made under division (E)(2) of this section shall bear interest from that date until paid at the rate per annum prescribed by section 5703.47 of the Revised Code. That interest may be collected by making an assessment under division (E)(2) of this section.

(4) Unless the ~~provider, reseller, or seller~~ entity assessed files with the tax commissioner within sixty days after service of the notice of assessment, either personally or by certified mail, a written petition for reassessment, signed by the ~~party~~ entity assessed or that ~~party's~~ entity's authorized agent having knowledge of the facts, the assessment shall become final and the amount of the assessment shall be due and payable from the ~~party~~ entity

assessed to the treasurer of state, for deposit to the next generation 9-1-1 fund, which is created under section 128.54 of the Revised Code. The petition shall indicate the objections of the party entity assessed, but additional objections may be raised in writing if received by the commissioner prior to the date shown on the final determination. If the petition has been properly filed, the commissioner shall proceed under section 5703.60 of the Revised Code.

(5) After an assessment becomes final, if any portion of the assessment remains unpaid, including accrued interest, a certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas in the county in which the business of the assessed party entity is conducted. If the party entity assessed maintains no place of business in this state, the certified copy of the final assessment may be filed in the office of the clerk of the court of common pleas of Franklin county. Immediately upon the filing, the clerk shall enter a judgment for the state against the assessed party entity in the amount shown on the final assessment. The judgment may be filed by the clerk in a loose-leaf book entitled "special judgments for ~~wireless~~ 9-1-1 charges and fees" and shall have the same effect as other judgments. The judgment shall be executed upon the request of the tax commissioner.

(6) If the commissioner determines that the commissioner erroneously has refunded a ~~wireless~~ 9-1-1 charge or fee to any person, the commissioner may make an assessment against that person for recovery of the erroneously refunded charge.

(7) An assessment under division (E) of this section does not discharge a subscriber's or consumer's liability to reimburse the ~~provider, reseller, or seller entity~~ for a ~~wireless~~ 9-1-1 charge or fee. If, after the date of service of the audit notice under division (E)(1) of this section, a subscriber or consumer pays a ~~wireless~~ 9-1-1 charge or fee for the period covered by the assessment, the payment shall be credited against the assessment.

Sec. 128.461. ~~Beginning January 1, 2014, any~~ Every wireless 9-1-1 charge and next generation 9-1-1 access fee required to be remitted under section 128.46 of the Revised Code shall be subject to interest as prescribed by section 5703.47 of the Revised Code, calculated from the date the ~~wireless 9-1-1 charge or fee~~ was due under section 128.46 of the Revised Code to the date the ~~wireless 9-1-1 charge or fee~~ is remitted or the date of assessment, whichever occurs first.

Sec. 128.462. ~~Beginning January 1, 2014:~~

(A) Except as otherwise provided in this section, no assessment shall be made or issued against a ~~wireless service provider, reseller, or seller~~ an entity for any wireless 9-1-1 charge ~~imposed by or pursuant to~~ required to be collected under ~~section 128.42~~ 128.40 of the Revised Code or any next

generation 9-1-1 access fee required to be collected under section 128.414 or 128.421 of the Revised Code more than four years after the return date for the period in which the sale or purchase was made, or more than four years after the return for such period is filed, whichever is later. This division does not bar an assessment:

(1) When the tax commissioner has substantial evidence of amounts of ~~wireless 9-1-1 charges or fees~~ collected by a ~~provider, reseller, or seller~~ an entity from subscribers or consumers, which were not returned to the state;

(2) When the ~~provider, reseller, or seller~~ entity assessed failed to file a return as required by section 128.46 of the Revised Code;

(3) When the ~~provider, reseller, or seller~~ entity and the commissioner waive in writing the time limitation.

(B) No assessment shall be made or issued against a ~~wireless service provider, reseller, or seller~~ an entity for any wireless 9-1-1 charge imposed by ~~or pursuant to section 128.40 of the Revised Code or next generation 9-1-1 access fee imposed by section 128.41 or 128.42 of the Revised Code for any period during which there was in full force and effect a rule of the tax commissioner under or by virtue of which the collection or payment of any such wireless 9-1-1 charge or fee was not required. This division does not bar an assessment when the tax commissioner has substantial evidence of amounts of wireless 9-1-1 charges or fees collected by a provider, reseller, or seller~~ an entity from subscribers or consumers, which were not returned to the state.

Sec. 128.47. Beginning January 1, 2014:

(A) ~~A wireless service provider, reseller, seller, wireless service~~ An entity required to collect a wireless 9-1-1 charge under section 128.40 of the Revised Code or the next generation 9-1-1 access fee under section 128.414 or 128.421 of the Revised Code, a subscriber, or a consumer of a ~~prepaid wireless calling service~~ may apply to the tax commissioner for a refund of ~~wireless 9-1-1 charges or fees~~ described in division (B) of this section and of any penalties assessed with respect to such charges. The application shall be made on the form prescribed by the tax commissioner. The application shall be made not later than four years after the date of the illegal or erroneous payment of the charge or fee by the subscriber or consumer, unless the ~~wireless service provider, reseller, or seller~~ entity waives the time limitation under division (A)(3) of section 128.462 of the Revised Code. If the time limitation is waived, the refund application period shall be extended for the same period as the waiver.

(B)(1) If a ~~wireless service provider, reseller, or seller~~ an entity refunds to a subscriber or consumer the full amount of wireless 9-1-1 charges or next

generation 9-1-1 access fees that the subscriber or consumer paid illegally or erroneously, and if the ~~provider, reseller, or seller~~ entity remitted that amount under section 128.46 of the Revised Code, the tax commissioner shall refund that amount to the ~~provider, reseller, or seller~~ entity.

(2) If a ~~wireless service provider, reseller, or seller~~ an entity has illegally or erroneously billed a subscriber or charged a consumer for a wireless 9-1-1 charge or a next generation 9-1-1 access fee, and if the ~~provider, reseller, or seller~~ entity has not collected the charge or fee but has remitted that amount under section 128.46 of the Revised Code, the tax commissioner shall refund that amount to the ~~provider, reseller, or seller~~.

(C)(1) The tax commissioner may refund to a subscriber or consumer wireless 9-1-1 charges or next generation 9-1-1 access fees paid illegally or erroneously to a ~~provider, reseller, or seller~~ an entity only if both of the following apply:

(a) The tax commissioner has not refunded the wireless 9-1-1 charges or fees to the ~~provider, reseller, or seller~~ entity.

(b) The ~~provider, reseller, or seller~~ entity has not refunded the ~~wireless 9-1-1~~ charges or fees to the subscriber or consumer.

(2) The tax commissioner may require the subscriber or consumer to obtain from the ~~provider, reseller, or seller~~ entity a written statement confirming that the ~~provider, reseller, or seller~~ entity has not refunded the ~~wireless 9-1-1~~ charges or fees to the subscriber or consumer and that the ~~provider, reseller, or seller~~ entity has not filed an application for a refund under this section. The tax commissioner may also require the ~~provider, reseller, or seller~~ entity to provide this statement.

(D) On the filing of an application for a refund under this section, the tax commissioner shall determine the amount of refund to which the applicant is entitled. If the amount is not less than that claimed, the commissioner shall certify the determined amount to the director of budget and management and the treasurer of state for payment from the tax refund fund created under section 5703.052 of the Revised Code. If the amount is less than that claimed, the commissioner shall proceed in accordance with section 5703.70 of the Revised Code.

(E) Refunds granted under this section shall include interest as provided by section 5739.132 of the Revised Code.

Sec. 128.52. (A) ~~Beginning on July 1, 2013, each~~ Each seller of a prepaid wireless calling service required to collect prepaid wireless 9-1-1 charges under ~~division (B) of section 128.42~~ 128.40 of the Revised Code or next generation 9-1-1 access fees under section 128.421 of the Revised Code shall also be subject to the provisions of Chapter 5739. of the Revised Code

regarding the excise tax on retail sales levied under section 5739.02 of the Revised Code, as those provisions apply to audits, assessments, appeals, enforcement, liability, and penalties.

(B) The tax commissioner shall establish procedures by which a person may document that a sale is not a retail sale of a prepaid wireless calling service. The procedures shall substantially coincide with similar procedures under Chapter 5739. of the Revised Code.

Sec. 128.54.(A)(1) For the purpose of receiving, distributing, and accounting for amounts received from the wireless 9-1-1 charges imposed under section 128.40 of the Revised Code and the next generation 9-1-1 access fees imposed under sections 128.41 and 128.42 of the Revised Code, the following funds are created in the state treasury:

- (a) The ~~wireless~~ 9-1-1 government assistance fund;
- (b) The ~~wireless~~ 9-1-1 administrative fund;
- (c) The ~~wireless~~ 9-1-1 program fund;
- (d) The next generation 9-1-1 fund.

(2) Amounts remitted under section 128.46 of the Revised Code shall be paid to the treasurer of state for deposit as follows:

(a) ~~Ninety-seven~~ Seventy-two per cent to the ~~wireless~~ 9-1-1 government assistance fund. All interest earned on the ~~wireless~~ 9-1-1 government assistance fund shall be credited to the fund.

- (b) One per cent to the ~~wireless~~ 9-1-1 administrative fund;
- (c) Two per cent to the 9-1-1 program fund;
- (d) Twenty-five per cent to the next generation 9-1-1 fund.

(3) The tax commissioner shall use the ~~wireless~~ 9-1-1 administrative fund to defray the costs incurred in carrying out this chapter.

(4) The steering committee shall use the 9-1-1 program fund to defray the costs incurred by the steering committee in carrying out this chapter.

(5) Annually, the tax commissioner, after paying administrative costs under division (A)(3) of this section, shall transfer any excess remaining in the ~~wireless~~ 9-1-1 administrative fund to the next generation 9-1-1 fund, created under this section.

(B) At the direction of the steering committee, the tax commissioner shall transfer the funds remaining in the ~~wireless~~ 9-1-1 government assistance fund to the credit of the next generation 9-1-1 fund. All interest earned on the next generation 9-1-1 fund shall be credited to the fund.

(C) From the ~~wireless~~ 9-1-1 government assistance fund, the director of budget and management shall, as funds are available, transfer to the tax refund fund, created under section 5703.052 of the Revised Code, amounts equal to the refunds certified by the tax commissioner under division (D) of section 128.47 of the Revised Code.

(D) The department of administrative services may move funds between the next generation 9-1-1 fund and the 9-1-1 government assistance fund to ensure funding remains sustainable for both funds.

Sec. 128.55.(A)(1) The tax commissioner, ~~not later than the last day of each month,~~ shall disburse moneys from the ~~wireless~~ 9-1-1 government assistance fund, plus any accrued interest on the fund, to each county treasurer in the same proportion distributed to that county by the tax commissioner in the corresponding calendar month of the previous year. Any shortfall in distributions resulting from the timing of funds received in a previous month shall be distributed in the following month. Disbursements shall occur not later than the tenth day of the month succeeding the month in which the wireless 9-1-1 charges imposed under section 128.40 of the Revised Code and the next generation 9-1-1 access fees imposed under sections 128.41 and 128.42 of the Revised Code are remitted.

(2) ~~The tax commissioner shall disburse moneys from the next generation 9-1-1 fund in accordance with the guidelines established under section 128.022 of the Revised Code~~ shall be administered by the department of administrative services and used exclusively to pay costs of installing, maintaining, and operating the call routing and core services statewide next generation 9-1-1 system.

(B) Immediately upon receipt by a county treasurer of a disbursement under division (A) of this section, the county shall disburse, in accordance with the allocation formula set forth in the final plan, the amount the county so received to any other subdivisions in the county and any regional councils of governments in the county that pay the costs of a public safety answering point providing wireless enhanced 9-1-1 under the plan.

(C) Nothing in this chapter affects the authority of a subdivision operating or served by a public safety answering point of a 9-1-1 system or a regional council of governments operating a public safety answering point of a 9-1-1 system to use, as provided in the final plan for the system ~~or in an agreement under section 128.09 of the Revised Code,~~ any other authorized revenue of the subdivision or the regional council of governments for the purposes of providing basic or enhanced 9-1-1.

Sec. 128.57. ~~Except as otherwise provided in section 128.571 of the Revised Code:~~

(A) A countywide 9-1-1 system receiving a disbursement under section 128.55 of the Revised Code shall provide countywide wireless enhanced 9-1-1 in accordance with this chapter beginning as soon as reasonably possible after receipt of the first disbursement or, if that service is already implemented, shall continue to provide such service. Except as provided in divisions (B), (C), ~~and (E), and (F)~~ of this section, a disbursement shall be used solely for the purpose of paying either or both of the following:

(1) Any costs of designing the following:

(a) Designing, upgrading, purchasing, leasing, programming, installing, testing, or maintaining the necessary data, hardware, software, and trunking required for the public safety answering point or points of the 9-1-1 system to provide wireless, enhanced, or next generation 9-1-1, which costs are incurred before or on or after May 6, 2005, and consist of such additional costs of the 9-1-1 system over and above any costs incurred to provide wireline 9-1-1 or to otherwise provide wireless enhanced 9-1-1. Annually, up to twenty-five thousand dollars of the disbursements received on or after January 1, 2009, may be applied to data, hardware, and software that automatically alerts personnel receiving a 9-1-1 call that a person at the subscriber's address or telephone number may have a mental or physical disability, of which that personnel shall inform the appropriate service;

(b) Processing 9-1-1 emergency calls from the point of origin to include any expense for interoperable bidirectional computer aided dispatch data transfers with other public safety answering points or emergency services organizations and transferring and receiving law enforcement, fire, and emergency medical service provider. On or after the provision of technical and operational standards pursuant to section 128.021 of the Revised Code, a regional council of governments operating a public safety answering point or a subdivision shall consider the standards before incurring any costs described in this division. data via wireless or internet connections from public safety answering points or emergency services organizations to all applicable emergency responders, exclusive of mobile radio service costs.

(2) Any costs of training the staff of the public safety answering point or points to provide wireless enhanced 9-1-1, ~~which costs are incurred before or on or after May 6, 2005.~~

(B) A subdivision or a regional council of governments that certifies to the steering committee that it has paid the costs described in divisions (A)(1) and (2) of this section and is providing countywide wireless enhanced 9-1-1 may use disbursements received under section 128.55 of the Revised Code to pay any of its personnel costs of one or more public safety answering points providing countywide wireless enhanced 9-1-1.

(C) After receiving its July 2013 disbursement under division (A) of section

128.55 of the Revised Code as that division existed prior to the amendments to that division by H.B. 64 of the 131st general assembly, a regional council of governments operating a public safety answering point or a subdivision may use any remaining balance of disbursements it received under that division, as it existed prior to the amendments to it by H.B. 64 of the 131st general assembly, to pay any of its costs of providing countywide wireless 9-1-1, including the personnel costs of one or more public safety answering points providing that service.

(D) The costs described in divisions (A), (B), (C), and (E) of this section may include any such costs payable pursuant to an agreement under division ~~(H)~~(I) of section 128.03 of the Revised Code.

(E)(1) No disbursement to a countywide 9-1-1 system for costs of a public safety answering point shall be made from the ~~wireless~~ 9-1-1 government assistance fund or the next generation 9-1-1 fund unless the public safety answering point meets the standards set by rule of the steering committee under section 128.021 of the Revised Code.

(2) The steering committee shall monitor compliance with the standards and shall notify the tax commissioner to suspend disbursements to a countywide 9-1-1 system that fails to meet the standards. Upon receipt of this notification, the commissioner shall suspend disbursements until the commissioner is notified of compliance with the standards.

(F) The auditor of state may audit and review each county's expenditures of funds received from the ~~wireless~~ 9-1-1 government assistance fund to verify that the funds were used in accordance with the requirements of this chapter. All funds generated from the next generation 9-1-1 access fee imposed under sections 128.41 and 128.42 of the Revised Code may be used only for 9-1-1 related expenses.

Sec. 128.60. (A)(1) A telephone company, the state highway patrol as described in division ~~(H)~~(I) of section 128.03 of the Revised Code, and each subdivision or regional council of governments operating one or more public safety answering points for a countywide system providing wireless 9-1-1, shall provide the steering committee and the tax commissioner with such information as the steering committee and tax commissioner request for the purposes of carrying out their duties under this chapter, including, but not limited to, duties regarding the collection of the wireless 9-1-1 charges imposed under section 128.40 of the Revised Code and the next generation 9-1-1 access fee imposed under sections 128.41 and 128.42 of the Revised Code.

(2) A wireless service provider shall provide an official, employee, agent, or representative of a subdivision or regional council of governments operating a public safety answering point, or of the state highway patrol as

described in division ~~(A)~~(I) of section 128.03 of the Revised Code, with such technical, service, and location information as the official, employee, agent, or representative requests for the purpose of providing wireless 9-1-1.

(3) A subdivision or regional council of governments operating one or more public safety answering points of a 9-1-1 system, and a telephone company, shall provide to the steering committee such information as the steering committee requires for the purpose of carrying out its duties under Chapter 128. of the Revised Code.

(B)(1) Any information provided under division (A) of this section that consists of trade secrets as defined in section 1333.61 of the Revised Code or of information regarding the customers, revenues, expenses, or network information of a telephone company shall be confidential and does not constitute a public record for the purpose of section 149.43 of the Revised Code.

(2) The steering committee, tax commissioner, and any official, employee, agent, or representative of the steering committee, of the tax commissioner, of the state highway patrol as described in division ~~(A)~~(I) of section 128.03 of the Revised Code, or of a subdivision or regional council of governments operating a public safety answering point, while acting or claiming to act in the capacity of the steering committee or tax commissioner or such official, employee, agent, or representative, shall not disclose any information provided under division (A) of this section regarding a telephone company's customers, revenues, expenses, or network information. Nothing in division (B)(2) of this section precludes any such information from being aggregated and included in any report of the steering committee, tax commissioner, or any official, employee, agent, or representative of the steering committee or tax commissioner, provided the aggregated information does not identify the number of any particular company's customers or the amount of its revenues or expenses or identify a particular company as to any network information.

Sec. 128.63. ~~(A)~~ The tax commissioner may adopt rules in accordance with Chapter 119. of the Revised Code to carry out this chapter, including rules prescribing the necessary accounting for the collection fee under division ~~(B)~~(4)(B) of section 128.46 of the Revised Code.

~~(B) The amounts of the wireless 9-1-1 charges shall be prescribed only by act of the general assembly.~~

Sec. 128.32. (A)(1) The state, the state highway patrol, a subdivision, or a regional council of governments participating in a 9-1-1 system established under this chapter and any officer, agent, employee, or independent contractor of the state, the state highway patrol, or such a participating subdivision or regional council of governments is not liable in damages in a civil action for injuries, death, or loss to persons or property arising from any act or omission,

except willful or wanton misconduct, in connection with developing, adopting, or approving any final plan ~~or any agreement made under section 128.09 of the Revised Code~~ or otherwise bringing into operation the 9-1-1 system pursuant to this chapter.

(2) The steering committee and any member of the steering committee are not liable in damages in a civil action for injuries, death, or loss to persons or property arising from any act or omission, except willful or wanton misconduct, in connection with the development or operation of a 9-1-1 system established under this chapter.

(B) Except as otherwise provided in this section, an individual who gives emergency instructions through a 9-1-1 system established under this chapter, and the principals for whom the person acts, including both employers and independent contractors, public and private, and an individual who follows emergency instructions and the principals for whom that person acts, including both employers and independent contractors, public and private, are not liable in damages in a civil action for injuries, death, or loss to persons or property arising from the issuance or following of emergency instructions, except where the issuance or following of the instructions constitutes willful or wanton misconduct.

(C) Except for willful or wanton misconduct, a telephone company, and any other installer, maintainer, or provider, through the sale or otherwise, of customer premises equipment, or service used for or with a 9-1-1 system, and their respective officers, directors, employees, agents, suppliers, corporate parents, and affiliates are not liable in damages in a civil action for injuries, death, or loss to persons or property incurred by any person resulting from any of the following:

(1) Such an entity's or its officers', directors', employees', agents', or suppliers' participation in or acts or omissions in connection with participating in or developing, maintaining, or operating a 9-1-1 system;

(2) Such an entity's or its officers', directors', employees', agents', or suppliers' provision of assistance to a public utility, municipal utility, or state or local government as authorized by divisions ~~(G)(4)~~(H)(4) and (5) of this section.

(D) Except for willful or wanton misconduct, a provider of and a seller of a prepaid wireless calling service and their respective officers, directors, employees, agents, and suppliers are not liable in damages in a civil action for injuries, death, or loss to persons or property incurred by any person resulting from anything described in division (C) of this section.

(E) Except for willful or wanton misconduct, a 9-1-1 system service provider and the provider's respective officers, directors, employees, agents,

and suppliers are not liable for any damages in a civil action for injuries, death, or loss to persons or property incurred by any person resulting from developing, adopting, implementing, maintaining, or operating a 9-1-1 system, or from complying with emergency-related information requests from state or local government officials.

(F) No person shall knowingly use the telephone number of a 9-1-1 system established under this chapter to report an emergency if the person knows that no emergency exists.

~~(F)~~(G) No person shall knowingly use a 9-1-1 system for a purpose other than obtaining emergency service.

~~(G)~~(H) No person shall disclose or use any information concerning telephone numbers, addresses, or names obtained from the data base that serves the public safety answering point of a 9-1-1 system established under this chapter, except for any of the following purposes or under any of the following circumstances:

- (1) For the purpose of the 9-1-1 system;
- (2) For the purpose of responding to an emergency call to an emergency service provider;
- (3) In the circumstance of the inadvertent disclosure of such information due solely to technology of the wireline telephone network portion of the 9-1-1 system not allowing access to the data base to be restricted to 9-1-1 specific answering lines at a public safety answering point;
- (4) In the circumstance of access to a data base being given by a telephone company that is a wireline service provider to a public utility or municipal utility in handling customer calls in times of public emergency or service outages. The charge, terms, and conditions for the disclosure or use of such information for the purpose of such access to a data base shall be subject to the jurisdiction of the steering committee.
- (5) In the circumstance of access to a data base given by a telephone company that is a wireline service provider to a state and local government in warning of a public emergency, as determined by the steering committee. The charge, terms, and conditions for the disclosure or use of that information for the purpose of access to a data base is subject to the jurisdiction of the steering committee.

Sec. 128.34. (A) The attorney general, upon request of the steering committee, or on the attorney general's own initiative, shall begin proceedings against a telephone company that is a wireline service provider to enforce compliance with this chapter or with the terms, conditions, requirements, or specifications of a final plan ~~or of an agreement under section 128.09 of the~~

~~Revised Code~~ as to wireline or wireless 9-1-1.

(B) The attorney general, upon the attorney general's own initiative, or any prosecutor, upon the prosecutor's initiative, shall begin proceedings against a subdivision or a regional council of governments as to wireline or wireless 9-1-1 to enforce compliance with this chapter or with the terms, conditions, requirements, or specifications of a final plan ~~or of an agreement under section 128.09 of the Revised Code~~ as to wireline or wireless 9-1-1.

Sec. 128.99. (A) Whoever violates division ~~(E)~~(F) of section ~~128.32~~128.96 of the Revised Code is guilty of a misdemeanor of the fourth degree.

(B) Whoever violates division ~~(F)~~ or (G) or (H) of section ~~128.32~~ 128.96 or division (B)(2) of section 128.60 of the Revised Code is guilty of a misdemeanor of the fourth degree on a first offense and a felony of the fifth degree on each subsequent offense.

(C) If a wireless service provider, reseller, or seller violates division ~~(B)(1)~~ (a)(A)(1)(a) of section 128.46 of the Revised Code, and does not comply with any extensions granted under division ~~(B)(2)~~ (A)(2) of that section, the tax commissioner may impose a late-filing penalty of not more than the greater of fifty dollars or five per cent of the amount required to be remitted as described in division (B)(1)(b) of that section.

(D) If a wireless service provider, reseller, or seller fails to comply with division ~~(B)(1)(b)~~ (A)(1)(b) of section 128.46 of the Revised Code, the tax commissioner may impose a late-payment penalty of not more than the greater of fifty dollars or five per cent of the wireless 9-1-1 charge required to be remitted for the reporting period minus any partial remittance made on or before the due date, including any extensions granted under division ~~(B)(2)~~ (A)(2) of section 128.46 of the Revised Code.

(E) The tax commissioner may impose an assessment penalty of not more than the greater of one hundred dollars or thirty-five per cent of the wireless 9-1-1 charges due after the tax commissioner notifies the person of an audit, an examination, a delinquency, assessment, or other notice that additional wireless 9-1-1 charges are due.

(F) If a wireless service provider, reseller, or seller fails to comply with either electronic requirement of division ~~(B)(5)~~ (C) of section 128.46 of the Revised Code, the tax commissioner may impose an electronic penalty, for either or both failures to comply, of not more than the lesser of the following:

(1) The greater of one hundred dollars or ten per cent of the amount required to be, but not, remitted electronically;

(2) Five thousand dollars.

(G) Each penalty described in divisions (C) to (F) of this section is in

addition to any other penalty described in those divisions. The tax commissioner may abate all or any portion of any penalty described in those divisions.

(H) An operator in violation of section 128.24 of the Revised Code may be assessed a fine of up to five thousand dollars per offense.

(I)(1) If a business service user fails to comply with section 128.241 of the Revised Code without being exempt under section 128.242 of the Revised Code, the 9-1-1 steering committee shall request the attorney general to bring an action to recover one of the following amounts from the user:

(a) One thousand dollars for an initial failure;

(b) Up to five thousand dollars for each subsequent failure within each continuing six-month period in which the user remains noncompliant.

(2) Any funds recovered under division (I)(1) of this section shall be deposited into the next generation 9-1-1 fund created under section 128.54 of the Revised Code.

(3) Divisions (I)(1) and (2) of this section shall not apply if they are preempted by or in conflict with federal law.

Sec. 149.43. (A) As used in this section:

(1) "Public record" means records kept by any public office, including, but not limited to, state, county, city, village, township, and school district units, and records pertaining to the delivery of educational services by an alternative school in this state kept by the nonprofit or for-profit entity operating the alternative school pursuant to section 3313.533 of the Revised Code. "Public record" does not mean any of the following:

(a) Medical records;

(b) Records pertaining to probation and parole proceedings, to proceedings related to the imposition of community control sanctions and post-release control sanctions, or to proceedings related to determinations under section 2967.271 of the Revised Code regarding the release or maintained incarceration of an offender to whom that section applies;

(c) Records pertaining to actions under section 2151.85 and division (C) of section 2919.121 of the Revised Code and to appeals of actions arising under those sections;

(d) Records pertaining to adoption proceedings, including the contents of an adoption file maintained by the department of health under sections 3705.12 to 3705.124 of the Revised Code;

(e) Information in a record contained in the putative father registry

established by section 3107.062 of the Revised Code, regardless of whether the information is held by the department of job and family services or, pursuant to section 3111.69 of the Revised Code, the office of child support in the department or a child support enforcement agency;

(f) Records specified in division (A) of section 3107.52 of the Revised Code;

(g) Trial preparation records;

(h) Confidential law enforcement investigatory records;

(i) Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;

(j) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;

(k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;

(l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;

(m) Intellectual property records;

(n) Donor profile records;

(o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;

(p) Designated public service worker residential and familial information;

(q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;

(r) Information pertaining to the recreational activities of a person under the age of eighteen;

(s) In the case of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code or a review conducted pursuant to guidelines established by the director of health under section 3701.70 of the Revised Code, records provided to the board or director, statements made by board members during meetings of the board or by persons participating in the director's review, and all work products of the board or director, and in the case of a child fatality review board, child fatality review data submitted by

the board to the department of health or a national child death review database, other than the report prepared pursuant to division (A) of section 307.626 of the Revised Code;

(t) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to section 5153.171 of the Revised Code other than the information released under that section;

(u) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the board of executives of long-term services and supports administers under section 4751.15 of the Revised Code or contracts under that section with a private or government entity to administer;

(v) Records the release of which is prohibited by state or federal law;

(w) Proprietary information of or relating to any person that is submitted to or compiled by the Ohio venture capital authority created under section 150.01 of the Revised Code;

(x) Financial statements and data any person submits for any purpose to the Ohio housing finance agency or the controlling board in connection with applying for, receiving, or accounting for financial assistance from the agency, and information that identifies any individual who benefits directly or indirectly from financial assistance from the agency;

(y) Records listed in section 5101.29 of the Revised Code;

(z) Discharges recorded with a county recorder under section 317.24 of the Revised Code, as specified in division (B)(2) of that section;

(aa) Usage information including names and addresses of specific residential and commercial customers of a municipally owned or operated public utility;

(bb) Records described in division (C) of section 187.04 of the Revised Code that are not designated to be made available to the public as provided in that division;

(cc) Information and records that are made confidential, privileged, and not subject to disclosure under divisions (B) and (C) of section 2949.221 of the Revised Code;

(dd) Personal information, as defined in section 149.45 of the Revised Code;

(ee) The confidential name, address, and other personally identifiable information of a program participant in the address confidentiality program established under sections 111.41 to 111.47 of the Revised Code, including

the contents of any application for absent voter's ballots, absent voter's ballot identification envelope statement of voter, or provisional ballot affirmation completed by a program participant who has a confidential voter registration record; records or portions of records pertaining to that program that identify the number of program participants that reside within a precinct, ward, township, municipal corporation, county, or any other geographic area smaller than the state; and any real property confidentiality notice filed under section 111.431 of the Revised Code and the information described in division (C) of that section. As used in this division, "confidential address" and "program participant" have the meaning defined in section 111.41 of the Revised Code.

(ff) Orders for active military service of an individual serving or with previous service in the armed forces of the United States, including a reserve component, or the Ohio organized militia, except that, such order becomes a public record on the day that is fifteen years after the published date or effective date of the call to order;

(gg) The name, address, contact information, or other personal information of an individual who is less than eighteen years of age that is included in any record related to a traffic accident involving a school vehicle in which the individual was an occupant at the time of the accident;

(hh) Protected health information, as defined in 45 C.F.R. 160.103, that is in a claim for payment for a health care product, service, or procedure, as well as any other health claims data in another document that reveals the identity of an individual who is the subject of the data or could be used to reveal that individual's identity;

(ii) Any depiction by photograph, film, videotape, or printed or digital image under either of the following circumstances:

(i) The depiction is that of a victim of an offense the release of which would be, to a reasonable person of ordinary sensibilities, an offensive and objectionable intrusion into the victim's expectation of bodily privacy and integrity.

(ii) The depiction captures or depicts the victim of a sexually oriented offense, as defined in section 2950.01 of the Revised Code, at the actual occurrence of that offense.

(jj) Restricted portions of a body-worn camera or dashboard camera recording;

(kk) In the case of a fetal-infant mortality review board acting under sections 3707.70 to 3707.77 of the Revised Code, records, documents, reports, or other information presented to the board or a person abstracting such materials on the board's behalf, statements made by review board members during board meetings, all work products of the board, and data

submitted by the board to the department of health or a national infant death review database, other than the report prepared pursuant to section 3707.77 of the Revised Code.

(ll) Records, documents, reports, or other information presented to the pregnancy-associated mortality review board established under section 3738.01 of the Revised Code, statements made by board members during board meetings, all work products of the board, and data submitted by the board to the department of health, other than the biennial reports prepared under section 3738.08 of the Revised Code;

(mm) Except as otherwise provided in division (A)(1)(oo) of this section, telephone numbers for a victim, as defined in section 2930.01 of the Revised Code or a witness to a crime that are listed on any law enforcement record or report.

(nn) A preneed funeral contract, as defined in section 4717.01 of the Revised Code, and contract terms and personally identifying information of a preneed funeral contract, that is contained in a report submitted by or for a funeral home to the board of embalmers and funeral directors under division (C) of section 4717.13, division (J) of section 4717.31, or section 4717.41 of the Revised Code.

(oo) Telephone numbers for a party to a motor vehicle accident subject to the requirements of section 5502.11 of the Revised Code that are listed on any law enforcement record or report, except that the telephone numbers described in this division are not excluded from the definition of "public record" under this division on and after the thirtieth day after the occurrence of the motor vehicle accident.

(pp) Records pertaining to individuals who complete training under section 5502.703 of the Revised Code to be permitted by a school district board of education or governing body of a community school established under Chapter 3314. of the Revised Code, a STEM school established under Chapter 3326. of the Revised Code, or a chartered nonpublic school to convey deadly weapons or dangerous ordnance into a school safety zone;

(qq) Records, documents, reports, or other information presented to a domestic violence fatality review board established under section 307.651 of the Revised Code, statements made by board members during board meetings, all work products of the board, and data submitted by the board to the department of health, other than a report prepared pursuant to section 307.656 of the Revised Code;

(rr) Records, documents, and information the release of which is prohibited under sections 2930.04 and 2930.07 of the Revised Code.

(ss) Records of an existing qualified nonprofit corporation that creates a

special improvement district under Chapter 1710. of the Revised Code that do not pertain to a purpose for which the district is created;

A record that is not a public record under division (A)(1) of this section and that, under law, is permanently retained becomes a public record on the day that is seventy-five years after the day on which the record was created, except for any record protected by the attorney-client privilege, a trial preparation record as defined in this section, a statement prohibiting the release of identifying information signed under section 3107.083 of the Revised Code, a denial of release form filed pursuant to section 3107.46 of the Revised Code, or any record that is exempt from release or disclosure under section 149.433 of the Revised Code. If the record is a birth certificate and a biological parent's name redaction request form has been accepted under section 3107.391 of the Revised Code, the name of that parent shall be redacted from the birth certificate before it is released under this paragraph. If any other section of the Revised Code establishes a time period for disclosure of a record that conflicts with the time period specified in this section, the time period in the other section prevails.

(2) "Confidential law enforcement investigatory record" means any record that pertains to a law enforcement matter of a criminal, quasi-criminal, civil, or administrative nature, but only to the extent that the release of the record would create a high probability of disclosure of any of the following:

(a) The identity of a suspect who has not been charged with the offense to which the record pertains, or of an information source or witness to whom confidentiality has been reasonably promised;

(b) Information provided by an information source or witness to whom confidentiality has been reasonably promised, which information would reasonably tend to disclose the source's or witness's identity;

(c) Specific confidential investigatory techniques or procedures or specific investigatory work product;

(d) Information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential information source.

(3) "Medical record" means any document or combination of documents, except births, deaths, and the fact of admission to or discharge from a hospital, that pertains to the medical history, diagnosis, prognosis, or medical condition of a patient and that is generated and maintained in the process of medical treatment.

(4) "Trial preparation record" means any record that contains information that is specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding, including the independent thought

processes and personal trial preparation of an attorney.

(5) "Intellectual property record" means a record, other than a financial or administrative record, that is produced or collected by or for faculty or staff of a state institution of higher learning in the conduct of or as a result of study or research on an educational, commercial, scientific, artistic, technical, or scholarly issue, regardless of whether the study or research was sponsored by the institution alone or in conjunction with a governmental body or private concern, and that has not been publicly released, published, or patented.

(6) "Donor profile record" means all records about donors or potential donors to a public institution of higher education except the names and reported addresses of the actual donors and the date, amount, and conditions of the actual donation.

(7) "Designated public service worker" means a peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, county or multicounty corrections officer, community-based correctional facility employee, designated Ohio national guard member, protective services worker, youth services employee, firefighter, EMT, medical director or member of a cooperating physician advisory board of an emergency medical service organization, state board of pharmacy employee, investigator of the bureau of criminal identification and investigation, emergency service telecommunicator, forensic mental health provider, mental health evaluation provider, regional psychiatric hospital employee, judge, magistrate, or federal law enforcement officer.

(8) "Designated public service worker residential and familial information" means any information that discloses any of the following about a designated public service worker:

(a) The address of the actual personal residence of a designated public service worker, except for the following information:

(i) The address of the actual personal residence of a prosecuting attorney or judge; and

(ii) The state or political subdivision in which a designated public service worker resides.

(b) Information compiled from referral to or participation in an employee assistance program;

(c) The social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of, or any medical information pertaining to, a designated public service worker;

(d) The name of any beneficiary of employment benefits, including, but not

limited to, life insurance benefits, provided to a designated public service worker by the designated public service worker's employer;

(e) The identity and amount of any charitable or employment benefit deduction made by the designated public service worker's employer from the designated public service worker's compensation, unless the amount of the deduction is required by state or federal law;

(f) The name, the residential address, the name of the employer, the address of the employer, the social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of the spouse, a former spouse, or any child of a designated public service worker;

(g) A photograph of a peace officer who holds a position or has an assignment that may include undercover or plain clothes positions or assignments as determined by the peace officer's appointing authority.

(9) As used in divisions (A)(7) and (15) to (17) of this section:

"Peace officer" has the meaning defined in section 109.71 of the Revised Code and also includes the superintendent and troopers of the state highway patrol; it does not include the sheriff of a county or a supervisory employee who, in the absence of the sheriff, is authorized to stand in for, exercise the authority of, and perform the duties of the sheriff.

"Correctional employee" means any employee of the department of rehabilitation and correction who in the course of performing the employee's job duties has or has had contact with inmates and persons under supervision.

"County or multicounty corrections officer" means any corrections officer employed by any county or multicounty correctional facility.

"Designated Ohio national guard member" means a member of the Ohio national guard who is participating in duties related to remotely piloted aircraft, including, but not limited to, pilots, sensor operators, and mission intelligence personnel, duties related to special forces operations, or duties related to cybersecurity, and is designated by the adjutant general as a designated public service worker for those purposes.

"Protective services worker" means any employee of a county agency who is responsible for child protective services, child support services, or adult protective services.

"Youth services employee" means any employee of the department of youth services who in the course of performing the employee's job duties has or has had contact with children committed to the custody of the department of youth services.

"Firefighter" means any regular, paid or volunteer, member of a lawfully constituted fire department of a municipal corporation, township, fire district, or village.

"EMT" means EMTs-basic, EMTs-I, and paramedics that provide emergency medical services for a public emergency medical service organization. "Emergency medical service organization," "EMT-basic," "EMT-I," and "paramedic" have the meanings defined in section 4765.01 of the Revised Code.

"Investigator of the bureau of criminal identification and investigation" has the meaning defined in section 2903.11 of the Revised Code.

"Emergency service telecommunicator" ~~has the meaning defined in section 4742.01 of the Revised Code~~ means an individual employed by an emergency service provider as defined under section 128.01 of the Revised Code, whose primary responsibility is to be an operator for the receipt or processing of calls for emergency services made by telephone, radio, or other electronic means.

"Forensic mental health provider" means any employee of a community mental health service provider or local alcohol, drug addiction, and mental health services board who, in the course of the employee's duties, has contact with persons committed to a local alcohol, drug addiction, and mental health services board by a court order pursuant to section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised Code.

"Mental health evaluation provider" means an individual who, under Chapter 5122. of the Revised Code, examines a respondent who is alleged to be a mentally ill person subject to court order, as defined in section 5122.01 of the Revised Code, and reports to the probate court the respondent's mental condition.

"Regional psychiatric hospital employee" means any employee of the department of mental health and addiction services who, in the course of performing the employee's duties, has contact with patients committed to the department of mental health and addiction services by a court order pursuant to section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised Code.

"Federal law enforcement officer" has the meaning defined in section 9.88 of the Revised Code.

(10) "Information pertaining to the recreational activities of a person under the age of eighteen" means information that is kept in the ordinary course of business by a public office, that pertains to the recreational activities of a person under the age of eighteen years, and that discloses any of the following:

(a) The address or telephone number of a person under the age of eighteen

or the address or telephone number of that person's parent, guardian, custodian, or emergency contact person;

(b) The social security number, birth date, or photographic image of a person under the age of eighteen;

(c) Any medical record, history, or information pertaining to a person under the age of eighteen;

(d) Any additional information sought or required about a person under the age of eighteen for the purpose of allowing that person to participate in any recreational activity conducted or sponsored by a public office or to use or obtain admission privileges to any recreational facility owned or operated by a public office.

(11) "Community control sanction" has the meaning defined in section 2929.01 of the Revised Code.

(12) "Post-release control sanction" has the meaning defined in section 2967.01 of the Revised Code.

(13) "Redaction" means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a "record" in section 149.011 of the Revised Code.

(14) "Designee," "elected official," and "future official" have the meanings defined in section 109.43 of the Revised Code.

(15) "Body-worn camera" means a visual and audio recording device worn on the person of a correctional employee, youth services employee, or peace officer while the correctional employee, youth services employee, or peace officer is engaged in the performance of official duties.

(16) "Dashboard camera" means a visual and audio recording device mounted on a peace officer's vehicle or vessel that is used while the peace officer is engaged in the performance of the peace officer's duties.

(17) "Restricted portions of a body-worn camera or dashboard camera recording" means any visual or audio portion of a body-worn camera or dashboard camera recording that shows, communicates, or discloses any of the following:

(a) The image or identity of a child or information that could lead to the identification of a child who is a primary subject of the recording when the department of rehabilitation and correction, department of youth services, or the law enforcement agency knows or has reason to know the person is a child based on the department's or law enforcement agency's records or the content of the recording;

(b) The death of a person or a deceased person's body, unless the death was caused by a correctional employee, youth services employee, or peace officer or, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained;

(c) The death of a correctional employee, youth services employee, peace officer, firefighter, paramedic, or other first responder, occurring while the decedent was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained;

(d) Grievous bodily harm, unless the injury was effected by a correctional employee, youth services employee, or peace officer or, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(e) An act of severe violence against a person that results in serious physical harm to the person, unless the act and injury was effected by a correctional employee, youth services employee, or peace officer or, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(f) Grievous bodily harm to a correctional employee, youth services employee, peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(g) An act of severe violence resulting in serious physical harm against a correctional employee, youth services employee, peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(h) A person's nude body, unless, subject to division (H)(1) of this section, the person's consent has been obtained;

(i) Protected health information, the identity of a person in a health care facility who is not the subject of a law enforcement encounter, or any other information in a health care facility that could identify a person who is not the subject of a law enforcement encounter;

(j) Information that could identify the alleged victim of a sex offense, menacing by stalking, or domestic violence;

(k) Information, that does not constitute a confidential law enforcement investigatory record, that could identify a person who provides sensitive or

confidential information to the department of rehabilitation and correction, the department of youth services, or a law enforcement agency when the disclosure of the person's identity or the information provided could reasonably be expected to threaten or endanger the safety or property of the person or another person;

(l) Personal information of a person who is not arrested, cited, charged, or issued a written warning by a peace officer;

(m) Proprietary police contingency plans or tactics that are intended to prevent crime and maintain public order and safety;

(n) A personal conversation unrelated to work between peace officers or between a peace officer and an employee of a law enforcement agency;

(o) A conversation between a peace officer and a member of the public that does not concern law enforcement activities;

(p) The interior of a residence, unless the interior of a residence is the location of an adversarial encounter with, or a use of force by, a peace officer;

(q) Any portion of the interior of a private business that is not open to the public, unless an adversarial encounter with, or a use of force by, a peace officer occurs in that location.

As used in division (A)(17) of this section:

"Grievous bodily harm" has the same meaning as in section 5924.120 of the Revised Code.

"Health care facility" has the same meaning as in section 1337.11 of the Revised Code.

"Protected health information" has the same meaning as in 45 C.F.R. 160.103.

"Law enforcement agency" means a government entity that employs peace officers to perform law enforcement duties.

"Personal information" means any government-issued identification number, date of birth, address, financial information, or criminal justice information from the law enforcement automated data system or similar databases.

"Sex offense" has the same meaning as in section 2907.10 of the Revised Code.

"Firefighter," "paramedic," and "first responder" have the same meanings as in section 4765.01 of the Revised Code.

(B)(1) Upon request by any person and subject to division (B)(8) of this

section, all public records responsive to the request shall be promptly prepared and made available for inspection to the requester at all reasonable times during regular business hours. Subject to division (B)(8) of this section, upon request by any person, a public office or person responsible for public records shall make copies of the requested public record available to the requester at cost and within a reasonable period of time. If a public record contains information that is exempt from the duty to permit public inspection or to copy the public record, the public office or the person responsible for the public record shall make available all of the information within the public record that is not exempt. When making that public record available for public inspection or copying that public record, the public office or the person responsible for the public record shall notify the requester of any redaction or make the redaction plainly visible. A redaction shall be deemed a denial of a request to inspect or copy the redacted information, except if federal or state law authorizes or requires a public office to make the redaction.

(2) To facilitate broader access to public records, a public office or the person responsible for public records shall organize and maintain public records in a manner that they can be made available for inspection or copying in accordance with division (B) of this section. A public office also shall have available a copy of its current records retention schedule at a location readily available to the public. If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records under this section such that the public office or the person responsible for the requested public record cannot reasonably identify what public records are being requested, the public office or the person responsible for the requested public record may deny the request but shall provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.

(3) If a request is ultimately denied, in part or in whole, the public office or the person responsible for the requested public record shall provide the requester with an explanation, including legal authority, setting forth why the request was denied. If the initial request was provided in writing, the explanation also shall be provided to the requester in writing. The explanation shall not preclude the public office or the person responsible for the requested public record from relying upon additional reasons or legal authority in defending an action commenced under division (C) of this section.

(4) Unless specifically required or authorized by state or federal law or in accordance with division (B) of this section, no public office or person responsible for public records may limit or condition the availability of public records by requiring disclosure of the requester's identity or the intended use of the requested public record. Any requirement that the requester disclose the

requester's identity or the intended use of the requested public record constitutes a denial of the request.

(5) A public office or person responsible for public records may ask a requester to make the request in writing, may ask for the requester's identity, and may inquire about the intended use of the information requested, but may do so only after disclosing to the requester that a written request is not mandatory, that the requester may decline to reveal the requester's identity or the intended use, and when a written request or disclosure of the identity or intended use would benefit the requester by enhancing the ability of the public office or person responsible for public records to identify, locate, or deliver the public records sought by the requester.

(6) If any person requests a copy of a public record in accordance with division (B) of this section, the public office or person responsible for the public record may require the requester to pay in advance the cost involved in providing the copy of the public record in accordance with the choice made by the requester under this division. The public office or the person responsible for the public record shall permit the requester to choose to have the public record duplicated upon paper, upon the same medium upon which the public office or person responsible for the public record keeps it, or upon any other medium upon which the public office or person responsible for the public record determines that it reasonably can be duplicated as an integral part of the normal operations of the public office or person responsible for the public record. When the requester makes a choice under this division, the public office or person responsible for the public record shall provide a copy of it in accordance with the choice made by the requester. Nothing in this section requires a public office or person responsible for the public record to allow the requester of a copy of the public record to make the copies of the public record.

(7)(a) Upon a request made in accordance with division (B) of this section and subject to division (B)(6) of this section, a public office or person responsible for public records shall transmit a copy of a public record to any person by United States mail or by any other means of delivery or transmission within a reasonable period of time after receiving the request for the copy. The public office or person responsible for the public record may require the person making the request to pay in advance the cost of postage if the copy is transmitted by United States mail or the cost of delivery if the copy is transmitted other than by United States mail, and to pay in advance the costs incurred for other supplies used in the mailing, delivery, or transmission.

(b) Any public office may adopt a policy and procedures that it will follow in transmitting, within a reasonable period of time after receiving a request, copies of public records by United States mail or by any other means of

delivery or transmission pursuant to division (B)(7) of this section. A public office that adopts a policy and procedures under division (B)(7) of this section shall comply with them in performing its duties under that division.

(c) In any policy and procedures adopted under division (B)(7) of this section:

(i) A public office may limit the number of records requested by a person that the office will physically deliver by United States mail or by another delivery service to ten per month, unless the person certifies to the office in writing that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes;

(ii) A public office that chooses to provide some or all of its public records on a web site that is fully accessible to and searchable by members of the public at all times, other than during acts of God outside the public office's control or maintenance, and that charges no fee to search, access, download, or otherwise receive records provided on the web site, may limit to ten per month the number of records requested by a person that the office will deliver in a digital format, unless the requested records are not provided on the web site and unless the person certifies to the office in writing that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes.

(iii) For purposes of division (B)(7) of this section, "commercial" shall be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research.

(8) A public office or person responsible for public records is not required to permit a person who is incarcerated pursuant to a criminal conviction or a juvenile adjudication to inspect or to obtain a copy of any public record concerning a criminal investigation or prosecution or concerning what would be a criminal investigation or prosecution if the subject of the investigation or prosecution were an adult, unless the request to inspect or to obtain a copy of the record is for the purpose of acquiring information that is subject to release as a public record under this section and the judge who imposed the sentence or made the adjudication with respect to the person, or the judge's successor in office, finds that the information sought in the public record is necessary to support what appears to be a justiciable claim of the person.

(9)(a) Upon written request made and signed by a journalist, a public office, or person responsible for public records, having custody of the records of the agency employing a specified designated public service worker shall disclose to the journalist the address of the actual personal residence of the designated public service worker and, if the designated public service worker's spouse, former spouse, or child is employed by a public office, the

name and address of the employer of the designated public service worker's spouse, former spouse, or child. The request shall include the journalist's name and title and the name and address of the journalist's employer and shall state that disclosure of the information sought would be in the public interest.

(b) Division (B)(9)(a) of this section also applies to journalist requests for:

(i) Customer information maintained by a municipally owned or operated public utility, other than social security numbers and any private financial information such as credit reports, payment methods, credit card numbers, and bank account information;

(ii) Information about minors involved in a school vehicle accident as provided in division (A)(1)(gg) of this section, other than personal information as defined in section 149.45 of the Revised Code.

(c) As used in division (B)(9) of this section, "journalist" means a person engaged in, connected with, or employed by any news medium, including a newspaper, magazine, press association, news agency, or wire service, a radio or television station, or a similar medium, for the purpose of gathering, processing, transmitting, compiling, editing, or disseminating information for the general public.

(10) Upon a request made by a victim, victim's attorney, or victim's representative, as that term is used in section 2930.02 of the Revised Code, a public office or person responsible for public records shall transmit a copy of a depiction of the victim as described in division (A)(1)(ii) of this section to the victim, victim's attorney, or victim's representative.

(C)(1) If a person allegedly is aggrieved by the failure of a public office or the person responsible for public records to promptly prepare a public record and to make it available to the person for inspection in accordance with division (B) of this section or by any other failure of a public office or the person responsible for public records to comply with an obligation in accordance with division (B) of this section, the person allegedly aggrieved may do only one of the following, and not both:

(a) File a complaint with the clerk of the court of claims or the clerk of the court of common pleas under section 2743.75 of the Revised Code;

(b) Commence a mandamus action to obtain a judgment that orders the public office or the person responsible for the public record to comply with division (B) of this section, that awards court costs and reasonable attorney's fees to the person that instituted the mandamus action, and, if applicable, that includes an order fixing statutory damages under division (C)(2) of this section. The mandamus action may be commenced in the court of common pleas of the county in which division (B) of this section allegedly was not complied with, in the supreme court pursuant to its original jurisdiction under

Section 2 of Article IV, Ohio Constitution, or in the court of appeals for the appellate district in which division (B) of this section allegedly was not complied with pursuant to its original jurisdiction under Section 3 of Article IV, Ohio Constitution.

(2) If a requester transmits a written request by hand delivery, electronic submission, or certified mail to inspect or receive copies of any public record in a manner that fairly describes the public record or class of public records to the public office or person responsible for the requested public records, except as otherwise provided in this section, the requester shall be entitled to recover the amount of statutory damages set forth in this division if a court determines that the public office or the person responsible for public records failed to comply with an obligation in accordance with division (B) of this section.

The amount of statutory damages shall be fixed at one hundred dollars for each business day during which the public office or person responsible for the requested public records failed to comply with an obligation in accordance with division (B) of this section, beginning with the day on which the requester files a mandamus action to recover statutory damages, up to a maximum of one thousand dollars. The award of statutory damages shall not be construed as a penalty, but as compensation for injury arising from lost use of the requested information. The existence of this injury shall be conclusively presumed. The award of statutory damages shall be in addition to all other remedies authorized by this section.

The court may reduce an award of statutory damages or not award statutory damages if the court determines both of the following:

(a) That, based on the ordinary application of statutory law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records did not constitute a failure to comply with an obligation in accordance with division (B) of this section;

(b) That a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(3) In a mandamus action filed under division (C)(1) of this section, the following apply:

(a)(i) If the court orders the public office or the person responsible for the public record to comply with division (B) of this section, the court shall determine and award to the relator all court costs, which shall be construed as remedial and not punitive.

(ii) If the court makes a determination described in division (C)(3)(b)(iii) of this section, the court shall determine and award to the relator all court costs, which shall be construed as remedial and not punitive.

(b) If the court renders a judgment that orders the public office or the person responsible for the public record to comply with division (B) of this section or if the court determines any of the following, the court may award reasonable attorney's fees to the relator, subject to division (C)(4) of this section:

(i) The public office or the person responsible for the public records failed to respond affirmatively or negatively to the public records request in accordance with the time allowed under division (B) of this section.

(ii) The public office or the person responsible for the public records promised to permit the relator to inspect or receive copies of the public records requested within a specified period of time but failed to fulfill that promise within that specified period of time.

(iii) The public office or the person responsible for the public records acted in bad faith when the office or person voluntarily made the public records available to the relator for the first time after the relator commenced the mandamus action, but before the court issued any order concluding whether or not the public office or person was required to comply with division (B) of this section. No discovery may be conducted on the issue of the alleged bad faith of the public office or person responsible for the public records. This division shall not be construed as creating a presumption that the public office or the person responsible for the public records acted in bad faith when the office or person voluntarily made the public records available to the relator for the first time after the relator commenced the mandamus action, but before the court issued any order described in this division.

(c) The court shall not award attorney's fees to the relator if the court determines both of the following:

(i) That, based on the ordinary application of statutory law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public

office or person responsible for the requested public records did not constitute a failure to comply with an obligation in accordance with division (B) of this section;

(ii) That a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(4) All of the following apply to any award of reasonable attorney's fees awarded under division (C)(3)(b) of this section:

(a) The fees shall be construed as remedial and not punitive.

(b) The fees awarded shall not exceed the total of the reasonable attorney's fees incurred before the public record was made available to the relator and the fees described in division (C)(4)(c) of this section.

(c) Reasonable attorney's fees shall include reasonable fees incurred to produce proof of the reasonableness and amount of the fees and to otherwise litigate entitlement to the fees.

(d) The court may reduce the amount of fees awarded if the court determines that, given the factual circumstances involved with the specific public records request, an alternative means should have been pursued to more effectively and efficiently resolve the dispute that was subject to the mandamus action filed under division (C)(1) of this section.

(5) If the court does not issue a writ of mandamus under division (C) of this section and the court determines at that time that the bringing of the mandamus action was frivolous conduct as defined in division (A) of section 2323.51 of the Revised Code, the court may award to the public office all court costs, expenses, and reasonable attorney's fees, as determined by the court.

(D) Chapter 1347. of the Revised Code does not limit the provisions of this section.

(E)(1) To ensure that all employees of public offices are appropriately educated about a public office's obligations under division (B) of this section, all elected officials or their appropriate designees shall attend training approved by the attorney general as provided in section 109.43 of the Revised Code. A future official may satisfy the requirements of this division by attending the training before taking office, provided that the future official may not send a designee in the future official's place.

(2) All public offices shall adopt a public records policy in compliance with this section for responding to public records requests. In adopting a public

records policy under this division, a public office may obtain guidance from the model public records policy developed and provided to the public office by the attorney general under section 109.43 of the Revised Code. Except as otherwise provided in this section, the policy may not limit the number of public records that the public office will make available to a single person, may not limit the number of public records that it will make available during a fixed period of time, and may not establish a fixed period of time before it will respond to a request for inspection or copying of public records, unless that period is less than eight hours.

The public office shall distribute the public records policy adopted by the public office under this division to the employee of the public office who is the records custodian or records manager or otherwise has custody of the records of that office. The public office shall require that employee to acknowledge receipt of the copy of the public records policy. The public office shall create a poster that describes its public records policy and shall post the poster in a conspicuous place in the public office and in all locations where the public office has branch offices. The public office may post its public records policy on the internet web site of the public office if the public office maintains an internet web site. A public office that has established a manual or handbook of its general policies and procedures for all employees of the public office shall include the public records policy of the public office in the manual or handbook.

(F)(1) The bureau of motor vehicles may adopt rules pursuant to Chapter 119. of the Revised Code to reasonably limit the number of bulk commercial special extraction requests made by a person for the same records or for updated records during a calendar year. The rules may include provisions for charges to be made for bulk commercial special extraction requests for the actual cost of the bureau, plus special extraction costs, plus ten per cent. The bureau may charge for expenses for redacting information, the release of which is prohibited by law.

(2) As used in division (F)(1) of this section:

(a) "Actual cost" means the cost of depleted supplies, records storage media costs, actual mailing and alternative delivery costs, or other transmitting costs, and any direct equipment operating and maintenance costs, including actual costs paid to private contractors for copying services.

(b) "Bulk commercial special extraction request" means a request for copies of a record for information in a format other than the format already available, or information that cannot be extracted without examination of all items in a records series, class of records, or database by a person who intends to use or forward the copies for surveys, marketing, solicitation, or resale for commercial purposes. "Bulk commercial special extraction request" does not

include a request by a person who gives assurance to the bureau that the person making the request does not intend to use or forward the requested copies for surveys, marketing, solicitation, or resale for commercial purposes.

(c) "Commercial" means profit-seeking production, buying, or selling of any good, service, or other product.

(d) "Special extraction costs" means the cost of the time spent by the lowest paid employee competent to perform the task, the actual amount paid to outside private contractors employed by the bureau, or the actual cost incurred to create computer programs to make the special extraction. "Special extraction costs" include any charges paid to a public agency for computer or records services.

(3) For purposes of divisions (F)(1) and (2) of this section, "surveys, marketing, solicitation, or resale for commercial purposes" shall be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research.

(G) A request by a defendant, counsel of a defendant, or any agent of a defendant in a criminal action that public records related to that action be made available under this section shall be considered a demand for discovery pursuant to the Criminal Rules, except to the extent that the Criminal Rules plainly indicate a contrary intent. The defendant, counsel of the defendant, or agent of the defendant making a request under this division shall serve a copy of the request on the prosecuting attorney, director of law, or other chief legal officer responsible for prosecuting the action.

(H)(1) Any portion of a body-worn camera or dashboard camera recording described in divisions (A)(17)(b) to (h) of this section may be released by consent of the subject of the recording or a representative of that person, as specified in those divisions, only if either of the following applies:

(a) The recording will not be used in connection with any probable or pending criminal proceedings;

(b) The recording has been used in connection with a criminal proceeding that was dismissed or for which a judgment has been entered pursuant to Rule 32 of the Rules of Criminal Procedure, and will not be used again in connection with any probable or pending criminal proceedings.

(2) If a public office denies a request to release a restricted portion of a body-worn camera or dashboard camera recording, as defined in division (A)(17) of this section, any person may file a mandamus action pursuant to this section or a complaint with the clerk of the court of claims pursuant to section 2743.75 of the Revised Code, requesting the court to order the release of all or portions of the recording. If the court considering the request determines that

the filing articulates by clear and convincing evidence that the public interest in the recording substantially outweighs privacy interests and other interests asserted to deny release, the court shall order the public office to release the recording.

Sec. 4776.20. (A) As used in this section:

(1) "Licensing agency" means, in addition to each board identified in division (C) of section 4776.01 of the Revised Code, the board or other government entity authorized to issue a license under Chapters 4703., 4707., 4709., 4712., 4713., 4719., 4723., 4727., 4728., 4733., 4735., 4736., 4737., 4738., 4740., ~~4742.~~, 4747., 4749., 4752., 4753., 4758., 4759., 4763., 4764., 4765., 4766., 4771., 4773., and 4781. of the Revised Code. "Licensing agency" includes an administrative officer that has authority to issue a license.

(2) "Licensee" means, in addition to a licensee as described in division (B) of section 4776.01 of the Revised Code, the person to whom a license is issued by the board or other government entity authorized to issue a license under Chapters 4703., 4707., 4709., 4712., 4713., 4719., 4723., 4727., 4728., 4733., 4735., 4736., 4737., 4738., 4740., ~~4742.~~, 4747., 4749., 4751., 4752., 4753., 4758., 4759., 4763., 4764., 4765., 4766., 4771., 4773., and 4781. of the Revised Code.

(3) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code.

(B) On a licensee's conviction of, plea of guilty to, judicial finding of guilt of, or judicial finding of guilt resulting from a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code, the prosecutor in the case shall promptly notify the licensing agency of the conviction, plea, or finding and provide the licensee's name and residential address. On receipt of this notification, the licensing agency shall immediately suspend the licensee's license.

(C) If there is a conviction of, plea of guilty to, judicial finding of guilt of, or judicial finding of guilt resulting from a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code and all or part of the violation occurred on the premises of a facility that is licensed by a licensing agency, the prosecutor in the case shall promptly notify the licensing agency of the conviction, plea, or finding and provide the facility's name and address and the offender's name and residential address. On receipt of this notification, the licensing agency shall immediately suspend the facility's license.

(D) Notwithstanding any provision of the Revised Code to the contrary, the suspension of a license under division (B) or (C) of this section shall be implemented by a licensing agency without a prior hearing. After the

suspension, the licensing agency shall give written notice to the subject of the suspension of the right to request a hearing under Chapter 119. of the Revised Code. After a hearing is held, the licensing agency shall either revoke or permanently revoke the license of the subject of the suspension, unless it determines that the license holder has not been convicted of, pleaded guilty to, been found guilty of, or been found guilty based on a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code.

Sec. 5703.052. (A) There is hereby created in the state treasury the tax refund fund, from which refunds shall be paid for taxes illegally or erroneously assessed or collected, or for any other reason overpaid, that are levied by Chapter 4301., 4305., 5726., 5728., 5729., 5731., 5733., 5735., 5736., 5739., 5741., 5743., 5747., 5748., 5749., 5751., or 5753. and sections 3737.71, 3905.35, 3905.36, 4303.33, 5707.03, 5725.18, 5727.28, 5727.38, 5727.81, and 5727.811 of the Revised Code. Refunds for fees ~~or levied under sections 3734.90 to 3734.9014 of the Revised Code,~~ wireless 9-1-1 charges imposed under section 128.40 of the Revised Code, or next generation 9-1-1 access fees imposed under sections 128.41 and 128.42 of the Revised Code illegally or erroneously assessed or collected, or for any other reason overpaid, ~~that are levied by sections 128.42 or 3734.90 to 3734.9014 of the Revised Code~~ also shall be paid from the fund. Refunds for amounts illegally or erroneously assessed or collected by the tax commissioner, or for any other reason overpaid, that are due under section 1509.50 of the Revised Code shall be paid from the fund. Refunds for amounts illegally or erroneously assessed or collected by the commissioner, or for any other reason overpaid to the commissioner, under sections 718.80 to 718.95 of the Revised Code shall be paid from the fund. However, refunds for taxes levied under section 5739.101 of the Revised Code shall not be paid from the tax refund fund, but shall be paid as provided in section 5739.104 of the Revised Code.

(B)(1) Upon certification by the tax commissioner to the treasurer of state of a tax refund, a wireless 9-1-1 charge refund, a next generation 9-1-1 access fee refund, or another amount refunded, or by the superintendent of insurance of a domestic or foreign insurance tax refund, the treasurer of state shall place the amount certified to the credit of the fund. The certified amount transferred shall be derived from the receipts of the same tax, fee, wireless 9-1-1 charge, next generation 9-1-1 access fee, or other amount from which the refund arose.

(2) When a refund is for a tax, fee, wireless 9-1-1 charge, next generation 9-1-1 access fee, or other amount that is not levied by the state or that was illegally or erroneously distributed to a taxing jurisdiction, the tax commissioner shall recover the amount of that refund from the next distribution of that tax, fee, wireless 9-1-1 charge, next generation 9-1-1

access fee, or other amount that otherwise would be made to the taxing jurisdiction. If the amount to be recovered would exceed twenty-five per cent of the next distribution of that tax, fee, wireless 9-1-1 charge, next generation 9-1-1 access fee, or other amount, the commissioner may spread the recovery over more than one future distribution, taking into account the amount to be recovered and the amount of the anticipated future distributions. In no event may the commissioner spread the recovery over a period to exceed thirty-six months.

Sec. 5733.55. (A) As used in this section:

(1) "9-1-1 system" has the same meaning as in section 128.01 of the Revised Code.

(2) "Nonrecurring 9-1-1 charges" means nonrecurring charges approved by the public utilities commission for the telephone network portion of a 9-1-1 system pursuant to section ~~128.18~~128.33 of the Revised Code.

(3) "Eligible nonrecurring 9-1-1 charges" means all nonrecurring 9-1-1 charges for a 9-1-1 system except both of the following:

(a) Charges for a system that was not established pursuant to a plan adopted under section 128.08 of the Revised Code ~~or an agreement under section 128.09 of the Revised Code~~;

(b) Charges for that part of a system established pursuant to such a plan ~~or agreement~~ that are excluded from the credit by division (C)(2) of section ~~128.18~~128.33 of the Revised Code.

(4) "Telephone company" has the same meaning as in section 5727.01 of the Revised Code.

(B) Beginning in tax year 2005, a telephone company shall be allowed a nonrefundable credit against the tax imposed by section 5733.06 of the Revised Code equal to the amount of its eligible nonrecurring 9-1-1 charges. The credit shall be claimed for the company's taxable year that covers the period in which the 9-1-1 service for which the credit is claimed becomes available for use. The credit shall be claimed in the order required by section 5733.98 of the Revised Code. If the credit exceeds the total taxes due under section 5733.06 of the Revised Code for the tax year, the tax commissioner shall credit the excess against taxes due under that section for succeeding tax years until the full amount of the credit is granted.

(C) After the last day a return, with any extensions, may be filed by any telephone company that is eligible to claim a credit under this section, the commissioner shall determine whether the sum of the credits allowed for prior tax years commencing with tax year 2005 plus the sum of the credits claimed for the current tax year exceeds fifteen million dollars. If it does, the credits

allowed under this section for the current tax year shall be reduced by a uniform percentage such that the sum of the credits allowed for the current tax year do not exceed fifteen million dollars claimed by all telephone companies for all tax years. Thereafter, no credit shall be granted under this section, except for the remaining portions of any credits allowed under division (B) of this section.

(D) A telephone company that is entitled to carry forward a credit against its public utility excise tax liability under section 5727.39 of the Revised Code is entitled to carry forward any amount of that credit remaining after its last public utility excise tax payment for the period of July 1, 2003, through June 30, 2004, and claim that amount as a credit against its corporation franchise tax liability under this section. Nothing in this section authorizes a telephone company to claim a credit under this section for any eligible nonrecurring 9-1-1 charges for which it has already claimed a credit under this section or section 5727.39 of the Revised Code.

Sec. 5751.01. As used in this chapter:

(A) "Person" means, but is not limited to, individuals, combinations of individuals of any form, receivers, assignees, trustees in bankruptcy, firms, companies, joint-stock companies, business trusts, estates, partnerships, limited liability partnerships, limited liability companies, associations, joint ventures, clubs, societies, for-profit corporations, S corporations, qualified subchapter S subsidiaries, qualified subchapter S trusts, trusts, entities that are disregarded for federal income tax purposes, and any other entities.

(B) "Consolidated elected taxpayer" means a group of two or more persons treated as a single taxpayer for purposes of this chapter as the result of an election made under section 5751.011 of the Revised Code.

(C) "Combined taxpayer" means a group of two or more persons treated as a single taxpayer for purposes of this chapter under section 5751.012 of the Revised Code.

(D) "Taxpayer" means any person, or any group of persons in the case of a consolidated elected taxpayer or combined taxpayer treated as one taxpayer, required to register or pay tax under this chapter. "Taxpayer" does not include excluded persons.

(E) "Excluded person" means any of the following:

(1) Any person with not more than one hundred fifty thousand dollars of taxable gross receipts during the calendar year. Division (E)(1) of this section does not apply to a person that is a member of a consolidated elected taxpayer;

(2) A public utility that paid the excise tax imposed by section 5727.24 or

5727.30 of the Revised Code based on one or more measurement periods that include the entire tax period under this chapter, except that a public utility that is a combined company is a taxpayer with regard to the following gross receipts:

(a) Taxable gross receipts directly attributed to a public utility activity, but not directly attributed to an activity that is subject to the excise tax imposed by section 5727.24 or 5727.30 of the Revised Code;

(b) Taxable gross receipts that cannot be directly attributed to any activity, multiplied by a fraction whose numerator is the taxable gross receipts described in division (E)(2)(a) of this section and whose denominator is the total taxable gross receipts that can be directly attributed to any activity;

(c) Except for any differences resulting from the use of an accrual basis method of accounting for purposes of determining gross receipts under this chapter and the use of the cash basis method of accounting for purposes of determining gross receipts under section 5727.24 of the Revised Code, the gross receipts directly attributed to the activity of a natural gas company shall be determined in a manner consistent with division (D) of section 5727.03 of the Revised Code.

As used in division (E)(2) of this section, "combined company" and "public utility" have the same meanings as in section 5727.01 of the Revised Code.

(3) A financial institution, as defined in section 5726.01 of the Revised Code, that paid the tax imposed by section 5726.02 of the Revised Code based on one or more taxable years that include the entire tax period under this chapter;

(4) A person directly or indirectly owned by one or more financial institutions, as defined in section 5726.01 of the Revised Code, that paid the tax imposed by section 5726.02 of the Revised Code based on one or more taxable years that include the entire tax period under this chapter.

For the purposes of division (E)(4) of this section, a person owns another person under the following circumstances:

(a) In the case of corporations issuing capital stock, one corporation owns another corporation if it owns fifty per cent or more of the other corporation's capital stock with current voting rights;

(b) In the case of a limited liability company, one person owns the company if that person's membership interest, as defined in section 1706.01 of the Revised Code, is fifty per cent or more of the combined membership interests of all persons owning such interests in the company;

(c) In the case of a partnership, trust, or other unincorporated business organization other than a limited liability company, one person owns the

organization if, under the articles of organization or other instrument governing the affairs of the organization, that person has a beneficial interest in the organization's profits, surpluses, losses, or distributions of fifty per cent or more of the combined beneficial interests of all persons having such an interest in the organization.

(5) A domestic insurance company or foreign insurance company, as defined in section 5725.01 of the Revised Code, that paid the insurance company premiums tax imposed by section 5725.18 or Chapter 5729. of the Revised Code, or an unauthorized insurance company whose gross premiums are subject to tax under section 3905.36 of the Revised Code based on one or more measurement periods that include the entire tax period under this chapter;

(6) A person that solely facilitates or services one or more securitizations of phase-in-recovery property pursuant to a final financing order as those terms are defined in section 4928.23 of the Revised Code. For purposes of this division, "securitization" means transferring one or more assets to one or more persons and then issuing securities backed by the right to receive payment from the asset or assets so transferred.

(7) Except as otherwise provided in this division, a pre-income tax trust as defined in section 5747.01 of the Revised Code and any pass-through entity of which such pre-income tax trust owns or controls, directly, indirectly, or constructively through related interests, more than five per cent of the ownership or equity interests. If the pre-income tax trust has made a qualifying pre-income tax trust election under division (EE) of section 5747.01 of the Revised Code, then the trust and the pass-through entities of which it owns or controls, directly, indirectly, or constructively through related interests, more than five per cent of the ownership or equity interests, shall not be excluded persons for purposes of the tax imposed under section 5751.02 of the Revised Code.

(8) Nonprofit organizations or the state and its agencies, instrumentalities, or political subdivisions.

(F) Except as otherwise provided in divisions (F)(2), (3), and (4) of this section, "gross receipts" means the total amount realized by a person, without deduction for the cost of goods sold or other expenses incurred, that contributes to the production of gross income of the person, including the fair market value of any property and any services received, and any debt transferred or forgiven as consideration.

(1) The following are examples of gross receipts:

(a) Amounts realized from the sale, exchange, or other disposition of the taxpayer's property to or with another;

(b) Amounts realized from the taxpayer's performance of services for another;

(c) Amounts realized from another's use or possession of the taxpayer's property or capital;

(d) Any combination of the foregoing amounts.

(2) "Gross receipts" excludes the following amounts:

(a) Interest income except interest on credit sales;

(b) Dividends and distributions from corporations, and distributive or proportionate shares of receipts and income from a pass-through entity as defined under section 5733.04 of the Revised Code;

(c) Receipts from the sale, exchange, or other disposition of an asset described in section 1221 or 1231 of the Internal Revenue Code, without regard to the length of time the person held the asset. Notwithstanding section 1221 of the Internal Revenue Code, receipts from hedging transactions also are excluded to the extent the transactions are entered into primarily to protect a financial position, such as managing the risk of exposure to (i) foreign currency fluctuations that affect assets, liabilities, profits, losses, equity, or investments in foreign operations; (ii) interest rate fluctuations; or (iii) commodity price fluctuations. As used in division (F)(2)(c) of this section, "hedging transaction" has the same meaning as used in section 1221 of the Internal Revenue Code and also includes transactions accorded hedge accounting treatment under statement of financial accounting standards number 133 of the financial accounting standards board. For the purposes of division (F)(2)(c) of this section, the actual transfer of title of real or tangible personal property to another entity is not a hedging transaction.

(d) Proceeds received attributable to the repayment, maturity, or redemption of the principal of a loan, bond, mutual fund, certificate of deposit, or marketable instrument;

(e) The principal amount received under a repurchase agreement or on account of any transaction properly characterized as a loan to the person;

(f) Contributions received by a trust, plan, or other arrangement, any of which is described in section 501(a) of the Internal Revenue Code, or to which Title 26, Subtitle A, Chapter 1, Subchapter (D) of the Internal Revenue Code applies;

(g) Compensation, whether current or deferred, and whether in cash or in kind, received or to be received by an employee, former employee, or the employee's legal successor for services rendered to or for an employer, including reimbursements received by or for an individual for medical or education expenses, health insurance premiums, or employee expenses, or on

account of a dependent care spending account, legal services plan, any cafeteria plan described in section 125 of the Internal Revenue Code, or any similar employee reimbursement;

(h) Proceeds received from the issuance of the taxpayer's own stock, options, warrants, puts, or calls, or from the sale of the taxpayer's treasury stock;

(i) Proceeds received on the account of payments from insurance policies, except those proceeds received for the loss of business revenue;

(j) Gifts or charitable contributions received; membership dues received by trade, professional, homeowners', or condominium associations; ~~and~~ payments received for educational courses, meetings, meals, or similar payments to a trade, professional, or other similar association; and fundraising receipts received by any person when any excess receipts are donated or used exclusively for charitable purposes;

(k) Damages received as the result of litigation in excess of amounts that, if received without litigation, would be gross receipts;

(l) Property, money, and other amounts received or acquired by an agent on behalf of another in excess of the agent's commission, fee, or other remuneration;

(m) Tax refunds, other tax benefit recoveries, and reimbursements for the tax imposed under this chapter made by entities that are part of the same combined taxpayer or consolidated elected taxpayer group, and reimbursements made by entities that are not members of a combined taxpayer or consolidated elected taxpayer group that are required to be made for economic parity among multiple owners of an entity whose tax obligation under this chapter is required to be reported and paid entirely by one owner, pursuant to the requirements of sections 5751.011 and 5751.012 of the Revised Code;

(n) Pension reversions;

(o) Contributions to capital;

(p) Sales or use taxes collected as a vendor or an out-of-state seller on behalf of the taxing jurisdiction from a consumer or other taxes the taxpayer is required by law to collect directly from a purchaser and remit to a local, state, or federal tax authority;

(q) In the case of receipts from the sale of cigarettes, tobacco products, or vapor products by a wholesale dealer, retail dealer, distributor, manufacturer, vapor distributor, or seller, all as defined in section 5743.01 of the Revised Code, an amount equal to the federal and state excise taxes paid by any person on or for such cigarettes, tobacco products, or vapor products under subtitle E

of the Internal Revenue Code or Chapter 5743. of the Revised Code;

(r) In the case of receipts from the sale, transfer, exchange, or other disposition of motor fuel as "motor fuel" is defined in section 5736.01 of the Revised Code, an amount equal to the value of the motor fuel, including federal and state motor fuel excise taxes and receipts from billing or invoicing the tax imposed under section 5736.02 of the Revised Code to another person;

(s) In the case of receipts from the sale of beer or intoxicating liquor, as defined in section 4301.01 of the Revised Code, by a person holding a permit issued under Chapter 4301. or 4303. of the Revised Code, an amount equal to federal and state excise taxes paid by any person on or for such beer or intoxicating liquor under subtitle E of the Internal Revenue Code or Chapter 4301. or 4305. of the Revised Code;

(t) Receipts realized by a new motor vehicle dealer or used motor vehicle dealer, as defined in section 4517.01 of the Revised Code, from the sale or other transfer of a motor vehicle, as defined in that section, to another motor vehicle dealer for the purpose of resale by the transferee motor vehicle dealer, but only if the sale or other transfer was based upon the transferee's need to meet a specific customer's preference for a motor vehicle;

(u) Receipts from a financial institution described in division (E)(3) of this section for services provided to the financial institution in connection with the issuance, processing, servicing, and management of loans or credit accounts, if such financial institution and the recipient of such receipts have at least fifty per cent of their ownership interests owned or controlled, directly or constructively through related interests, by common owners;

(v) Receipts realized from administering anti-neoplastic drugs and other cancer chemotherapy, biologicals, therapeutic agents, and supportive drugs in a physician's office to patients with cancer;

(w) Funds received or used by a mortgage broker that is not a dealer in intangibles, other than fees or other consideration, pursuant to a table-funding mortgage loan or warehouse-lending mortgage loan. Terms used in division (F)(2)(w) of this section have the same meanings as in section 1322.01 of the Revised Code, except "mortgage broker" means a person assisting a buyer in obtaining a mortgage loan for a fee or other consideration paid by the buyer or a lender, or a person engaged in table-funding or warehouse-lending mortgage loans that are first lien mortgage loans.

(x) Property, money, and other amounts received by a professional employer organization, as defined in section 4125.01 of the Revised Code, or an alternate employer organization, as defined in section 4133.01 of the Revised Code, from a client employer, as defined in either of those sections as applicable, in excess of the administrative fee charged by the professional

employer organization or the alternate employer organization to the client employer;

(y) In the case of amounts retained as commissions by a permit holder under Chapter 3769. of the Revised Code, an amount equal to the amounts specified under that chapter that must be paid to or collected by the tax commissioner as a tax and the amounts specified under that chapter to be used as purse money;

(z) Qualifying distribution center receipts as determined under section 5751.40 of the Revised Code;

(aa) Receipts of an employer from payroll deductions relating to the reimbursement of the employer for advancing moneys to an unrelated third party on an employee's behalf;

(bb) Cash discounts allowed and taken;

(cc) Returns and allowances;

(dd) Bad debts from receipts on the basis of which the tax imposed by this chapter was paid in a prior quarterly tax payment period. For the purpose of this division, "bad debts" means any debts that have become worthless or uncollectible between the preceding and current quarterly tax payment periods, have been uncollected for at least six months, and that may be claimed as a deduction under section 166 of the Internal Revenue Code and the regulations adopted under that section, or that could be claimed as such if the taxpayer kept its accounts on the accrual basis. "Bad debts" does not include repossessed property, uncollectible amounts on property that remains in the possession of the taxpayer until the full purchase price is paid, or expenses in attempting to collect any account receivable or for any portion of the debt recovered;

(ee) Any amount realized from the sale of an account receivable to the extent the receipts from the underlying transaction giving rise to the account receivable were included in the gross receipts of the taxpayer;

(ff) Any receipts directly attributed to a transfer agreement or to the enterprise transferred under that agreement under section 4313.02 of the Revised Code;

(gg) Qualified uranium receipts as determined under section 5751.41 of the Revised Code;

(hh) In the case of amounts collected by a licensed casino operator from casino gaming, amounts in excess of the casino operator's gross casino revenue. In this division, "casino operator" and "casino gaming" have the meanings defined in section 3772.01 of the Revised Code, and "gross casino revenue" has the meaning defined in section 5753.01 of the Revised Code.

(ii) Receipts realized from the sale of agricultural commodities by an agricultural commodity handler, both as defined in section 926.01 of the Revised Code, that is licensed by the director of agriculture to handle agricultural commodities in this state;

(jj) Qualifying integrated supply chain receipts as determined under section 5751.42 of the Revised Code;

(kk) In the case of a railroad company described in division (D)(9) of section 5727.01 of the Revised Code that purchases dyed diesel fuel directly from a supplier as defined by section 5736.01 of the Revised Code, an amount equal to the product of the number of gallons of dyed diesel fuel purchased directly from such a supplier multiplied by the average wholesale price for a gallon of diesel fuel as determined under section 5736.02 of the Revised Code for the period during which the fuel was purchased multiplied by a fraction, the numerator of which equals the rate of tax levied by section 5736.02 of the Revised Code less the rate of tax computed in section 5751.03 of the Revised Code, and the denominator of which equals the rate of tax computed in section 5751.03 of the Revised Code;

(ll) Receipts realized by an out-of-state disaster business from disaster work conducted in this state during a disaster response period pursuant to a qualifying solicitation received by the business. Terms used in division (F)(2) (ll) of this section have the same meanings as in section 5703.94 of the Revised Code.

(mm) In the case of receipts from the sale or transfer of a mortgage-backed security or a mortgage loan by a mortgage lender holding a valid certificate of registration issued under Chapter 1322. of the Revised Code or by a person that is a member of the mortgage lender's consolidated elected taxpayer group, an amount equal to the principal balance of the mortgage loan;

(nn) Amounts of excess surplus of the state insurance fund received by the taxpayer from the Ohio bureau of workers' compensation pursuant to rules adopted under section 4123.321 of the Revised Code;

(oo) Except as otherwise provided in division (B) of section 5751.091 of the Revised Code, receipts of a megaproject supplier from sales of tangible personal property directly to a megaproject operator in this state for use at the site of the megaproject operator's megaproject, provided that the sale occurs during the period that the megaproject operator has an agreement with the tax credit authority for the megaproject under division (D) of section 122.17 of the Revised Code that remains in effect and has not expired or been terminated, and provided the megaproject supplier holds a certificate for such megaproject issued under section 5751.052 of the Revised Code for the calendar year in which the sales are made and, if the megaproject supplier meets the requirements described in division (A)(13)(b) of section 122.17 of

the Revised Code, the megaproject supplier holds a certificate for such megaproject issued under division (D)(11) of section 122.17 of the Revised Code on the first day of that calendar year;

(pp) Receipts from the sale of each new piece of capital equipment that has a cost in excess of one hundred million dollars and that is used at the site of a megaproject that satisfies the criteria described in division (A)(11)(a)(ii) of section 122.17 of the Revised Code, provided that the sale occurs during the period that a megaproject operator has an agreement for that megaproject with the tax credit authority under division (D) of section 122.17 of the Revised Code that remains in effect and has not expired or been terminated;

(qq) In the case of amounts collected by a sports gaming proprietor from sports gaming, amounts in excess of the proprietor's sports gaming receipts. As used in this division, "sports gaming proprietor" has the same meaning as in section 3775.01 of the Revised Code and "sports gaming receipts" has the same meaning as in section 5753.01 of the Revised Code.

(rr) Any receipts for which the tax imposed by this chapter is prohibited by the constitution or laws of the United States or the constitution of this state;

(ss) Receipts from fees imposed under sections 128.41 and 128.42 of the Revised Code.

(3) In the case of a taxpayer when acting as a real estate broker, "gross receipts" includes only the portion of any fee for the service of a real estate broker, or service of a real estate salesperson associated with that broker, that is retained by the broker and not paid to an associated real estate salesperson or another real estate broker. For the purposes of this division, "real estate broker" and "real estate salesperson" have the same meanings as in section 4735.01 of the Revised Code.

(4) A taxpayer's method of accounting for gross receipts for a tax period shall be the same as the taxpayer's method of accounting for federal income tax purposes for the taxpayer's federal taxable year that includes the tax period. If a taxpayer's method of accounting for federal income tax purposes changes, its method of accounting for gross receipts under this chapter shall be changed accordingly.

(G) "Taxable gross receipts" means gross receipts situated to this state under section 5751.033 of the Revised Code.

(H) A person has "substantial nexus with this state" if any of the following applies. The person:

(1) Owns or uses a part or all of its capital in this state;

(2) Holds a certificate of compliance with the laws of this state authorizing the person to do business in this state;

(3) Has bright-line presence in this state;

(4) Otherwise has nexus with this state to an extent that the person can be required to remit the tax imposed under this chapter under the Constitution of the United States.

(I) A person has "bright-line presence" in this state for a reporting period and for the remaining portion of the calendar year if any of the following applies. The person:

(1) Has at any time during the calendar year property in this state with an aggregate value of at least fifty thousand dollars. For the purpose of division (I)(1) of this section, owned property is valued at original cost and rented property is valued at eight times the net annual rental charge.

(2) Has during the calendar year payroll in this state of at least fifty thousand dollars. Payroll in this state includes all of the following:

(a) Any amount subject to withholding by the person under section 5747.06 of the Revised Code;

(b) Any other amount the person pays as compensation to an individual under the supervision or control of the person for work done in this state; and

(c) Any amount the person pays for services performed in this state on its behalf by another.

(3) Has during the calendar year taxable gross receipts of at least five hundred thousand dollars;

(4) Has at any time during the calendar year within this state at least twenty-five per cent of the person's total property, total payroll, or total gross receipts;

(5) Is domiciled in this state as an individual or for corporate, commercial, or other business purposes.

(J) "Tangible personal property" has the same meaning as in section 5739.01 of the Revised Code.

(K) "Internal Revenue Code" means the Internal Revenue Code of 1986, 100 Stat. 2085, 26 U.S.C. 1, as amended. Any term used in this chapter that is not otherwise defined has the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes unless a different meaning is clearly required. Any reference in this chapter to the Internal Revenue Code includes other laws of the United States relating to federal income taxes.

(L) "Calendar quarter" means a three-month period ending on the thirty-first day of March, the thirtieth day of June, the thirtieth day of September, or

the thirty-first day of December.

(M) "Tax period" means the calendar quarter or calendar year on the basis of which a taxpayer is required to pay the tax imposed under this chapter.

(N) "Calendar year taxpayer" means a taxpayer for which the tax period is a calendar year.

(O) "Calendar quarter taxpayer" means a taxpayer for which the tax period is a calendar quarter.

(P) "Agent" means a person authorized by another person to act on its behalf to undertake a transaction for the other, including any of the following:

(1) A person receiving a fee to sell financial instruments;

(2) A person retaining only a commission from a transaction with the other proceeds from the transaction being remitted to another person;

(3) A person issuing licenses and permits under section 1533.13 of the Revised Code;

(4) A lottery sales agent holding a valid license issued under section 3770.05 of the Revised Code;

(5) A person acting as an agent of the division of liquor control under section 4301.17 of the Revised Code.

(Q) "Received" includes amounts accrued under the accrual method of accounting.

(R) "Reporting person" means a person in a consolidated elected taxpayer or combined taxpayer group that is designated by that group to legally bind the group for all filings and tax liabilities and to receive all legal notices with respect to matters under this chapter, or, for the purposes of section 5751.04 of the Revised Code, a separate taxpayer that is not a member of such a group.

(S) "Megaproject," "megaproject operator," and "megaproject supplier" have the same meanings as in section 122.17 of the Revised Code.

Section 130.61. That existing sections 128.01, 128.02, 128.021, 128.022, 128.03, 128.06, 128.07, 128.08, 128.12, 128.18, 128.22, 128.25, 128.26, 128.27, 128.32, 128.34, 128.40, 128.42, 128.44, 128.45, 128.46, 128.461, 128.462, 128.47, 128.52, 128.54, 128.55, 128.57, 128.60, 128.63, 128.99, 149.43, 4776.20, 5703.052, 5733.55, and 5751.01 of the Revised Code are hereby repealed.

Section 130.62. That sections 128.04, 128.09, 128.15, 128.571, 4742.01, 4742.02, 4742.03, 4742.04, 4742.05, 4742.06, and 4742.07 of the Revised Code are hereby repealed.

Section 130.63. Not later than February 1, 2025, the Auditor of State shall conduct an audit and issue a report to the General Assembly regarding the collection of the next generation 9-1-1 access fees under section 128.41 of the Revised Code. The audit shall determine whether the obligations of the 9-1-1 Government Assistance Fund and the Next Generation 9-1-1 Fund can be met with a lower monthly next generation 9-1-1 access fee or if the monthly fee should be increased or remain unchanged.

Section 130.65. Section 149.43 of the Revised Code is presented in this act as a composite of the section as amended by H.B. 45, H.B. 99, H.B. 254, H.B. 343, H.B. 558, and S.B. 288, all of the 134th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized and reconciled if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act."

In line 46599, delete "For" and insert "On and after July 1, 2024, for"

In line 46603, after "districts" insert "that are members of the same compact career-technical education provider, as defined in section 3326.01 of the Revised Code"

In line 46609, after the underlined period insert "Only the member districts of a compact career-technical education provider that exists on the effective date of this section may enter into an agreement to create a career-technical cooperative education district under this section."

In line 46689, delete "special education and related" and insert "career-technical education"

In line 71 of the title, after "3301.0723," insert "3301.163,"

In line 74 of the title, after "3313.603," insert "3313.608,"

In line 814, after "3301.0723," insert "3301.163,"

In line 817, after "3313.603," insert "3313.608,"

After line 42318, insert:

"Sec. 3301.163. (A) Beginning July 1, 2015, any third-grade student who attends a chartered nonpublic school with a scholarship awarded under either the educational choice scholarship pilot program, prescribed in sections 3310.01 to 3310.17, or the pilot project scholarship program prescribed in sections 3313.974 to 3313.979 of the Revised Code, shall be subject to the third-grade reading guarantee retention provisions under division (A)(2) of section 3313.608 of the Revised Code, including the exemptions prescribed by that division. For purposes of determining if a child with a disability is

exempt from retention under this section, an individual services plan created for the child that has been reviewed by either the student's school district of residence or the school district in which the chartered nonpublic school is located and that specifies that the student is not subject to retention shall be considered in the same manner as an individualized education program or plan under section 504 of the "Rehabilitation Act of 1973," 87 Stat. 355, 29 U.S.C. 794, as amended, as prescribed by division (A)(2) of section 3313.608 of the Revised Code.

As used in this section, "child with a disability" and "school district of residence" have the same meanings as in section 3323.01 of the Revised Code.

(B)(1) Each chartered nonpublic school that enrolls students in any of grades kindergarten through three and that accepts students under the educational choice scholarship pilot program or the pilot project scholarship program shall adopt policies and procedures for the annual assessment of the reading skills of those students. Each school may use the diagnostic assessment to measure reading ability for the appropriate grade level prescribed in division (D) of section 3301.079 of the Revised Code. If the school uses such assessments, the department of education shall furnish them to the chartered nonpublic school.

(2) For each student identified as having reading skills below grade level, the school shall do both of the following:

(a) Provide to the student's parent or guardian, in writing, all of the following:

(i) Notification that the student has been identified as having a substantial deficiency in reading;

(ii) Notification that if the student attains a score in the range designated under division (A)(3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected at the end of third grade, the student shall be retained unless the student is exempt under division (A)(1) of section 3313.608 of the Revised Code.

(b) Provide intensive reading instruction services, as determined appropriate by the school, to each student identified under this section.

(C) Each chartered nonpublic school subject to this section annually shall report to the department the number of students identified as reading at grade level and the number of students identified as reading below grade level.

(D) Each chartered nonpublic school shall provide reading intervention services required under division (B)(2) of this section for students who did not

achieve the required level of skill under division (A)(3) of section 3310.0710 of the Revised Code but were promoted to the fourth grade, that do all of the following:

(1) Continue to be offered for as long as a student does not achieve a proficient level of skill in reading for the student's current grade level;

(2) Provides high-dosage tutoring opportunities aligned with the student's classroom instruction through a state-approved vendor on the list of high-quality tutoring vendors under section 3301.136 of the Revised Code or a locally approved opportunity that aligns with high-dosage tutoring best practices high-dosage tutoring opportunities shall include additional instruction time of at least three days per week, or at least fifty hours over thirty-six weeks;

(3) Align with the science of reading as defined under section 3313.6028 of the Revised Code."

After line 45768, insert:

"Sec. 3313.608. (A)(1) Beginning with students who enter third grade in the school year that starts July 1, 2009, and until June 30, 2013, unless the student is excused under division (C) of section 3301.0711 of the Revised Code from taking the assessment described in this section, for any student who does not attain at least the equivalent level of achievement designated under division (A)(3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected at the end of third grade, each school district, in accordance with the policy adopted under section 3313.609 of the Revised Code, shall do one of the following:

(a) Promote the student to fourth grade if the student's principal and reading teacher agree that other evaluations of the student's skill in reading demonstrate that the student is academically prepared to be promoted to fourth grade;

(b) Promote the student to fourth grade but provide the student with intensive intervention services in fourth grade;

(c) Retain the student in third grade.

(2) Beginning with students who enter third grade in the 2013-2014 school year, unless the student is excused under division (C) of section 3301.0711 of the Revised Code from taking the assessment described in this section, no school district shall promote to fourth grade any student who does not attain at least the equivalent level of achievement designated under division (A)(3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected at the end of

third grade, unless one of the following applies:

(a) The student is an English learner who has been enrolled in United States schools for less than three full school years and has had less than three years of instruction in an English as a second language program.

(b) The student is a child with a disability entitled to special education and related services under Chapter 3323. of the Revised Code and the student's individualized education program exempts the student from retention under this division.

(c) The student demonstrates an acceptable level of performance on an alternative standardized reading assessment as determined by the department of education.

(d) All of the following apply:

(i) The student is a child with a disability entitled to special education and related services under Chapter 3323. of the Revised Code.

(ii) The student has taken the third grade English language arts achievement assessment prescribed under section 3301.0710 of the Revised Code.

(iii) The student's individualized education program or plan under section 504 of the "Rehabilitation Act of 1973," 87 Stat. 355, 29 U.S.C. 794, as amended, shows that the student has received intensive remediation in reading for two school years but still demonstrates a deficiency in reading.

(iv) The student previously was retained in any of grades kindergarten to three.

(e)(i) The student received intensive remediation for reading for two school years but still demonstrates a deficiency in reading and was previously retained in any of grades kindergarten to three.

(ii) A student who is promoted under division (A)(2)(e)(i) of this section shall continue to receive intensive reading instruction in grade four. The instruction shall include an altered instructional day that includes specialized diagnostic information and specific research-based reading strategies for the student that have been successful in improving reading among low-performing readers.

(f) A student's parent or guardian, in consultation with the student's reading teacher and building principal, requests that the student, regardless of if the student is reading at grade level, be promoted to the fourth grade.

A student who is promoted under division (A)(2)(f) of this section shall continue to receive intensive reading instruction in the same manner as a student retained under this section until the student is able to read at grade

level.

(B)(1) Beginning in the 2012-2013 school year, to assist students in meeting the third grade guarantee established by this section, each school district board of education shall adopt policies and procedures with which it annually shall assess the reading skills of each student, except those students with significant cognitive disabilities or other disabilities as authorized by the department on a case-by-case basis, enrolled in kindergarten to third grade and shall identify students who are reading below their grade level. The reading skills assessment shall be completed by the thirtieth day of September for students in grades one to three, and by the twentieth day of instruction of the school year for students in kindergarten. Each district shall use the diagnostic assessment to measure reading ability for the appropriate grade level adopted under section 3301.079 of the Revised Code, or a comparable tool approved by the department of education, to identify such students. The policies and procedures shall require the students' classroom teachers to be involved in the assessment and the identification of students reading below grade level. The assessment may be administered electronically using live, two-way video and audio connections whereby the teacher administering the assessment may be in a separate location from the student.

(2) For each student identified by the diagnostic assessment prescribed under this section as having reading skills below grade level, the district shall do both of the following:

(a) Provide to the student's parent or guardian, in writing, all of the following:

(i) Notification that the student has been identified as having a substantial deficiency in reading;

(ii) A description of the current services that are provided to the student;

(iii) A description of the proposed supplemental instructional services and supports that will be provided to the student that are designed to remediate the identified areas of reading deficiency;

(iv) Notification that if the student attains a score in the range designated under division (A)(3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected at the end of third grade, the student shall be retained unless the student is exempt under division (A) of this section. The notification shall specify that the assessment under section 3301.0710 of the Revised Code is not the sole determinant of promotion and that additional evaluations and assessments are available to the student to assist parents and the district in knowing when a student is reading at or above grade level and ready for promotion.

(v) A statement that connects the child's proficiency level in reading to long-term outcomes of success related to proficiency in reading.

(b) Provide intensive reading instruction services and regular diagnostic assessments to the student immediately following identification of a reading deficiency until the development of the reading improvement and monitoring plan required by division (C) of this section. These intervention services shall be aligned with the science of reading as defined under section 3313.6028 of the Revised Code and include research-based reading strategies that have been shown to be successful in improving reading among low-performing readers and instruction targeted at the student's identified reading deficiencies.

(3) For each student retained under division (A) of this section, the district shall do all of the following:

(a) Provide intense remediation services until the student is able to read at grade level. The remediation services shall include intensive interventions in reading that address the areas of deficiencies identified under this section including, but not limited to, not less than ninety minutes of reading instruction per day, and may include any of the following:

- (i) Small group instruction;
- (ii) Reduced teacher-student ratios;
- (iii) More frequent progress monitoring;
- (iv) Tutoring or mentoring;
- (v) Transition classes containing third and fourth grade students;
- (vi) Extended school day, week, or year;
- (vii) Summer reading camps.

(b) Establish a policy for the mid-year promotion of a student retained under division (A) of this section who demonstrates that the student is reading at or above grade level;

(c) Provide each student with a teacher who satisfies one or more of the criteria set forth in division (H) of this section.

The district shall offer the option for students to receive applicable services from one or more providers other than the district. Providers shall be screened and approved by the district or the department of education. If the student participates in the remediation services and demonstrates reading proficiency in accordance with standards adopted by the department prior to the start of fourth grade, the district shall promote the student to that grade.

(4) For each student retained under division (A) of this section who has demonstrated proficiency in a specific academic ability field, each district

shall provide instruction commensurate with student achievement levels in that specific academic ability field.

As used in this division, "specific academic ability field" has the same meaning as in section 3324.01 of the Revised Code.

(C) For each student required to be provided intervention services under this section, the district shall develop a reading improvement and monitoring plan within sixty days after receiving the student's results on the diagnostic assessment or comparable tool administered under division (B)(1) of this section. The district shall involve the student's parent or guardian and classroom teacher in developing the plan. The plan shall include all of the following:

- (1) Identification of the student's specific reading deficiencies;
- (2) A description of the additional instructional services and support that will be provided to the student to remediate the identified reading deficiencies;
- (3) Opportunities for the student's parent or guardian to be involved in the instructional services and support described in division (C)(2) of this section;
- (4) A process for monitoring the extent to which the student receives the instructional services and support described in division (C)(2) of this section;
- (5) A reading curriculum during regular school hours that does all of the following:
 - (a) Assists students to read at grade level;
 - (b) Provides scientifically based and reliable assessment;
 - (c) Provides initial and ongoing analysis of each student's reading progress.
- (6) A statement that if the student does not attain at least the equivalent level of achievement designated under division (A)(3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected by the end of third grade, the student may be retained in third grade.
- (7) High-dosage tutoring opportunities aligned with the student's classroom instruction through a state-approved vendor on the list of high-quality tutoring vendors under section 3301.136 of the Revised Code or a locally approved opportunity that aligns with high-dosage tutoring best practices. High-dosage tutoring opportunities shall include additional instruction time of at least three days per week, or at least fifty hours over thirty-six weeks.

The district shall continue to provide the plan developed under division (C) of this section until the student achieves the required level of skill in

reading for the student's current grade level.

Each student with a reading improvement and monitoring plan under this division who enters third grade after July 1, 2013, shall be assigned to a teacher who satisfies one or more of the criteria set forth in division (H) of this section.

The district shall report any information requested by the department about the reading improvement monitoring plans developed under this division in the manner required by the department.

(D) Each school district shall report annually to the department on its implementation and compliance with this section using guidelines prescribed by the superintendent of public instruction. The superintendent of public instruction annually shall report to the governor and general assembly the number and percentage of students in grades kindergarten through four reading below grade level based on the diagnostic assessments administered under division (B) of this section and the achievement assessments administered under divisions (A)(1)(a) and (b) of section 3301.0710 of the Revised Code in English language arts, aggregated by school district and building; the types of intervention services provided to students; and, if available, an evaluation of the efficacy of the intervention services provided.

(E) Any summer remediation services funded in whole or in part by the state and offered by school districts to students under this section shall meet the following conditions:

(1) The remediation methods are based on reliable educational research.

(2) The school districts conduct assessment before and after students participate in the program to facilitate monitoring results of the remediation services.

(3) The parents of participating students are involved in programming decisions.

(F) Any intervention or remediation services required by this section shall include intensive, explicit, and systematic instruction.

(G) This section does not create a new cause of action or a substantive legal right for any person.

(H)(1) Except as provided under divisions (H)(2), (3), and (4) of this section, each student described in division (B)(3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, shall be assigned a teacher who has at least one year of teaching experience and who satisfies one or more of the following criteria:

(a) The teacher holds a reading endorsement on the teacher's license and

has attained a passing score on the corresponding assessment for that endorsement, as applicable.

(b) The teacher has completed a master's degree program with a major in reading.

(c) The teacher was rated "most effective" for reading instruction consecutively for the most recent two years based on assessments of student growth measures developed by a vendor and that is on the list of student assessments approved by the state board under division (B)(2) of section 3319.112 of the Revised Code.

(d) The teacher was rated "above expected value added," in reading instruction, as determined by criteria established by the department, for the most recent, consecutive two years.

(e) The teacher has earned a passing score on a rigorous test of principles of scientifically research-based reading instruction as approved by the state board.

(f) The teacher holds an educator license for teaching grades pre-kindergarten through three or four through nine issued on or after July 1, 2017.

(2) Notwithstanding division (H)(1) of this section, a student described in division (B)(3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, may be assigned to a teacher with less than one year of teaching experience provided that the teacher meets one or more of the criteria described in divisions (H)(1)(a) to (f) of this section and that teacher is assigned a teacher mentor who meets the qualifications of division (H)(1) of this section.

(3) Notwithstanding division (H)(1) of this section, a student described in division (B)(3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, but prior to July 1, 2016, may be assigned to a teacher who holds an alternative credential approved by the department or who has successfully completed training that is based on principles of scientifically research-based reading instruction that has been approved by the department. Beginning on July 1, 2014, the alternative credentials and training described in division (H)(3) of this section shall be aligned with the reading competencies adopted by the state board of education under section 3301.077 of the Revised Code.

(4) Notwithstanding division (H)(1) of this section, a student described in division (B)(3) or (C) of this section who enters third grade for the first time on or after July 1, 2013, may receive reading intervention or remediation services under this section from an individual employed as a speech-language pathologist who holds a license issued by the state speech and hearing

professionals board under Chapter 4753. of the Revised Code and a professional pupil services license as a school speech-language pathologist issued by the state board of education.

(5) A teacher, other than a student's teacher of record, may provide any services required under this section, so long as that other teacher meets the requirements of division (H) of this section and the teacher of record and the school principal agree to the assignment. Any such assignment shall be documented in the student's reading improvement and monitoring plan.

As used in this division, "teacher of record" means the classroom teacher to whom a student is assigned.

(I) Notwithstanding division (H) of this section, a teacher may teach reading to any student who is an English language learner, and has been in the United States for three years or less, or to a student who has an individualized education program developed under Chapter 3323. of the Revised Code if that teacher holds an alternative credential approved by the department or has successfully completed training that is based on principles of scientifically research-based reading instruction that has been approved by the department. Beginning on July 1, 2014, the alternative credentials and training described in this division shall be aligned with the reading competencies adopted by the state board of education under section 3301.077 of the Revised Code.

(J) If, on or after June 4, 2013, a school district or community school cannot furnish the number of teachers needed who satisfy one or more of the criteria set forth in division (H) of this section for the 2013-2014 school year, the school district or community school shall develop and submit a staffing plan by June 30, 2013. The staffing plan shall include criteria that will be used to assign a student described in division (B)(3) or (C) of this section to a teacher, credentials or training held by teachers currently teaching at the school, and how the school district or community school will meet the requirements of this section. The school district or community school shall post the staffing plan on its web site for the applicable school year.

Not later than March 1, 2014, and on the first day of March in each year thereafter, a school district or community school that has submitted a plan under this division shall submit to the department a detailed report of the progress the district or school has made in meeting the requirements under this section.

A school district or community school may request an extension of a staffing plan beyond the 2013-2014 school year. Extension requests must be submitted to the department not later than the thirtieth day of April prior to the start of the applicable school year. The department may grant extensions valid through the 2015-2016 school year.

Until June 30, 2015, the department annually shall review all staffing plans and report to the state board not later than the thirtieth day of June of each year the progress of school districts and community schools in meeting the requirements of this section.

(K) The department of education shall designate one or more staff members to provide guidance and assistance to school districts and community schools in implementing the third grade guarantee established by this section, including any standards or requirements adopted to implement the guarantee and to provide information and support for reading instruction and achievement."

In line 124636, after "3301.071," insert "3301.0710,"

In line 124637, after "3301.0723," insert "3301.163,"

In line 124640, after "3313.603," insert "3313.608,"

After line 281012, insert:

"Section 733.10. Notwithstanding anything in the Revised Code or Administrative Code to the contrary, any school district, community school, STEM school, or chartered nonpublic school that is subject to section 3301.163 of the Revised Code that retained a student in the third grade under that section or section 3313.608 of the Revised Code for the 2023-2024 school year based on the student's level of achievement on the assessment prescribed under section 3301.0710 of the Revised Code to measure skill in English language arts expected at the end of third grade in the 2022-2023 school year shall promote such a student to the fourth grade on the effective date of this section unless the student's parent or guardian requests that the student continue to be retained for that school year. A student who is promoted under this section shall continue to receive intensive reading instruction in the same manner as a student retained under this section until the student is able to read at grade level."

In line 76 of the title, delete "3314.016,"

In line 818 of the title, delete "3314.016,"

Delete lines 47375 through 47631

In line 124641, delete "3314.016,"

Delete lines 281091 through 281133

In line 82 of the title, after "3317.11," insert "3317.13,"

In line 823, after "3317.11," insert "3317.13,"

After line 52450, insert:

"Sec. 3317.13. (A) As used in this section and section 3317.14 of the Revised Code:

(1) "Years of service" includes the following:

(a) All years of teaching service in the same school district or educational service center, regardless of training level, with each year consisting of at least one hundred twenty days under a teacher's contract;

(b) All years of teaching service in a chartered, nonpublic school located in Ohio as a teacher licensed pursuant to section 3319.22 of the Revised Code or in another public school, regardless of training level, with each year consisting of at least one hundred twenty days under a teacher's contract;

(c) All years of teaching service in a chartered school or institution or a school or institution that subsequently became chartered or a chartered special education program or a special education program that subsequently became chartered operated by the state or by a subdivision or other local governmental unit of this state as a teacher licensed pursuant to section 3319.22 of the Revised Code, regardless of training level, with each year consisting of at least one hundred twenty days; and

(d) All years of active military service in the armed forces of the United States, as defined in section 3307.75 of the Revised Code, to a maximum of five years. For purposes of this calculation, a partial year of active military service of eight continuous months or more in the armed forces shall be counted as a full year.

(2) "Teacher" means all teachers employed by the board of education of any school district, including any cooperative education or joint vocational school district and all teachers employed by any educational service center governing board.

(B) No teacher shall be paid a salary less than that provided in the schedule set forth in division (C) of this section. In calculating the minimum salary any teacher shall be paid pursuant to this section, years of service shall include the sum of all years of the teacher's teaching service included in divisions (A)(1) (a), (b), (c), and (d) of this section; except that any school district or educational service center employing a teacher new to the district or educational service center shall grant such teacher a total of not more than ten years of service pursuant to divisions (A)(1)(b), (c), and (d) of this section.

Upon written complaint to the superintendent of public instruction that the board of education of a district or the governing board of an educational service center governing board has failed or refused to annually adopt a salary schedule or to pay salaries in accordance with the salary schedule set forth in division (C) of this section, the superintendent of public instruction shall cause to be made an immediate investigation of such complaint. If the

superintendent finds that the conditions complained of exist, the superintendent shall order the board to correct such conditions within ten days from the date of the finding. No moneys shall be distributed to the district or educational service center under this chapter until the superintendent has satisfactory evidence of the board of education's full compliance with such order.

Each teacher shall be fully credited with placement in the appropriate academic training level column in the district's or educational service center's salary schedule with years of service properly credited pursuant to this section or section 3317.14 of the Revised Code. No rule shall be adopted or exercised by any board of education or educational service center governing board which restricts the placement or the crediting of annual salary increments for any teacher according to the appropriate academic training level column.

(C) Minimum salaries exclusive of retirement and sick leave for teachers shall be as follows:

Teachers with Less than Bachelor's Degree		Teachers with a Bachelor's Degree		Teachers with Five Years of Training, but no Master's Degree		Teachers with a Master's Degree or Higher	
Per Cent *	Dollar Amount	Per Cent*	Dollar Amount	Per Cent*	Dollar Amount	Per Cent*	Dollar Amount
0 86.5	<u>\$25,950</u> <u>30,275</u>	100.0	<u>\$30,000</u> <u>35,000</u>	103.8	<u>\$31,140</u> <u>36,330</u>	109.5	<u>\$32,850</u> <u>38,325</u>
1 90.0	<u>27,000</u> <u>31,500</u>	103.8	<u>31,140</u> <u>36,330</u>	108.1	<u>32,430</u> <u>37,835</u>	114.3	<u>34,290</u> <u>40,005</u>
2 93.5	<u>28,050</u> <u>32,725</u>	107.6	<u>32,280</u> <u>37,660</u>	112.4	<u>33,720</u> <u>39,340</u>	119.1	<u>35,730</u> <u>41,685</u>
3 97.0	<u>29,100</u> <u>33,950</u>	111.4	<u>33,420</u> <u>38,990</u>	116.7	<u>35,040</u> <u>40,845</u>	123.9	<u>37,170</u> <u>43,365</u>
4 100.5	<u>30,150</u> <u>35,175</u>	115.2	<u>34,560</u> <u>40,320</u>	121.0	<u>36,300</u> <u>42,350</u>	128.7	<u>38,610</u> <u>45,045</u>
5 104.0	<u>31,200</u> <u>36,400</u>	119.0	<u>35,700</u> <u>41,650</u>	125.3	<u>37,590</u> <u>43,855</u>	133.5	<u>40,050</u> <u>46,725</u>
6 104.0	<u>31,200</u>	122.8	<u>36,840</u>	129.6	<u>38,880</u>	138.3	<u>41,490</u>

		<u>36,400</u>		<u>42,980</u>		<u>45,360</u>		<u>48,405</u>
7	104.0	31,200	126.6	37,980	133.9	40,170	143.1	42,930
		<u>36,400</u>		<u>44,310</u>		<u>46,865</u>		<u>50,085</u>
8	104.0	31,200	130.4	39,120	138.2	41,460	147.9	44,370
		<u>36,400</u>		<u>45,640</u>		<u>48,370</u>		<u>51,765</u>
9	104.0	31,200	134.2	40,260	142.5	42,750	152.7	45,810
		<u>36,400</u>		<u>46,970</u>		<u>49,875</u>		<u>53,445</u>
10	104.0	31,200	138.0	41,400	146.8	44,040	157.5	47,250
		<u>36,400</u>		<u>48,300</u>		<u>51,380</u>		<u>55,125</u>
11	104.0	31,200	141.8	42,540	151.1	45,330	162.3	48,690
		<u>36,400</u>		<u>49,630</u>		<u>52,885</u>		<u>56,805</u>

* Percentages represent the percentage which each salary is of the base amount.

For purposes of determining the minimum salary at any level of training and service, the base of one hundred per cent shall be the base amount. The percentages used in this section show the relationships between the minimum salaries required by this section and the base amount and shall not be construed as requiring any school district or educational service center to adopt a schedule containing salaries in excess of the amounts set forth in this section for corresponding levels of training and experience.

As used in this division:

(1) "Base amount" means ~~thirty~~ thirty-five thousand dollars.

(2) "Five years of training" means at least one hundred fifty semester hours, or the equivalent, and a bachelor's degree from a recognized college or university.

(D) For purposes of this section, all credited training shall be from a recognized college or university."

In line 124646, after "3317.11," insert "3317.13,"

In line 84 of the title, delete "3319.074,"

In line 85 of the title, delete "3319.283,"

In line 86 of the title, delete "3319.291,"

In line 824, delete "3319.074,"

In line 825, delete "3319.283, 3319.291,"

Delete lines 53342 through 53392

Delete lines 54318 through 54570

In line 124647, delete "3319.074,"

In line 124648, delete "3319.283, 3319.291,"

In line 254 of the title, after "3319.2213," insert "3319.285,"

In line 947, after "3319.2213," insert "3319.285,"

After line 54387, insert:

"Sec. 3319.285. (A) As used in this section:

(1) "Eligible military individual" includes any of the following:

(a) An active-duty member of any branch of the United States armed forces;

(b) A veteran of any branch of the United States armed forces who separated from service with an honorable discharge;

(c) A member of the national guard or a member of a reserve component of the United States armed forces;

(d) A spouse of a member or veteran described in division (A)(1)(a), (b), or (c) of this section.

(2) "Teacher" has the same meaning as in section 3319.09 of the Revised Code.

(B) The state board of education, in consultation with the chancellor of higher education, shall adopt rules to establish an alternative military educator license for eligible military individuals. The rules shall ensure that eligible military individuals can obtain an educator license to work as a teacher in a public school on an expedited timeline. The rules shall allow eligible military individuals to apply leadership training or other military training toward requirements for college coursework, professional development, content knowledge examinations, or other licensure requirements.

(C) The state board may work with the credential review board created under section 3319.65 of the Revised Code to determine the types of military training that correspond with the educational training needed to be a successful teacher."

In line 249 of the title, after "3301.0731," insert "3301.139,"

In line 944, after "3301.0731," insert "3301.139,"

After line 42318, insert:

"Sec. 3301.139. The director of education and workforce shall designate at least one employee of the department of education and workforce to serve as a

liaison for school counselors across the state to support their efforts to advance students' academic and career development. The director shall give preference to individuals who hold a valid pupil services license in school counseling under section 3319.22 of the Revised Code."

In line 74 of the title, delete "3313.41, 3313.411,"

In line 816, delete "3313.41, 3313.411,"

Delete lines 44638 through 45058

In line 124639, delete "3313.41, 3313.411,"

In line 74 of the title, delete "3313.603,"

In line 817, delete "3313.603,"

Delete lines 45277 through 45768

In line 124640, delete "3313.603,"

In line 251 of the title, delete "3313.6030,"

In line 945, delete "3313.6030,"

In line 43218, delete the underlined semicolon

Delete line 43219

In line 43220, delete all before the period

Delete lines 45851 through 45900

In line 47912, delete "3313.6030,"

In line 55322, delete "3313.6030,"

In line 74 of the title, delete "3313.48,"

In line 91 of the title, delete "3327.016,"

In line 816 of the title, delete "3313.48,"

In line 829, delete "3327.016,"

Delete lines 45059 through 45165

Delete lines 55462 through 55518

In line 124640 delete "3313.48,"

In line 124652 delete "3327.016,"

In line 91 of the title, delete "3327.02,"

In line 830, delete "3327.02,"

Delete lines 55519 through 55658

In line 124653, delete "3327.02,"

In line 269114, delete "of" and insert "and not more than"

In line 269117, delete "and not more than \$2,500"

Delete lines 270573 through 270578

In line 194 of the title, after "5168.26," insert "5168.54,"

In line 903 after "5168.26," insert "5168.54,"

After line 108152, insert:

"Sec. 5168.54. (A) There is hereby created in the state treasury the nursing home franchise permit fee fund. All payments and penalties paid by nursing homes and hospitals under sections 5168.47, 5168.48, and 5168.51 of the Revised Code shall be deposited into the fund. The fund shall also consist of money deposited into it pursuant to sections 3769.08 and 3769.26 of the Revised Code. Subject to division (B) of section 3769.08 of the Revised Code, the department of medicaid shall use the money in the fund to make medicaid payments to providers of nursing facility services and providers of home and community-based services, and to fund expanding the state ombudsman long-term care program and resident and family surveys at the department of aging, the addition of surveyors at the department of health, and to fund quality and consumer information resources. Money in the fund may also be used for the residential state supplement program established under section 5119.41 of the Revised Code.

(B) Any money remaining in the nursing home franchise permit fee fund after payments specified in division (A) of this section are made shall be retained in the fund. Any interest or other investment proceeds earned on money in the fund shall be credited to the fund and used to make medicaid payments in accordance with division (A) of this section."

In line 124727 after "5168.26," insert "5168.54,"

In line 266379, delete "\$1,532,919 \$1,532,919" and insert "\$6,532,919 \$10,832,919"

In line 266387, add \$5,000,000 to fiscal year 2024 and \$9,300,000 to fiscal year 2025

In line 266393, add \$5,000,000 to fiscal year 2024 and \$9,300,000 to fiscal year 2025

In line 271069, delete "\$753,830 \$753,830" and insert "\$3,053,830 \$5,753,830"

In line 271085, add \$2,300,000 to fiscal year 2024 and \$5,000,000 to fiscal year 2025

In line 271113, add \$2,300,000 to fiscal year 2024 and \$5,000,000 to fiscal year 2025

In line 272734, delete "\$85,000,300 \$85,000,400" and insert "\$86,000,300 \$85,500,400"

In line 272743, add \$1,000,000 to fiscal year 2024 and \$500,000 to fiscal year 2025

In line 272755, add \$1,000,000 to fiscal year 2024 and \$500,000 to fiscal year 2025

After line 273499, insert:

"Section 333.XXX. CASH TRANSFERS FROM FRANCHISE PERMIT FEE FUND TO THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF AGING

Upon the request of the Medicaid Director, the Director of Budget and Management may transfer up to \$2,300,000 cash in fiscal year 2024 and \$5,000,000 in fiscal year 2025, from the Nursing Home Franchise Fee Fund to the Quality, Monitoring, and Inspection Fund (Fund 5B50) used by the Department of Health. Also, upon the request of the Medicaid Director, the Director of Budget and Management may transfer up to \$5,000,000 cash in fiscal year 2024 and \$9,300,000 in fiscal year 2025, from the Nursing Home Franchise Fee fund to the Ombudsman Support Fund (Fund 5BA0), used by the Department of Aging. Finally, upon the request of the Medicaid Director, the Director of Budget and Management may transfer up to \$500,000 cash in fiscal year 2024 and \$500,000 in fiscal year 2025, from the Nursing Home Franchise Fee Fund to the Medicaid Support and Recoveries Fund. All transferred funds shall be utilized in accordance with Section 5168.54 of the Revised Code.

Section 333.XXX. DEPOSITS TO THE HEALTH CARE/MEDICAID SUPPORT AND RECOVERIES FUND FOR PROGRAM SUPPORT

Of the amount received by the Department of Medicaid during fiscal year 2024 and fiscal year 2025 from the intergovernmental transfers paid under sections 333.60, 333.170, and 333.260 of this act, and any other directed payment program as authorized under 42 CFR 438.6(c), the Medicaid Director shall deposit a portion of the payments into the state treasury to the credit of the Health Care/Medicaid Support and Recoveries Fund (Fund 5DL0). The Director of Budget and Management shall adjust appropriations in line item 651685, Medicaid Recoveries – Program Support, along with the corresponding federal share in line item 651624, Medicaid Program Support –

Federal, based on the amount of the deposits to Fund 5DL0 made under this section. Any adjusted amounts are hereby appropriated."

In line 72 of the title, after "3302.03," insert "3302.063,"

In line 815, after "3302.03," insert "3302.063,"

After line 43816, insert:

"Sec. 3302.063. (A) Except as provided in division (B) of this section, upon designation of a school district of innovation under section 3302.062 of the Revised Code, the state board of education shall waive any laws in Title XXXIII of the Revised Code or rules adopted by the state board that are specified in the innovation plan submitted by the district board of education as needing to be waived to implement the plan. The waiver shall apply only to the school or schools participating in the innovation plan and shall not apply to the district as a whole, unless each of the district's schools is a participating school. The waiver shall cease to apply to a school if the school's designation as an innovation school is revoked or the innovation school zone in which the school participates has its designation revoked under section 3302.065 of the Revised Code, or if the school is removed from an innovation school zone under that section or section 3302.064 of the Revised Code.

(B) The state board shall not waive any law or rule regarding the following:

- (1) Funding for school districts under Chapter 3317. of the Revised Code;
- (2) The requirements of Chapters 3323. and 3324. of the Revised Code for the provision of services to students with disabilities and gifted students;
- (3) Requirements related to the provision of career-technical education that are necessary to comply with federal law or maintenance of effort provisions;
- (4) Administration of the assessments prescribed by sections 3301.0710, 3301.0712, and 3301.0715 of the Revised Code;
- (5) Requirements related to the issuance of report cards and the assignment of performance ratings under section 3302.03 of the Revised Code;
- (6) Implementation of the model of differentiated accountability under section 3302.041 of the Revised Code;
- (7) Requirements for the reporting of data to the department of education;
- (8) Criminal records checks of school employees;
- (9) The requirements of Chapters 3307. and 3309. regarding the retirement systems for teachers and school employees;
- (10) The requirements of section 3302.41 or 3302.42 of the Revised Code related to implementation of a blended learning model or online learning.

model in a school.

(C) If a district board's revisions to an innovation plan under section 3302.066 of the Revised Code require a waiver of additional laws or state board rules, the state board shall grant a waiver from those laws or rules upon evidence that administrators and teachers have consented to the revisions as required by that section."

In line 124638, after "3302.03," insert "3302.063,"

After line 21894, insert:

"(G) The attorney general, when requested by OneOhio recovery foundation, shall provide legal advice in all matters to OneOhio recovery foundation or its employees, officers, or appointed members who are a party to a legal action when those individuals are acting within the scope of their official capacity as a member of OneOhio recovery foundation. The attorney general shall do all things necessary under the laws of any state or federal government to properly conduct any case in which OneOhio recovery foundation or its employees, officers, or appointed members are a party to a legal action when acting within the scope of their official capacity as a member of OneOhio recovery foundation, including bringing an action for equitable relief or recovery of damages."

In line 55459, delete the underlined comma and insert "or an"

In line 55460, delete ", or academic"

In line 55461, delete "support plan"

Delete lines 281016 through 281030

After line 279292, insert:

"(3) No action or proceeding pending on the date the transfer of the Medical Marijuana Control Program from the State Board of Pharmacy to the Department of Commerce is completed is affected by the transfer. Such a pending action or proceeding shall be prosecuted or defended in the name of the Superintendent of the Division of Marijuana Control, the Director of Commerce, or the Department of Commerce, as appropriate.

(4) When the State Board of Pharmacy is referred to in any rule, contract, grant, or other document related to the administration of the Medical Marijuana Control Program, the reference is deemed to refer to the Superintendent of the Division of Marijuana Control, the Director of Commerce, or the Department of Commerce, as appropriate."

In line 279301, after the period insert "The Director of the Legislative Service Commission shall renumber the rules of the State Board of Pharmacy regulating the Medical Marijuana Control Program to reflect the transfer of

the program to the Department of Commerce."

After line 279319, insert:

"(F)(1) Not later than January 1, 2024, and subject to the layoff provisions of sections 124.321 to 124.328 of the Revised Code, those employees identified and agreed upon by both the executive director of the State Board of Pharmacy and the Director of Commerce who administer the Medical Marijuana Control Program are transferred to the Department of Commerce.

(2) During the period beginning July 1, 2023, and ending January 1, 2024, the Director of Commerce may establish, change, and abolish positions of the Department of Commerce and assign, reassign, classify, reclassify, transfer, reduce, promote, or demote the employees transferred from the State Board of Pharmacy to the Department of Commerce, other than those employees subject to Chapter 4117. of the Revised Code.

(3) The authority granted under division (F)(2) of this section includes assigning or reassigning an exempt employee, as defined in section 124.152 of the Revised Code, to a bargaining unit classification if the Director determines that the bargaining unit classification is the proper classification for that employee. If an employee in the E-1 pay range is to be assigned, reassigned, classified, reclassified, transferred, reduced, or demoted to a position in a lower classification during the period specified in division (F)(2) of this section, the Director of Commerce, or in the case of transfer outside the Department of Commerce, the Director of Administrative Services, shall assign the employee to the appropriate classification and place the employee in Step X. The employee shall not receive any increase in compensation until the maximum rate of pay for that classification exceeds the employee's compensation. Actions taken by the Director of Commerce under division (F) of this section are not subject to appeal to the State Personnel Board of Review.

(4) Notwithstanding sections 4117.08 and 4117.10 of the Revised Code, the transfer of the Medical Marijuana Control Program from the State Board of Pharmacy to the Department of Commerce and the reassignment of certain functions and duties of the State Board of Pharmacy by this act are not appropriate subjects for collective bargaining under Chapter 4117. of the Revised Code.

(G) The Director of Commerce may enter into one or more contracts with private or government entities for staff training and development to facilitate the transfer of staff and duties related to the Medical Marijuana Control Program from the State Board of Pharmacy to the Department of Commerce. Division (B) of section 127.16 of the Revised Code does not apply to contracts entered into under this section.

(H) Notwithstanding any provision of law to the contrary, the Director of Budget and Management shall make any budget and accounting changes necessary for the transfer of the Medical Marijuana Control Program from the State Board of Pharmacy to the Department of Commerce, including administrative organization, program transfers, the renaming of funds, the creating of new funds, the transfer of state funds and the consolidation of funds. The Director may, if necessary, cancel or establish encumbrances or parts of encumbrances in fiscal years 2024 and 2025 in the appropriate fund and appropriation items for the same purpose and for payment to the same vendor. The established encumbrances are hereby appropriated."

In line 122515, delete "or before the date"

Delete lines 122516 and 122517

In line 122518, delete "year, but a" and insert "or on or before the due date, unextended under division (G) of section 5747.08 of the Revised Code, for filing the tax return for the taxable year as described in that division. A"

After line 275389a, insert:

"GRF 235530 Governor's Merit Scholarship \$0 \$20,000,000"

In line 275415, add \$20,000,000 to fiscal year 2025

In line 275441, add \$20,000,000 to fiscal year 2025

After line 276418, insert:

"Section 381.400. GOVERNOR'S MERIT SCHOLARSHIP

(A) The foregoing appropriation item 235530, Governor's Merit Scholarship, shall be used by the Chancellor of Higher Education to award merit-based aid to qualifying institutions on behalf of eligible students. Funds awarded under this section shall be used in a manner consistent with the goal of allowing high-achieving high school graduates to remain in Ohio to pursue their post-secondary studies and contribute to Ohio's expanding economic opportunities.

(B) In awarding funds under this section, and to the extent that funds are sufficient to do so, the Chancellor shall provide per-student awards of \$5,000 per academic year to eligible students determined to be in the top five per cent of their public or chartered nonpublic high school graduating class, as determined by the Chancellor in consultation with the Director of Education and Workforce. Eligible students shall receive an award for up to the equivalent of four academic years of instruction at a qualifying institution, contingent on satisfactory academic progress.

(C) The Chancellor, in consultation with the Director, shall determine eligibility for graduating high school students who were home schooled to

provide a level of access to the program described in this section that is reasonably commensurate with the merit-based criteria used to determine eligibility for students graduating from a public or chartered nonpublic high school.

(D) The Governor's Merit Scholarship shall be used to pay eligible expenses, as determined by the Chancellor, included within the published cost of attendance at a qualifying institution.

(E) A qualifying institution shall not make changes to scholarship or financial aid programs offered by that institution that have the goal or net effect of shifting the cost burden of those programs to the program described in this section. Institutions of higher education that enroll students receiving merit-based financial aid grants under this section shall maintain the same level of merit-based financial aid the institution provided in the most recent academic year in the aggregate to all students or on a per-student basis.

(F) Notwithstanding any provision of law to the contrary, the Chancellor may establish guidelines for the purpose of implementing this section.

(G) As used in this section, "qualifying institution" means any of the following:

(1) A state institution of higher education, as defined in section 3345.011 of the Revised Code;

(2) A private nonprofit institution of higher education holding a certificate of authorization under Chapter 1713. of the Revised Code."

In line 2 of the title, delete "103.414,"

In line 296 of the title, after "5126.38," insert "5162.131,"

In line 762, delete "103.414,"

Delete lines 1522 through 1565

In line 12671, delete "cost containment"

In line 12672, delete "5162.131" and insert "5162.70"

In line 104470, delete "every even-numbered" and insert "each"

In line 104473, delete "for the preceding two fiscal years"; after the underlined period insert "In even-numbered years, the report shall include the department's historical and projected medicaid program expenditure and utilization trend rates by medicaid program and service category for each year of the upcoming fiscal biennium and an explanation of how the trend rates were calculated."

In line 124585, delete "103.414,"

In line 124761, after "5126.38," insert "5162.131,"

In line 83 of the title, delete "3318.08,"

In line 824, delete "3318.08,"

Delete lines 53112 through 53341

In line 124647, delete "3318.08,"

After line 265961, insert:

"If necessary, in order to pay benefits in a timely manner pursuant to sections 5919.31 and 5919.33 of the Revised Code, the Adjutant General may request that the Director of Budget and Management transfer appropriation from any appropriation item used by the Adjutant General to appropriation item 745407, National Guard Benefits. Such amounts are hereby appropriated. The Adjutant General may subsequently seek Controlling Board approval to restore the appropriation in the appropriation item from which such a transfer was made."

In line 63019, delete "one year" and insert "twenty-four months"

In line 63028, delete "The director shall"

Delete lines 63029 and 63030

In line 63031, after "(D)" delete the balance of the line

In line 63032 delete "and at least quarterly thereafter" and insert "Beginning on a date and at intervals determined by the director"

In line 63033, after "Parkinsonism" insert "diagnosed on or after the date determined by the director"

In line 63045, delete "and"

Delete lines 63046 through 63049

In line 63050, delete "other information"

Delete lines 63064 through 63071

Delete lines 63075 through 63080

In line 63083, after "confidential" insert "pursuant to section 3701.17 of the Revised Code"; after the underlined period delete the balance of the line

Delete lines 63084 through 63087

In line 63097, delete "their" and insert "the department of health's"; delete "in"

Delete lines 63098 through 63102

In line 63103, delete "conducted"

In line 63108, delete "all"

In line 63109, delete "individuals" and insert "researchers"

In line 63111, after "(1)" delete the balance of the line

Delete line 63112

In line 63113, delete "(2)"

In line 63115, delete "(3)" and insert "(2)"

In line 63116, delete "(4)" and insert "(3)"

Delete lines 63117 and 63118

Delete lines 63128 and 63129

In line 63132, after "health" insert "or the director's designee"

In line 63144, delete "all" and insert "both"

In line 63147, after "(2)" delete the balance of the line

Delete lines 63148 through 63157

In line 63158, delete "(4)"

In line 63159, delete the underlined semicolon

Delete lines 63160 through 63162

In line 63163, delete all before the underlined period

In line 63164, after "director" insert "or the director's designee"

In line 63176, delete "six" and insert "twenty-four"

In line 63181, delete "and rates"

In line 63186, after the underlined period delete the balance of the line

Delete lines 63187 through 63193

In line 63194, delete all before the underlined period and insert "The director of health shall describe the registry and provide any information regarding the registry the director deems relevant on the department of health's internet web site"

In line 63195, delete "(A)"

In line 63196, delete "do all of"

Delete line 63197

In line 63198, delete "(1) Specify" and insert "specify"

In line 63199, delete "in collaboration with the"

Delete line 63200 through 63208

In line 63209, delete all before the underlined period

Delete line 219 of the title

In line 220 of the title, delete "5910.06, 5910.07, 5910.08,"

In line 255 of the title, delete "3333.261,"

In line 278 of the title, delete "5910.021,"

In line 921, delete "5910.02, 5910.031, 5910.032, 5910.04,"

In line 922, delete "5910.05, 5910.06, 5910.07, 5910.08,"

In line 948, delete "3333.261,"

In line 966, delete "5910.021,"

Delete 57012 through 57169 and insert:

"Sec. 3333.26. (A) Any citizen of this state who has resided within the state for one year, who was in the active service of the United States as a soldier, sailor, nurse, or marine between ~~April 6, 1917~~ September 1, 1939, and ~~November 11, 1918~~ September 2, 1945, and who has been honorably discharged from that service, shall be admitted to any school, college, or university that receives state funds in support thereof, without being required to pay any tuition or matriculation fee, but is not relieved from the payment of laboratory or similar fees.

(B)(1) As used in this section:

(a) "Volunteer firefighter" has the meaning as in division (B)(1) of section 146.01 of the Revised Code.

(b) "Public service officer" means an Ohio firefighter, volunteer firefighter, police officer, member of the state highway patrol, employee designated to exercise the powers of police officers pursuant to section 1545.13 of the Revised Code, or other peace officer as defined by division (B) of section 2935.01 of the Revised Code, or a person holding any equivalent position in another state.

(c) "Qualified former spouse" means the former spouse of a public service officer, or of a member of the armed services of the United States, who is the custodial parent of a minor child of that marriage pursuant to an order allocating the parental rights and responsibilities for care of the child issued pursuant to section 3109.04 of the Revised Code.

(d) "Operation enduring freedom" means that period of conflict which began October 7, 2001, and ends on a date declared by the president of the United States or the congress.

(e) "Operation Iraqi freedom" means that period of conflict which began March 20, 2003, and ends on a date declared by the president of the United States or the congress.

(f) "Combat zone" means an area that the president of the United States by executive order designates, for purposes of 26 U.S.C. 112, as an area in which armed forces of the United States are or have engaged in combat.

(2) Subject to division (D) of this section, any resident of this state who is under twenty-six years of age, or under thirty years of age if the resident has been honorably discharged from the armed services of the United States, who is the child of a public service officer killed in the line of duty or of a member of the armed services of the United States killed in the line of duty during operation enduring freedom or operation Iraqi freedom, and who is admitted to any state university or college as defined in division (A)(1) of section 3345.12 of the Revised Code, community college, state community college, university branch, or technical college shall not be required to pay any tuition or any student fee for up to four academic years of education, which shall be at the undergraduate level, or a certificate program as prescribed under division (E) of this section.

A child of a member of the armed services of the United States killed in the line of duty during operation enduring freedom or operation Iraqi freedom is eligible for a waiver of tuition and student fees under this division only if the student is not eligible for a war orphans and severely disabled veterans' children scholarship authorized by Chapter 5910. of the Revised Code. In any year in which the war orphans and severely disabled veterans' children scholarship board reduces the percentage of tuition covered by a war orphans and severely disabled veterans' children scholarship below one hundred per cent pursuant to division (A) of section 5910.04 of the Revised Code, the waiver of tuition and student fees under this division for a child of a member of the armed services of the United States killed in the line of duty during operation enduring freedom or operation Iraqi freedom shall be reduced by the same percentage.

(3) Subject to division (D) of this section, any resident of this state who is the spouse or qualified former spouse of a public service officer killed in the line of duty, and who is admitted to any state university or college as defined in division (A)(1) of section 3345.12 of the Revised Code, community college, state community college, university branch, or technical college, shall not be required to pay any tuition or any student fee for up to four academic years of education, which shall be at the undergraduate level, or a certificate

program as prescribed under division (E) of this section.

(4) Any resident of this state who is the spouse or qualified former spouse of a member of the armed services of the United States killed in the line of duty while serving in a combat zone after May 7, 1975, and who is admitted to any state university or college as defined in division (A)(1) of section 3345.12 of the Revised Code, community college, state community college, university branch, or technical college, shall not be required to pay any tuition or any student fee for up to four years of academic education, which shall be at the undergraduate level, or a certificate program as prescribed under division (E) of this section. In order to qualify under division (B)(4) of this section, the spouse or qualified former spouse shall have been a resident of this state at the time the member was killed in the line of duty.

(C) Any institution that is not subject to division (B) of this section and that holds a valid certificate of registration issued under Chapter 3332. of the Revised Code, a valid certificate issued under Chapter 4709. of the Revised Code, or a valid license issued under Chapter 4713. of the Revised Code, or that is nonprofit and has a certificate of authorization issued under section 1713.02 of the Revised Code, or that is a private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code, which reduces tuition and student fees of a student who is eligible to attend an institution of higher education under the provisions of division (B) of this section by an amount indicated by the chancellor of higher education shall be eligible to receive a grant in that amount from the chancellor.

Each institution that enrolls students under division (B) of this section shall report to the chancellor, by the first day of July of each year, the number of students who were so enrolled and the average amount of all such tuition and student fees waived during the preceding year. The chancellor shall determine the average amount of all such tuition and student fees waived during the preceding year. The average amount of the tuition and student fees waived under division (B) of this section during the preceding year shall be the amount of grants that participating institutions shall receive under this division during the current year, but no grant under this division shall exceed the tuition and student fees due and payable by the student prior to the reduction referred to in this division. The grants shall be made for two certificate programs or four years of undergraduate education of an eligible student.

(D) Notwithstanding anything to the contrary in section 3333.31 of the Revised Code, for the purposes of divisions (B)(2) and (3) of this section, the child, spouse, or qualified former spouse of a public service officer or a member of the armed services of the United States killed in the line of duty shall be considered a resident of this state for the purposes of this section if

the child, spouse, or qualified former spouse was a resident of this state at the time that the public service officer or member of the armed services was killed.

However, no child, spouse, or qualified former spouse of a public service officer or a member of the armed services of the United States killed in the line of duty shall be required to be a resident of this state at the time the public service officer or member of the armed services of the United States was killed in order to receive benefits under divisions (B)(2) and (3) of this section.

(E) A child, spouse, or qualified former spouse of a public service officer or a member of the armed services killed in the line of duty shall receive benefits for a certificate program in accordance with division (B) or (C) of this section, except that a particular child, spouse, or qualified former spouse shall not receive benefits for:

- (1) More than two certificate programs;
- (2) A total number of academic credits or instructional hours equivalent to more than four academic years;
- (3) For any particular academic year, an amount that is greater than eight thousand dollars."

Delete lines 124036 through 124343 and insert:

"Sec. 5910.01. As used in this chapter and section 5919.34 of the Revised Code:

(A) "Child" includes natural and adopted children and stepchildren who have not been legally adopted by the veteran parent provided that the relationship between the stepchild and the veteran parent meets the following criteria:

- (1) The veteran parent is married to the child's natural or adoptive parent at the time application for a scholarship granted under this chapter is made; or if the veteran parent is deceased, the child's natural or adoptive parent was married to the veteran parent at the time of the veteran parent's death;
- (2) The child resided with the veteran parent for a period of not less than ten consecutive years immediately prior to making application for the scholarship; or if the veteran parent is deceased, the child resided with the veteran parent for a period of not less than ten consecutive years immediately prior to the veteran parent's death;
- (3) The child received financial support from the veteran parent for a period of not less than ten consecutive years immediately prior to making application for the scholarship; or if the veteran parent is deceased, the child received

financial support from the veteran parent for a period of not less than ten consecutive years immediately prior to the veteran parent's death.

(B) "Veteran" includes any of the following:

(1) Any person who was a member of the armed services of the United States for a period of ninety days or more, or who was discharged from the armed services due to a disability incurred while a member with less than ninety days' service, or who died while a member of the armed services; provided that such service, disability, or death occurred during one of the following periods: ~~April 6, 1917, to November 11, 1918~~; December 7, 1941, to December 31, 1946; June 25, 1950, to January 31, 1955; January 1, 1960, to May 7, 1975; August 2, 1990, to the end of operations conducted as a result of the invasion of Kuwait by Iraq, including support for operation desert shield and operation desert storm, as declared by the president of the United States or the congress; October 7, 2001, to the end of operation enduring freedom as declared by the president of the United States or the congress; March 20, 2003, to the end of operation Iraqi freedom as declared by the president of the United States or the congress; or any other period of conflict established by the United States department of veterans affairs for pension purposes;

(2) Any person who was a member of the armed services of the United States and participated in an operation for which the armed forces expeditionary medal was awarded;

(3) Any person who served as a member of the United States merchant marine and to whom either of the following applies:

(a) The person has an honorable report of separation from the active duty military service, form DD214 or DD215.

(b) The person served in the United States merchant marine between December 7, 1941, and December 31, 1946, and died on active duty while serving in a war zone during that period of service.

(C) "Armed services of the United States" or "United States armed forces" includes the army, air force, navy, marine corps, coast guard, and such other military service branch as may be designated by congress as a part of the armed forces of the United States.

(D) "Board" means the Ohio war orphans and severely disabled veterans' children scholarship board created by section 5910.02 of the Revised Code.

(E) "Disabled" means having a sixty per cent or greater service-connected disability or receiving benefits for permanent and total nonservice-connected disability, as determined by the United States department of veterans affairs.

(F) "United States merchant marine" includes the United States army

transport service and the United States naval transport service."

In line 124745, delete "5910.02, 5910.031, 5910.032, 5910.04, 5910.05, 5910.06,"

In line 124746, delete "5910.07, 5910.08,"

In line 275413, delete the first "\$1,000,000" and insert "\$0"

In line 275415, subtract \$1,000,000 from fiscal year 2024

In line 275441, subtract \$1,000,000 from fiscal year 2024

In line 259 of the title, after "3364.07," insert "3365.131,"

In line 951, after "3364.07," insert "3365.131,"

After line 60283, insert:

"Sec. 3365.131. One or more public or nonpublic colleges, in collaboration with one or more industry partners, may submit to the chancellor of higher education a proposal to establish a statewide innovative waiver pathway. Under a pathway established under this section, a student who does not otherwise meet traditional college readiness standards may participate in the college credit plus program. Upon completing a pathway, a student shall receive an industry-recognized credential or a certificate aligned with an in-demand job, as defined in section 3333.94 of the Revised Code.

The chancellor may approve a statewide innovative waiver pathway. Any public or nonpublic secondary school or public or nonpublic college may use an approved statewide innovative waiver pathway.

The chancellor, in consultation with the director of education and workforce, may adopt guidelines and procedures regarding statewide innovative waiver pathways."

In line 275379, delete "Deceased or" and insert "War Orphans and"

In line 275379b, delete "Children's" and insert "Children"

In line 276299, delete "DECEASED OR" and insert "WAR ORPHANS AND"

In line 276300, delete "CHILDREN'S" and insert "CHILDREN"

In line 276301, delete "Deceased or" and insert "War Orphans and"

In line 276302, delete "Children's" and insert "Children"

In line 276314, delete "Deceased or" and insert "War Orphans and"

In line 276315, delete "Children's" and insert "Children"

In line 276317, delete "Deceased or" and insert "War Orphans and"

In line 276318, delete "Children's" and insert "Children"

In line 271461, delete "\$1,010,000 \$730,000" and insert "\$1,250,000 \$930,000"

In line 271463, add \$240,000 in fiscal year 2024 and \$200,000 in fiscal year 2025

In line 271468, add \$240,000 in fiscal year 2024 and \$200,000 in fiscal year 2025

In line 271543, delete "\$250,000" and insert "\$350,000"

In line 271544, delete "\$250,000" and insert "\$350,000"

In line 271553, delete "\$30,000" and insert "\$70,000"

After line 269405, insert:

"The Director of Education and Workforce may use a portion of the funds encumbered in fiscal year 2023 and any unexpended and unencumbered balance from fiscal year 2024 from appropriation item 200550, Foundation Funding – All Students, to comply with Title II, Sec. 2004(b) of the federal "American Rescue Plan Act of 2021," Pub. L. No. 117-2."

In line 272722, delete "\$5,267,359,400 \$6,004,894,000" and insert "\$5,044,059,400 \$5,840,594,000"

In line 272723, delete "\$13,997,454,600 \$15,249,073,000" and insert "\$13,301,454,600 \$14,990,473,000"

In line 272724, delete "\$19,264,814,000 \$21,253,967,000" and insert "\$18,345,514,000 \$20,831,067,000"

In line 272727, subtract \$223,300,000 from fiscal year 2024 and subtract \$164,300,000 from fiscal year 2025

In line 272728, subtract \$696,000,000 from fiscal year 2024 and subtract \$258,600,000 from fiscal year 2025

In line 272729, subtract \$919,300,000 from fiscal year 2024 and subtract \$422,900,000 from fiscal year 2025

In line 272755, subtract \$919,300,000 from fiscal year 2024 and subtract \$422,900,000 from fiscal year 2025

After line 273499, insert:

"Section 333. ____. (A) Not later than sixty days after the effective date of this section, the Department of Medicaid shall seek a waiver from the United States Centers for Medicare and Medicaid Services to implement section 173.394 of the Revised Code, as enacted by this act.

(B) The Department of Aging shall not implement the provisions of section 173.394 of the Revised Code until the Department of Medicaid receives approval of a waiver submitted under this section."

After line 266430, insert:

"The remainder of appropriation item 490411, Senior Community Services, may be used for programs, services, and activities designated by the Department of Aging, including, but not limited to, home-delivered meals, congregate dining, transportation, personal care, respite, adult day services, home maintenance and chores, minor home modification, care coordination, evidence-based disease prevention and health promotion, and decision support systems. Funds may also be used to provide grants to community organizations to support and expand older adult programming. Services priority shall be given to low-income, high-need persons, and/or persons with a cognitive impairment who are sixty years of age or over."

In line 146 of the title, after "4715.30," insert "4717.04,"

In line 329 of the title, delete "version" and insert "versions"; delete "section" and insert "sections 4717.04 and"

In line 330, delete "is" and insert "are"

In line 869, after "4715.30," insert "4717.04,"

After line 83697, insert:

"Sec. 4717.04.(A) The board of embalmers and funeral directors shall adopt rules in accordance with Chapter 119. of the Revised Code for the government, transaction of the business, and the management of the affairs of the board of embalmers and funeral directors and the crematory review board, and for the administration and enforcement of this chapter. These rules shall include all of the following:

(1) The nature, scope, content, and form of the application that must be completed and license examination that must be passed in order to receive an embalmer's license or a funeral director's license under section 4717.05 of the Revised Code. The rules shall ensure both of the following:

(a) That the embalmer's license examination tests the applicant's knowledge through at least a comprehensive section and an Ohio laws section;

(b) That the funeral director's license examination tests the applicant's knowledge through at least a comprehensive section, an Ohio laws section, and a sanitation section.

(2) The minimum license examination score necessary to be licensed under section 4717.05 of the Revised Code as an embalmer or as a funeral director;

(3) Procedures for determining the dates of the embalmer's and funeral director's license examinations, which shall be administered at least once each year, the time and place of each examination, and the supervision required for each examination;

(4) Procedures for determining whether the board shall accept an applicant's compliance with the licensure, registration, or certification requirements of another state as grounds for granting the applicant a license under this chapter;

(5) A determination of whether completion of a nationally recognized embalmer's or funeral director's examination sufficiently meets the license requirements for the comprehensive section of either the embalmer's or the funeral director's license examination administered under this chapter;

(6) Continuing education requirements for licensed embalmers and funeral directors;

(7) Requirements for the licensing and operation of funeral homes;

(8) Requirements for the licensing and operation of embalming facilities;

(9) A schedule that lists, and specifies a forfeiture commensurate with, each of the following types of conduct which, for the purposes of division (A)(9) of this section and section 4717.15 of the Revised Code, are violations of this chapter:

(a) Obtaining a license under this chapter by fraud or misrepresentation either in the application or in passing the required examination for the license;

(b) Purposely violating any provision of sections 4717.01 to 4717.15 of the Revised Code or a rule adopted under any of those sections; division (A) or (B) of section 4717.23; division (B)(1) or (2), (C)(1) or (2), (D), (E), or (F)(1) or (2), or divisions (H) to (K) of section 4717.26; division (D)(1) of section 4717.27; or divisions (A) to (C) of section 4717.28 of the Revised Code;

(c) Committing unprofessional conduct;

(d) Knowingly permitting an unlicensed person, other than a person serving an apprenticeship, to engage in the profession or business of embalming or funeral directing under the licensee's supervision;

(e) Refusing to promptly submit the custody of a dead human body or cremated remains upon the express order of the person legally entitled to the body;

(f) Transferring a license to operate a funeral home, embalming facility, or crematory facility from one owner or operator to another, or from one location to another, without notifying the board and following the requirements of section 4717.11 of the Revised Code;

(g) Misleading the public using false or deceptive advertising;

(h) Failing to forward to the board on or before its due date the annual report of preneed funeral sales required by division (J) of section 4717.31 of the Revised Code. If the annual report is sent to the board by United States mail, it shall be postmarked on or before the due date for the submission of the annual report in order to be timely filed with the board. Mail that is not postmarked shall be considered filed on the date it is received by the board.

Each instance of the commission of any of the types of conduct described in division (A)(9) of this section is a separate violation. The rules adopted under division (A)(9) of this section shall establish the amount of the forfeiture for a violation of each of those divisions. The forfeiture for a first violation shall not exceed five thousand dollars, and the forfeiture for a second or subsequent violation shall not exceed ten thousand dollars. The amount of the forfeiture may differ among the types of violations according to what the board considers the seriousness of each violation.

(10) Requirements for the licensing and operation of crematory facilities;

(11) Procedures for the board to take possession of and to arrange the lawful disposition of unclaimed cremated remains that were held or stored at a funeral home or crematory that has been closed;

(12) Procedures for the issuance of duplicate licenses;

(13) Requirements for criminal records checks of applicants under section 4776.03 of the Revised Code;

(14) The amount and content of corrective action courses required by the board under section 4717.14 of the Revised Code.

(B) The board may adopt rules governing the educational standards for licensure as an embalmer or funeral director, or obtaining a permit to be a crematory operator, and the standards of service and practice to be followed in embalming, funeral directing, and cremation, and in the operation of funeral homes, embalming facilities, and crematory facilities in this state.

(C) Nothing in this chapter authorizes the board of embalmers and funeral directors to regulate cemeteries, except that the board shall license and regulate funeral homes, embalming facilities, and crematory facilities located at cemeteries in accordance with this chapter.

(D) If the executive director of the board has knowledge or notice of a violation of division (A)(1), (3), (5), or (6) of section 4717.13 of the Revised Code or that a person is engaging in the business or profession of funeral directing in violation of division (A)(14) of that section, the executive director shall investigate the matter, and, upon probable cause appearing, cause an attorney employed by or contracting with the board to file a complaint and

~~prosecute the offender. When requested by the executive director, the prosecuting attorney of the proper county or the attorney general shall take charge of and conduct such prosecution~~ notify the appropriate law enforcement authority for investigation."

In line 124693, after "4715.30," insert "4717.04,"

In line 128827, delete "version" and insert "versions"; delete "section" and insert "sections 4717.04 and"

In line 128828, delete "is" and insert "are"

After line 128829, insert:

"Sec. 4717.04.(A) The board of embalmers and funeral directors shall adopt rules in accordance with Chapter 119. of the Revised Code for the government, transaction of the business, and the management of the affairs of the board of embalmers and funeral directors and the crematory review board, and for the administration and enforcement of this chapter. These rules shall include all of the following:

(1) The nature, scope, content, and form of the application that must be completed and license examination that must be passed in order to receive an embalmer's license or a funeral director's license under section 4717.05 of the Revised Code. The rules shall ensure both of the following:

(a) That the embalmer's license examination tests the applicant's knowledge through at least a comprehensive section and an Ohio laws section;

(b) That the funeral director's license examination tests the applicant's knowledge through at least a comprehensive section, an Ohio laws section, and a sanitation section.

(2) The minimum license examination score necessary to be licensed under section 4717.05 of the Revised Code as an embalmer or as a funeral director;

(3) Procedures for determining the dates of the embalmer's and funeral director's license examinations, which shall be administered at least once each year, the time and place of each examination, and the supervision required for each examination;

(4) Procedures for determining whether the board shall accept an applicant's compliance with the licensure, registration, or certification requirements of another state as grounds for granting the applicant a license under this chapter;

(5) A determination of whether completion of a nationally recognized embalmer's or funeral director's examination sufficiently meets the license requirements for the comprehensive section of either the embalmer's or the funeral director's license examination administered under this chapter;

(6) Continuing education requirements for licensed embalmers and funeral directors;

(7) Requirements for the licensing and operation of funeral homes;

(8) Requirements for the licensing and operation of embalming facilities;

(9) A schedule that lists, and specifies a forfeiture commensurate with, each of the following types of conduct which, for the purposes of division (A)(9) of this section and section 4717.15 of the Revised Code, are violations of this chapter:

(a) Obtaining a license under this chapter by fraud or misrepresentation either in the application or in passing the required examination for the license;

(b) Purposely violating any provision of sections 4717.01 to 4717.15 of the Revised Code or a rule adopted under any of those sections; division (A) or (B) of section 4717.23; division (B)(1) or (2), (C)(1) or (2), (D), (E), or (F)(1) or (2), or divisions (H) to (K) of section 4717.26; division (D)(1) of section 4717.27; or divisions (A) to (C) of section 4717.28 of the Revised Code;

(c) Committing unprofessional conduct;

(d) Knowingly permitting an unlicensed person, other than a person serving an apprenticeship, to engage in the profession or business of embalming or funeral directing under the licensee's supervision;

(e) Refusing to promptly submit the custody of a dead human body or cremated remains upon the express order of the person legally entitled to the body;

(f) Transferring a license to operate a funeral home, embalming facility, or crematory facility from one owner or operator to another, or from one location to another, without notifying the board and following the requirements of section 4717.11 of the Revised Code;

(g) Misleading the public using false or deceptive advertising;

(h) Failing to forward to the board on or before its due date the annual report of preneed funeral sales required by division (J) of section 4717.31 of the Revised Code. If the annual report is sent to the board by United States mail, it shall be postmarked on or before the due date for the submission of the annual report in order to be timely filed with the board. Mail that is not postmarked shall be considered filed on the date it is received by the board.

Each instance of the commission of any of the types of conduct described in division (A)(9) of this section is a separate violation. The rules adopted under division (A)(9) of this section shall establish the amount of the forfeiture for a violation of each of those divisions. The forfeiture for a first violation shall not exceed five thousand dollars, and the forfeiture for a

second or subsequent violation shall not exceed ten thousand dollars. The amount of the forfeiture may differ among the types of violations according to what the board considers the seriousness of each violation.

(10) Requirements for the licensing and operation of crematory facilities;

(11) Procedures for the board to take possession of and to arrange the lawful disposition of unclaimed cremated remains that were held or stored at a funeral home or crematory that has been closed;

(12) Procedures for the issuance of duplicate licenses;

(13) Requirements for criminal records checks of applicants under section 4776.03 of the Revised Code;

(14) The amount and content of corrective action courses required by the board under section 4717.14 of the Revised Code;

(15) Requirements that a crematory operator maintain, and file with the board of embalmers and funeral directors evidence of, an active certification from a national crematory operator certification program as a condition for acting as a crematory operator in this state.

(B) The board may adopt rules governing the educational standards for licensure as an embalmer or funeral director, and the standards of service and practice to be followed in embalming, funeral directing, and cremation, and in the operation of funeral homes, embalming facilities, and crematory facilities in this state.

(C) Nothing in this chapter authorizes the board of embalmers and funeral directors to regulate cemeteries, except that the board shall license and regulate funeral homes, embalming facilities, and crematory facilities located at cemeteries in accordance with this chapter.

(D) If the executive director of the board has knowledge or notice of a violation of division (A)(1), (3), (5), or (6) of section 4717.13 of the Revised Code or that a person is engaging in the business or profession of funeral directing in violation of division (A)(14) of that section, the executive director shall ~~investigate the matter, and, upon probable cause appearing, cause an attorney employed by or contracting with the board to file a complaint and prosecute the offender. When requested by the executive director, the prosecuting attorney of the proper county or the attorney general shall take charge of and conduct such prosecution~~ notify the appropriate law enforcement authority for investigation."

In line 128875, delete "version" and insert "versions"; delete "section" and insert "sections 4717.04 and"

In line 128876, delete "is" and insert "are"

In line 128877, delete "is" and insert "are"

After line 270593, insert:

"Section 269.20.OPERATING EXPENSES

Of the foregoing appropriation item 881609, Operating Expenses, up to \$92,000 in each fiscal year shall be used to employ an Automated Reporting and Preneed Payment Systems (ARPS) Administrator.

Of the foregoing appropriation item 881609, Operating Expenses, up to \$80,000 in each fiscal year shall be used to employ an Indigent Burial and Cremation Support Program Administrator."

In line 259 of the title, after "3503.153," insert "3701.0212,"

In line 951, after "3503.153," insert "3701.0212,"

After line 62931, insert:

"Sec. 3701.0212. (A) There is created the center for community health worker excellence, a public-private partnership to support and foster the practice of community health workers and improve access to community health worker services across this state.

(B) The center shall be a public-private partnership governed by a board of directors comprised of the following members:

- (1) The director of the department of health or the director's designee;
- (2) The executive director of the commission on minority health or the director's designee;
- (3) The medicaid director or the director's designee;
- (4) The executive director of the board of nursing or the director's designee;
- (5) The superintendent of public instruction or the superintendent's designee;
- (6) A representative of an OhioMeansJobs center operator, as defined in section 6301.01 of the Revised Code, appointed by the director of job and family services;
- (7) An individual who provides services within one or more community HUBs that fully or substantially comply with the pathways community HUB certification standards developed by the pathways community HUB institute, appointed by the director of health;
- (8) A representative of the Ohio association of community health workers, appointed by that entity;
- (9) A representative of the Ohio health information partnership, appointed

by that entity;

(10) A representative of the center for community solutions, appointed by that entity;

(11) A representative of the Ohio association of community colleges, appointed by that entity;

(12) A representative of the Ohio association of community health centers, appointed by that entity;

(13) A representative of the Ohio alliance for population health, appointed by that entity;

(14) A member of the house of representatives, appointed by the speaker of the house of representatives;

(15) A member of the senate, appointed by the president of the senate.

(C) Initial appointments to the committee shall be made not later than sixty days after the effective date of this section. Terms shall be two years, and members may be reappointed. If an appointed member no longer satisfies the grounds upon which the member was appointed, the member is ineligible to continue to serve, and a new member shall be appointed in accordance with division (B) of this section.

Vacancies shall be filled in the manner provided for original appointments. Any member appointed to fill a vacancy occurring prior to the expiration date of the term for which the member's predecessor was appointed shall hold office as a member for the remainder of that term.

Members of the board shall serve without compensation, except to the extent that serving on the board is considered part of the member's regular duties of employment. Members shall be reimbursed for actual and necessary expenses incurred in the performance of official duties.

(D) The board of directors shall annually select from its members a chairperson or co-chairpersons.

(E) The board of directors shall meet at the call of the chairperson but not less than quarterly. A majority of the members of the board constitutes a quorum. The chairperson shall provide members with at least five days written notice of all meetings.

(F) Under the direction and oversight of the board of directors, and as implemented by health impact Ohio and the Ohio alliance for population health at Ohio university, the center shall engage in all of the following activities:

(1) Establishing an electronic platform that may be accessed statewide to

connect community health workers with individuals or communities in need of their services;

(2) Evaluating and reporting on the state of the community health workforce in Ohio, including the total number of community health workers employed, the settings in which they practice, the number certified by the board of nursing, the average income or hourly wage earned by a community health worker, the reimbursement rates and needs of community health workers, and any available funding sources;

(3) Creating and maintaining a web site or other electronic tools to coordinate resources for individuals practicing or seeking to practice as community health workers, including resources related to recruitment, education, training, certification, employment, and mentorships;

(4) Making continuing education hours or credits available for free to community health workers certified by the board of nursing;

(5) Providing financial assistance to employers that host or offer practicums or other training to community health workers seeking certification by board of nursing.

In performing the activities, the center, together with health impact Ohio and the Ohio alliance for population health at Ohio university, may as necessary collaborate with other organizations and institutions, in particular, clinisync, unite us, Ohio association of community health workers, board of nursing, and university of Toledo.

(G) The board shall issue a report to the governor and general assembly describing its activities and any recommendations pertaining to community health workers by the first of January of each odd numbered calendar year."

In line 271049, delete "\$2,525,000 \$2,525,000" and insert "\$5,025,000 \$5,025,000"

In line 271056, add \$2,500,000 to each fiscal year

In line 271113, add \$2,500,000 to each fiscal year

After line 271190, insert:

"Of the foregoing appropriation item 440485, Health Program Support, \$2,500,000 in each fiscal year shall be used for the Center for Community Health Worker Excellence in accordance with section 3701.0212 of the Revised Code."

In line 111 of the title, after "3721.026," insert "3721.13, 3721.16, 3721.161, 3721.162"

In line 844, after "3721.026," insert "3721.13, 3721.16, 3721.161,

3721.162"

After line 65546, insert:

"Sec. 3721.13. (A) The rights of residents of a home shall include, but are not limited to, the following:

(1) The right to a safe and clean living environment pursuant to the medicare and medicaid programs and applicable state laws and rules adopted by the director of health;

(2) The right to be free from physical, verbal, mental, and emotional abuse and to be treated at all times with courtesy, respect, and full recognition of dignity and individuality;

(3) Upon admission and thereafter, the right to adequate and appropriate medical treatment and nursing care and to other ancillary services that comprise necessary and appropriate care consistent with the program for which the resident contracted. This care shall be provided without regard to considerations such as race, color, religion, national origin, age, or source of payment for care.

(4) The right to have all reasonable requests and inquiries responded to promptly;

(5) The right to have clothes and bed sheets changed as the need arises, to ensure the resident's comfort or sanitation;

(6) The right to obtain from the home, upon request, the name and any specialty of any physician or other person responsible for the resident's care or for the coordination of care;

(7) The right, upon request, to be assigned, within the capacity of the home to make the assignment, to the staff physician of the resident's choice, and the right, in accordance with the rules and written policies and procedures of the home, to select as the attending physician a physician who is not on the staff of the home. If the cost of a physician's services is to be met under a federally supported program, the physician shall meet the federal laws and regulations governing such services.

(8) The right to participate in decisions that affect the resident's life, including the right to communicate with the physician and employees of the home in planning the resident's treatment or care and to obtain from the attending physician complete and current information concerning medical condition, prognosis, and treatment plan, in terms the resident can reasonably be expected to understand; the right of access to all information in the resident's medical record; and the right to give or withhold informed consent for treatment after the consequences of that choice have been carefully explained. When the attending physician finds that it is not medically

advisable to give the information to the resident, the information shall be made available to the resident's sponsor on the resident's behalf, if the sponsor has a legal interest or is authorized by the resident to receive the information. The home is not liable for a violation of this division if the violation is found to be the result of an act or omission on the part of a physician selected by the resident who is not otherwise affiliated with the home.

(9) The right to withhold payment for physician visitation if the physician did not visit the resident;

(10) The right to confidential treatment of personal and medical records, and the right to approve or refuse the release of these records to any individual outside the home, except in case of transfer to another home, hospital, or health care system, as required by law or rule, or as required by a third-party payment contract;

(11) The right to privacy during medical examination or treatment and in the care of personal or bodily needs;

(12) The right to refuse, without jeopardizing access to appropriate medical care, to serve as a medical research subject;

(13) The right to be free from physical or chemical restraints or prolonged isolation except to the minimum extent necessary to protect the resident from injury to self, others, or to property and except as authorized in writing by the attending physician for a specified and limited period of time and documented in the resident's medical record. Prior to authorizing the use of a physical or chemical restraint on any resident, the attending physician shall make a personal examination of the resident and an individualized determination of the need to use the restraint on that resident.

Physical or chemical restraints or isolation may be used in an emergency situation without authorization of the attending physician only to protect the resident from injury to self or others. Use of the physical or chemical restraints or isolation shall not be continued for more than twelve hours after the onset of the emergency without personal examination and authorization by the attending physician. The attending physician or a staff physician may authorize continued use of physical or chemical restraints for a period not to exceed thirty days, and at the end of this period and any subsequent period may extend the authorization for an additional period of not more than thirty days. The use of physical or chemical restraints shall not be continued without a personal examination of the resident and the written authorization of the attending physician stating the reasons for continuing the restraint.

If physical or chemical restraints are used under this division, the home shall ensure that the restrained resident receives a proper diet. In no event shall physical or chemical restraints or isolation be used for punishment,

incentive, or convenience.

(14) The right to the pharmacist of the resident's choice and the right to receive pharmaceutical supplies and services at reasonable prices not exceeding applicable and normally accepted prices for comparably packaged pharmaceutical supplies and services within the community;

(15) The right to exercise all civil rights, unless the resident has been adjudicated incompetent pursuant to Chapter 2111. of the Revised Code and has not been restored to legal capacity, as well as the right to the cooperation of the home's administrator in making arrangements for the exercise of the right to vote;

(16) The right of access to opportunities that enable the resident, at the resident's own expense or at the expense of a third-party payer, to achieve the resident's fullest potential, including educational, vocational, social, recreational, and habilitation programs;

(17) The right to consume a reasonable amount of alcoholic beverages at the resident's own expense, unless not medically advisable as documented in the resident's medical record by the attending physician or unless contradictory to written admission policies;

(18) The right to use tobacco at the resident's own expense under the home's safety rules and under applicable laws and rules of the state, unless not medically advisable as documented in the resident's medical record by the attending physician or unless contradictory to written admission policies;

(19) The right to retire and rise in accordance with the resident's reasonable requests, if the resident does not disturb others or the posted meal schedules and upon the home's request remains in a supervised area, unless not medically advisable as documented by the attending physician;

(20) The right to observe religious obligations and participate in religious activities; the right to maintain individual and cultural identity; and the right to meet with and participate in activities of social and community groups at the resident's or the group's initiative;

(21) The right upon reasonable request to private and unrestricted communications with the resident's family, social worker, and any other person, unless not medically advisable as documented in the resident's medical record by the attending physician, except that communications with public officials or with the resident's attorney or physician shall not be restricted. Private and unrestricted communications shall include, but are not limited to, the right to:

(a) Receive, send, and mail sealed, unopened correspondence;

(b) Reasonable access to a telephone for private communications;

(c) Private visits at any reasonable hour.

(22) The right to assured privacy for visits by the spouse, or if both are residents of the same home, the right to share a room within the capacity of the home, unless not medically advisable as documented in the resident's medical record by the attending physician;

(23) The right upon reasonable request to have room doors closed and to have them not opened without knocking, except in the case of an emergency or unless not medically advisable as documented in the resident's medical record by the attending physician;

(24) The right to retain and use personal clothing and a reasonable amount of possessions, in a reasonably secure manner, unless to do so would infringe on the rights of other residents or would not be medically advisable as documented in the resident's medical record by the attending physician;

(25) The right to be fully informed, prior to or at the time of admission and during the resident's stay, in writing, of the basic rate charged by the home, of services available in the home, and of any additional charges related to such services, including charges for services not covered under the medicare or medicaid program. The basic rate shall not be changed unless thirty days' notice is given to the resident or, if the resident is unable to understand this information, to the resident's sponsor.

(26) The right of the resident and person paying for the care to examine and receive a bill at least monthly for the resident's care from the home that itemizes charges not included in the basic rates;

(27)(a) The right to be free from financial exploitation;

(b) The right to manage the resident's own personal financial affairs, or, if the resident has delegated this responsibility in writing to the home, to receive upon written request at least a quarterly accounting statement of financial transactions made on the resident's behalf. The statement shall include:

(i) A complete record of all funds, personal property, or possessions of a resident from any source whatsoever, that have been deposited for safekeeping with the home for use by the resident or the resident's sponsor;

(ii) A listing of all deposits and withdrawals transacted, which shall be substantiated by receipts which shall be available for inspection and copying by the resident or sponsor.

(28) The right of the resident to be allowed unrestricted access to the resident's property on deposit at reasonable hours, unless requests for access to property on deposit are so persistent, continuous, and unreasonable that they constitute a nuisance;

(29) The right to receive reasonable notice before the resident's room or roommate is changed, including an explanation of the reason for either change.

(30) The right not to be transferred or discharged from the home unless the transfer is necessary because of one of the following:

(a) The welfare and needs of the resident cannot be met in the home.

(b) The resident's health has improved sufficiently so that the resident no longer needs the services provided by the home.

(c) The safety of individuals in the home is endangered.

(d) The health of individuals in the home would otherwise be endangered.

(e) The resident has failed, after reasonable and appropriate notice, to pay or to have the medicare or medicaid program pay on the resident's behalf, for the care provided by the home. A resident shall not be considered to have failed to have the resident's care paid for if the resident has applied for medicaid, unless both of the following are the case:

(i) The resident's application, or a substantially similar previous application, has been denied.

(ii) If the resident appealed the denial, the denial was upheld.

(f) The home's license has been revoked, the home is being closed pursuant to section 3721.08, sections 5165.60 to 5165.89, or section 5155.31 of the Revised Code, or the home otherwise ceases to operate.

(g) The resident is a recipient of medicaid, and the home's participation in the medicaid program is involuntarily terminated or denied.

(h) The resident is a beneficiary under the medicare program, and the home's participation in the medicare program is involuntarily terminated or denied.

(31) The right not to be transferred or discharged from the home to a location that is incapable of meeting the resident's health care and safety needs.

(32) The right not to be transferred or discharged from the home without adequate preparation prior to the transfer or discharge to ensure a safe and orderly transfer or discharge from the home, including proper arrangements for medication, equipment, health care services, and other necessary services.

(33) All rights provided under 42 C.F.R. 483.15 and 483.21 and any other transfer or discharge rights provided under federal law.

(34) The right to voice grievances and recommend changes in policies and

services to the home's staff, to employees of the department of health, or to other persons not associated with the operation of the home, of the resident's choice, free from restraint, interference, coercion, discrimination, or reprisal. This right includes access to a residents' rights advocate, and the right to be a member of, to be active in, and to associate with persons who are active in organizations of relatives and friends of nursing home residents and other organizations engaged in assisting residents.

~~(32)~~(35) The right to have any significant change in the resident's health status reported to the resident's sponsor. As soon as such a change is known to the home's staff, the home shall make a reasonable effort to notify the sponsor within twelve hours.

~~(33)~~(36) The right, if the resident has requested the care and services of a hospice care program, to choose a hospice care program licensed under Chapter 3712. of the Revised Code that best meets the resident's needs.

(B) A sponsor may act on a resident's behalf to assure that the home does not deny the residents' rights under sections 3721.10 to 3721.17 of the Revised Code.

(C) Any attempted waiver of the rights listed in division (A) of this section is void.

Sec. 3721.16. For each resident of a home, notice of all of the following apply with respect to a proposed transfer or discharge shall be in accordance with this section. from the home:

(A)(1) The administrator of a home shall notify a resident in writing, and the resident's sponsor in writing by certified mail, return receipt requested, in advance of any proposed transfer or discharge from the home. The administrator shall send a copy of the notice to the state department of health. The notice shall be provided at least thirty days in advance of the proposed transfer or discharge, unless any of the following applies:

(a) The resident's health has improved sufficiently to allow a more immediate discharge or transfer to a less skilled level of care;

(b) The resident has resided in the home less than thirty days;

(c) An emergency arises in which the safety of individuals in the home is endangered;

(d) An emergency arises in which the health of individuals in the home would otherwise be endangered;

(e) An emergency arises in which the resident's urgent medical needs necessitate a more immediate transfer or discharge.

In any of the circumstances described in divisions (A)(1)(a) to (e) of this

section, the notice shall be provided as many days in advance of the proposed transfer or discharge as is practicable.

(2) The notice required under division (A)(1) of this section shall include all of the following:

(a) The reasons for the proposed transfer or discharge;

(b) The proposed date the resident is to be transferred or discharged;

(c) Subject to division (A)(3) of this section, a proposed location to which the resident may relocate and a notice that the resident and resident's sponsor may choose another location to which the resident will relocate;

(d) Notice of the right of the resident and the resident's sponsor to an impartial hearing at the home on the proposed transfer or discharge, and of the manner in which and the time within which the resident or sponsor may request a hearing pursuant to section 3721.161 of the Revised Code;

(e) A statement that the resident will not be transferred or discharged before the date specified in the notice unless the home and the resident or, if the resident is not competent to make a decision, the home and the resident's sponsor, agree to an earlier date;

(f) The address of the legal services office of the department of health;

(g) The name, address, and telephone number of a representative of the state long-term care ombudsman program and, if the resident or patient has a developmental disability or mental illness, the name, address, and telephone number of the Ohio protection and advocacy system.

(3) The proposed location to which a resident may relocate as specified pursuant to division (A)(2)(c) of this section in the proposed transfer or discharge notice shall be capable of meeting the resident's health-care and safety needs. The proposed location for relocation need not have accepted the resident at the time the notice is issued to the resident and resident's sponsor.

(B) No home shall transfer or discharge a resident before the date specified in the notice required by division (A) of this section unless the home and the resident or, if the resident is not competent to make a decision, the home and the resident's sponsor, agree to an earlier date.

(C) Transfer or discharge actions shall be documented in the resident's medical record by the home if there is a medical basis for the action.

(D) A resident or resident's sponsor may challenge a transfer or discharge by requesting an impartial hearing pursuant to section 3721.161 of the Revised Code, unless the transfer or discharge is required because of one of the following reasons:

(1) The home's license has been revoked under this chapter;

(2) The home is being closed pursuant to section 3721.08, sections 5165.60 to 5165.89, or section 5155.31 of the Revised Code;

(3) The resident is a recipient of medicaid and the home's participation in the medicaid program has been involuntarily terminated or denied by the federal government;

(4) The resident is a beneficiary under the medicare program and the home's certification under the medicare program has been involuntarily terminated or denied by the federal government.

(E) If a resident is to be transferred or discharged pursuant to this section, the home ~~from which the resident is being transferred~~ proposing the transfer or discharged discharge shall provide the resident with adequate preparation prior to the transfer or discharge to ensure a safe and orderly transfer or discharge from the home, and the home or alternative setting to which the resident is to be transferred or discharged shall have accepted the resident for transfer or discharge.

(F) At the time of a transfer or discharge of a resident who is a recipient of medicaid from a home to a hospital or for therapeutic leave, the home shall provide notice in writing to the resident and in writing by certified mail, return receipt requested, to the resident's sponsor, specifying the number of days, if any, during which the resident will be permitted under the medicaid program to return and resume residence in the home and specifying the medicaid program's coverage of the days during which the resident is absent from the home. An individual who is absent from a home for more than the number of days specified in the notice and continues to require the services provided by the facility shall be given priority for the first available bed in a semi-private room.

Sec. 3721.161.(A) Not later than thirty days after the date a resident or the resident's sponsor receives under section 3721.16 of the Revised Code a notice of a proposed transfer or discharge, whichever date of receiving the notice is later, the resident or resident's sponsor may challenge the proposed transfer or discharge by submitting a written request for a hearing to the state department of health. On receiving the request, the department shall conduct a hearing in accordance with section 3721.162 of the Revised Code to determine whether the proposed transfer or discharge complies with ~~division~~ divisions (A)(30) to (33) of section 3721.13 and section 3721.16 of the Revised Code.

(B) Except in the circumstances described in divisions (A)(1)(a) to (e) of section 3721.16 of the Revised Code, if a resident or the resident's sponsor submits a written hearing request not later than ten days after the date the

resident or ~~the~~ resident's sponsor received notice of the proposed transfer or discharge, whichever date of receiving the notice is later, the home shall not transfer or discharge the resident unless the department determines after the hearing that the transfer or discharge complies with ~~division~~ divisions (A)(30) to (33) of section 3721.13 and section 3721.16 of the Revised Code or the department's determination to the contrary is reversed on appeal.

(C) If a resident or the resident's sponsor does not request a hearing pursuant to division (A) of this section, the home may transfer or discharge the resident on the date specified in the notice required by division (A) of section 3721.16 of the Revised Code or thereafter, unless the home and the resident or, if the resident is not competent to make a decision, the home and the resident's sponsor, agree to an earlier date.

(D) If ~~the~~ a resident or the resident's sponsor requests a hearing in writing pursuant to division (A) of this section and the home transfers or discharges the resident before the department issues a hearing decision, the home shall readmit the resident in the first available bed if the department determines after the hearing that the transfer or discharge does not comply with ~~division~~ divisions (A)(30) to (33) of section 3721.13 and section 3721.16 of the Revised Code or the department's determination to the contrary is reversed on appeal.

Sec. 3721.162.(A) On receiving a request pursuant to section 3721.161 of the Revised Code, the department of health shall conduct hearings under this section in accordance with 42 C.F.R. 431, subpart E, to determine whether the proposed transfer or discharge of the resident from the home complies with ~~division~~ divisions (A)(30) to (33) of section 3721.13 and section 3721.16 of the Revised Code.

(B) The department shall employ or contract with an attorney to serve as hearing officer. The hearing officer shall conduct a hearing in the home not later than ten days after the date the department receives a request pursuant to section 3721.161 of the Revised Code, unless the resident and the home or, if the resident is not competent to make a decision, the resident's sponsor and the home, agree otherwise. The hearing shall be recorded on audiotape, but neither the recording nor a transcript of the recording shall be part of the official record of the hearing. A hearing conducted under this section is not subject to section 121.22 of the Revised Code.

(C) Unless the parties otherwise agree, the hearing officer shall issue a decision within five days of the date the hearing concludes. In all cases, a decision shall be issued not later than thirty days after the department receives a request pursuant to section 3721.161 of the Revised Code. The hearing officer's decision shall be served on the resident or resident's sponsor and the home by certified mail. The hearing officer's decision shall be considered the

final decision of the department.

(D) A resident, resident's sponsor, or home may appeal the decision of the department to the court of common pleas pursuant to section 119.12 of the Revised Code. The appeal shall be governed by section 119.12 of the Revised Code, except for all of the following:

(1) The resident, resident's sponsor, or home shall file the appeal in the court of common pleas of the county in which the home is located.

(2) The resident or resident's sponsor may apply to the court for designation as an indigent and, if the court grants the application, the resident or resident's sponsor shall not be required to furnish the costs of the appeal.

(3) The appeal shall be filed with the department and the court within thirty days after the hearing officer's decision is served. The appealing party shall serve the opposing party a copy of the notice of appeal by hand-delivery or certified mail, return receipt requested. If the home is the appealing party, it shall provide a copy of the notice of appeal to both the resident and the resident's sponsor or attorney, if known.

(4) The department shall not file a transcript of the hearing with the court unless the court orders it to do so. The court shall issue such an order only if it finds that the parties are unable to stipulate to the facts of the case and that the transcript is essential to the determination of the appeal. If the court orders the department to file the transcript, the department shall do so not later than thirty days after the day the court issues the order.

(E) The court shall not require an appellant to pay a bond as a condition of issuing a stay pending its decision.

(F) The resident, resident's sponsor, home, or department may commence a civil action in the court of common pleas of the county in which the home is located to enforce the decision of the department or the court. If the court finds that the resident or home has not complied with the decision, it shall enjoin the violation and order other appropriate relief, including attorney's fees."

In line 124668, after "3721.026," insert "3721.13, 3721.16, 3721.161, 3721.162"

In line 32025, delete all after the underlined comma

Delete line 32026

In line 32027, delete all before the underlined period and insert "all of the following apply:

(a) The chief shall revoke any undergrowth and invasive species permit issued to the permittee.

(b) The chief shall fine the permittee up to five hundred dollars per tree.

(c) The permittee is liable to the state for the full value of the removed tree and for any other damages that are available under law"

In line 112 of the title, after "3725.05," insert "3727.11, 3727.12, 3727.13, 3727.14"

In line 261 of the title, after "3706.051," insert "3727.131,"

In line 845, after "3725.05," insert "3727.11, 3727.12, 3727.13, 3727.14"

In line 953, after "3706.051," insert "3727.131,"

After line 65667 insert:

"Sec. 3727.11. A hospital shall not represent itself as a comprehensive stroke center, thrombectomy-capable stroke center, primary stroke center, or acute stroke ready hospital unless it is recognized as such by the department of health under section 3727.13 of the Revised Code.

This section does not prohibit a hospital from representing itself as having a relationship or affiliation with a hospital recognized by the department of health under section 3727.13 of the Revised Code or a hospital in another state that is certified as a comprehensive stroke center, thrombectomy-capable stroke center, primary stroke center, or acute stroke ready hospital by an accrediting organization approved by the federal centers for medicare and medicaid services.

Sec. 3727.12. (A) A person or government entity seeking recognition of a hospital as a comprehensive stroke center, thrombectomy-capable stroke center, primary stroke center, or acute stroke ready hospital by the department of health under section 3727.13 of the Revised Code shall file with the department an application for recognition. The application shall be submitted in the manner prescribed by the department.

(B)(1) To be eligible for recognition as a comprehensive stroke center under section 3727.13 of the Revised Code, a hospital must be certified as a comprehensive stroke center by an accrediting organization approved by the federal centers for medicare and medicaid services or an organization acceptable to the department under division (C) of this section.

(2) To be eligible for recognition as a thrombectomy-capable stroke center under section 3727.13 of the Revised Code, a hospital must be certified as a thrombectomy-capable stroke center by an accrediting organization approved by the federal centers for medicare and medicaid services or an organization acceptable to the department under division (C) of this section.

(3) To be eligible for recognition as a primary stroke center under section 3727.13 of the Revised Code, a hospital must be certified as a primary stroke

center by an accrediting organization approved by the federal centers for medicare and medicaid services or an organization acceptable to the department under division (C) of this section.

~~(3)~~(4) To be eligible for recognition as an acute stroke ready hospital under section 3727.13 of the Revised Code, a hospital must be certified as an acute stroke ready hospital by an accrediting organization approved by the federal centers for medicare and medicaid services or an organization acceptable to the department under division (C) of this section.

(C) For purposes of division (B) of this section, to be acceptable to the department an organization must certify comprehensive stroke centers, thrombectomy-capable stroke center, primary stroke centers, or acute stroke ready hospitals in accordance with nationally recognized certification guidelines.

Sec. 3727.13. (A)(1) The department of health shall recognize as a comprehensive stroke center a hospital that satisfies the requirements of division (B)(1) of section 3727.12 of the Revised Code and submits a complete application.

~~(2)~~~~(a)~~(2) The department shall recognize as a thrombectomy-capable stroke center a hospital that satisfies the requirements of division (B)(2) of section 3727.12 of the Revised Code and submits a complete application.

~~(3)~~~~(a)~~ The department shall recognize as a primary stroke center a hospital that satisfies the requirements of division ~~(B)(2)~~ (B)(3) of section 3727.12 of the Revised Code and submits a complete application.

(b) If a hospital satisfying the requirements of division ~~(B)(2)~~ (B)(3) of section 3727.12 of the Revised Code has attained supplementary levels of stroke care distinction as identified by an accrediting organization approved by the federal centers for medicare and medicaid services or an organization accepted by the department under section 3727.12 of the Revised Code, including by offering patients mechanical endovascular therapy, the department shall include that distinction in its recognition.

~~(3)~~(4) The department shall recognize as an acute stroke ready hospital a hospital that satisfies the requirements of division ~~(B)(3)~~ (B)(4) of section 3727.12 of the Revised Code and submits a complete application.

(B) The department shall end its recognition of a hospital made under division (A) of this section if the accrediting organization described in division (B) of section 3727.12 of the Revised Code that certified the hospital revokes, rescinds, or otherwise terminates the hospital's certification with that organization or the certification expires.

(C) Not later than the first day of January and July each year, the

department shall compile and send a list of hospitals recognized under division (A) of this section to the medical director and cooperating physician advisory board of each emergency medical service organization, as defined in section 4765.01 of the Revised Code. The department also shall maintain a comprehensive list of recognized hospitals on its internet web site and update the list not later than thirty days after a hospital is recognized under division (A) of this section or its recognition ends under division (B) of this section.

Sec. 3727.131.(A)(1) In an effort to improve the quality of care for patients affected by stroke, the department of health shall establish and maintain a process for the collection, transmission, compilation, and oversight of data related to stroke care. Such data shall be collected, transmitted, compiled, and overseen in a manner prescribed by the director of health.

As part of the process and except as provided in division (A)(2) of this section, the department shall establish or utilize a stroke registry database to store information, statistics, and other data on stroke care, including information, statistics, and data that align with nationally recognized treatment guidelines and performance measures.

(2) If the department established or utilized, prior to the effective date of this section, a stroke registry database that meets the requirements of this section, then both of the following apply:

(a) Division (A)(1) of this section shall not be construed to require the department to establish or utilize another such database.

(b) The department shall maintain both the process and stroke registry database described in this section, including in the event federal moneys are no longer available to support the process or database.

(B) Not later than six months after the effective date of this section, the director of health shall adopt rules as necessary to implement this section, including rules specifying all of the following:

(1) The information, statistics, and other data to be collected, which shall do both of the following:

(a) Align with stroke consensus metrics developed and approved by both of the following: (i) The United States centers for disease control and prevention; (ii) Accreditation organizations that are approved by the United States centers for medicare and medicaid services and that certify stroke centers.

(b) Include at a minimum both of the following:

(i) Data that is consistent with nationally recognized treatment guidelines for patients with confirmed stroke;

(ii) In the case of mechanical endovascular thrombectomy, data regarding the treatment's processes, complications, and outcomes, including data required by national certifying organizations.

(2) The manner in which the information, statistics, and other data are to be collected;

(3) The manner in which the information, statistics, and other data are to be transmitted for inclusion in the stroke registry database.

(C) When adopting rules as described in division (B) of this section, all of the following apply:

(1) The director of health shall do all of the following:

(a) Consider nationally recognized stroke care performance measures;

(b) Designate an electronic platform for the collection and transmission of data.

When designating the platform, the director shall consider nationally recognized stroke data platforms.

(c) In an effort to avoid duplication and redundancy, coordinate, to every extent possible, with hospitals recognized by the department under section 3727.13 of the Revised Code and national voluntary health organizations involved in stroke quality improvement.

(2) The director of health may specify that, of the information, statistics, or other data that is collected, only samples are to be transmitted for inclusion in the stroke registry database.

(3) The rules shall be adopted in accordance with Chapter 119. of the Revised Code.

(D)(1) Except as provided in division (D)(2) of this section, each hospital that is recognized by the department under section 3727.13 of the Revised Code as a comprehensive stroke center, thrombectomy-capable stroke center, or primary stroke center shall do both of the following:

(a) Collect the information, statistics, and other data specified by the director in rules adopted under division (B) of this section;

(b) Transmit the information, statistics, and other data for inclusion in the stroke registry database.

A hospital may contract with a third-party organization for the collection and transmission of the information, statistics, and other data. If a hospital contracts with a third-party organization, the organization shall collect and transmit such information, statistics, and other data for inclusion in the stroke registry database.

(2) The data described in division (B)(1)(b)(ii) of this section shall be collected and transmitted only by a hospital that is recognized by the department under section 3727.13 of the Revised Code as a thrombectomy-capable stroke center.

(3) In the case of a hospital that is recognized by the department under section 3727.13 of the Revised Code as an acute stroke ready hospital, the collection and transmission of the data described in division (B) of this section is encouraged.

(E) The information, statistics, or other data collected or transmitted as required or encouraged by this section shall not identify or tend to identify any particular patient.

(F) The department may establish an oversight committee to advise and monitor the department in implementing this section and to assist the department in developing short- and long-term goals for the stroke registry database.

If established, the membership of the committee shall consist of individuals with expertise or experience in data collection, data management, or stroke care, including both of the following:

(1) Individuals representing organizations advocating on behalf of those with stroke or cardiovascular conditions;

(2) Individuals representing hospitals recognized by the department under section 3727.13 of the Revised Code.

Sec. 3727.14. If an accrediting organization approved by the federal centers for medicare and medicaid services or an organization that certifies hospitals in accordance with nationally recognized certification guidelines establishes a level of stroke certification that is in addition to the ~~three~~ four levels described in sections 3727.11 to 3727.13 of the Revised Code, the department of health shall recognize a hospital certified at that additional level.

For purposes of this section, the department and a hospital shall comply with sections 3727.11 to 3727.13 of the Revised Code as if the certification and recognition described in this section were one of the ~~three~~ four levels described in sections 3727.11 to 3727.13 of the Revised Code."

In line 124668, after "3725.05," insert "3727.11, 3727.12, 3727.13, 3727.14"

In line 474 of the title, after the semicolon insert "to amend sections 2925.01, 3701.33, 3701.83, 3717.27, 3717.47, 3718.011, 3718.03, 3742.03, 4736.01, 4736.02, 4736.03, 4736.07, 4736.08, 4736.09, 4736.11, 4736.12, 4736.13, 4736.14, 4736.15, 4743.02, 4743.03, 4743.04, 4743.05, 4743.07, 4776.20, 4799.01, and 5903.12; to amend, for the purpose of adopting new

section numbers as indicated in parentheses, sections 4736.01 (3776.01), 4736.02 (3776.02), 4736.03 (3776.03), 4736.07 (3776.04), 4736.08 (3776.05), 4736.09 (3776.06), 4736.11 (3776.07), 4736.12 (3776.08), 4736.13 (3776.09), 4736.14 (3776.10), 4736.15 (3776.11), 4736.17 (3776.12), and 4736.18 (3776.13); to repeal sections 4736.05, 4736.06, and 4736.10 of the Revised Code; to amend the version of section 3701.83 of the Revised Code that is scheduled to take effect September 30, 2024; to amend the versions of sections 4736.14 and 4743.04 of the Revised Code that are scheduled to take effect December 29, 2023; to amend the version of section 4736.14 (3776.10) of the Revised Code that is scheduled to take effect December 29, 2023, for the purpose of adopting a new section number as indicated in parentheses; and to repeal the version of section 4736.10 of the Revised Code that is scheduled to take effect December 29, 2023; and to amend the version of section 3701.351 that is scheduled to take effect September 30, 2024; to repeal the versions of sections 3727.70 and 4723.431 of the Revised Code that are scheduled to take effect September 30, 2024;"

After line 171832, insert:

"Section 130.40.That sections 2925.01, 3701.33, 3701.83, 3717.27, 3717.47, 3718.011, 3718.03, 3742.03, 4736.01, 4736.02, 4736.03, 4736.07, 4736.08, 4736.09, 4736.11, 4736.12, 4736.13, 4736.14, 4736.15, 4743.02, 4743.03, 4743.04, 4743.05, 4743.07, 4776.20, 4799.01, and 5903.12 be amended and sections 4736.01 (3776.01), 4736.02 (3776.02), 4736.03 (3776.03), 4736.07 (3776.04), 4736.08 (3776.05), 4736.09 (3776.06), 4736.11 (3776.07), 4736.12 (3776.08), 4736.13 (3776.09), 4736.14 (3776.10), 4736.15 (3776.11), 4736.17 (3776.12), and 4736.18 (3776.13) of the Revised Code be amended for the purpose of adopting new section numbers as indicated in parentheses to read as follows:

Sec. 2925.01.As used in this chapter:

(A) "Administer," "controlled substance," "controlled substance analog," "dispense," "distribute," "hypodermic," "manufacturer," "official written order," "person," "pharmacist," "pharmacy," "sale," "schedule I," "schedule II," "schedule III," "schedule IV," "schedule V," and "wholesaler" have the same meanings as in section 3719.01 of the Revised Code.

(B) "Drug of abuse" and "person with a drug dependency" have the same meanings as in section 3719.011 of the Revised Code.

(C) "Drug," "dangerous drug," "licensed health professional authorized to prescribe drugs," and "prescription" have the same meanings as in section 4729.01 of the Revised Code.

(D) "Bulk amount" of a controlled substance means any of the following:

(1) For any compound, mixture, preparation, or substance included in

schedule I, schedule II, or schedule III, with the exception of any controlled substance analog, marihuana, cocaine, L.S.D., heroin, any fentanyl-related compound, and hashish and except as provided in division (D)(2), (5), or (6) of this section, whichever of the following is applicable:

(a) An amount equal to or exceeding ten grams or twenty-five unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I opiate or opium derivative;

(b) An amount equal to or exceeding ten grams of a compound, mixture, preparation, or substance that is or contains any amount of raw or gum opium;

(c) An amount equal to or exceeding thirty grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I hallucinogen other than tetrahydrocannabinol or lysergic acid amide, or a schedule I stimulant or depressant;

(d) An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II opiate or opium derivative;

(e) An amount equal to or exceeding five grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of phencyclidine;

(f) An amount equal to or exceeding one hundred twenty grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II stimulant that is in a final dosage form manufactured by a person authorized by the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and the federal drug abuse control laws, as defined in section 3719.01 of the Revised Code, that is or contains any amount of a schedule II depressant substance or a schedule II hallucinogenic substance;

(g) An amount equal to or exceeding three grams of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II stimulant, or any of its salts or isomers, that is not in a final dosage form manufactured by a person authorized by the Federal Food, Drug, and Cosmetic Act and the federal drug abuse control laws.

(2) An amount equal to or exceeding one hundred twenty grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule III or IV substance other than an anabolic steroid or a schedule III opiate or opium derivative;

(3) An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule III opiate or opium derivative;

(4) An amount equal to or exceeding two hundred fifty milliliters or two hundred fifty grams of a compound, mixture, preparation, or substance that is or contains any amount of a schedule V substance;

(5) An amount equal to or exceeding two hundred solid dosage units, sixteen grams, or sixteen milliliters of a compound, mixture, preparation, or substance that is or contains any amount of a schedule III anabolic steroid;

(6) For any compound, mixture, preparation, or substance that is a combination of a fentanyl-related compound and any other compound, mixture, preparation, or substance included in schedule III, schedule IV, or schedule V, if the defendant is charged with a violation of section 2925.11 of the Revised Code and the sentencing provisions set forth in divisions (C)(10) (b) and (C)(11) of that section will not apply regarding the defendant and the violation, the bulk amount of the controlled substance for purposes of the violation is the amount specified in division (D)(1), (2), (3), (4), or (5) of this section for the other schedule III, IV, or V controlled substance that is combined with the fentanyl-related compound.

(E) "Unit dose" means an amount or unit of a compound, mixture, or preparation containing a controlled substance that is separately identifiable and in a form that indicates that it is the amount or unit by which the controlled substance is separately administered to or taken by an individual.

(F) "Cultivate" includes planting, watering, fertilizing, or tilling.

(G) "Drug abuse offense" means any of the following:

(1) A violation of division (A) of section 2913.02 that constitutes theft of drugs, or a violation of section 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised Code;

(2) A violation of an existing or former law of this or any other state or of the United States that is substantially equivalent to any section listed in division (G)(1) of this section;

(3) An offense under an existing or former law of this or any other state, or of the United States, of which planting, cultivating, harvesting, processing, making, manufacturing, producing, shipping, transporting, delivering, acquiring, possessing, storing, distributing, dispensing, selling, inducing another to use, administering to another, using, or otherwise dealing with a

controlled substance is an element;

(4) A conspiracy to commit, attempt to commit, or complicity in committing or attempting to commit any offense under division (G)(1), (2), or (3) of this section.

(H) "Felony drug abuse offense" means any drug abuse offense that would constitute a felony under the laws of this state, any other state, or the United States.

(I) "Harmful intoxicant" does not include beer or intoxicating liquor but means any of the following:

(1) Any compound, mixture, preparation, or substance the gas, fumes, or vapor of which when inhaled can induce intoxication, excitement, giddiness, irrational behavior, depression, stupefaction, paralysis, unconsciousness, asphyxiation, or other harmful physiological effects, and includes, but is not limited to, any of the following:

(a) Any volatile organic solvent, plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, gasoline, or other preparation containing a volatile organic solvent;

(b) Any aerosol propellant;

(c) Any fluorocarbon refrigerant;

(d) Any anesthetic gas.

(2) Gamma Butyrolactone;

(3) 1,4 Butanediol.

(J) "Manufacture" means to plant, cultivate, harvest, process, make, prepare, or otherwise engage in any part of the production of a drug, by propagation, extraction, chemical synthesis, or compounding, or any combination of the same, and includes packaging, repackaging, labeling, and other activities incident to production.

(K) "Possess" or "possession" means having control over a thing or substance, but may not be inferred solely from mere access to the thing or substance through ownership or occupation of the premises upon which the thing or substance is found.

(L) "Sample drug" means a drug or pharmaceutical preparation that would be hazardous to health or safety if used without the supervision of a licensed health professional authorized to prescribe drugs, or a drug of abuse, and that, at one time, had been placed in a container plainly marked as a sample by a manufacturer.

(M) "Standard pharmaceutical reference manual" means the current edition,

with cumulative changes if any, of references that are approved by the state board of pharmacy.

(N) "Juvenile" means a person under eighteen years of age.

(O) "Counterfeit controlled substance" means any of the following:

(1) Any drug that bears, or whose container or label bears, a trademark, trade name, or other identifying mark used without authorization of the owner of rights to that trademark, trade name, or identifying mark;

(2) Any unmarked or unlabeled substance that is represented to be a controlled substance manufactured, processed, packed, or distributed by a person other than the person that manufactured, processed, packed, or distributed it;

(3) Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance;

(4) Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance because of its similarity in shape, size, and color, or its markings, labeling, packaging, distribution, or the price for which it is sold or offered for sale.

(P) An offense is "committed in the vicinity of a school" if the offender commits the offense on school premises, in a school building, or within one thousand feet of the boundaries of any school premises, regardless of whether the offender knows the offense is being committed on school premises, in a school building, or within one thousand feet of the boundaries of any school premises.

(Q) "School" means any school operated by a board of education, any community school established under Chapter 3314. of the Revised Code, or any nonpublic school for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted at the time a criminal offense is committed.

(R) "School premises" means either of the following:

(1) The parcel of real property on which any school is situated, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the premises at the time a criminal offense is committed;

(2) Any other parcel of real property that is owned or leased by a board of education of a school, the governing authority of a community school established under Chapter 3314. of the Revised Code, or the governing body of a nonpublic school for which the state board of education prescribes

minimum standards under section 3301.07 of the Revised Code and on which some of the instruction, extracurricular activities, or training of the school is conducted, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the parcel of real property at the time a criminal offense is committed.

(S) "School building" means any building in which any of the instruction, extracurricular activities, or training provided by a school is conducted, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted in the school building at the time a criminal offense is committed.

(T) "Disciplinary counsel" means the disciplinary counsel appointed by the board of commissioners on grievances and discipline of the supreme court under the Rules for the Government of the Bar of Ohio.

(U) "Certified grievance committee" means a duly constituted and organized committee of the Ohio state bar association or of one or more local bar associations of the state of Ohio that complies with the criteria set forth in Rule V, section 6 of the Rules for the Government of the Bar of Ohio.

(V) "Professional license" means any license, permit, certificate, registration, qualification, admission, temporary license, temporary permit, temporary certificate, or temporary registration that is described in divisions (W)(1) to (37) of this section and that qualifies a person as a professionally licensed person.

(W) "Professionally licensed person" means any of the following:

(1) A person who has received a certificate or temporary certificate as a certified public accountant or who has registered as a public accountant under Chapter 4701. of the Revised Code and who holds an Ohio permit issued under that chapter;

(2) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under Chapter 4703. of the Revised Code;

(3) A person who is registered as a landscape architect under Chapter 4703. of the Revised Code or who holds a permit as a landscape architect issued under that chapter;

(4) A person licensed under Chapter 4707. of the Revised Code;

(5) A person who has been issued a certificate of registration as a registered barber under Chapter 4709. of the Revised Code;

(6) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of Chapter 4710. of the Revised Code;

(7) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, advanced cosmetologist's license, advanced hair designer's license, advanced manicurist's license, advanced esthetician's license, advanced natural hair stylist's license, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license, natural hair style instructor's license, independent contractor's license, or tanning facility permit under Chapter 4713. of the Revised Code;

(8) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license, or a dental hygienist's teacher's certificate under Chapter 4715. of the Revised Code;

(9) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license, or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under Chapter 4717. of the Revised Code;

(10) A person who has been licensed as a registered nurse or practical nurse, or who has been issued a certificate for the practice of nurse-midwifery under Chapter 4723. of the Revised Code;

(11) A person who has been licensed to practice optometry or to engage in optical dispensing under Chapter 4725. of the Revised Code;

(12) A person licensed to act as a pawnbroker under Chapter 4727. of the Revised Code;

(13) A person licensed to act as a precious metals dealer under Chapter 4728. of the Revised Code;

(14) A person licensed under Chapter 4729. of the Revised Code as a pharmacist or pharmacy intern or registered under that chapter as a registered pharmacy technician, certified pharmacy technician, or pharmacy technician trainee;

(15) A person licensed under Chapter 4729. of the Revised Code as a manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, wholesale distributor of dangerous drugs, or terminal distributor of dangerous drugs;

(16) A person who is authorized to practice as a physician assistant under Chapter 4730. of the Revised Code;

(17) A person who has been issued a license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery under Chapter 4731. of the Revised Code or has been issued a certificate to practice a limited branch of medicine under that chapter;

(18) A person licensed as a psychologist, independent school psychologist, or school psychologist under Chapter 4732. of the Revised Code;

(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;

(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;

(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;

(22) A person registered as a registered environmental health specialist under Chapter ~~4736.~~ 3776. of the Revised Code;

(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;

(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;

(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;

(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter 4741. of the Revised Code;

(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;

(28) A person who has been issued a class A, class B, or class C license or who has been registered as an investigator or security guard employee under Chapter 4749. of the Revised Code;

(29) A person licensed to practice as a nursing home administrator under Chapter 4751. of the Revised Code;

(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;

(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;

(32) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under Chapter 4757. of the Revised Code;

(33) A person issued a license to practice dietetics under Chapter 4759. of

the Revised Code;

(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;

(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;

(36) A person who has been issued a home inspector license under Chapter 4764. of the Revised Code;

(37) A person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules.

(X) "Cocaine" means any of the following:

(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;

(2) Coca leaves or a salt, compound, derivative, or preparation of coca leaves, including ecgonine, a salt, isomer, or derivative of ecgonine, or a salt of an isomer or derivative of ecgonine;

(3) A salt, compound, derivative, or preparation of a substance identified in division (X)(1) or (2) of this section that is chemically equivalent to or identical with any of those substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves if the extractions do not contain cocaine or ecgonine.

(Y) "L.S.D." means lysergic acid diethylamide.

(Z) "Hashish" means a resin or a preparation of a resin to which both of the following apply:

(1) It is contained in or derived from any part of the plant of the genus cannabis, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.

(2) It has a delta-9 tetrahydrocannabinol concentration of more than three-tenths per cent.

"Hashish" does not include a hemp byproduct in the possession of a licensed hemp processor under Chapter 928. of the Revised Code, provided that the hemp byproduct is being produced, stored, and disposed of in accordance with rules adopted under section 928.03 of the Revised Code.

(AA) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code, except that it does not include hashish.

(BB) An offense is "committed in the vicinity of a juvenile" if the offender commits the offense within one hundred feet of a juvenile or within the view

of a juvenile, regardless of whether the offender knows the age of the juvenile, whether the offender knows the offense is being committed within one hundred feet of or within view of the juvenile, or whether the juvenile actually views the commission of the offense.

(CC) "Presumption for a prison term" or "presumption that a prison term shall be imposed" means a presumption, as described in division (D) of section 2929.13 of the Revised Code, that a prison term is a necessary sanction for a felony in order to comply with the purposes and principles of sentencing under section 2929.11 of the Revised Code.

(DD) "Major drug offender" has the same meaning as in section 2929.01 of the Revised Code.

(EE) "Minor drug possession offense" means either of the following:

(1) A violation of section 2925.11 of the Revised Code as it existed prior to July 1, 1996;

(2) A violation of section 2925.11 of the Revised Code as it exists on and after July 1, 1996, that is a misdemeanor or a felony of the fifth degree.

(FF) "Mandatory prison term" has the same meaning as in section 2929.01 of the Revised Code.

(GG) "Adulterate" means to cause a drug to be adulterated as described in section 3715.63 of the Revised Code.

(HH) "Public premises" means any hotel, restaurant, tavern, store, arena, hall, or other place of public accommodation, business, amusement, or resort.

(II) "Methamphetamine" means methamphetamine, any salt, isomer, or salt of an isomer of methamphetamine, or any compound, mixture, preparation, or substance containing methamphetamine or any salt, isomer, or salt of an isomer of methamphetamine.

(JJ) "Deception" has the same meaning as in section 2913.01 of the Revised Code.

(KK) "Fentanyl-related compound" means any of the following:

(1) Fentanyl;

(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidiny]-N-phenylpropanamide);

(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidiny)] -N-

phenylpropanamide);

(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidiny]-N- phenylpropanamide);

(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);

(7) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4- piperidiny]-N-phenylpropanamide);

(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidiny]propanamide;

(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidiny]-propanamide;

(10) Alfentanil;

(11) Carfentanil;

(12) Remifentanil;

(13) Sufentanil;

(14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidiny]-N-phenylacetamide); and

(15) Any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory, including acetylfentanyl, furanylfentanyl, valerylfentanyl, butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para-fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl:

(a) A chemical scaffold consisting of both of the following:

(i) A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;

(ii) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen.

(b) A polar functional group attached to the chemical scaffold, including but not limited to a hydroxyl, ketone, amide, or ester;

(c) An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and

(d) The compound has not been approved for medical use by the United States food and drug administration.

(LL) "First degree felony mandatory prison term" means one of the definite prison terms prescribed in division (A)(1)(b) of section 2929.14 of the Revised Code for a felony of the first degree, except that if the violation for which sentence is being imposed is committed on or after March 22, 2019, it means one of the minimum prison terms prescribed in division (A)(1)(a) of that section for a felony of the first degree.

(MM) "Second degree felony mandatory prison term" means one of the definite prison terms prescribed in division (A)(2)(b) of section 2929.14 of the Revised Code for a felony of the second degree, except that if the violation for which sentence is being imposed is committed on or after March 22, 2019, it means one of the minimum prison terms prescribed in division (A)(2)(a) of that section for a felony of the second degree.

(NN) "Maximum first degree felony mandatory prison term" means the maximum definite prison term prescribed in division (A)(1)(b) of section 2929.14 of the Revised Code for a felony of the first degree, except that if the violation for which sentence is being imposed is committed on or after March 22, 2019, it means the longest minimum prison term prescribed in division (A)(1)(a) of that section for a felony of the first degree.

(OO) "Maximum second degree felony mandatory prison term" means the maximum definite prison term prescribed in division (A)(2)(b) of section 2929.14 of the Revised Code for a felony of the second degree, except that if the violation for which sentence is being imposed is committed on or after March 22, 2019, it means the longest minimum prison term prescribed in division (A)(2)(a) of that section for a felony of the second degree.

(PP) "Delta-9 tetrahydrocannabinol" has the same meaning as in section 928.01 of the Revised Code.

(QQ) An offense is "committed in the vicinity of a substance addiction services provider or a recovering addict" if either of the following apply:

(1) The offender commits the offense on the premises of a substance addiction services provider's facility, including a facility licensed prior to June 29, 2019, under section 5119.391 of the Revised Code to provide methadone treatment or an opioid treatment program licensed on or after that date under section 5119.37 of the Revised Code, or within five hundred feet of the premises of a substance addiction services provider's facility and the offender knows or should know that the offense is being committed within the vicinity of the substance addiction services provider's facility.

(2) The offender sells, offers to sell, delivers, or distributes the controlled substance or controlled substance analog to a person who is receiving treatment at the time of the commission of the offense, or received treatment within thirty days prior to the commission of the offense, from a substance

addiction services provider and the offender knows that the person is receiving or received that treatment.

(RR) "Substance addiction services provider" means an agency, association, corporation or other legal entity, individual, or program that provides one or more of the following at a facility:

(1) Either alcohol addiction services, or drug addiction services, or both such services that are certified by the director of mental health and addiction services under section 5119.36 of the Revised Code;

(2) Recovery supports that are related to either alcohol addiction services, or drug addiction services, or both such services and paid for with federal, state, or local funds administered by the department of mental health and addiction services or a board of alcohol, drug addiction, and mental health services.

(SS) "Premises of a substance addiction services provider's facility" means the parcel of real property on which any substance addiction service provider's facility is situated.

(TT) "Alcohol and drug addiction services" has the same meaning as in section 5119.01 of the Revised Code.

Sec. 3701.33.(A) There is hereby created the Ohio public health advisory board. The board shall consist of the following members:

(1) The following members appointed by the director of health from among individuals who are not employed by the state and are recommended by statewide trade or professional organizations that represent interests in public health:

(a) One individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;

(b) One individual authorized under Chapter 4723. of the Revised Code to practice nursing as a registered nurse;

(c) Three members of the public, two of whom are representatives of entities licensed by the department of health or boards of health.

(2) One representative of the association of Ohio health commissioners, appointed by the association;

(3) One representative of the Ohio public health association, appointed by the association;

(4) One representative of the Ohio environmental health association, appointed by the association, who is registered as an environmental health specialist under Chapter ~~4736~~ 3776. of the Revised Code;

(5) One representative of the Ohio association of boards of health, appointed by the association;

(6) One representative of the Ohio society for public health education, appointed by the society;

(7) One representative of the Ohio hospital association, appointed by the association.

The director of health or the director's designee shall serve as an ex officio, nonvoting member of the board.

(B) Not later than thirty days after September 10, 2012, initial appointments shall be made to the board. Of the initial appointments, the members specified in divisions (A)(5), (6), and (7) and division (A)(1)(c) of this section representing entities licensed by the department of health or boards of health shall serve terms ending June 30, 2014, and the members specified in divisions (A)(1)(a) and (b), divisions (A)(2), (3), and (4), and division (A)(1)(c) of this section not representing entities licensed by the department or boards of health shall serve terms ending June 30, 2015. Thereafter, terms of office for all members shall be three years, with each term ending on the same day of the same month as the term it succeeds. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Members may be reappointed, except that no member who has served two consecutive terms may be reappointed until three years have elapsed since the member's last term ended.

Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Vacancies shall be filled in the same manner as original appointments.

Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of that term. A member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office or until a period of ninety days has elapsed, whichever occurs first.

(C) The board shall annually select from among its members a chairperson and vice-chairperson. The director shall designate an officer or employee of the department to act as the board's secretary. The secretary shall be a nonvoting board member.

The board may adopt by laws governing its operation. The chairperson may appoint subcommittees as the chairperson considers necessary.

(D) The board shall meet at the call of the chairperson, but not less than four times per year. A majority of the members of the board constitutes a quorum. Special meetings may be called by the chairperson and shall be

called by the chairperson at the request of the director. In a request for a special meeting, the director shall specify the purpose of the meeting and the date and place the meeting is to be held. No other business shall be considered at a special meeting except by a unanimous vote of members present at the meeting.

In conducting any meeting, the board and its subcommittees may use an interactive video teleconferencing system. If provisions are made that allow public attendance at a designated location with respect to a meeting using such a system, the board members who attend the meeting by video teleconference shall be counted for purposes of determining whether a quorum is present and shall be permitted to vote.

Members shall be expected to attend a majority of meetings of the board. Unexcused absence from three consecutive meetings shall be considered notice of a member's intent to resign from the board.

(E)(1) The department shall provide meeting space and staff and other administrative support for the board to carry out its duties.

(2) To facilitate the board's review of proposed rules under division (A)(1) of section 3701.34 of the Revised Code, the department shall establish and maintain an electronic web-based database of board meeting agendas, board meeting minutes, proposed rules, public comments, and other documents relevant to the work of the board.

(F) Notice of meetings shall be provided to members through the board's mailing list, the department's web site, or any other means available to the board.

The minutes of previous meetings, the next meeting's agenda, and information on any matters to be presented to the board at any regular or special meeting shall be provided to the board in an electronic format.

(G) Members shall attend annual ethics training provided by the Ohio ethics commission.

(H) Members shall serve without compensation, but may be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

(I) Sections 101.82 to 101.87 of the Revised Code do not apply to the Ohio public health advisory board.

Sec. 3701.83. There is hereby created in the state treasury the general operations fund. Moneys in the fund shall be used for the purposes specified in sections 3701.04, 3701.344, 3702.20, 3711.16, 3717.45, 3718.06, 3721.02, 3721.022, 3729.07, 3733.43, 3748.04, 3748.05, 3748.07, 3748.12, 3748.13, 3749.04, 3749.07, ~~4736.06~~, 3776.08, and 4769.09 of the Revised Code.

Sec. 3717.27.(A) All inspections of retail food establishments conducted by a licensor under this chapter shall be conducted according to the procedures and schedule of frequency specified in rules adopted under section 3717.33 of the Revised Code. An inspection may be performed only by an individual registered as an environmental health specialist or environmental health specialist in training under Chapter ~~4736~~ 3776. of the Revised Code. Each inspection shall be recorded on a form prescribed and furnished by the director of agriculture or a form approved by the director that has been prescribed by a board of health acting as licensor. With the assistance of the director, a board acting as licensor, to the extent practicable, shall computerize the inspection process and standardize the manner in which its inspections are conducted.

(B) A person or government entity holding a retail food establishment license shall permit the licensor to inspect the retail food establishment for purposes of determining compliance with this chapter and the rules adopted under it or investigating a complaint concerning the establishment. On request of the licensor, the license holder shall permit the licensor to examine the records of the retail food establishment to obtain information about the purchase, receipt, or use of food, supplies, and equipment.

A licensor may inspect any mobile retail food establishment being operated within the licensor's district. If an inspection of a mobile retail food establishment is conducted by a licensor other than the licensor that issued the license for the establishment, a report of the inspection shall be sent to the issuing licensor. The issuing licensor may use the inspection report to suspend or revoke the license under section 3717.29 or 3717.30 of the Revised Code.

(C) An inspection may include the following:

(1) An investigation to determine the identity and source of a particular food;

(2) Removal from use of any equipment, utensils, hand tools, or parts of facilities found to be maintained in a condition that presents a clear and present danger to the public health.

Sec. 3717.47.(A) All inspections of food service operations conducted by a licensor under this chapter shall be conducted according to the procedures and schedule of frequency specified in rules adopted under section 3717.51 of the Revised Code. An inspection may be performed only by an individual registered as an environmental health specialist or environmental health specialist in training under Chapter ~~4736~~ 3776. of the Revised Code. Each inspection shall be recorded on a form prescribed and furnished by the director of health or a form approved by the director that has been prescribed by a board of health acting as licensor. With the assistance of the director, a board acting as licensor, to the extent practicable, shall computerize the

inspection process and shall standardize the manner in which its inspections are conducted.

(B) A person or government entity holding a food service operation license shall permit the licensor to inspect the food service operation for purposes of determining compliance with this chapter and the rules adopted under it or investigating a complaint regarding foodborne disease. On request of the licensor, the license holder shall permit the licensor to examine the records of the food service operation to obtain information about the purchase, receipt, or use of food, supplies, and equipment.

A licensor may inspect any mobile food service operation or catering food service operation being operated within the licensor's district. If an inspection of a mobile or catering food service operation is conducted by a licensor other than the licensor that issued the license for the operation, a report of the inspection shall be sent to the issuing licensor. The issuing licensor may use the inspection report to suspend or revoke the license under section 3717.49 of the Revised Code.

(C) An inspection may include an investigation to determine the identity and source of a particular food.

Sec. 3718.011.(A) For purposes of this chapter, a sewage treatment system is causing a public health nuisance if any of the following situations occurs and, after notice by a board of health to the applicable property owner, timely repairs are not made to that system to eliminate the situation:

(1) The sewage treatment system is not operating properly due to a missing component, incorrect settings, or a mechanical or electrical failure.

(2) There is a blockage in a known sewage treatment system component or pipe that causes a backup of sewage or effluent affecting the treatment process or inhibiting proper plumbing drainage.

(3) An inspection conducted by, or under the supervision of, the environmental protection agency or an environmental health specialist registered under Chapter ~~4736~~ 3776. of the Revised Code documents that there is ponding of liquid or bleeding of liquid onto the surface of the ground or into surface water and the liquid has a distinct sewage odor, a black or gray coloration, or the presence of organic matter and any of the following:

(a) The presence of sewage effluent identified through a dye test;

(b) The presence of fecal coliform at a level that is equal to or greater than five thousand colonies per one hundred milliliters of liquid as determined in two or more samples of the liquid when five or fewer samples are collected or in more than twenty per cent of the samples when more than five samples of the liquid are collected;

(c) Water samples that exceed one thousand thirty e. coli counts per one hundred milliliters in two or more samples when five or fewer samples are collected or in more than twenty per cent of the samples when more than five samples are collected.

(4) With respect to a discharging system for which an NPDES permit has been issued under Chapter 6111. of the Revised Code and rules adopted under it, the system routinely exceeds the effluent discharge limitations specified in the permit.

(B) With respect to divisions (A)(1) and (2) of this section, a property owner may request a test to be conducted by a board of health to verify that the sewage treatment system is causing a public health nuisance. The property owner is responsible for the costs of the test.

Sec. 3718.03.(A) There is hereby created the sewage treatment system technical advisory committee consisting of the director of health or the director's designee and thirteen members who are knowledgeable about sewage treatment systems and technologies. The director or the director's designee shall serve as committee secretary and may vote on actions taken by the committee. Of the thirteen members, five shall be appointed by the governor, four shall be appointed by the president of the senate, and four shall be appointed by the speaker of the house of representatives.

(1) Of the members appointed by the governor, one shall represent academia and shall be active in teaching or research in the area of on-site wastewater treatment, one shall be a representative of the public who is not employed by the state or any of its political subdivisions and who does not have a pecuniary interest in sewage treatment systems, one shall be a registered professional engineer employed by the environmental protection agency, one shall be selected from among soil scientists in the division of soil and water conservation in the department of agriculture, and one shall be a representative of a statewide organization representing townships.

(2) Of the members appointed by the president of the senate, one shall be a health commissioner who is a member of and recommended by the association of Ohio health commissioners, one shall represent the interests of manufacturers of sewage treatment systems, one shall represent installers and service providers, and one shall be a person with demonstrated experience in the design of sewage treatment systems.

(3) Of the members appointed by the speaker of the house of representatives, one shall be a health commissioner who is a member of and recommended by the association of Ohio health commissioners, one shall represent the interests of manufacturers of sewage treatment systems, one shall be an environmental health specialist who is registered under Chapter ~~4736~~ 3776. of the Revised Code and who is a member of the Ohio

environmental health association, and one shall be a registered professional engineer with experience in sewage treatment systems.

(B) Terms of members appointed to the committee shall be for three years, with each term ending on the same day of the same month as did the term that it succeeds. Each member shall serve from the date of appointment until the end of the term for which the member was appointed.

Members may be reappointed. Vacancies shall be filled in the same manner as provided for original appointments. Any member appointed to fill a vacancy occurring prior to the expiration date of the term for which the member was appointed shall hold office for the remainder of that term. A member shall continue to serve after the expiration date of the member's term until the member's successor is appointed or until a period of sixty days has elapsed, whichever occurs first. The applicable appointing authority may remove a member from the committee for failure to attend two consecutive meetings without showing good cause for the absences.

(C) The technical advisory committee annually shall select from among its members a chairperson and a vice-chairperson. The secretary shall keep a record of its proceedings. A majority vote of the members of the full committee is necessary to take action on any matter. The committee may adopt bylaws governing its operation, including bylaws that establish the frequency of meetings.

(D) Serving as a member of the sewage treatment system technical advisory committee does not constitute holding a public office or position of employment under the laws of this state and does not constitute grounds for removal of public officers or employees from their offices or positions of employment. Members of the committee shall serve without compensation for attending committee meetings.

(E) A member of the committee shall not have a conflict of interest with the position. For the purposes of this division, "conflict of interest" means the taking of any action that violates any provision of Chapter 102. or 2921. of the Revised Code.

(F) The sewage treatment system technical advisory committee shall do all of the following:

(1) Develop with the department of health standards, guidelines, and protocols for approving or disapproving a sewage treatment system or components of a system under section 3718.04 of the Revised Code. Any guideline requiring the submission of scientific information or testing data shall specify, in writing, the protocol and format to be used in submitting the information or data.

(2) Develop with the department an application form to be submitted to the

director by an applicant for approval or disapproval of a sewage treatment system or components of a system and specify the information that must be included with an application form;

(3) Make recommendations to the director regarding the approval or disapproval of an application sent to the director under section 3718.04 of the Revised Code requesting approval of a sewage treatment system or components of a system;

(4) Pursue and recruit in an active manner the research, development, introduction, and timely approval of innovative and cost-effective sewage treatment systems and components of a system for use in this state, which shall include conducting pilot projects to assess the effectiveness of a system or components of a system.

(G) The chairperson of the committee shall prepare and submit an annual report concerning the activities of the committee to the general assembly not later than ninety days after the end of the calendar year. The report shall discuss the number of applications submitted under section 3718.04 of the Revised Code for the approval of a new sewage treatment system or a component of a system, the number of such systems and components that were approved, any information that the committee considers beneficial to the general assembly, and any other information that the chairperson determines is beneficial to the general assembly. If other members of the committee determine that certain information should be included in the report, they shall submit the information to the chairperson not later than thirty days after the end of the calendar year.

(H) The department shall provide meeting space for the committee. The committee shall be assisted in its duties by the staff of the department.

(I) Sections 101.82 to 101.87 of the Revised Code do not apply to the sewage treatment system technical advisory committee.

Sec. 3742.03. The director of health shall adopt rules in accordance with Chapter 119. of the Revised Code for the administration and enforcement of sections 3742.01 to 3742.19 and 3742.99 of the Revised Code. The rules shall specify all of the following:

(A) Procedures to be followed by a lead abatement contractor, lead abatement project designer, lead abatement worker, lead inspector, or lead risk assessor licensed under section 3742.05 of the Revised Code for undertaking lead abatement activities and procedures to be followed by a clearance technician, lead inspector, or lead risk assessor in performing a clearance examination;

(B)(1) Requirements for training and licensure, in addition to those established under section 3742.08 of the Revised Code, to include levels of

training and periodic refresher training for each class of worker, and to be used for licensure under section 3742.05 of the Revised Code. Except in the case of clearance technicians, these requirements shall include at least twenty-four classroom hours of training based on the Occupational Safety and Health Act training program for lead set forth in 29 C.F.R. 1926.62. For clearance technicians, the training requirements to obtain an initial license shall not exceed six hours and the requirements for refresher training shall not exceed two hours every four years. In establishing the training and licensure requirements, the director shall consider the core of information that is needed by all licensed persons, and establish the training requirements so that persons who would seek licenses in more than one area would not have to take duplicative course work.

(2) Persons certified by the American board of industrial hygiene as a certified industrial hygienist or as an industrial hygienist-in-training, and persons registered as a ~~sanitarian~~ environmental health specialist or ~~sanitarian-in-training~~ environmental health specialist in training under Chapter ~~4736~~ 3776 of the Revised Code, shall be exempt from any training requirements for initial licensure established under this chapter, but shall be required to take any examinations for licensure required under section 3742.05 of the Revised Code.

(C) Fees for licenses issued under section 3742.05 of the Revised Code and for their renewal;

(D) Procedures to be followed by lead inspectors, lead abatement contractors, environmental lead analytical laboratories, lead risk assessors, lead abatement project designers, and lead abatement workers to prevent public exposure to lead hazards and ensure worker protection during lead abatement projects;

(E)(1) Record-keeping and reporting requirements for clinical laboratories, environmental lead analytical laboratories, lead inspectors, lead abatement contractors, lead risk assessors, lead abatement project designers, and lead abatement workers for lead abatement projects and record-keeping and reporting requirements for clinical laboratories, environmental lead analytical laboratories, and clearance technicians for clearance examinations;

(2) Record-keeping and reporting requirements regarding lead poisoning for physicians;

(3) Information that is required to be reported under rules based on divisions (E)(1) and (2) of this section and that is a medical record is not a public record under section 149.43 of the Revised Code and shall not be released, except in aggregate statistical form.

(F) Environmental sampling techniques for use in collecting samples of air,

water, dust, paint, and other materials;

(G) Requirements for a respiratory protection plan prepared in accordance with section 3742.07 of the Revised Code;

(H) Requirements under which a manufacturer of encapsulants must demonstrate evidence of the safety and durability of its encapsulants by providing results of testing from an independent laboratory indicating that the encapsulants meet the standards developed by the "E06.23.30 task group on encapsulants," which is the task group of the lead hazards associated with buildings subcommittee of the performance of buildings committee of the American society for testing and materials.

Sec. 4736.01.As used in this chapter:

(A) "Environmental health science" means the aspect of public health science that includes, but is not limited to, the following bodies of knowledge: air quality, food quality and protection, hazardous and toxic substances, consumer product safety, housing, institutional health and safety, community noise control, radiation protection, recreational facilities, solid and liquid waste management, vector control, drinking water quality, milk sanitation, and rabies control.

(B) "Environmental health specialist" means a person who performs for compensation educational, investigational, technical, or administrative duties requiring specialized knowledge and skills in the field of environmental health science.

(C) "Registered environmental health specialist" means a person who is registered as an environmental health specialist in accordance with this chapter.

(D) "Environmental health specialist in training" means a person who is registered as an environmental health specialist in training in accordance with this chapter.

(E) "Practice of environmental health" means consultation, instruction, investigation, inspection, or evaluation by an employee of a city health district, a general health district, the environmental protection agency, the department of health, or the department of agriculture requiring specialized knowledge, training, and experience in the field of environmental health science, with the primary purpose of improving or conducting administration or enforcement under any of the following:

(1) Chapter 911., 913., 917., 3717., 3718., 3721., 3729., 3730., or 3733. of the Revised Code;

(2) Chapter 3734. of the Revised Code as it pertains to solid and hazardous waste;

(3) Section 955.26, 955.261, 3701.344, 3707.01, ~~or 3707.03, sections 3707.38 to 3707.99~~ 3707.26, or ~~section 3715.21~~ 3715.021 of the Revised Code;

(4) Rules adopted under ~~former section 3701.34~~ Chapter 3749, of the Revised Code pertaining to ~~rabies control or~~ swimming pools;

(5) Rules adopted under section 3701.935 of the Revised Code for school health and safety network inspections and rules adopted under section 3707.26 of the Revised Code for sanitary inspections.

"Practice of environmental health" does not include sampling, testing, controlling of vectors, reporting of observations, or other duties that do not require application of specialized knowledge and skills in environmental health science performed under the supervision of a registered environmental health specialist.

The director of health may further define environmental health science in relation to specific functions in the practice of environmental health through rules adopted by the director under Chapter 119. of the Revised Code.

Sec. 4736.02. There is hereby created the environmental health specialist advisory board consisting of seven members appointed by the director of health ~~with the advice and consent of the senate~~ for terms established in accordance with rules adopted by the director under section ~~4736.03~~ 3776.03 of the Revised Code. The advisory board shall advise the director regarding the registration of environmental health specialists in training and environmental health specialists, continuing education requirements for environmental health specialists, the manner in which the passage of an examination required by section ~~4736.09~~ 3776.06 of the Revised Code is verified, the education and employment criteria required under section ~~4736.08~~ 3776.05 of the Revised Code, and any other matters as may be of assistance to the director in the regulation of environmental health specialists and environmental health specialists in training.

Each member appointed by the director shall be a registered environmental health specialist who meets the education and ~~experience~~ employment requirements of section ~~4736.08~~ 3776.05 of the Revised Code for registration as an environmental health specialist. At least one and not more than two of the members shall be employees of a general health district; at least one and not more than two shall be employees of a city health district; and at least one and not more than two shall be employed in private industry. Not more than one member may be employed by a university and not more than one member may be employed by an agency or department of the state.

Within ninety days of September 29, 2017, the director shall make initial appointments to the advisory board.

Sec. 4736.03. ~~(A)~~ The director of health shall adopt and may amend or rescind rules in accordance with Chapter 119. of the Revised Code governing ~~the~~ all of the following:

(1) The manner in which the passage of an examination required by section 4736.09 3776.06 of the Revised Code is verified, ~~prescribing the~~

(2) The form for application, ~~establishing~~

(3) The establishment of criteria for determining what courses may be included toward fulfillment of the science course requirements of section 4736.08 3776.05 of the Revised Code, ~~determining~~

(4) The determination of the continuing education program requirements of section 4736.14 3776.07 of the Revised Code, ~~and for the~~

(5) The administration and enforcement of this chapter.

~~(B)~~ The director ~~shall~~ may adopt, in accordance with Chapter 119. of the Revised Code, rules ~~establishing of a general application throughout the state for the practice of environmental health that are necessary to administer and enforce this chapter, including rules governing all of the following~~:

(1) The registration, advancement, and reinstatement of applicants to practice as an environmental health specialist or environmental health specialist in training;

(2) Educational requirements necessary for qualification for registration as an environmental health specialist or an environmental health specialist in training under division of (B) section 3776.05 of the Revised Code, including criteria for determining what courses may be included toward fulfillment of the science course requirements of that section;

(3) Continuing education requirements for environmental health specialists and environmental health specialists in training, including the process for applying for continuing education credits;

(4) The terms of office for members of the environmental health specialist advisory board created in section 4736.02 3776.02 of the Revised Code;

(5) Any other rule necessary for the administration and enforcement of this chapter.

Sec. 4736.07. The director of health shall keep a record of all applications for registration, ~~which shall include~~ including:

(A) The name and address of each applicant;

(B) The name and address of the employer or business connection of each applicant;

(C) The date of the application;

(D) The educational and ~~experience~~ employment qualifications of each applicant;

(E) The date on which the director reviewed and acted upon each application;

(F) The action taken by the director on each application;

(G) ~~A serial number of each certificate of registration issued by the director.~~

~~The director shall prepare annually a list of the names and addresses of every person registered by it and a list of every person whose registration has been suspended or revoked within the previous year.~~

Sec. 4736.08. (A) A person seeking to register as an environmental health specialist or environmental health specialist in training shall submit an application to the director of health on a form prescribed by the director. Along with the application, the person shall submit the application fee prescribed in ~~section 4736.12 of the Revised Code~~ rules adopted under this chapter. The

~~(B)~~ The director shall register an applicant as an environmental health specialist if the applicant complies with the examination requirements specified under section 4736.09 3776.06 of the Revised Code and meets the any of the following education and ~~experience~~ employment requirements of division (A), (B), or (C) of this section:

~~(A)(1)~~ Graduated from an accredited college or university with at least a baccalaureate degree, including at least forty-five quarter units or thirty semester units of science courses approved by the director; and completed at least two years of full-time employment as an environmental health specialist;

~~(B)(2)~~ Graduated from an accredited college or university with at least a baccalaureate degree, completed a major in environmental health science which included an internship program approved by the director; and completed at least one year of full-time employment as an environmental health specialist;

~~(C)(3)~~ Graduated from an accredited college or university with a degree higher than a baccalaureate degree, including at least forty-five quarter units or thirty semester units of science courses approved by the director; and completed at least one year of full-time employment as an environmental health specialist.

(C)(1) The director shall register an applicant as an environmental health specialist in training if the applicant meets the educational qualifications of division (B)(1), (2), or (3) of this section, but does not meet the employment

requirement of any such division.

(2) An environmental health specialist in training shall apply for registration as an environmental health specialist within four years after registration as an environmental health specialist in training. The director may extend the registration of any environmental health specialist in training who furnishes, in writing, sufficient cause for not applying for registration as an environmental health specialist within the four-year period. However, the director shall not extend the registration more than an additional two years beyond the four-year period.

Sec. 4736.09.(A) Prior to applying for an initial environmental health specialist registration, a person shall take the credentialed national environmental health association examination administered by the department of health.

(B) The director of health shall not register the person if the person fails to meet the minimum grade requirement for the examination specified by the national environmental health association. An applicant for registration who meets the minimum grade requirement shall verify the grade with the director on a form and in a manner prescribed by the director.

Sec. 4736.11.(A) The director of health shall issue a certificate of registration to practice to any applicant whom it registers as an environmental health specialist or an environmental health specialist in training. ~~Such~~ The director shall include the following information on the certificate shall bear of registration:

- (1) The name of the person;
- (2) The date of issue;
- (3) ~~A serial number, designated by the director;~~
- (4) The signature of the director;
- ~~(5)~~(4) The designation "registered environmental health specialist" or "environmental health specialist in training."

~~(B) Certificates~~ The director shall issue certificates of registration to practice, which expire biennially on the date fixed by the director and become invalid on that date unless renewed pursuant to this section. ~~At~~ The director may renew a registration sixty days prior to the date of expiration, provided the applicant for renewal has done both of the following:

(1) Paid the renewal fee in accordance with rules adopted under section 3776.03 of the Revised Code;

(2) Submitted proof of compliance with the continuing education requirements described in this section.

(C) All registered environmental health specialists and environmental health specialists in training are required biennially to complete a continuing education program in subjects relating to practices of the profession as an environmental health specialist. The purpose of the program is that the utilization and application of new techniques, scientific advancements, and research findings will assure comprehensive service to the public.

~~(C)~~(D) The director shall prescribe by rule a continuing education program for registered environmental health specialists and environmental health specialists in training to meet this requirement. Under the program, an environmental health specialist and environmental health specialists in training shall complete twenty-four hours of continuing education during the biennial period. At least once annually the director shall provide to each registered environmental health specialist and environmental health specialist in training a list of courses approved by the director as satisfying the program prescribed by rule. Upon the request of a registered environmental health specialist or environmental health specialist in training, the director shall supply a list of applicable courses that the director has approved.

~~(D)~~(E) A certificate may be renewed for a period of two years at any time prior to the date of expiration upon payment of the renewal fee prescribed by section ~~4736.12~~ 3776.08 of the Revised Code and upon showing proof of having complied with the continuing education requirements of this section. The director may waive the continuing education requirement in cases of certified illness or disability which prevents the attendance at any qualified educational seminars during the twenty-four months immediately preceding the biennial certificate of registration renewal date. Certificates that expire may be reinstated under rules adopted by the director.

~~(E)~~(F) An environmental health specialist shall not be required to pass an examination for purposes of renewal.

Sec. 4736.12.(A) The director of health shall charge the following fees:

- (1) To apply as an environmental health specialist in training, fifty dollars;
- (2) For an environmental health specialist in training to apply for registration as an environmental health specialist, fifty dollars.
- (3) For persons other than environmental health specialists in training to apply for registration as environmental health specialists, one hundred dollars.
- (4) The renewal fee for a registered environmental health specialist is seventy-five dollars.
- (5) The renewal fee for a registered environmental health specialist in training is thirty-five dollars.
- (6) For late application for renewal, an additional seventy-five dollars.

The director, with the approval of the controlling board, may establish fees in excess of the amounts provided in this section, provided that such fees do not exceed the amounts permitted by this section by more than fifty per cent.

(B) The director shall charge a fee for the examination required by section ~~4736.08~~ 3776.06 of the Revised Code, provided that the fee is not in excess of the actual cost to the department of health of conducting the examinations.

(C) The director may adopt rules establishing fees for all of the following:

(1) Application for the registration of a training agency approved under rules adopted by the director pursuant to section ~~4736.11~~ 3776.07 of the Revised Code and for the annual registration renewal of an approved training agency;

(2) Application for the review of continuing education hours submitted for the director's approval by approved training agencies or by registered environmental health specialists or environmental health specialists in training;

(3) Additional copies of pocket identification cards and wall certificates.

(D) Any fee collected under this section shall be deposited into the general operations fund created in section 3701.83 of the Revised Code. The director shall use the money collected from such fees for the administration and enforcement of this chapter and rules adopted under it.

Sec. 4736.13. The director of health may deny, refuse to renew, revoke, or suspend a certificate of registration to practice in accordance with Chapter 119. of the Revised Code for unprofessional conduct, the practice of fraud or deceit in obtaining a certificate of registration, dereliction of duty, incompetence in the practice of environmental health science, or for other good and sufficient cause.

Sec. 4736.14. The director of health may, upon application and proof of valid registration, issue a certificate of registration to any person who is or has been registered as an environmental health specialist or environmental health specialist in training by any other state, if the requirements of that state at the time of such registration are determined by the director to be at least equivalent to the requirements of this chapter.

Sec. 4736.15. (A) No person shall engage in, or offer to engage in, the practice of environmental health without being registered in accordance with sections ~~4736.01 to 4736.15 of the Revised Code~~ this chapter. ~~An environmental health specialist in training may engage in the practice of environmental health for a period not to exceed five years, provided the environmental health specialist in training is supervised by a registered environmental health specialist. No~~

(B) No person except a registered environmental health specialist shall use the title "registered environmental health specialist" or the abbreviation "R.E.H.S." after the person's name, or represent self as a registered environmental health specialist. ~~Whoever~~

(C)(1) No person except a registered environmental health specialist in training shall use the title "registered environmental health specialist in training" or the abbreviation "E.H.S.I.T." after the person's name, or represent self as a registered environmental health specialist in training.

(2) No environmental health specialist in training shall engage in the active practice of environmental health for a period exceeding six years from the date that the environmental health specialist in training's registration was initially issued. During the period that a person is engaged as an environmental health specialist in training, the person shall undertake the duties of an environmental health specialist in training solely under the supervision of a registered environmental health specialist in good standing. Such supervision is a condition for the advancement of an environmental health specialist in training to an environmental health specialist.

(D) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

Sec. 4736.17. On receipt of a notice pursuant to section 3123.43 of the Revised Code, the director of health shall comply with sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code with respect to a certificate issued pursuant to this chapter.

Sec. 4736.18. The director of health shall comply with section 4776.20 of the Revised Code.

Sec. 4743.02. The examination papers of each applicant examined by boards, commissions, or agencies created under or by virtue of Chapters 3776., 4701. to 4741., 4751., and 4757. of the Revised Code shall be open for inspection by the applicant or his attorney for at least ninety days subsequent to the announcement of the applicant's grade; provided, papers not graded by members of examining boards or their employees and which by terms of a contract with any testing company the papers are not available for inspection, need not be made available for inspection; but it shall be the applicant's right to have any such paper regraded manually, upon written request of either himself or his attorney made to the board within ninety days after announcement of the grade.

Sec. 4743.03. No board, commission, or agency created under or by virtue of Title 47 or Chapter 3776. of the Revised Code shall restrict entry into any occupation, profession, or trade under its supervision or regulation by:

(A) Unreasonably restricting the number of schools or other institutions it certifies or accredits for the purpose of fulfilling educational or training requirements for such occupation, profession, or trade;

(B) Denying certification or accreditation for the purpose of fulfilling such educational or training requirements to any school, college, or other educational institution that has been certified by the Ohio board of regents or the state board of career colleges and schools or to a high school for which the state board of education prescribes minimum standards under division (D) of section 3301.07 of the Revised Code, unless the educational or training program offered by such school, college, or institution is not in substantial compliance with applicable standards of the occupation, profession, or trade.

(C) Rules of state regulatory boards relevant to age and level of education required for admission to courses of study leading to examination and licensing in professions or occupations controlled by regulatory boards not requiring a technical, associate, or baccalaureate degree shall not apply to vocational education programs conducted in the public schools where such vocational education programs in all other respects meet the minimum standards and requirements of any regulatory board and students completing such programs are of the minimum age required for examination and licensing for the purpose of practicing professions or occupations controlled by regulatory boards.

Nothing in this section shall prohibit a board, commission, or agency from prescribing and enforcing educational and training requirements and standards for certification and accreditation of schools and other institutions that constitute reasonable bases for maintaining necessary standards of performance in any occupation, profession, or trade.

Sec. 4743.04. (A) The renewal of a license or other authorization to practice a trade or profession issued under Title XLVII or Chapter 3776, of the Revised Code is subject to the provisions of section 5903.10 of the Revised Code relating to service in the armed forces.

(B) Continuing education requirements applicable to the licensees under Title XLVII or Chapter 3776, of the Revised Code are subject to the provisions of section 5903.12 of the Revised Code relating to active duty military service.

(C) A department, agency, or office of any political subdivision of this state that issues a license or certificate to practice a trade or profession may, pursuant to rules adopted by the department, agency, or office, issue a temporary license or certificate to practice the trade or profession to a person whose spouse is on active military duty in this state.

(D) A department, agency, or office of this state that issues a license or

certificate to practice a trade or profession shall issue a temporary license or certificate to practice the trade or profession as provided in section 4743.041 of the Revised Code.

(E) The issuance of a license or other authorization to practice a trade or profession issued under Title XLVII or Chapter 3776, of the Revised Code is subject to the provisions of section 5903.03 of the Revised Code relating to service in the armed forces.

Sec. 4743.05.(A) Except as otherwise provided in sections 4701.20, 4723.062, 4723.082, 4729.65, 4781.121, and 4781.28 of the Revised Code, all money collected under Chapters 3773., 4701., 4703., 4709., 4713., 4715., 4717., 4723., 4725., 4729., 4732., 4733., 4734., ~~4736.~~, 4741., 4744., 4747., 4753., 4755., 4757., 4758., 4771., 4775., 4779., and 4781. of the Revised Code shall be paid into the state treasury to the credit of the occupational licensing and regulatory fund, which is hereby created for use in administering such chapters.

(B) At the end of each quarter, the director of budget and management shall transfer from the occupational licensing and regulatory fund to the nurse education assistance fund created in section 3333.28 of the Revised Code the amount certified to the director under division (B) of section 4723.08 of the Revised Code.

(C) At the end of each quarter, the director shall transfer from the occupational licensing and regulatory fund to the certified public accountant education assistance fund created in section 4701.26 of the Revised Code the amount certified to the director under division (H)(2) of section 4701.10 of the Revised Code.

(D) On August 30, 2021, and every two years thereafter, the director shall transfer from the occupational licensing and regulatory fund to the veterinary student debt assistance fund created in section 4741.56 of the Revised Code the amount certified to the director under section 4741.57 of the Revised Code.

Sec. 4743.07.The general assembly strongly recommends that every board, commission, or agency that is created under or by virtue of Title XLVII or Chapter 3776, of the Revised Code and that is authorized to grant licensure or certification to persons who may encounter human trafficking victims in the normal course of their work promulgate rules pursuant to Chapter 119. of the Revised Code to require those persons, as a condition of receiving or maintaining licensure or certification, to receive training in the recognition and handling of human trafficking cases.

Sec. 4776.20. (A) As used in this section:

(1) "Licensing agency" means, in addition to each board identified in

division (C) of section 4776.01 of the Revised Code, the board or other government entity authorized to issue a license under Chapters 3776., 4703., 4707., 4709., 4712., 4713., 4719., 4723., 4727., 4728., 4733., 4735., ~~4736.~~, 4737., 4738., 4740., 4742., 4747., 4749., 4752., 4753., 4758., 4759., 4763., 4764., 4765., 4766., 4771., 4773., and 4781. of the Revised Code. "Licensing agency" includes an administrative officer that has authority to issue a license.

(2) "Licensee" means, in addition to a licensee as described in division (B) of section 4776.01 of the Revised Code, the person to whom a license is issued by the board or other government entity authorized to issue a license under Chapters 3776., 4703., 4707., 4709., 4712., 4713., 4719., 4723., 4727., 4728., 4733., 4735., ~~4736.~~, 4737., 4738., 4740., 4742., 4747., 4749., 4751., 4752., 4753., 4758., 4759., 4763., 4764., 4765., 4766., 4771., 4773., and 4781. of the Revised Code.

(3) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code.

(B) On a licensee's conviction of, plea of guilty to, judicial finding of guilt of, or judicial finding of guilt resulting from a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code, the prosecutor in the case shall promptly notify the licensing agency of the conviction, plea, or finding and provide the licensee's name and residential address. On receipt of this notification, the licensing agency shall immediately suspend the licensee's license.

(C) If there is a conviction of, plea of guilty to, judicial finding of guilt of, or judicial finding of guilt resulting from a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised Code and all or part of the violation occurred on the premises of a facility that is licensed by a licensing agency, the prosecutor in the case shall promptly notify the licensing agency of the conviction, plea, or finding and provide the facility's name and address and the offender's name and residential address. On receipt of this notification, the licensing agency shall immediately suspend the facility's license.

(D) Notwithstanding any provision of the Revised Code to the contrary, the suspension of a license under division (B) or (C) of this section shall be implemented by a licensing agency without a prior hearing. After the suspension, the licensing agency shall give written notice to the subject of the suspension of the right to request a hearing under Chapter 119. of the Revised Code. After a hearing is held, the licensing agency shall either revoke or permanently revoke the license of the subject of the suspension, unless it determines that the license holder has not been convicted of, pleaded guilty to, been found guilty of, or been found guilty based on a plea of no contest to the offense of trafficking in persons in violation of section 2905.32 of the Revised

Code.

Sec. 4799.01. In a proceeding held under Title XLVII or Chapter 3776 of the Revised Code to grant, renew, modify, suspend, or revoke a license or other authorization to engage in an occupation, if the person who is the subject of the proceeding is listed on the civil registry established by the attorney general pursuant to section 3797.08 of the Revised Code, the board or other body that makes the determination shall take into consideration the fact that the person is listed on the civil registry.

Sec. 5903.12. (A) As used in this section:

"Continuing education" means continuing education required of a licensee by law and includes, but is not limited to, the continuing education required of licensees under sections 3737.881, 3776.07, 3781.10, 4701.11, 4715.141, 4715.25, 4717.09, 4723.24, 4725.16, 4725.51, 4730.14, 4730.49, 4731.155, 4731.282, 4734.25, 4735.141, ~~4736.11~~, 4741.16, 4741.19, 4751.24, 4751.25, 4755.63, 4757.33, 4759.06, 4761.06, and 4763.07 of the Revised Code.

"Reporting period" means the period of time during which a licensee must complete the number of hours of continuing education required of the licensee by law.

(B) A licensee may submit an application to a licensing agency, stating that the licensee requires an extension of the current reporting period because the licensee has served on active duty during the current or a prior reporting period. The licensee shall submit proper documentation certifying the active duty service and the length of that active duty service. Upon receiving the application and proper documentation, the licensing agency shall extend the current reporting period by an amount of time equal to the total number of months that the licensee spent on active duty during the current reporting period. For purposes of this division, any portion of a month served on active duty shall be considered one full month.

Section 130.41. That existing sections 2925.01, 3701.33, 3701.83, 3717.27, 3717.47, 3718.011, 3718.03, 3742.03, 4736.01, 4736.02, 4736.03, 4736.07, 4736.08, 4736.09, 4736.11, 4736.12, 4736.13, 4736.14, 4736.15, 4736.17, 4736.18, 4743.02, 4743.03, 4743.04, 4743.05, 4743.07, 4776.20, 4799.01, and 5903.12 of the Revised Code are hereby repealed.

Section 130.42. That sections 4736.05, 4736.06, and 4736.10 of the Revised Code are hereby repealed.

Section 130.43. That the version of section 3701.83 of the Revised Code that is scheduled to take effect on September 30, 2024, be amended to read as follows:

Sec. 3701.83. There is hereby created in the state treasury the general

operations fund. Moneys in the fund shall be used for the purposes specified in sections 3701.04, 3701.344, 3711.16, 3717.45, 3718.06, 3721.02, 3721.022, 3729.07, 3733.43, 3748.04, 3748.05, 3748.07, 3748.12, 3748.13, 3749.04, 3749.07, ~~4736.06~~ 3776.08, and 4769.09 of the Revised Code.

Section 130.44. That the existing version of section 3701.83 of the Revised Code that is scheduled to take effect on September 30, 2024, is hereby repealed.

Section 130.45. That the versions of sections 4736.14 and 4743.04 of the Revised Code that are scheduled to take effect on December 29, 2023, be amended and section 4736.14 (3776.10) of the Revised Code that is scheduled to take effect on December 29, 2023, be amended for the purpose of adopting a new section number as indicated in parentheses to read as follows:

Sec. 4736.14. The director of health ~~shall~~ may, upon application and proof of valid registration, issue a certificate of registration ~~in accordance with Chapter 4796. of the Revised Code to a~~ any person if either of the following applies:

(A) ~~The person who~~ is or has been registered as an environmental health specialist or environmental health specialist in training by any other state:

(B) ~~The person has satisfactory work experience, a government certification, or a private certification as described in that chapter as an environmental health specialist in a state that does not issue that certificate of registration, if the requirements of that state at the time of such registration are determined by the director to be at least equivalent to the requirements of this chapter.~~

Sec. 4743.04. (A) The renewal of a license or other authorization to practice a trade or profession issued under Title XLVII ~~or Chapter 3776.~~ of the Revised Code is subject to the provisions of section 5903.10 of the Revised Code relating to service in the armed forces.

(B) Continuing education requirements applicable to the licensees under Title XLVII ~~or Chapter 3776.~~ of the Revised Code are subject to the provisions of section 5903.12 of the Revised Code relating to active duty military service.

(C) A department, agency, or office of this state that issues a license or certificate to practice a trade or profession shall issue a temporary license or certificate to practice the trade or profession as provided in section 4743.041 of the Revised Code.

(D) The issuance of a license or other authorization to practice a trade or profession issued under Title XLVII ~~or Chapter 3776.~~ of the Revised Code is subject to the provisions of section 5903.03 of the Revised Code relating to

service in the armed forces.

Section 130.46. That the existing versions of sections 4736.14 and 4743.04 of the Revised Code that are scheduled to take effect on December 29, 2023, are hereby repealed.

Section 130.47. That the version of section 4736.10 of the Revised Code that is scheduled to take effect on December 29, 2023, is hereby repealed. The outright repeal by this act of section 4736.10 of the Revised Code supersedes the amendment of that section scheduled to take effect on December 29, 2023, as prescribed by Section 1 of S.B. 131 of the 134th General Assembly.

Section 130.48. Sections 130.45, 130.46, and 130.47 of this act take effect on December 29, 2023.

Sections 130.43 and 130.44 of this act take effect on September 30, 2024.

Section 130.49. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 2925.01 of the Revised Code as amended by H.B. 281, H.B. 509, and S.B. 25, all of the 134th General Assembly.

Section 4736.08 of the Revised Code as amended by both H.B. 442 and H.B. 263 of the 133rd General Assembly."

In line 56 of the title, after "2151.231," insert "2151.315,"

In line 174 of the title, after "5103.05," insert "5103.162,"

In line 803, after "2151.231," insert "2151.315,"

In line 889, after "5103.05," insert "5103.162,"

After line 34840, insert:

"Sec. 2151.315. (A) As used in this section:

(1) ~~"age-appropriate"~~ Age-appropriate means activities or items that are generally accepted as suitable for children of the same chronological age or level of maturity. Age appropriateness is based on the development of cognitive, emotional, physical, and behavioral capacity that is typical for an age or age group.

(2) "Resource caregiver" has the same meaning as in section 5103.02 of the Revised Code.

(B) A child who is placed with a resource caregiver or who is subject to

out-of-home care for alleged or adjudicated abused, neglected, or dependent children is entitled to participate in age-appropriate extracurricular, enrichment, and social activities.

(C) A resource caregiver or a person or facility that is providing out-of-home care for an alleged or adjudicated abused, neglected, or dependent child shall consider all of the following when determining whether to give permission for that child to participate in extracurricular, enrichment, or social activities:

(1) The child's age, maturity, and developmental level to maintain the overall health and safety of the child;

(2) The potential risk factors and the appropriateness of the extracurricular, enrichment, or social activity;

(3) The best interest of the child based on information known by the resource caregiver or a person or facility providing out-of-home care for ~~an alleged or adjudicated abused, neglected, or dependent~~ the child;

(4) The importance of encouraging the child's emotional and developmental growth;

(5) The importance of providing the child with the most family-like living experience possible;

(6) The behavioral history of the child and the child's ability to safely participate in the extracurricular, enrichment, or social activity.

(D) A resource caregiver or person or facility that provides out-of-home care to an alleged or adjudicated abused, neglected, or dependent child shall be immune from liability in a civil action to recover damages for injury, death, or loss to person or property caused to the child who participates in an extracurricular, enrichment, or social activity approved by the resource caregiver, person, or facility provided that the resource caregiver, person, or facility considered the factors described in division (C) of this section."

After line 98133, insert:

"**Sec. 5103.162.**(A) Except as provided in division (B) of this section, a ~~foster~~ resource caregiver shall be immune from liability in a civil action to recover damages for injury, death, or loss to person or property allegedly caused by an act or omission in connection with a power, duty, responsibility, or authorization under this chapter or under rules adopted under authority of this chapter.

(B) The immunity described in division (A) of this section does not apply to a ~~foster~~ resource caregiver if, in relation to the act or omission in question, any of the following applies:

(1) The act or omission was manifestly outside the scope of the ~~foster~~ resource caregiver's power, duty, responsibility, or authorization.

(2) The act or omission was with malicious purpose, in bad faith, or in a wanton or reckless manner.

(3) Liability for the act or omission is expressly imposed by a section of the Revised Code.

(C)(1) A ~~foster~~ resource caregiver shall use a reasonable and prudent parent standard when considering whether to authorize a foster child who resides in the ~~foster~~ resource home to participate in extracurricular, enrichment, and social activities.

(2) A public children services agency, private child placing agency, or private noncustodial agency that serves as the child's custodian or as the supervising agency for the ~~foster~~ resource caregiver shall be immune from liability in a civil action to recover damages for injury, death, or loss to person or property that result from a ~~foster~~ resource caregiver's or agency's decisions using a reasonable and prudent parent standard in accordance with division (C)(1) of this section.

(3) Nothing in this section shall affect, limit, abridge, or otherwise modify the immunities and defenses available to a public children services agency as a political subdivision under Chapter 2744. of the Revised Code.

(4) As used in this section, "reasonable and prudent parent standard" means the standard characterized by careful and sensible parental decisions that maintain the child's health, safety, and best interests while at the same time encouraging the child's emotional and developmental growth, that a caregiver or agency shall use when determining whether to allow a child in the care of a ~~foster~~ resource caregiver to participate in extracurricular, enrichment, and social activities."

In line 124626, after "2151.231," insert "2151.315,"

In line 124712, after "5103.05," insert "5103.162,"

In line 244 of the title, delete "3109.054,"

In line 940, delete "3109.054,"

Delete lines 39277 through 39306

In line 133 of the title, delete "4501.27,"

In line 170 of the title, delete "5101.33,"

In line 267 of the title, delete "5101.331,"

In line 859, delete "4501.27,"

In line 886, delete "5101.33,"

In line 957, delete "5101.331,"

Delete lines 76652 through 76843

Delete lines 96745 through 96840

In line 124683, delete "4501.27,"

In line 124709, delete "5101.33,"

Delete lines 97258 through 97267

In line 268 of the title, delete "5101.546,"

In line 957, delete "5101.546,"

Delete lines 97268 through 97271

In line 268 of the title, delete "5101.75,"

In line 958, delete "5101.75,"

Delete lines 97290 through 97304

In line 268 of the title, delete "5101.549,"

In line 958, delete "5101.549,"

Delete lines 97282 through 97289

In line 278 of the title, after "5751.55," insert "and"; delete ", and 6301.13"

In line 965, after "5751.55," insert "and"

In line 966, delete ", and 6301.13"

Delete lines 124578 through 124583

In line 272 of the title, delete "5163.51,"

In line 961 delete "5163.51,"

Delete lines 104566 through 104585

Delete lines 281807 through 281813

Delete lines 111407 and 111408

In line 111409, delete "appears on the tax list as a subdivided parcel" and insert "the purchase price of the original property"

Delete lines 111439 through 111442 and insert:

"(7) "Purchase price" means the price at which the property was most recently sold in an arm's length transaction, as described in section 5713.03 of

the Revised Code."

Delete lines 281247 through 281307

In line 186 of the title, delete "5164.02,"

In line 898, delete "5164.02,"

Delete lines 104586 through 104613

In line 124722, delete "5164.02,"

Delete lines 273465 through 273499

In line 273 of the title, after "5164.913," insert "5164.96,"

In line 962, after "5164.913," insert "5164.96,"

After line 105825, insert:

"Sec. 5164.96.(A) As used in this section, "ground emergency medical transportation service provider" means a public emergency medical service organization as defined in section 4765.01 of the Revised Code.

(B)(1) The medicaid director shall submit a medicaid state plan amendment to the United States centers for medicare and medicaid services seeking authorization to establish and administer a supplemental payment program to provide supplemental medicaid payments to eligible ground emergency medical transportation service providers. If approved, the medicaid director shall establish and administer the program.

(2) To be eligible to receive payments under the supplemental payment program, a ground emergency medical transportation service provider must hold a valid medicaid provider agreement and provide emergency medical transportation services to medicaid recipients.

(C) The medicaid director shall adopt rules in accordance with Chapter 119. of the Revised Code to implement this section."

In line 186 of the title, delete "5162.07,"

In line 897, delete "5162.07,"

Delete lines 104297 through 104335

In line 124721, delete "5162.07,"

In line 272 of the title, delete "5162.138,"

In line 961, delete "5162.138,"

Delete lines 104341 through 104392

In line 107833, delete "November" and insert "February"; delete "2024"

and insert "2025"

In line 107834, delete "December" and insert "March"; delete "2024" and insert "2025"

In line 273 of the title, delete "5167.50,"

In line 962, delete "5167.50,"

Delete lines 107959 through 108021

Delete lines 281656 through 281664

In line 709 after the semicolon, delete the balance of the line

Delete lines 710 through 728

In line 729, delete "changes on and after that effective date;"

Delete lines 257615 through 265922

In line 164 of the title, delete "4773.06,"

In line 882, delete "4773.06,"

Delete lines 94567 through 94604

In line 124705, delete "4773.06,"

Delete lines 54046 through 54080 and insert:

"Sec. 3319.2213. (A) The state board of education shall enter into an agreement with a construction trade organization located in this state, such as affiliated construction trades (ACT) Ohio, or its successor organization, to develop a training program to educate school counselors about building and construction trades career pathways.

A training program developed under this section shall be completed at a building and construction trades training facility and include information about both of the following:

(1) The pay and benefits available to people who work in the building and construction trades;

(2) Job opportunities and available apprenticeships for boilermakers, electrical workers, bricklayers, insulators, laborers, iron workers, plumbers and pipefitters, roofers, plasterers and cement masons, sheet metal workers, painters and glazers, elevator constructors, operating engineers, carpenters, and teamsters.

(B)(1) A licensed school counselor serving students in any of grades seven through twelve shall complete four hours of training developed under this section every five years. This training shall qualify toward meeting

professional development activity requirements for the renewal of a pupil services license in school counseling. An individual who begins working with students in any of grades seven through twelve in the last two years of the individual's five-year renewal cycle shall complete this requirement during the following license renewal cycle.

(2) Local professional development committees established under section 3319.22 of the Revised Code shall incorporate this training as part of the independent professional development programs for school counselors that serve students in any of grades seven through twelve.

(C) Participating building and construction trades shall ensure ample opportunities for school counselors to complete the training prescribed under this section during each renewal cycle for licensure. Participating building and construction trades training facilities or the entity with which the state board enters into an agreement under this section shall bear all costs associated with this training."

In line 148 of the title, delete "4729.41,"

In line 870, delete "4729.41,"

Delete lines 84288 through 84418

In line 124694, delete "4729.41,"

In line 5 of the title, after "109.112," insert "109.42,"; after "109.572," insert "109.68,"

In line 61 of the title, after "2930.16," insert "2933.82,"

In line 243 of the title, after "2329.261," insert "2933.821,"

In line 765, after "109.112," insert "109.42,"; after "109.572," insert "109.68,"

In line 807, after "2930.16," insert "2933.82"

In line 940, after "2329.261," insert "2933.821,"

After line 2597, insert:

"Sec. 109.42. (A) The attorney general shall prepare and have printed a pamphlet that contains a compilation of all constitutional provisions and statutes relative to victim's rights in which the attorney general lists and explains the constitutional provisions and statutes in the form of a victim's bill of rights. The attorney general shall make the pamphlet available to all sheriffs, marshals, municipal corporation and township police departments, constables, and other law enforcement agencies, to all prosecuting attorneys, city directors of law, village solicitors, and other similar chief legal officers of municipal corporations, and to organizations that represent or provide services

for victims of crime. The victim's bill of rights set forth in the pamphlet shall contain a description of all of the rights of victims that are provided for in the Ohio Constitution, or in Chapter 2930, or any other section of the Revised Code and shall include, but not be limited to, all of the following:

(1) The right of a victim and a victim's representative, if applicable, to attend a proceeding before a grand jury, in a juvenile delinquency case, or in a criminal case without being discharged from the victim's or victim's representative's employment, having the victim's or victim's representative's employment terminated, having the victim's or victim's representative's pay decreased or withheld, or otherwise being punished, penalized, or threatened as a result of time lost from regular employment because of the victim's or victim's representative's attendance at the proceeding, as set forth in section 2151.211, 2930.18, 2939.121, or 2945.451 of the Revised Code;

(2) The potential availability pursuant to section 2151.359 or 2152.61 of the Revised Code of a forfeited recognizance to pay damages caused by a child when the delinquency of the child or child's violation of probation or community control is found to be proximately caused by the failure of the child's parent or guardian to subject the child to reasonable parental authority or to faithfully discharge the conditions of probation or community control;

(3) The availability of awards of reparations pursuant to sections 2743.51 to 2743.72 of the Revised Code for injuries caused by criminal offenses;

(4) The opportunity to obtain a court order, pursuant to section 2945.04 of the Revised Code, to prevent or stop the commission of the offense of intimidation of a crime victim or witness or an offense against the person or property of the complainant, or of the complainant's ward or child;

(5) The right of the victim and the victim's representative pursuant to the Ohio Constitution and sections 2151.38, 2929.20, 2930.10, 2930.16, and 2930.17 of the Revised Code to receive notice of a pending motion for judicial release or other early release of the person who committed the offense against the victim, to make a statement orally, in writing, or both at the court hearing on the motion, and to be notified of the court's decision on the motion;

(6) The right of the victim and the victim's representative, if applicable, pursuant to the Ohio Constitution and section 2930.16, 2967.12, 2967.26, 2967.271, or 5139.56 of the Revised Code to receive notice of any pending commutation, pardon, parole, transitional control, discharge, other form of authorized release, post-release control, or supervised release for the person who committed the offense against the victim or any application for release of that person and to send a written statement relative to the victimization and the pending action to the adult parole authority or the release authority of the department of youth services;

(7) The right of the victim to bring a civil action pursuant to sections 2969.01 to 2969.06 of the Revised Code to obtain money from the offender's profit fund;

(8) The right, pursuant to section 3109.09 of the Revised Code, to maintain a civil action to recover compensatory damages not exceeding ten thousand dollars and costs from the parent of a minor who willfully damages property through the commission of an act that would be a theft offense, as defined in section 2913.01 of the Revised Code, if committed by an adult;

(9) The right, pursuant to section 3109.10 of the Revised Code, to maintain a civil action to recover compensatory damages not exceeding ten thousand dollars and costs from the parent of a minor who willfully and maliciously assaults a person;

(10) The right of the victim, pursuant to section 2152.20, 2152.203, 2929.18, 2929.28, or 2929.281 of the Revised Code, to receive restitution from an offender or a delinquent child;

(11) The right of a victim of domestic violence, including domestic violence in a dating relationship as defined in section 3113.31 of the Revised Code, to seek the issuance of a civil protection order pursuant to that section, the right of a victim of a violation of section 2903.14, 2909.06, 2909.07, 2911.12, 2911.211, or 2919.22 of the Revised Code, a violation of a substantially similar municipal ordinance, or an offense of violence who is a family or household member of the offender at the time of the offense to seek the issuance of a temporary protection order pursuant to section 2919.26 of the Revised Code, and the right of both types of victims to be accompanied by a victim advocate during court proceedings;

(12) The right of a victim of a sexually oriented offense or of a child-victim oriented offense that is committed by a person who is convicted of, pleads guilty to, or is adjudicated a delinquent child for committing the offense and who is in a category specified in division (B) of section 2950.10 of the Revised Code to receive, pursuant to that section, notice that the person has registered with a sheriff under section 2950.04, 2950.041, or 2950.05 of the Revised Code and notice of the person's name, the person's residence that is registered, and the offender's school, institution of higher education, or place of employment address or addresses that are registered, the person's photograph, and a summary of the manner in which the victim must make a request to receive the notice. As used in this division, "sexually oriented offense" and "child-victim oriented offense" have the same meanings as in section 2950.01 of the Revised Code.

(13) The right of a victim of certain sexually violent offenses committed by an offender who also is convicted of or pleads guilty to a sexually violent predator specification and who is sentenced to a prison term pursuant to

division (A)(3) of section 2971.03 of the Revised Code, of a victim of a violation of division (A)(1)(b) of section 2907.02 of the Revised Code committed on or after January 2, 2007, by an offender who is sentenced for the violation pursuant to division (B)(1)(a), (b), or (c) of section 2971.03 of the Revised Code, of a victim of an attempted rape committed on or after January 2, 2007, by an offender who also is convicted of or pleads guilty to a specification of the type described in section 2941.1418, 2941.1419, or 2941.1420 of the Revised Code and is sentenced for the violation pursuant to division (B)(2)(a), (b), or (c) of section 2971.03 of the Revised Code, and of a victim of an offense that is described in division (B)(3)(a), (b), (c), or (d) of section 2971.03 of the Revised Code and is committed by an offender who is sentenced pursuant to one of those divisions to receive, pursuant to section 2930.16 of the Revised Code, notice of a hearing to determine whether to modify the requirement that the offender serve the entire prison term in a state correctional facility, whether to continue, revise, or revoke any existing modification of that requirement, or whether to terminate the prison term. As used in this division, "sexually violent offense" and "sexually violent predator specification" have the same meanings as in section 2971.01 of the Revised Code.

(14) The right of a victim of a sexually oriented offense to information regarding the status of the sexual assault examination kit collected from the victim pursuant to section 109.68 of the Revised Code.

(B)(1)(a) A prosecuting attorney, assistant prosecuting attorney, city director of law, assistant city director of law, village solicitor, assistant village solicitor, or similar chief legal officer of a municipal corporation or an assistant of any of those officers who prosecutes an offense committed in this state, upon first contact with the victim of the offense, the victim's family, or the victim's dependents, shall give the victim, the victim's family, or the victim's dependents a copy of the victim's rights request form created under section 2930.04 of the Revised Code, or a similar form that, at a minimum, contains all the required information listed in that section, and the pamphlet prepared pursuant to division (A) of this section and explain, upon request, the information in the form and pamphlet to the victim, the victim's family, or the victim's dependents. The victim may receive either through the online version of the pamphlet published to the attorney general's web site, or as a paper copy, upon request.

(b) A law enforcement agency that investigates a criminal offense or delinquent act committed in this state shall give the victim of the criminal offense or delinquent act, the victim's family, or the victim's dependents a copy of the form and pamphlet prepared pursuant to division (A) of this section at one of the following times:

(i) Upon first contact with the victim, the victim's family, or the victim's

dependents, a peace officer from the law enforcement agency investigating the criminal offense or delinquent act against the victim shall determine whether the victim has access to the internet and whether the victim would prefer to access the victim's rights pamphlet online or if the victim requires a paper copy. The peace officer may give the victim a paper copy upon first contact, if requested, or the peace officer may provide the victim with the attorney general's telephone number to access the pamphlet at a later time. The attorney general shall provide a web site address at which a printable version of the victim's rights pamphlet that can be downloaded and printed locally may be found. The attorney general shall provide limited paper copies of the victim's rights pamphlets upon request to law enforcement agencies that order copies directly from the attorney general and to law enforcement agencies and prosecutors to provide to victims who do not have internet access or who would prefer a paper copy. The attorney general shall create a page within the attorney general's web site that is easy to access and navigate that contains the entire content of the victim's rights pamphlet and a link to the web site address at which a printable version of the victim's rights pamphlet may be found.

(ii) If the circumstances of the criminal offense or delinquent act and the condition of the victim, the victim's family, or the victim's dependents indicate that the victim, the victim's family, or the victim's dependents will not be able to understand the significance of the form and pamphlet upon first contact with the agency, and if the agency anticipates that it will have an additional contact with the victim, the victim's family, or the victim's dependents, upon the agency's second contact with the victim, the victim's family, or the victim's dependents.

If the agency does not give the victim, the victim's family, or the victim's dependents a copy of the form and pamphlet upon first contact with them and does not have a second contact with the victim, the victim's family, or the victim's dependents, the agency shall mail a copy of the form and pamphlet to the victim, the victim's family, or the victim's dependents at their last known address.

(c)(i) The attorney general shall create an information card which contains all of the following:

(I) An outline list of victim's rights contained in the Ohio Constitution and Revised Code;

(II) A reference to the victim's rights request form;

(III) The attorney general's crime victim's services office telephone number, electronic mailing address, web site address, and contact address, and a description of how to access victim's rights information;

(IV) The Ohio crime victim's justice center's telephone number, electronic mailing address, and contact address, and the web site address for accessing the center's victim's rights toolkit.

(ii) Upon first contact with the victim, the law enforcement agency shall provide the victim with the information card.

(2) A law enforcement agency, a prosecuting attorney or assistant prosecuting attorney, or a city director of law, assistant city director of law, village solicitor, assistant village solicitor, or similar chief legal officer of a municipal corporation that distributes a copy of the form and pamphlet prepared pursuant to division (A) of this section shall not be required to distribute a copy of an information card or other printed material provided by the clerk of the court of claims pursuant to section 2743.71 of the Revised Code.

(C) The cost of printing and distributing the form and pamphlet prepared pursuant to division (A) of this section shall be paid out of the reparations fund, created pursuant to section 2743.191 of the Revised Code, in accordance with division (D) of that section.

(D) As used in this section:

(1) "Criminal offense," "delinquent act," and "victim's representative" have the same meanings as in section 2930.01 of the Revised Code;

(2) "Victim advocate" has the same meaning as in section 2919.26 of the Revised Code."

After line 3195, insert:

"Sec. 109.68. (A) As used in this section, "victim" means a person from whom a sexual assault examination kit was collected.

(B) In consultation with the attorney general's advisory group on sexual assault examination kit tracking, the attorney general shall develop recommendations for establishing a statewide sexual assault examination kit tracking system. Based on those recommendations, the attorney general shall create, operate, and maintain the statewide tracking system and shall identify and allocate money for that purpose from the appropriate funds available to the attorney general.

~~(B)~~**(C)** The attorney general may contract with state or private entities, including private software and technology providers, for the creation, operation, and maintenance of the statewide tracking system. The tracking system shall do all of the following:

(1) Track the status of sexual assault examination kits from the collection site through the criminal justice process, including the initial collection at

medical facilities, inventory and storage by law enforcement agencies, analysis at crime laboratories, and storage or destruction after completion of analysis;

(2) Allow all entities that receive, maintain, store, or preserve sexual assault examination kits to update the status and location of the kits;

(3) Allow individuals to anonymously access the statewide tracking system regarding the location and status of their sexual assault examination kit.

~~(C)~~(D)(1) A victim may request the following from the appropriate official with custody of the kit:

(a) Information regarding the testing date and results of the kit;

(b) Whether a DNA profile was obtained from the kit;

(c) Whether a match was found to that DNA profile in state or federal databases;

(d) The estimated destruction date of the kit.

The victim is entitled to receive this information in writing, by electronic mail, or by telephone, as designated by the victim.

(2) A victim who has requested information regarding the tracking of the victim's sexual assault examination kit shall be informed by the appropriate official with custody of the kit when there is any change in the status of the case, including if the case has been closed or reopened.

(3) A victim may request written notification from the appropriate official with custody of the kit notice of the destruction or disposal date of the kit and shall receive that notice not later than sixty days before the date of the intended destruction or disposal.

(4) A victim may request further preservation of the sexual assault examination kit or its probative contents beyond the intended destruction or disposal date as provided under section 2933.82 of the Revised Code, for a period of up to thirty years.

(5) In responding to a victim's request under divisions (D)(1) to (4) of this section, the appropriate official with custody of the kit also shall provide the victim with information about the victim's right to apply for an award of reparations pursuant to section 2743.56 of the Revised Code.

(E) Not later than one year after creation of the statewide tracking system, all entities in the chain of custody of sexual assault examination kits shall participate in the system.

~~(D)~~(F) The attorney general may adopt rules under Chapter 119. of the Revised Code to facilitate the implementation of the statewide sexual assault

examination kit tracking system pursuant to this section. Except as provided in division (B)(3) of this section, information contained in the statewide tracking system is confidential and not subject to public disclosure."

After line 38109, insert:

"Sec. 2933.82. (A) As used in this section:

(1)(a) "Biological evidence" means any of the following:

(i) The contents of a sexual assault examination kit;

(ii) Any item that contains blood, semen, hair, saliva, skin tissue, fingernail scrapings, bone, bodily fluids, or any other identifiable biological material that was collected as part of a criminal investigation or delinquent child investigation and that reasonably may be used to incriminate or exculpate any person for an offense or delinquent act.

(b) The definition of "biological evidence" set forth in division (A)(1)(a) of this section applies whether the material in question is cataloged separately, such as on a slide or swab or in a test tube, or is present on other evidence, including, but not limited to, clothing, ligatures, bedding or other household material, drinking cups or containers, or cigarettes.

(2) "Biological material" has the same meaning as in section 2953.71 of the Revised Code.

(3) "DNA," "DNA analysis," "DNA database," "DNA record," and "DNA specimen" have the same meanings as in section 109.573 of the Revised Code.

(4) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code.

(5) "Governmental evidence-retention entity" means all of the following:

(a) Any law enforcement agency, prosecutor's office, court, public hospital, crime laboratory, or other governmental or public entity or individual within this state that is charged with the collection, storage, or retrieval of biological evidence;

(b) Any official or employee of any entity or individual described in division (A)(5)(a) of this section.

(B)(1) Each governmental evidence-retention entity that secures any sexual assault examination kit in relation to an investigation or prosecution of a criminal offense or delinquent act that is a violation of section 2905.32 of the Revised Code, or any biological evidence in relation to an investigation or prosecution of a criminal offense or delinquent act that is a violation of section 2903.01, 2903.02, or 2903.03, a violation of section 2903.04 or

2903.06 that is a felony of the first or second degree, a violation of section 2907.02 or 2907.03 or division (A)(4) or (B) of section 2907.05 of the Revised Code, or an attempt to commit a violation of section 2907.02 of the Revised Code shall secure the biological evidence for whichever of the following periods of time is applicable:

(a) For a violation of section 2903.01 or 2903.02 of the Revised Code, for the period of time that the offense or act remains unsolved;

(b) For a violation of section 2903.03 or 2905.32, a violation of section 2903.04 or 2903.06 that is a felony of the first or second degree, a violation of section 2907.02 or 2907.03 or of division (A)(4) or (B) of section 2907.05 of the Revised Code, or an attempt to commit a violation of section 2907.02 of the Revised Code, for a period of thirty years if the offense or act remains unsolved;

(c) If any person is convicted of or pleads guilty to the offense, or is adjudicated a delinquent child for committing the delinquent act, for the earlier of the following: (i) the expiration of the latest of the following periods of time that apply to the person: the period of time that the person is incarcerated, is in a department of youth services institution or other juvenile facility, is under a community control sanction for that offense, is under any order of disposition for that act, is on probation or parole for that offense, is under judicial release or supervised release for that act, is under post-release control for that offense, is involved in civil litigation in connection with that offense or act, or is subject to registration and other duties imposed for that offense or act under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code or (ii) thirty years. If after the period of thirty years the person remains incarcerated, then the governmental evidence-retention entity shall secure the biological evidence until the person is released from incarceration or dies.

(2)(a) A law enforcement agency shall review all of its records and reports pertaining to its investigation of any offense specified in division (B)(1) of this section, except a violation of section 2905.32 of the Revised Code, as soon as possible after March 23, 2015. A law enforcement agency shall review all of its records and reports pertaining to its investigation of any violation of section 2905.32 of the Revised Code as soon as possible after ~~the effective date of this amendment~~ April 4, 2023. If the law enforcement agency's review determines that one or more persons may have committed or participated in an offense specified in division (B)(1) of this section or another offense committed during the course of an offense specified in division (B)(1) of this section and the agency is in possession of a sexual assault examination kit secured during the course of the agency's investigation, as soon as possible, but not later than one year after March 23, 2015, or, in the case of a violation of section 2905.32 of the Revised Code,

not later than one year after ~~the effective date of this amendment~~ April 4, 2023, the agency shall forward the contents of the kit to the bureau of criminal identification and investigation or another crime laboratory for a DNA analysis of the contents of the kit if a DNA analysis has not previously been performed on the contents of the kit. The law enforcement agency shall consider the period of time remaining under section 2901.13 of the Revised Code for commencing the prosecution of a criminal offense related to the DNA specimens from the kit as well as other relevant factors in prioritizing the forwarding of the contents of sexual assault examination kits.

(b) If an investigation is initiated on or after March 23, 2015, or, in the case of a violation of section 2905.32 of the Revised Code, on or after ~~the effective date of this amendment~~ April 4, 2023, and if a law enforcement agency investigating an offense specified in division (B)(1) of this section determines that one or more persons may have committed or participated in an offense specified in division (B)(1) of this section or another offense committed during the course of an offense specified in division (B)(1) of this section, the law enforcement agency shall forward the contents of a sexual assault examination kit in the agency's possession to the bureau or another crime laboratory within thirty days for a DNA analysis of the contents of the kit.

(c) A law enforcement agency shall be considered in the possession of a sexual assault examination kit that is not in the law enforcement agency's possession for purposes of divisions (B)(2)(a) and (b) of this section if the sexual assault examination kit contains biological evidence related to the law enforcement agency's investigation of an offense specified in division (B)(1) of this section and is in the possession of another government evidence-retention entity. The law enforcement agency shall be responsible for retrieving the sexual assault examination kit from the government evidence-retention entity and forwarding the contents of the kit to the bureau or another crime laboratory as required under divisions (B)(2)(a) and (b) of this section.

(d)(i) The bureau or a laboratory under contract with the bureau pursuant to division (B)(5) of section 109.573 of the Revised Code shall perform a DNA analysis of the contents of any sexual assault examination kit forwarded to the bureau pursuant to division (B)(2)(a) or (b) of this section as soon as possible after the bureau receives the contents of the kit. The bureau shall enter the resulting DNA record into a DNA database. If the DNA analysis is performed by a laboratory under contract with the bureau, the laboratory shall forward the biological evidence to the bureau immediately after the laboratory performs the DNA analysis. A crime laboratory shall perform a DNA analysis of the contents of any sexual assault examination kit forwarded to the crime laboratory pursuant to division (B)(2)(a) or (b) of this section as soon as possible after the crime laboratory receives the contents of the kit and shall enter the resulting DNA record into a DNA database subject to the applicable

DNA index system standards.

(ii) Upon the completion of the DNA analysis by the bureau or a crime laboratory under contract with the bureau under this division, the bureau shall return the contents of the sexual assault examination kit to the law enforcement agency. The law enforcement agency shall secure the contents of the sexual assault examination kit in accordance with division (B)(1) of this section, as applicable.

(e) The failure of any law enforcement agency to comply with any time limit specified in this section shall not create, and shall not be construed as creating, any basis or right to appeal, claim for or right to postconviction relief, or claim for or right to a new trial or any other claim or right to relief by any person.

(f) All governmental evidence-retention entities shall submit reports regarding sexual assault examination kit inventory to the attorney general as required under section 2933.821 of the Revised Code.

(3) This section applies to sexual assault examination kits in the possession of any governmental evidence-retention entity during an investigation or prosecution of a criminal offense or delinquent act that is a violation of section 2905.32 of the Revised Code, and any evidence likely to contain biological material that was in the possession of any governmental evidence-retention entity during the investigation and prosecution of a criminal case or delinquent child case involving a violation of section 2903.01, 2903.02, or 2903.03, a violation of section 2903.04 or 2903.06 that is a felony of the first or second degree, a violation of section 2907.02 or 2907.03 or of division (A)(4) or (B) of section 2907.05 of the Revised Code, or an attempt to commit a violation of section 2907.02 of the Revised Code.

(4) A governmental evidence-retention entity that possesses biological evidence shall retain the biological evidence in the amount and manner sufficient to develop a DNA record from the biological material contained in or included on the evidence.

(5) Upon written request by the defendant in a criminal case or the alleged delinquent child in a delinquent child case involving a violation of section 2903.01, 2903.02, 2903.03, or 2905.32, a violation of section 2903.04 or 2903.06 that is a felony of the first or second degree, a violation of section 2907.02 or 2907.03 or of division (A)(4) or (B) of section 2907.05 of the Revised Code, or an attempt to commit a violation of section 2907.02 of the Revised Code, a governmental evidence-retention entity that possesses biological evidence shall prepare an inventory of the biological evidence that has been preserved in connection with the defendant's criminal case or the alleged delinquent child's delinquent child case.

(6) Except as otherwise provided in division (B)(8) of this section, a governmental evidence-retention entity that possesses biological evidence that includes biological material may destroy the evidence before the expiration of the applicable period of time specified in division (B)(1) of this section if all of the following apply:

(a) No other provision of federal or state law requires the state to preserve the evidence.

(b) The governmental evidence-retention entity, by certified mail, return receipt requested, provides notice of intent to destroy the evidence to all of the following:

(i) All persons who remain in custody, incarcerated, in a department of youth services institution or other juvenile facility, under a community control sanction, under any order of disposition, on probation or parole, under judicial release or supervised release, under post-release control, involved in civil litigation, or subject to registration and other duties imposed for that offense or act under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code as a result of a criminal conviction, delinquency adjudication, or commitment related to the evidence in question;

(ii) The attorney of record for each person who is in custody in any circumstance described in division (B)(6)(b)(i) of this section if the attorney of record can be located;

(iii) The state public defender;

(iv) The office of the prosecutor of record in the case that resulted in the custody of the person in custody in any circumstance described in division (B)(6)(b)(i) of this section;

(v) The attorney general.

(c) No person who is notified under division (B)(6)(b) of this section does either of the following within one year after the date on which the person receives the notice:

(i) Files a motion for testing of evidence under sections 2953.71 to 2953.81 or section 2953.82 of the Revised Code;

(ii) Submits a written request for retention of evidence to the governmental evidence-retention entity that provided notice of its intent to destroy evidence under division (B)(6)(b) of this section.

(7) Except as otherwise provided in division (B)(8) of this section, if, after providing notice under division (B)(6)(b) of this section of its intent to destroy evidence, a governmental evidence-retention entity receives a written request for retention of the evidence from any person to whom the notice is provided,

the governmental evidence-retention entity shall retain the evidence while the person referred to in division (B)(6)(b)(i) of this section remains in custody, incarcerated, in a department of youth services institution or other juvenile facility, under a community control sanction, under any order of disposition, on probation or parole, under judicial release or supervised release, under post-release control, involved in civil litigation, or subject to registration and other duties imposed for that offense or act under sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised Code as a result of a criminal conviction, delinquency adjudication, or commitment related to the evidence in question.

(8) A governmental evidence-retention entity that possesses biological evidence that includes biological material may destroy the evidence five years after a person pleads guilty or no contest to a violation of section 2903.01, 2903.02, 2903.03, or 2905.32, a violation of section 2903.04 or 2903.06 that is a felony of the first or second degree, a violation of section 2907.02, 2907.03, division (A)(4) or (B) of section 2907.05, or an attempt to commit a violation of section 2907.02 of the Revised Code and all appeals have been exhausted unless, upon either of the following applies:

(a) Upon a motion to the court by the person who pleaded guilty or no contest or the person's attorney and notice to those persons described in division (B)(6)(b) of this section requesting that the evidence not be destroyed, the court finds good cause as to why that evidence must be retained.

(b) A victim submits a request pursuant to section 109.68 of the Revised Code for further preservation of a sexual assault examination kit or its probative contents beyond the intended destruction or disposal date.

(9) A governmental evidence-retention entity shall not be required to preserve physical evidence pursuant to this section that is of such a size, bulk, or physical character as to render retention impracticable. When retention of physical evidence that otherwise would be required to be retained pursuant to this section is impracticable as described in this division, the governmental evidence-retention entity that otherwise would be required to retain the physical evidence shall remove and preserve portions of the material evidence likely to contain biological evidence related to the offense, in a quantity sufficient to permit future DNA testing before returning or disposing of that physical evidence.

(C) The office of the attorney general shall administer and conduct training programs for law enforcement officers and other relevant employees who are charged with preserving and cataloging biological evidence regarding the methods and procedures referenced in this section.

Sec. 2933.821.(A) As used in this section, "governmental evidence-

retention entity" has the same meaning as in section 2933.82 of the Revised Code.

(B) Within one hundred eighty days after the effective date of this section, and annually thereafter, all governmental evidence-retention entities that receive, maintain, store, or preserve sexual assault evidence kits shall submit a report containing all of the following information to the attorney general:

(1) The total number of all tested and untested sexual assault examination kits in possession of each governmental evidence-retention entity, and for each untested kit whether the sexual assault was reported to law enforcement or whether the victim chose not to file a report with law enforcement.

(2) If the governmental evidence-retention entity is a medical facility, the date each untested sexual assault examination kit was reported to law enforcement, if applicable, and the date the kit was delivered to the medical facility.

(3) If the governmental evidence-retention entity is a law enforcement agency, the date each untested sexual assault examination kit was received from a medical facility, the date the kit was submitted to a crime laboratory, or for any kit not submitted to a crime laboratory, the reason the kit was not submitted.

(4) If an untested sexual assault examination kit belongs to another jurisdiction, the date that jurisdiction was notified and the date the kit was retrieved by that jurisdiction, if applicable.

(5) If the governmental evidence-retention entity is a crime laboratory:

(a) The date each sexual assault examination kit was received from law enforcement and from which agency the kit was received;

(b) The date the kit was tested, if applicable;

(c) The date the kit test results were entered into the combined DNA index system maintained by the bureau of criminal identification and investigation or other relevant state or local DNA databases, if applicable, or if a DNA profile has not been created, the reason it was not created;

(d) For untested kits, the reason the kit has not been tested;

(e) The total number of kits in possession of the entity for more than thirty days;

(f) The total number of kits destroyed and the reason for the destruction.

(C) The attorney general shall compile the data from the reports in a summary report. The summary report shall include a list of all governmental evidence-retention entities that failed to participate in the preparation of the

report. The annual summary report shall be made public on the attorney general's web site, and shall be submitted to the governor, the speaker of the house of representatives, and the president of the senate."

In line 124588, after "107.63," insert "109.112"; after "109.572," insert "109.68,"

In line 124630, after "2930.16," insert "2933.82"

After line 281825, insert:

"Section 109.42 of the Revised Code as amended by both H.B. 343 and S.B. 288 of the 134th General Assembly."

In line 6 of the title, delete "117.10,"

In line 42 of the title, delete "703.21,"

In line 766, delete "117.10,"

In line 793, delete "703.21,"

Delete lines 4126 through 4183

Delete lines 25978 through 26136

In line 124589, delete "117.10,"

In line 124616, delete "703.21,"

Delete lines 281830 and 281831

In line 55 of the title, after "2108.35," insert "2109.21,"

In line 803, after "2108.35," insert "2109.21,"

After line 34761, insert:

"Sec. 2109.21. (A) An administrator, special administrator, administrator de bonis non, or administrator with the will annexed shall be a resident of this state and shall be removed on proof that the administrator is no longer a resident of this state.

~~(B)(1)(B)(1)(a)~~ To qualify for appointment as executor or trustee, an executor or a trustee named in a will or nominated in accordance with any power of nomination conferred in a will, may be a resident of this state or, as provided in this division, a nonresident of this state. To qualify for appointment, a nonresident executor or trustee named in, or nominated pursuant to, a will shall be an one of the following:

(i) An individual who is related to the testator by consanguinity or affinity,
~~or a;~~

(ii) A private trust company or family trust company organized under the

laws of any state;

(iii) A person who resides in a state that has statutes or rules that authorize the appointment of a nonresident person who is not related to the testator by consanguinity or affinity, as an executor or trustee when named in, or nominated pursuant to, a will. ~~No such~~

(b) No executor or trustee under division (B)(1)(a) of this section shall be refused appointment or removed solely because the executor or trustee is not a resident of this state.

(c) The court may require that a nonresident executor or trustee named in, or nominated pursuant to, a will assure that all of the assets of the decedent that are in the county at the time of the death of the decedent will remain in the county until distribution or until the court determines that the assets may be removed from the county.

(d) The court may require a nonresident private trust company or family trust company appointed under division (B)(1)(a)(ii) of this section to appoint a resident agent to accept service of process, notices, and other documents.

(2)(2)(a) In accordance with this division and section 2129.08 of the Revised Code, the court shall appoint as an ancillary administrator a person who is named in the will of a nonresident decedent, or who is nominated in accordance with any power of nomination conferred in the will of a nonresident decedent, as a general executor of the decedent's estate or as executor of the portion of the decedent's estate located in this state, whether or not the person so named or nominated is a resident of this state.

To qualify for appointment as an ancillary administrator, a person who is not a resident of this state and who is named or nominated as described in this division, shall be ~~an~~ one of the following:

(i) An individual who is related to the testator by consanguinity or affinity, ~~or a~~;

(ii) A private trust company or family trust company organized under the laws of any state;

(iii) A person who resides in a state that has statutes or rules that authorize the appointment of a nonresident of that state who is not related to the testator by consanguinity or affinity, as an ancillary administrator when the nonresident is named in a will or nominated in accordance with any power of nomination conferred in a will. ~~If~~

(b) If a person who is not a resident of this state and who is named or nominated as described in ~~this~~ division (B)(2)(a) of this section so qualifies for appointment as an ancillary administrator and if the provisions of section 2129.08 of the Revised Code are satisfied, the court shall not refuse to appoint

the person, and shall not remove the person, as ancillary administrator solely because the person is not a resident of this state.

(c) The court may require that an ancillary administrator who is not a resident of this state and who is named or nominated as described in ~~this~~ division (B)(2)(a) of this section, assure that all of the assets of the decedent that are in the county at the time of the death of the decedent will remain in the county until distribution or until the court determines that the assets may be removed from the county.

(d) The court may require a nonresident private trust company or family trust company appointed under division (B)(2)(a)(ii) of this section to appoint a resident agent to accept service of process, notices, and other documents.

(C)(1) A guardian of the estate shall be a resident of this state, except that the court may appoint a nonresident of this state as a guardian of the estate if any of the following applies:

(a) The nonresident is named in a will by a parent of a minor.

(b) The nonresident is selected by a minor over the age of fourteen years as provided by section 2111.12 of the Revised Code.

(c) The nonresident is nominated in or pursuant to a durable power of attorney under section 1337.24 of the Revised Code or a writing as described in division (A) of section 2111.121 of the Revised Code.

(2) A guardian of the estate, other than a guardian named in a will by a parent of a minor, selected by a minor over the age of fourteen years, or nominated in or pursuant to a durable power of attorney or writing described in division (C)(1)(c) of this section, may be removed on proof that the guardian of the estate is no longer a resident of this state.

(3) The court may appoint a resident or nonresident of this state as a guardian of the person.

(D) Any fiduciary, whose residence qualifications are not defined in this section, shall be a resident of this state, and shall be removed on proof that the fiduciary is no longer a resident of this state.

(E) Any fiduciary, in order to assist in the carrying out of the fiduciary's fiduciary duties, may employ agents who are not residents of the county or of this state.

(F) Every fiduciary shall sign and file with the court a statement of permanent address and shall notify the court of any change of address. A court may remove a fiduciary if the fiduciary fails to comply with this division."

In line 124626, after "2108.35," insert "2109.21,"

After line 281848, insert:

"Section 2109.21 of the Revised Code as amended by both S.B. 117 and S.B. 124 of the 129th General Assembly."

In line 55 of the title, delete "1901.261, 1907.261,"

In line 58 of the title, delete "2303.081,"

In line 59 of the title, delete "2303.201,"

In line 243 of the title, delete "1901.313, 1907.202"

In line 802, delete "1901.261, 1907.261"

In line 805, delete "2303.081, 2303.201,"

In line 939, delete "1901.313, 1907.202,"

Delete lines 34250 through 34461

Delete lines 36019 through 36219

In line 124625, delete "1901.261, 1907.261,"

In line 124628, delete "2303.081, 2303.201,"

Delete lines 281814 through 281817

In line 47 of the title, delete "991.02,"

In line 118 of the title, delete "3773.33,"

In line 797, delete "991.02,"

In line 849, delete "3773.33,"

Delete lines 29829 through 29913

Delete lines 69926 through 69993

In line 59166, strike through "selected from among" and insert ", which may include individuals who are public officials or employees as defined in section 102.01 of the Revised Code, with consideration given to"

In line 59168, after "media" insert ", including"

In line 59171, after "services" insert ", or through service or experience in broadcast media, education, or government administration"; reinsert "Of"; delete "Each of"; reinsert ", three"

In line 59173, reinsert ", three shall be appointed by the speaker of the house"

Reinsert lines 59174 through 59177

In line 59178, reinsert "political party"

In line 59187, strike through "Initial terms" and insert "Terms"; strike through "voting"

Strike through line 59188

In line 59189, strike through "(1) For"; delete "three members"; strike through "appointed by"; strike through "the"

In line 59190, strike through "governor,"

In line 59191, strike through "one year;"

In line 59192, strike through "(2) For"; delete "three members"; strike through "appointed by"; strike through "the"

In line 59193, strike through "governor,"

In line 59194, strike through "two years;"

In line 59195, strike through "(3) For"; delete "three members"; strike through "appointed by"; strike through "the"

In line 59196, strike through "governor,"

In line 59197, strike through "three years. At the first meeting of the"

Strike through lines 59198 and 59199

In line 59200, strike through "for such members"; strike through "who is a"

In line 59201, strike through "representative of the public"

In line 59202, strike through "no such" and insert "the"; after "serve" insert "no"

In line 59204, reinsert "member's respective appointing authority"; delete "governor"

In line 59222, strike through "The" and insert "Appointed"; strike through "who are representatives of the public"

In line 59227, strike through "public voting" and insert "appointed"

In line 124620, delete "991.02,"

In line 124673, delete "3773.33,"

In line 13556, delete "The first six hundred fifty million"

Delete lines 13557 and 13558

In line 13559, delete "general revenue fund."; delete "other"

In line 13560, delete "budget stabilization" and insert "general revenue"

In line 13570, delete "If, in any fiscal year, investment earnings of the"

Delete lines 13571 through 13575 and insert:

"The director shall certify to the tax commissioner the first six hundred fifty million dollars of investment earnings of the fund credited to the general revenue fund under this section. On or before the tenth day of July following the end of each fiscal year, the director shall certify the amount so credited in that fiscal year, provided that the total amount certified for all fiscal years does not exceed that six hundred fifty million dollar threshold."

In line 27, delete "149.311,"

In line 781, delete "149.311,"

Delete lines 16576 through 16919

In line 124604, delete "149.311,"

Delete lines 281670 through 281673

In line 27129, strike through "To the extent authorized under a resolution or ordinance"

Strike through line 27130

In line 27131, strike through "a portion of the" and insert "The"; strike through "or a class of individuals"

Reinsert lines 27462 and 27463

In line 27464, reinsert "withholding and tax"

In line 27468, reinsert "and the"

Reinsert lines 27469 and 27470

In line 27471, reinsert "tax"

In line 27476, reinsert "Any amount not included in wages because the amount"

Reinsert lines 27477 through 27483

In line 27484, reinsert "(c)"

In line 27486, reinsert "(R)(2)(c)"; delete "(R)(2)(b)"

In line 27488, reinsert "(d)"; delete "(c)"

In line 27491, reinsert "(e)"; delete "(d)"

In line 27494, reinsert "(f)"; delete "(e)"

In line 27881, reinsert "and if the employee is not required"

Reinsert lines 27882 through 27885

In line 27886, reinsert "portion of its net profit,"

In line 28712, reinsert ", and if the employee is not required"

Reinsert lines 28713 through 28716

In line 28717, reinsert "portion of its net profit"

Delete lines 281567 through 281574 and insert:

"The amendment by this act of division (C)(15) of section 718.01 of the Revised Code applies to taxable years beginning on or after January 1, 2024. In accordance with division (A) of section 718.04 of the Revised Code, each municipal corporation that levies a tax on income shall adopt an ordinance or resolution incorporating that amendment and applying it to taxable years beginning on or after January 1, 2024."

In line 41 of the title, after "505.376," insert "507.02,"

In line 792, after "505.376," insert "507.02,"

After line 25741, insert:

"Sec. 507.02. When the office of township fiscal officer becomes vacant, or when a township fiscal officer is unable to carry out the duties of office because of illness, because of entering the military service of the United States, because of a court ordered suspension as provided for under section 507.13 of the Revised Code, or because the fiscal officer is otherwise incapacitated or disqualified, the board of township trustees shall appoint a deputy fiscal officer, who shall have full power to discharge the duties of the office. The deputy fiscal officer shall serve during the period of time the fiscal officer is absent or incapacitated, or until a successor fiscal officer is appointed or elected and qualified as provided in section 503.24 of the Revised Code. Except as otherwise provided in section 3.061 of the Revised Code, before entering on the discharge of official duties, the deputy fiscal officer shall give bond, for the faithful discharge of official duties, as required under section 507.03 of the Revised Code. The board shall, by resolution, adjust and determine the compensation of the fiscal officer and deputy fiscal officer. The total compensation of both the fiscal officer and any deputy fiscal officer shall not exceed the sums fixed by section 507.09 of the Revised Code in any one year."

In line 124615, after "505.376," insert "507.02,"

In line 25847, delete "twenty-five" and insert "fifteen"

In line 25875, delete "twenty-five" and insert "fifteen"

In line 25952, delete "twenty-five" and insert "fifteen"

In line 103 of the title, after "3505.32," insert "3509.05,"

In line 838, after "3505.32," insert "3509.05,"

After line 61401, insert:

"Sec. 3509.05. (A) When an elector receives an absent voter's ballot pursuant to the elector's application or request, the elector shall, before placing any marks on the ballot, note whether there are any voting marks on it. If there are any voting marks, the ballot shall be returned immediately to the board of elections; otherwise, the elector shall cause the ballot to be marked, folded in a manner that the stub on it and the indorsements and facsimile signatures of the members of the board of elections on the back of it are visible, and placed and sealed within the identification envelope received from the board of elections for that purpose. Then, the elector shall cause the statement of voter on the outside of the identification envelope to be completed and signed, under penalty of election falsification.

(B) The elector shall provide one of the following:

(1) The elector's Ohio driver's license or state identification card number on the statement of voter on the identification envelope;

(2) The last four digits of the elector's social security number on the statement of voter on the identification envelope;

(3) A copy of the elector's photo identification in the return envelope with the identification envelope.

(C)(1) The elector shall mail the identification envelope to the office of the board of elections in the return envelope, postage prepaid, or the elector may personally deliver it to the office of the board, or the spouse of the elector, the father, mother, father-in-law, mother-in-law, grandfather, grandmother, brother, or sister of the whole or half blood, or the son, daughter, adopting parent, adopted child, stepparent, stepchild, uncle, aunt, nephew, or niece of the elector may deliver it to the office of the board. The return envelope shall be returned by no other person, in no other manner, and to no other location, except as otherwise provided in section 3509.08 of the Revised Code.

(2) If the board maintains multiple offices in the county, as permitted under division (C) of section 3501.10 of the Revised Code, the board may designate any of its offices for the return of absent voter's ballots under this section, provided that the board shall designate only one office to which absent voter's ballots shall be returned under this section.

(3)(a) The board of elections may place not more than one secure receptacle outside the office of the board, on the property on which the office of the board is located, for the purpose of receiving absent voter's ballots under this section.

(b) A secure receptacle shall be open to receive ballots only during the period beginning on the first day after the close of voter registration before the election and ending at seven-thirty p.m. on the day of the election. The receptacle shall be open to receive ballots at all times during that period.

(c) A secure receptacle shall be monitored by recorded video surveillance at all times. The video recordings are a public record. The board shall do one of the following:

(i) Make the video recordings available for inspection ~~immediately~~ upon request, ~~notwithstanding any contrary provision of~~ in accordance with section 149.43 of the Revised Code.

(ii) Make each day's video recording available to the public on the internet for streaming or download without charge within ~~twenty-four~~ seventy-two hours after the recording ends and make the video recordings available to the public upon request in accordance with section 149.43 of the Revised Code.

(d) Only a bipartisan team of election officials may open a secure receptacle or handle its contents. A bipartisan team of election officials shall collect the contents of each secure receptacle and deliver them to the board for processing at least once each day and at seven-thirty p.m. on the day of the election. If, at seven-thirty p.m. on the day of the election, there are persons waiting in line to deposit absent voter's ballots in a receptacle, those persons shall be permitted to deposit the ballots.

(4)(a) During the period beginning on the forty-fifth day before election day and ending on the day after election day, on each day the office of the board of elections is open for business, the board shall report to the secretary of state all of the following information concerning the previous business day:

(i) The number of return envelopes purporting to contain absent voter's ballots or uniformed services or overseas absent voter's ballots the board received by personal delivery, other than to a receptacle described in division (C)(3) of this section;

(ii) If the board has placed a secure receptacle outside the office of the board under division (C)(3) of this section, the number of return envelopes purporting to contain absent voter's ballots or uniformed services or overseas absent voter's ballots the board received in the receptacle.

(b) As soon as practicable after receiving a report under division (C)(4)(a) of this section, the secretary of state shall make the information in the report available to the public on the secretary of state's official web site.

(D)(1) Except as otherwise provided in division (D)(2) of this section, all envelopes containing marked absent voter's ballots shall be delivered to the office of the board not later than the close of the polls on the day of an

election. Absent voter's ballots delivered to the office of the board later than the times specified shall not be counted, but shall be kept by the board in the sealed identification envelopes in which they are delivered, until the time provided by section 3505.31 of the Revised Code for the destruction of all other ballots used at the election for which ballots were provided, at which time they shall be destroyed.

(2)(a) Except as otherwise provided in division (D)(2)(b) of this section, any return envelope that is postmarked prior to the day of the election shall be delivered to the director prior to the fifth day after the election. Ballots delivered in envelopes postmarked prior to the day of the election that are received after the close of the polls on election day through the fourth day thereafter shall be counted on the fifth day at the board of elections in the manner provided in divisions (C) and (D) of section 3509.06 of the Revised Code or in the manner provided in division (E) of that section, as applicable. Any such ballots that are received by the director later than the fourth day following the election shall not be counted, but shall be kept by the board in the sealed identification envelopes as provided in division (A) of this section.

(b) Division (D)(2)(a) of this section shall not apply to any mail that is postmarked using a postage evidencing system, including a postage meter, as defined in 39 C.F.R. 501.1."

In line 79469, delete "The" and insert "If the applicant is renewing a driver's license or commercial driver's license, the"

In line 124661, after "3505.32," insert "3509.05,"

After line 281870, insert:

"Section 3509.05 of the Revised Code as amended by both H.B. 45 and H.B. 458 of the 134th General Assembly."

In line 274 of the title, delete "5323.10,"

In line 962, delete "5323.10"

Delete lines 108608 through 108621

After line 271022, insert:

"OPERATING EXPENSES

On July 1, 2023, or as soon as possible thereafter, the Governor or the Governor's designee may certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of the foregoing appropriation item 040321, Operating Expenses, at the end of fiscal year 2023 to be reappropriated for fiscal year 2024. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2024.

On July 1, 2024, or as soon as possible thereafter, the Governor or the Governor's designee may certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of the foregoing appropriation item 040321, Operating Expenses, at the end of fiscal year 2024 to be reappropriated for fiscal year 2025. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2025."

In line 11813, strike through "manufacturer's"

In line 11818, after "state" insert "or a state bordering Ohio"; after "of" insert "Buy"

In line 11820, strike through "non-Ohio"; after "materials" insert "from outside of Ohio or a state bordering Ohio"

In line 11821, strike through ""Ohio" and insert ""Buy Ohio"

In line 11822, strike through "by a person"; and insert "or a state bordering Ohio";

In line 11823, after "of" insert "Buy"

In line 11826, after "state" insert "or a state bordering Ohio"

In line 12089, strike through ", supplies,"

In line 12092, strike through "or supply"; strike through "produced or"; after "mined" insert ", excavated, produced, manufactured, raised, or grown"

In line 12093, strike through "an"; and insert "a Buy"

In line 12094, strike through ", supply,"

In line 12095, strike through "Ohio"; after "presence" insert "in the state or a state bordering Ohio."

In line 12097, after "services" insert ", and whether the bidder or offeror is a certified veteran-friendly business enterprise under section 122.925 of the Revised Code"

In line 12107, strike through "produced or"

In line 12108, after "mined" insert ", excavated, produced, manufactured, raised, or grown"

In line 12110, strike through "produced or"

In line 12111, strike through "mined in" and insert "a Buy"; after "Ohio" insert "product"

In line 12113, strike through "produced or"

In line 12114, after "mined" insert ", excavated, produced, manufactured,

raised, or grown"

In line 12142, strike through "result in the state agency paying an"

Strike through line 12143

In line 12144, strike through "inferior product"; and insert "not be in the best interest of the state or is otherwise prohibited"

In line 12145, after "(7)" insert "Criteria for applying a preference to bids and offers received from a certified veteran-friendly business enterprise;

(8)"

In line 12190, before the period insert ", and contracts awarded pursuant to a competitive sealed proposal shall be awarded to the offeror determined to be the most advantageous to this state"

In line 12194, after "products" insert "or services"; after "bids" insert "and offers"

In line 12195, strike through "divisions (C)(1)"

In line 12196, strike through "and (2)" and insert "division (B)"

In line 12197, strike through "produced or"; after "mined" insert ", excavated, produced, manufactured, raised, or grown"; strike through "and if a product"

In line 12198, strike through "is produced or mined" and insert an underlined comma; after "state" insert ", or in a state bordering Ohio, whether the bid or offer was received from a Buy Ohio supplier, and whether the bid or offer was received from a certified veteran-friendly business enterprise"; strike through "The department or other state"

Strike through lines 12199 through 12204

In line 12205, strike through "state" and insert "These requirements shall be applied"; strike through "within this"

In line 12206, strike through "state"; strike through "not"

Strike through line 12207

In line 12208, strike through "disproportionately inferior product" and insert "be in the best interest of the state unless otherwise prohibited"

In line 12210, strike through "bidding" and insert "selection"

In line 145 of the title, after "4707.02," insert "4707.101,"

In line 868, after "4707.02," insert "4707.101,"

After line 83041, insert:

"Sec. 4707.101.(A) A licensed auctioneer shall complete eight hours of continuing education in accordance with this section prior to renewal of the license under section 4707.10 of the Revised Code. The auction firm manager of a licensed auction firm shall complete eight hours of continuing education in accordance with this section prior to the renewal of the auction firm license under section 4707.10 of the Revised Code.

(B)(1) Except as provided in division (B)(2) of this section, a licensed auctioneer and an auction firm manager shall complete the eight hours of continuing education as follows:

(a) Three of the hours shall include areas of instruction in any of the following areas: an overview of this chapter and rules adopted under it, including any recent amendments to that chapter or rules; contract law; the uniform commercial code; auction ethics; or trust or escrow accounts.

(b) Five of the hours shall include areas of instruction in any of the following areas: advertising and marketing; business math and accounting; insurance and liability; federal firearms law; business management; motor vehicle auctions; real estate auctions; or personal property auctions.

(2) If a licensed auctioneer has been issued a license with a period of validity of twelve months or less, the auctioneer shall complete four hours of continuing education as follows:

(a) One hour in the areas of instruction described in division (B)(1)(a) of this section;

(b) Three hours in the areas of instruction described in division (B)(1)(b) of this section.

(C) A licensed auctioneer or an auction firm manager of a licensed auction firm may complete an area of instruction for continuing education hours in another state if both of the following apply:

(1) The area of instruction has been approved by the appropriate state governing body in the other state.

(2) The Ohio auctioneers commission approves the completion of the area of instruction by the auctioneer or an auction firm manager in the other state.

(D) The continuing education requirements established under this section do not apply to a licensed auctioneer to which both of the following apply:

(1) The licensed auctioneer was licensed as an apprentice auctioneer under section 4707.09 of the Revised Code, as it existed prior to its repeal by H.B. 321 of the 134th general assembly on September 13, 2022.

(2) The licensed auctioneer completed that apprenticeship prior to that date."

In line 124692, after "4707.02," insert "4707.101,"

In line 748 of the title, delete "and"; delete "repeal" and insert "amend"

Delete lines 280642 and 280643 and insert:

"Section 610.90.That Section 5 of H.B. 29 of the 134th General Assembly be amended to read as follows:

Sec. 5.(A) ~~The Joint Committee~~ Study commission on Sports the Future of Gaming in Ohio is established. ~~The Committee Study Commission~~ consists of ~~six the following eleven~~ members. ~~The Speaker of the House of Representatives shall appoint to the Committee three;~~

(1) Three members of the House of Representatives, and the President of the Senate shall appoint to the Committee three appointed by the Speaker of the House of Representatives;

(2) One member of the House of Representatives appointed by the Minority Leader of the House of Representatives;

(3) Three members of the Senate appointed by the President of the Senate;

(4) One member of the Senate appointed by the Minority Leader of the Senate;

(5) The chairperson of the State Lottery Commission or the chairperson's designee;

(6) The chairperson of the Ohio Casino Control Commission or the chairperson's designee;

(7) The chairperson of the State Racing Commission or the chairperson's designee. ~~Not more than two members appointed from each chamber may be members of the same political party. The~~

The Speaker of the House of Representatives and the President of the Senate shall designate co-chairpersons of the Committee Study Commission.

(B) The Committee Study Commission shall monitor do all of the following:

(1) Examine the current status of the statewide lottery and the future of the lottery industry and make recommendations to the General Assembly concerning the statewide lottery;

(2) Examine the implementation of sports gaming under this act H.B. 29 of the 134th General Assembly and the future of the sports gaming industry and shall report its make recommendations, if any, to the General Assembly concerning sports gaming in this state;

(3) Examine the current status of casino gaming in this state and the future

of the casino gaming industry and make recommendations to the General Assembly concerning casino gaming in this state;

(4) Examine the current status of horse racing in this state and the future of the horse racing industry and make recommendations to the General Assembly concerning horse racing in this state.

(C) Any study, ~~or any~~ expense incurred, in furtherance of the ~~Committee's~~ Study Commission's objectives shall be paid for from, or out of, the Casino Control Commission Fund or other appropriation provided by law. The members shall receive no additional compensation, but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

(D) The ~~Committee~~ Study Commission shall submit a report of its findings and recommendations to the General Assembly not later than June 30, 2024. After it submits its report, the Study Commission ceases to exist ~~on the date that is two years after the effective date of this section.~~

Section 610.91. That existing Section 5 of H.B. 29 of the 134th General Assembly is hereby repealed."

In line 119 of the title, delete "3775.02,"

In line 849, delete "3775.02,"

Delete lines 70162 through 70458

In line 124673, delete "3775.02,"

In line 109262, after "provided" insert "the appropriation would be within the department of transportation's appropriation authority if carried out by the department and"

After line 109265, insert:

"This division does not grant any additional appropriation authority to the department of transportation."

In line 131 of the title, delete "4303.184,"

In line 858, delete "4303.184,"

Delete lines 74930 through 75007

In line 124682, delete "4303.184,"

In line 267234, delete "\$18,683,322 \$15,683,322" and insert "\$18,823,822 \$15,823,822"

In line 267242, add \$140,500 to each fiscal year

In line 267252, add \$140,500 to each fiscal year

In line 51339, strike through "other service providers approved"

In line 51340, strike through "by the department of education,"

In line 161 of the title, after "4763.16," insert "4764.04,"

In line 880, after "4763.16," insert "4764.04,"

After line 93394, insert:

"Sec. 4764.04. (A) There is hereby created the Ohio home inspector board consisting of seven members. The governor shall appoint five members who are licensed home inspectors. The president of the senate and the speaker of the house of representatives each shall appoint one member who represents the public and has no financial interest in the home inspection industry. Not more than four members of the board shall be members of the same political party.

(B) The governor, president of the senate, and speaker of the house of representatives shall make the initial appointments to the board not later than ninety days after ~~the effective date of this section~~ April 5, 2019. Of the initial appointments to the board, the governor shall appoint one member to a term ending one year after ~~the effective date of this section~~ April 5, 2019, two members to a term ending three years after that date, and two members to a term ending five years after that date. The president of the senate shall appoint one member to a term ending two years after that date, and the speaker of the house of representatives shall appoint one member to a term ending four years after that date. Thereafter, each term shall be for five years, ending on the same day of the same month as the term that it succeeds. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Vacancies shall be filled in the manner provided for original appointments. A member appointed to fill a vacancy prior to the expiration of a term shall hold office for the remainder of that term. A member shall continue in office subsequent to the expiration of the term until the member's successor takes office.

(C) Annually, at the first regularly scheduled board meeting following the first day of September, the board shall organize by selecting from among its members a chairperson and a vice chairperson by majority vote. The board shall meet at least once per calendar quarter to conduct its business. A majority of the members of the board constitutes a quorum to transact and vote on all business that comes before the board.

(D) The members of the board shall not be compensated but shall be reimbursed for actual expenses reasonably incurred in the performance of their duties as members.

(E) The person who, or office that, appointed a member may remove that

member for misconduct, neglect of duty, incapacity, or malfeasance.

(F) The Ohio home inspector board is a part of the department of commerce for administrative purposes. The director of commerce is ex officio the executive officer of the board, or the director may designate the superintendent of real estate and professional licensing to act as executive officer of the board."

In line 124703, after "4763.16," insert "4764.04,"

In line 73 of the title, after "3310.13," insert "3310.15,"

In line 815, after "3310.13," insert "3310.15,"

After line 44277, insert:

"Sec. 3310.15. (A) The department of education annually shall compile the scores attained by scholarship students to whom an assessment is administered under section 3310.14 of the Revised Code. The scores shall be aggregated as follows:

(1) By state, which shall include all students awarded a scholarship under the educational choice scholarship pilot program and who were required to take an assessment under section 3310.14 of the Revised Code;

(2) By school district, which shall include all scholarship students who were required to take an assessment under section 3310.14 of the Revised Code and for whom the district is the student's resident district;

(3) By chartered nonpublic school, which shall include all scholarship students enrolled in that school who were required to take an assessment under section 3310.14 of the Revised Code.

(B) The department shall disaggregate the student performance data described in division (A) of this section according to the following categories:

(1) Grade level;

(2) Race and ethnicity;

(3) Gender;

(4) Students who have participated in the scholarship program for three or more years;

(5) Students who have participated in the scholarship program for more than one year and less than three years;

(6) Students who have participated in the scholarship program for one year or less;

(7) Economically disadvantaged students.

(C) The department shall post the student performance data required under divisions (A) and (B) of this section on its web site and, by the first day of February each year, shall distribute that data to the parent of each eligible student. In reporting student performance data under this division, the department shall not include any data that is statistically unreliable or that could result in the identification of individual students. For this purpose, the department shall not report performance data for any group that contains less than ten students.

Not later than July 1, 2025, the department shall develop a measure of student growth for scholarship students enrolled in chartered nonpublic schools. The measure of student growth shall be used to report data annually on student growth for students in grades four through eight during the school year in which data is reported. No data shall be reported for schools with fewer than ten scholarship students. The department shall make the growth reports available on its publicly accessible web site.

(D) The department shall provide the parent of each scholarship student with information comparing the student's performance on the assessments administered under section 3310.14 of the Revised Code with the average performance of similar students enrolled in the building operated by the student's resident district that the scholarship student would otherwise attend. In calculating the performance of similar students, the department shall consider age, grade, race and ethnicity, gender, and socioeconomic status."

In line 124638, after "3310.13," insert "3310.15,"

In line 11 of the title, delete "122.071,"; delete "122.073,"

In line 769, delete "122.071,"

In line 770, delete "122.073,"

In line 6450, delete "state marketing"; reinsert "of TourismOhio"

In line 6451, reinsert "be of equivalent"

In line 6452, reinsert "rank of deputy director of the agency and shall"

Delete lines 6465 through 6514

In line 6516, reinsert "tourism"; delete "state marketing"

In line 6519, delete "state marketing"; reinsert "of TourismOhio"

Delete lines 6521 through 6548

In line 16436, reinsert "TourismOhio"; delete "the state marketing office in"

In line 16437, delete "the department of development"

In line 124592, delete "122.071,"

In line 124593, delete "122.073,"

In line 267552, delete "State Marketing Office" and insert "TourismOhio Administration"

In line 278998, delete "STATE" and insert "TOURISM"

In line 278999, delete "MARKETING OFFICE"

In line 279002, delete "State Marketing Office" and insert "Tourism"

In line 254 of the title, after "3319.2213," insert "3319.324,"

In line 947, after "3319.2213," insert "3319.324,"

In line 47919, after "3319.321," insert "3319.324,"

After line 54587, insert:

"Sec. 3319.324.(A) As used in this section, "school records" includes any academic records, student assessment data, or other information for which there is a legitimate educational interest.

(B) Except as provided for in division (C) of this section, when any school district or chartered nonpublic school receives a request from another district or school to which a student has transferred for that student's school records, the district or school receiving the request shall respond, within five school days after receiving the request, by transmitting to the requesting district or school either the student's school records as authorized under section 3319.321 of the Revised Code or, if the district or school has no record of the student's attendance, a statement of that fact.

(C) A district or school may withhold a student's school records if there is two thousand five hundred dollars or more of outstanding debt attributed to the student. The district or school shall transmit the student's school records in the manner specified under division (A) of this section once the debt is paid.

(D) The provisions of this section are in addition to, and do not affect the obligations of a school district or school to comply with, the requirements of division (D) of section 3313.642 and section 3313.672 of the Revised Code."

In line 55330, after "3319.321," insert "3319.324,"

In line 55986, after "3319.318," insert "3319.324,"

In line 121290a, delete "\$92,150" and insert "\$100,000"

In line 121292, delete "\$92,150" and insert "\$100,000"; delete "\$2,178.44" and insert "\$2,394.32"

In line 121292b, delete "\$92,150" and insert "\$100,000"

In line 121293, delete "\$3,032.21" and insert "\$2,958.58"

In line 121296a, delete "\$92,150" and insert "\$100,000"

In line 121297, delete "\$92,150" and insert "\$100,000"; delete "\$2,178.44" and insert "\$2,394.32"

In line 121297a, delete "\$92,150" and insert "\$100,000"

In line 268064, delete "or imagination"

In line 67466, delete "scrap tire"

In line 67467, strike through the first comma and insert ". The costs incurred include the"; strike through "at a scrap tire storage facility,"

In line 67468, strike through "storage" and insert ". transportation, processing,"; strike through "at a scrap tire monocell or monofill facility,"

In line 67469, strike through "or processing"; strike through "so removed, the transportation of"

Strike through lines 67470 and 67471

In line 67472, strike through "scrap tires were stored, disposed of, or processed" and insert "or any additional solid wastes or construction and demolition debris removed in accordance with this division"

In line 67476, strike through "shall" and insert "may"

In line 67478, strike through "was" and insert ". additional solid wastes, and construction and demolition debris were"

In line 67480, strike through "was" and insert ". additional solid wastes, and construction and demolition debris were"

In line 272 of the title, after "5163.51," insert "5164.072,"

In line 961, after "5163.51," insert "5164.072,"

After line 104613, insert:

"Sec. 5164.072. (A) As used in this section, "licensed health professional" means the following:

(1) A physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;

(2) An advanced practice registered nurse who holds a current, valid license issued under Chapter 4723. of the Revised Code that authorizes the practice of nursing as an advanced practice registered nurse and is designated as a clinical specialist, certified nurse-midwife, or certified nurse practitioner;

(3) A physician assistant licensed under Chapter 4730. of the Revised Code.

(B) The medicaid program shall cover pasteurized human donor milk and human milk fortifiers, in both hospital and home settings, for an infant whose gestationally corrected age is less than twelve months when all of the following apply:

(1) A licensed health professional signs an order stating that human donor milk or human milk fortifiers are medically necessary because the infant meets any of the following criteria:

(a) The infant has a birth weight less than eighteen hundred grams or body weight below healthy levels.

(b) The infant has a gestational age at birth of thirty-four weeks or less.

(c) The infant has any congenital or acquired condition for which the health professional determines that the use of pasteurized human donor milk or human milk fortifiers will support the treatment of the condition and recovery of the infant.

(2) The infant is medically or physically unable to receive maternal breast milk or participate in breast-feeding, or the infant's mother is medically or physically unable to produce breast milk in sufficient quantities or of adequate caloric density, despite lactation support.

(C) The medicaid director may adopt rules in accordance with Chapter 119. of the Revised Code to implement this section."

In line 5 of the title, delete "109.71, 109.77,"

In line 10 of the title, delete "121.483,"

In line 61 of the title, delete "2935.01,"

In line 308 of the title, delete "109.77,"

In line 765, delete "109.71, 109.77,"

In line 768, delete "121.483,"

In line 807, delete "2935.01,"

Delete lines 3196 through 3704

Delete lines 6285 through 6301

Delete lines 38110 through 38188

In line 124588, delete "109.71, 109.77,"

In line 124592, delete "121.483,"

In line 124630, delete "2935.01,"

In line 125605, delete "109.77,"

Delete lines 125611 through 125924

In line 128819, delete "109.77,"

In line 128938, delete "109.77,"

After line 272233, insert:

"On July 1, 2024, or as soon as possible thereafter, the Executive Director of the Joint Committee on Agency Rule Review may certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of the foregoing appropriation item 029321, Operating Expenses, at the end of fiscal year 2024 to be reappropriated to fiscal year 2025. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2025."

After line 272242, insert:

"On July 1, 2023, or as soon as possible thereafter, the Executive Director of the Joint Medicaid Oversight Committee may certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of the foregoing appropriation item 048321, Operating Expenses, at the end of fiscal year 2023 to be reappropriated to fiscal year 2024. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2024.

On July 1, 2024, or as soon as possible thereafter, the Executive Director of the Joint Medicaid Oversight Committee may certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of the foregoing appropriation item 048321, Operating Expenses, at the end of fiscal year 2024 to be reappropriated to fiscal year 2025. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2025."

In line 41 of the title, after "505.376," insert "505.38,"

In line 46 of the title, after "737.03," insert "737.22,"

In line 162 of the title, after "4765.04," insert "4765.11,"

In line 163 of the title, after "4765.114," insert "4765.55,"

In line 313 of the title, after "4763.05," insert "4765.11, 4765.55,"

In line 792, after "505.376," insert "505.38,"

In line 796, after "737.03," insert "737.22,"

In line 880, after "4765.04," insert "4765.11,"

In line 881, after "4765.114," insert "4765.55,"

After line 25471, insert:

"Sec. 505.38. (A) In each township or fire district that has a fire department, the head of the department shall be a fire chief, appointed by the board of township trustees, except that, in a joint fire district, the fire chief shall be appointed by the board of fire district trustees. Neither this section nor any other section of the Revised Code requires, or shall be construed to require, that the fire chief be a resident of the township or fire district.

The board shall provide for the employment of firefighters as it considers best and shall fix their compensation. No person shall be appointed as a permanent full-time paid member, whose duties include fire fighting, of the fire department of any township or fire district unless that person has received a certificate issued under former section 3303.07 or section 4765.55 of the Revised Code evidencing satisfactory completion of a firefighter training program. Those appointees shall continue in office until removed from office as provided by sections 733.35 to 733.39 of the Revised Code. To initiate removal proceedings, and for that purpose, the board shall designate the fire chief or a private citizen to investigate the conduct and prepare the necessary charges in conformity with those sections.

In case of the removal of a fire chief or any member of the fire department of a township or fire district, an appeal may be had from the decision of the board to the court of common pleas of the county in which the township or fire district fire department is situated to determine the sufficiency of the cause of removal. The appeal from the findings of the board shall be taken within ten days.

No person who is appointed as a volunteer firefighter of the fire department of any township or fire district shall remain in that position unless either of the following applies:

(1) Within one year of the appointment, the person has received a certificate issued under former section 3303.07 of the Revised Code or section 4765.55 of the Revised Code evidencing satisfactory completion of a firefighter training program.

(2) The person began serving as a permanent full-time paid firefighter with the fire department of a city or village prior to July 2, 1970, or as a volunteer firefighter with the fire department of a city, village, or other township or fire district prior to July 2, 1979, and receives a certificate issued under ~~division~~ ~~(C)(3)~~ of section 4765.55 of the Revised Code.

No person shall receive an appointment under this section, in the case of a volunteer firefighter, unless the person has, not more than sixty days prior to receiving the appointment, passed a physical examination, given by a licensed physician, a physician assistant, a clinical nurse specialist, a certified nurse

practitioner, or a certified nurse-midwife, showing that the person meets the physical requirements necessary to perform the duties of the position to which the person is appointed as established by the board of township trustees having jurisdiction over the appointment. The appointing authority, prior to making an appointment, shall file with the Ohio police and fire pension fund or the local volunteer fire fighters' dependents fund board a copy of the report or findings of that licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner, or certified nurse-midwife. The professional fee for the physical examination shall be paid for by the board of township trustees.

(B) In each township not having a fire department, the board of township trustees shall appoint a fire prevention officer who shall exercise all of the duties of a fire chief except those involving the maintenance and operation of fire apparatus. The board may appoint one or more deputy fire prevention officers who shall exercise the duties assigned by the fire prevention officer.

The board may fix the compensation for the fire prevention officer and the fire prevention officer's deputies as it considers best. The board shall appoint each fire prevention officer and deputy for a one-year term. An appointee may be reappointed at the end of a term to another one-year term. Any appointee may be removed from office during a term as provided by sections 733.35 to 733.39 of the Revised Code. Section 505.45 of the Revised Code extends to those officers.

(C)(1) Division (A) of this section does not apply to any township that has a population of ten thousand or more persons residing within the township and outside of any municipal corporation, that has its own fire department employing ten or more full-time paid employees, and that has a civil service commission established under division (B) of section 124.40 of the Revised Code. The township shall comply with the procedures for the employment, promotion, and discharge of firefighters provided by Chapter 124. of the Revised Code, except as otherwise provided in divisions (C)(2) and (3) of this section.

(2) The board of township trustees of the township may appoint the fire chief, and any person so appointed shall be in the unclassified service under section 124.11 of the Revised Code and shall serve at the pleasure of the board. Neither this section nor any other section of the Revised Code requires, or shall be construed to require, that the fire chief be a resident of the township. A person who is appointed fire chief under these conditions and who is removed by the board or resigns from the position is entitled to return to the classified service in the township fire department in the position held just prior to the appointment as fire chief.

(3) The appointing authority of an urban township, as defined in section

504.01 of the Revised Code, may appoint to a vacant position any one of the three highest scorers on the eligible list for a promotional examination.

(4) The board of township trustees shall determine the number of personnel required and establish salary schedules and conditions of employment not in conflict with Chapter 124. of the Revised Code.

(5) No person shall receive an original appointment as a permanent full-time paid member of the fire department of the township described in this division unless the person has received a certificate issued under former section 3303.07 or section 4765.55 of the Revised Code evidencing the satisfactory completion of a firefighter training program.

(6) Persons employed as firefighters in the township described in this division on the date a civil service commission is appointed pursuant to division (B) of section 124.40 of the Revised Code, without being required to pass a competitive examination or a firefighter training program, shall retain their employment and any rank previously granted them by action of the board of township trustees or otherwise, but those persons are eligible for promotion only by compliance with Chapter 124. of the Revised Code."

After line 29469, insert:

"Sec. 737.22. (A) Each village establishing a fire department shall have a fire chief as the department's head, appointed by the mayor with the advice and consent of the legislative authority of the village, who shall continue in office until removed from office as provided by sections 733.35 to 733.39 of the Revised Code. Neither this section nor any other section of the Revised Code requires, or shall be construed to require, that the fire chief be a resident of the village.

In each village not having a fire department, the mayor shall, with the advice and consent of the legislative authority of the village, appoint a fire prevention officer who shall exercise all of the duties of a fire chief except those involving the maintenance and operation of fire apparatus.

The legislative authority of the village may fix the compensation it considers best. The appointee shall continue in office until removed from office as provided by sections 733.35 to 733.39 of the Revised Code. Section 737.23 of the Revised Code shall extend to the officer.

(B) The legislative authority of the village may provide for the appointment of permanent full-time paid firefighters as it considers best and fix their compensation, or for the services of volunteer firefighters, who shall be appointed by the mayor with the advice and consent of the legislative authority, and shall continue in office until removed from office.

(1) No person shall be appointed as a permanent full-time paid firefighter

of a village fire department, unless either of the following applies:

(a) The person has received a certificate issued under former section 3303.07 of the Revised Code or section 4765.55 of the Revised Code evidencing satisfactory completion of a firefighter training program.

(b) The person began serving as a permanent full-time paid firefighter with the fire department of a city or other village prior to July 2, 1970, and receives a fire training certificate issued under section 4765.55 of the Revised Code.

(2) No person who is appointed as a volunteer firefighter of a village fire department shall remain in that position, unless either of the following applies:

(a) Within one year of the appointment, the person has received a certificate issued under former section 3303.07 or section 4765.55 of the Revised Code evidencing satisfactory completion of a firefighter training program.

(b) The person has served as a permanent full-time paid firefighter with the fire department of a city or other village prior to July 2, 1970, or as a volunteer firefighter with the fire department of a city, township, fire district, or other village prior to July 2, 1979, and receives a certificate issued under ~~division (C)(3) of~~ section 4765.55 of the Revised Code.

(3) No person shall receive an appointment under this section unless the person has, not more than sixty days prior to receiving the appointment, passed a physical examination, given by a licensed physician, a physician assistant, a clinical nurse specialist, a certified nurse practitioner, or a certified nurse-midwife, showing that the person meets the physical requirements necessary to perform the duties of the position to which the person is to be appointed as established by the legislative authority of the village. The appointing authority shall, prior to making an appointment, file with the Ohio police and fire pension fund or the local volunteer fire fighters' dependents fund board a copy of the report or findings of that licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner, or certified nurse-midwife. The professional fee for the physical examination shall be paid for by the legislative authority of the village."

After line 94022, insert:

"Sec. 4765.11. (A) The state board of emergency medical, fire, and transportation services shall adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code and divisions (C) and (D) of this section that establish all of the following:

(1) Procedures for its governance and the control of its actions and business affairs;

(2) Standards for the performance of emergency medical services by first

responders, emergency medical technicians-basic, emergency medical technicians-intermediate, and emergency medical technicians-paramedic;

(3) Application fees for certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice, which shall be deposited into the trauma and emergency medical services fund created in section 4513.263 of the Revised Code;

(4) Criteria for determining when the application or renewal fee for a certificate to practice may be waived because an applicant cannot afford to pay the fee;

(5) Procedures for issuance and renewal of certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice, including any measures necessary to implement section 9.79 of the Revised Code and any procedures necessary to ensure that adequate notice of renewal is provided in accordance with division (D) of section 4765.30 of the Revised Code;

(6) Procedures for suspending or revoking certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice;

(7) Grounds for suspension or revocation of a certificate to practice issued under section 4765.30 of the Revised Code and for taking any other disciplinary action against a first responder, EMT-basic, EMT-I, or paramedic;

(8) Procedures for taking disciplinary action against a first responder, EMT-basic, EMT-I, or paramedic;

(9) Standards for certificates of accreditation and certificates of approval;

(10) Qualifications for certificates to teach;

(11) Requirements for a certificate to practice;

(12) The curricula, number of hours of instruction and training, and instructional materials to be used in adult and pediatric emergency medical services training programs and adult and pediatric emergency medical services continuing education programs;

(13) Procedures for conducting courses in recognizing symptoms of life-threatening allergic reactions and in calculating proper dosage levels and administering injections of epinephrine to adult and pediatric patients who suffer life-threatening allergic reactions;

(14) Examinations for certificates to practice;

(15) Procedures for administering examinations for certificates to practice;

(16) Procedures for approving examinations that demonstrate competence to have a certificate to practice renewed without completing an emergency

medical services continuing education program;

(17) Procedures for granting extensions and exemptions of emergency medical services continuing education requirements;

(18) Specifications of the emergency medical services that first responders are authorized to perform under section 4765.35 of the Revised Code, that EMTs-basic are authorized to perform under section 4765.37 of the Revised Code, that EMTs-I are authorized to perform under section 4765.38 of the Revised Code, and that paramedics are authorized to perform under section 4765.39 of the Revised Code;

(19) Standards and procedures for implementing the requirements of section 4765.06 of the Revised Code, including designations of the persons who are required to report information to the board and the types of information to be reported;

(20) Procedures for administering the emergency medical services grant program established under section 4765.07 of the Revised Code;

(21) Procedures consistent with Chapter 119. of the Revised Code for appealing decisions of the board;

(22) Minimum qualifications and peer review and quality improvement requirements for persons who provide medical direction to emergency medical service personnel, including, subject to division (B) of section 4765.42 of the Revised Code, qualifications for a physician to be eligible to serve as the medical director of an emergency medical service organization or a member of its cooperating physician advisory board;

(23) The manner in which a patient, or a patient's parent, guardian, or custodian, may consent to the board releasing identifying information about the patient under division (D) of section 4765.102 of the Revised Code;

(24) Circumstances under which a training program or continuing education program, or portion of either type of program, may be taught by a person who does not hold a certificate to teach issued under section 4765.23 of the Revised Code;

(25) Certification cycles for certificates issued under sections 4765.23 and 4765.30 of the Revised Code and certificates issued by the executive director of the state board of emergency medical, fire, and transportation services under section 4765.55 of the Revised Code that establish a common expiration date for all certificates.

(B) The board may adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code and divisions (C) and (D) of this section that establish any of the following:

(1) Specifications of information that may be collected under the trauma system registry and incidence reporting system created under section 4765.06 of the Revised Code;

(2) Standards and procedures for implementing any of the recommendations made by any committees of the board or under section 4765.04 of the Revised Code;

(3) Procedures and requirements for conducting background checks on applicants for the issuance and renewal of certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice in accordance with section 109.578 of the Revised Code;

(4) Any other rules necessary to implement this chapter.

(C) In developing and administering rules adopted under this chapter, the state board of emergency medical, fire, and transportation services shall consult with regional directors and regional advisory boards appointed under section 4765.05 of the Revised Code and emphasize the special needs of pediatric and geriatric patients.

(D) On and after April 6, 2023, the executive director shall not ~~require certification~~ issue to any new applicant a certificate to practice as an emergency medical services assistant instructor ~~and shall not adopt or enforce rules or issue a certificate regarding the position of an emergency medical services assistant instructor~~. Any emergency medical services assistant instructor certificate that was issued in accordance with rules adopted under division (A) of this section prior to April 6, 2023, ~~remain~~ remains valid ~~only until the expiration date of the certificate~~, subject to any conditions or responsibilities of retaining the validity of that certificate, until the holder of the certificate allows it to expire or lapse. The certificate ~~shall not~~ may be renewed by the holder of that certificate. The board shall adopt, amend, or rescind rules in accordance with Chapter 119. of the Revised Code in order to effectuate this division.

(E) Except as otherwise provided in this division, before adopting, amending, or rescinding any rule under this chapter, the board shall submit the proposed rule to the director of public safety for review. The director may review the proposed rule for not more than sixty days after the date it is submitted. If, within this sixty-day period, the director approves the proposed rule or does not notify the board that the rule is disapproved, the board may adopt, amend, or rescind the rule as proposed. If, within this sixty-day period, the director notifies the board that the proposed rule is disapproved, the board shall not adopt, amend, or rescind the rule as proposed unless at least twelve members of the board vote to adopt, amend, or rescind it.

This division does not apply to an emergency rule adopted in accordance

with section 119.03 of the Revised Code."

After line 94066, insert:

"Sec. 4765.55.(A) The executive director of the state board of emergency medical, fire, and transportation services, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services, shall assist in the establishment and maintenance by any state agency, or any county, township, city, village, school district, or educational service center of a fire service training program for the training of all persons in positions of any fire training certification level approved by the executive director, including full-time paid firefighters, part-time paid firefighters, volunteer firefighters, and fire safety inspectors in this state. The executive director, with the advice and counsel of the committee, shall adopt rules to regulate those firefighter and fire safety inspector training programs, and other training programs approved by the executive director. The rules may include, but need not be limited to, training curriculum, certification examinations, training schedules, minimum hours of instruction, attendance requirements, required equipment and facilities, basic physical requirements, and methods of training for all persons in positions of any fire training certification level approved by the executive director, including full-time paid firefighters, part-time paid firefighters, volunteer firefighters, and fire safety inspectors. The rules adopted to regulate training programs for volunteer firefighters shall not require more than thirty-six hours of training.

The executive director, with the advice and counsel of the committee, shall provide for the classification and chartering of fire service training programs in accordance with rules adopted under division (B) of this section, and may take action against any chartered training program or applicant, in accordance with rules adopted under divisions (B)(4) and (5) of this section, for failure to meet standards set by the adopted rules.

(B) The executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services, shall adopt, and may amend or rescind, rules under Chapter 119. of the Revised Code that establish all of the following:

(1) Requirements for, and procedures for chartering, the training programs regulated by this section;

(2) Requirements for, and requirements and procedures for obtaining and renewing, an instructor certificate to teach the training programs and continuing education classes regulated by this section;

(3) Requirements for, and requirements and procedures for obtaining and

renewing, any of the fire training certificates regulated by this section;

(4) Grounds and procedures for suspending, revoking, restricting, or refusing to issue or renew any of the certificates or charters regulated by this section, which grounds shall be limited to one of the following:

(a) Failure to satisfy the education or training requirements of this section;

(b) Conviction of a felony offense;

(c) Conviction of a misdemeanor involving moral turpitude;

(d) Conviction of a misdemeanor committed in the course of practice;

(e) In the case of a chartered training program or applicant, failure to meet standards set by the rules adopted under this division.

(5) Grounds and procedures for imposing and collecting fines, not to exceed one thousand dollars, in relation to actions taken under division (B)(4) of this section against persons holding certificates and charters regulated by this section, the fines to be deposited into the trauma and emergency medical services fund established under section 4513.263 of the Revised Code;

(6) Continuing education requirements for certificate holders, including a requirement that credit shall be granted for in-service training programs conducted by local entities. The continuing education requirements shall not require more than thirty-six hours of continuing education every three-year certification cycle. Local entities may require additional continuing education, provided that completion of such additional continuing education is not required for renewal of certification.

(7) Procedures for considering the granting of an extension or exemption of fire service continuing education requirements;

(8) Certification cycles for which the certificates and charters regulated by this section are valid;

(9) If determined necessary by the executive director, procedures and requirements for conducting background checks on applicants for the issuance and renewal of certification as a fire safety inspector in accordance with section 109.578 of the Revised Code.

(C)(1) The executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services, shall issue or renew an instructor certificate to teach the training programs and continuing education classes regulated by this section to any applicant that the executive director determines meets the qualifications established in rules adopted under division (B) of this section, and may take disciplinary action against an instructor certificate holder or applicant in accordance with rules adopted

under division (B) of this section.

(2) On and after ~~the effective date of this amendment~~ April 6, 2023, the executive director shall not ~~require certification~~ issue to any new applicant a certificate to practice as an assistant fire instructor ~~and shall not adopt or enforce rules or issue a certificate regarding the position of assistant fire instructor~~. Any assistant fire instructor certificate that was issued in accordance with rules adopted under division (B) of this section prior to ~~the effective date of this amendment~~ April 6, 2023, remains valid ~~until the expiration date of the certificate~~, subject to any conditions or responsibilities of retaining the validity of that certificate, until the holder of the certificate allows it to expire or lapse. The certificate ~~shall not may~~ may be renewed ~~by the holder of that certificate~~. The executive director shall adopt, amend, or rescind rules in accordance with Chapter 119. of the Revised Code in order to effectuate division (C)(2) of this section.

(3) The executive director, with the advice and counsel of the committee, shall charter or renew the charter of any training program that the executive director determines meets the qualifications established in rules adopted under division (B) of this section, and may take disciplinary action against the holder of a charter in accordance with rules adopted under division (B) of this section.

(D) The executive director shall issue or renew a fire training certificate for a firefighter, a fire safety inspector, or another position of any fire training certification level approved by the executive director, to any applicant that the executive director determines meets the qualifications established in rules adopted under division (B) of this section and may take disciplinary actions against a certificate holder or applicant in accordance with rules adopted under division (B) of this section.

(E) Certificates issued under this section shall be on a form prescribed by the executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services.

(F)(1) The executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services, shall establish criteria for evaluating the standards maintained by other states and the branches of the United States military for firefighter, fire safety inspector, and fire instructor training programs, and other training programs recognized by the executive director, to determine whether the standards are equivalent to those established under this section and shall establish requirements and procedures for issuing a certificate to each person who presents proof to the executive director of having satisfactorily completed a training program that meets those standards.

(2) The executive director, with the committee's advice and counsel, shall adopt rules establishing requirements and procedures for issuing a fire training certificate in lieu of completing a chartered training program.

(G) Nothing in this section invalidates any other section of the Revised Code relating to the fire training academy. Section 4765.11 of the Revised Code does not affect any powers and duties granted to the executive director under this section.

(H) Notwithstanding any provision of division (B)(4) of this section to the contrary, the executive director shall not adopt rules for refusing to issue any of the certificates or charters regulated by this section to an applicant because of a criminal conviction unless the rules establishing grounds and procedures for refusal are in accordance with section 9.79 of the Revised Code."

In line 124615, after "505.376," insert "505.38,"

In line 124619, after "737.03," insert "737.22,"

In line 124704, after "4765.04," insert "4765.11,"; after "4765.114," insert "4765.55,"

In line 125609, after "4763.05," insert "4765.11, 4765.55,"

After line 128724, insert:

"Sec. 4765.11. (A) The state board of emergency medical, fire, and transportation services shall adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code and divisions (C) and (D) of this section that establish all of the following:

(1) Procedures for its governance and the control of its actions and business affairs;

(2) Standards for the performance of emergency medical services by first responders, emergency medical technicians-basic, emergency medical technicians-intermediate, and emergency medical technicians-paramedic;

(3) Application fees for certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice, which shall be deposited into the trauma and emergency medical services fund created in section 4513.263 of the Revised Code;

(4) Criteria for determining when the application or renewal fee for a certificate to practice may be waived because an applicant cannot afford to pay the fee;

(5) Procedures for issuance and renewal of certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice, including any measures necessary to implement section 9.79 of the Revised

Code and any procedures necessary to ensure that adequate notice of renewal is provided in accordance with division (E) of section 4765.30 of the Revised Code;

(6) Procedures for suspending or revoking certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice;

(7) Grounds for suspension or revocation of a certificate to practice issued under section 4765.30 of the Revised Code and for taking any other disciplinary action against a first responder, EMT-basic, EMT-I, or paramedic;

(8) Procedures for taking disciplinary action against a first responder, EMT-basic, EMT-I, or paramedic;

(9) Standards for certificates of accreditation and certificates of approval;

(10) Qualifications for certificates to teach;

(11) Requirements for a certificate to practice;

(12) The curricula, number of hours of instruction and training, and instructional materials to be used in adult and pediatric emergency medical services training programs and adult and pediatric emergency medical services continuing education programs;

(13) Procedures for conducting courses in recognizing symptoms of life-threatening allergic reactions and in calculating proper dosage levels and administering injections of epinephrine to adult and pediatric patients who suffer life-threatening allergic reactions;

(14) Examinations for certificates to practice;

(15) Procedures for administering examinations for certificates to practice;

(16) Procedures for approving examinations that demonstrate competence to have a certificate to practice renewed without completing an emergency medical services continuing education program;

(17) Procedures for granting extensions and exemptions of emergency medical services continuing education requirements;

(18) Specifications of the emergency medical services that first responders are authorized to perform under section 4765.35 of the Revised Code, that EMTs-basic are authorized to perform under section 4765.37 of the Revised Code, that EMTs-I are authorized to perform under section 4765.38 of the Revised Code, and that paramedics are authorized to perform under section 4765.39 of the Revised Code;

(19) Standards and procedures for implementing the requirements of section 4765.06 of the Revised Code, including designations of the persons who are required to report information to the board and the types of

information to be reported;

(20) Procedures for administering the emergency medical services grant program established under section 4765.07 of the Revised Code;

(21) Procedures consistent with Chapter 119. of the Revised Code for appealing decisions of the board;

(22) Minimum qualifications and peer review and quality improvement requirements for persons who provide medical direction to emergency medical service personnel, including, subject to division (B) of section 4765.42 of the Revised Code, qualifications for a physician to be eligible to serve as the medical director of an emergency medical service organization or a member of its cooperating physician advisory board;

(23) The manner in which a patient, or a patient's parent, guardian, or custodian, may consent to the board releasing identifying information about the patient under division (D) of section 4765.102 of the Revised Code;

(24) Circumstances under which a training program or continuing education program, or portion of either type of program, may be taught by a person who does not hold a certificate to teach issued under section 4765.23 of the Revised Code;

(25) Certification cycles for certificates issued under sections 4765.23 and 4765.30 of the Revised Code and certificates issued by the executive director of the state board of emergency medical, fire, and transportation services under section 4765.55 of the Revised Code that establish a common expiration date for all certificates.

(B) The board may adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code and divisions (C) and (D) of this section that establish any of the following:

(1) Specifications of information that may be collected under the trauma system registry and incidence reporting system created under section 4765.06 of the Revised Code;

(2) Standards and procedures for implementing any of the recommendations made by any committees of the board or under section 4765.04 of the Revised Code;

(3) Procedures and requirements for conducting background checks on applicants for the issuance and renewal of certificates of accreditation, certificates of approval, certificates to teach, and certificates to practice in accordance with section 109.578 of the Revised Code;

(4) Any other rules necessary to implement this chapter.

(C) In developing and administering rules adopted under this chapter, the

state board of emergency medical, fire, and transportation services shall consult with regional directors and regional advisory boards appointed under section 4765.05 of the Revised Code and emphasize the special needs of pediatric and geriatric patients.

(D) On and after April 6, 2023, the executive director shall not ~~require certification issue to any new applicant a certificate~~ to practice as an emergency medical services assistant instructor ~~and shall not adopt or enforce rules or issue a certificate regarding the position of an emergency medical services assistant instructor~~. Any emergency medical services assistant instructor certificate that was issued in accordance with rules adopted under division (A) of this section prior to April 6, 2023, ~~remain~~ remains valid ~~only until the expiration date of the certificate~~, subject to any conditions or responsibilities of retaining the validity of that certificate, until the holder of the certificate allows it to expire or lapse. The certificate ~~shall not may~~ be renewed by the holder of that certificate. The board shall adopt, amend, or rescind rules in accordance with Chapter 119. of the Revised Code in order to effectuate this division.

(E) Except as otherwise provided in this division, before adopting, amending, or rescinding any rule under this chapter, the board shall submit the proposed rule to the director of public safety for review. The director may review the proposed rule for not more than sixty days after the date it is submitted. If, within this sixty-day period, the director approves the proposed rule or does not notify the board that the rule is disapproved, the board may adopt, amend, or rescind the rule as proposed. If, within this sixty-day period, the director notifies the board that the proposed rule is disapproved, the board shall not adopt, amend, or rescind the rule as proposed unless at least twelve members of the board vote to adopt, amend, or rescind it.

This division does not apply to an emergency rule adopted in accordance with section 119.03 of the Revised Code.

(F) Notwithstanding any requirement for a certificate issued in accordance with rules adopted by the board under this section, the board, in accordance with Chapter 4796. of the Revised Code, shall issue a certificate that is a license as defined in section 4796.01 of the Revised Code to an individual if either of the following applies:

(1) The individual holds a license or certificate in another state.

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a first responder, emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic in a state that does not issue that license or certificate.

Sec. 4765.55. (A) The executive director of the state board of emergency medical, fire, and transportation services, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services, shall assist in the establishment and maintenance by any state agency, or any county, township, city, village, school district, or educational service center of a fire service training program for the training of all persons in positions of any fire training certification level approved by the executive director, including full-time paid firefighters, part-time paid firefighters, volunteer firefighters, and fire safety inspectors in this state. The executive director, with the advice and counsel of the committee, shall adopt rules to regulate those firefighter and fire safety inspector training programs, and other training programs approved by the executive director. The rules may include, but need not be limited to, training curriculum, certification examinations, training schedules, minimum hours of instruction, attendance requirements, required equipment and facilities, basic physical requirements, and methods of training for all persons in positions of any fire training certification level approved by the executive director, including full-time paid firefighters, part-time paid firefighters, volunteer firefighters, and fire safety inspectors. The rules adopted to regulate training programs for volunteer firefighters shall not require more than thirty-six hours of training.

The executive director, with the advice and counsel of the committee, shall provide for the classification and chartering of fire service training programs in accordance with rules adopted under division (B) of this section, and may take action against any chartered training program or applicant, in accordance with rules adopted under divisions (B)(4) and (5) of this section, for failure to meet standards set by the adopted rules.

(B) The executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services, shall adopt, and may amend or rescind, rules under Chapter 119. of the Revised Code that establish all of the following:

(1) Requirements for, and procedures for chartering, the training programs regulated by this section;

(2) Requirements for, and requirements and procedures for obtaining and renewing, an instructor certificate to teach the training programs and continuing education classes regulated by this section;

(3) Requirements for, and requirements and procedures for obtaining and renewing, any of the fire training certificates regulated by this section;

(4) Grounds and procedures for suspending, revoking, restricting, or refusing to issue or renew any of the certificates or charters regulated by this

section, which grounds shall be limited to one of the following:

- (a) Failure to satisfy the education or training requirements of this section;
- (b) Conviction of a felony offense;
- (c) Conviction of a misdemeanor involving moral turpitude;
- (d) Conviction of a misdemeanor committed in the course of practice;
- (e) In the case of a chartered training program or applicant, failure to meet standards set by the rules adopted under this division.

(5) Grounds and procedures for imposing and collecting fines, not to exceed one thousand dollars, in relation to actions taken under division (B)(4) of this section against persons holding certificates and charters regulated by this section, the fines to be deposited into the trauma and emergency medical services fund established under section 4513.263 of the Revised Code;

(6) Continuing education requirements for certificate holders, including a requirement that credit shall be granted for in-service training programs conducted by local entities. The continuing education requirements shall not require more than thirty-six hours of continuing education every three-year certification cycle. Local entities may require additional continuing education, provided that completion of such additional continuing education is not required for renewal of certification.

(7) Procedures for considering the granting of an extension or exemption of fire service continuing education requirements;

(8) Certification cycles for which the certificates and charters regulated by this section are valid;

(9) If determined necessary by the executive director, procedures and requirements for conducting background checks on applicants for the issuance and renewal of certification as a fire safety inspector in accordance with section 109.578 of the Revised Code.

(C)(1) The executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services, shall issue or renew an instructor certificate to teach the training programs and continuing education classes regulated by this section to any applicant that the executive director determines meets the qualifications established in rules adopted under division (B) of this section, and may take disciplinary action against an instructor certificate holder or applicant in accordance with rules adopted under division (B) of this section.

(2) On and after ~~the effective date of this amendment~~ April 6, 2023, the executive director shall not ~~require certification~~ issue to any new applicant a

~~certificate to practice as an assistant fire instructor and shall not adopt or enforce rules or issue a certificate regarding the position of assistant fire instructor.~~ Any assistant fire instructor certificate that was issued in accordance with rules adopted under division (B) of this section prior to ~~the effective date of this amendment~~ April 6, 2023, remains valid ~~until the expiration date of the certificate~~, subject to any conditions or responsibilities of retaining the validity of that certificate, until the holder of the certificate allows it to expire or lapse. The certificate ~~shall not may~~ be renewed by the holder of that certificate. The executive director shall adopt, amend, or rescind rules in accordance with Chapter 119. of the Revised Code in order to effectuate division (C)(2) of this section.

(3) The executive director, with the advice and counsel of the committee, shall charter or renew the charter of any training program that the executive director determines meets the qualifications established in rules adopted under division (B) of this section, and may take disciplinary action against the holder of a charter in accordance with rules adopted under division (B) of this section.

(D) The executive director shall issue or renew a fire training certificate for a firefighter, a fire safety inspector, or another position of any fire training certification level approved by the executive director, to any applicant that the executive director determines meets the qualifications established in rules adopted under division (B) of this section and may take disciplinary actions against a certificate holder or applicant in accordance with rules adopted under division (B) of this section.

(E) Certificates issued under this section shall be on a form prescribed by the executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services.

(F)(1) The executive director, with the advice and counsel of the firefighter and fire safety inspector training committee of the state board of emergency medical, fire, and transportation services, shall establish criteria for evaluating the standards maintained by the branches of the United States military for firefighter, fire safety inspector, and fire instructor training programs, and other training programs recognized by the executive director, to determine whether the standards are equivalent to those established under this section and shall establish requirements and procedures for issuing a certificate to each person who presents proof to the executive director of having satisfactorily completed a training program that meets those standards.

(2) The executive director, with the committee's advice and counsel, shall adopt rules establishing requirements and procedures for issuing a fire training certificate in lieu of completing a chartered training program.

(G) Notwithstanding any requirement for a certificate issued under this section, the executive director shall issue a certificate in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies:

(1) The individual holds a license or certificate in another state.

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a firefighter or fire safety inspector in a state that does not issue that license or certificate.

(H) Nothing in this section invalidates any other section of the Revised Code relating to the fire training academy. Section 4765.11 of the Revised Code does not affect any powers and duties granted to the executive director under this section.

(I) Notwithstanding any provision of division (B)(4) of this section to the contrary, the executive director shall not adopt rules for refusing to issue any of the certificates or charters regulated by this section to an applicant because of a criminal conviction unless the rules establishing grounds and procedures for refusal are in accordance with section 9.79 of the Revised Code."

In line 128822, after "4763.05," insert "4765.11, 4765.55,"

After line 281903, insert:

"The version of section 4765.55 of the Revised Code that is scheduled to take effect December 29, 2023, as amended by both H.B. 509 and S.B. 131 of the 134th General Assembly."

In line 138 of the title, after "4507.01," insert "4507.06,"

In line 139 of the title, after "4507.13," insert "4507.18,"; after "4507.50," insert "4507.51,"

In line 863, after "4507.01," insert "4507.06,"

In line 864, after "4507.13," insert "4507.18,"; after "4507.50," insert "4507.51,"

In line 79415, strike through "color"

After line 79441, insert:

"Sec. 4507.06.(A)(1) Every application for a driver's license, motorcycle operator's license or endorsement, or motor-driven cycle or motor scooter license or endorsement, or duplicate of any such license or endorsement, shall be made upon the approved form furnished by the registrar of motor vehicles and shall be signed by the applicant.

Every application shall state the following:

(a) The applicant's name, date of birth, social security number if such has been assigned, sex, general description, including height, weight, color of hair, and eyes, residence address, including county of residence, duration of residence in this state, and country of citizenship;

(b) Whether the applicant previously has been licensed as an operator, chauffeur, driver, commercial driver, or motorcycle operator and, if so, when, by what state, and whether such license is suspended or canceled at the present time and, if so, the date of and reason for the suspension or cancellation;

(c) Whether the applicant is now or ever has been afflicted with epilepsy, or whether the applicant now has any physical or mental disability or disease and, if so, the nature and extent of the disability or disease, giving the names and addresses of physicians then or previously in attendance upon the applicant;

(d) Whether an applicant for a duplicate driver's license, duplicate license containing a motorcycle operator endorsement, or duplicate license containing a motor-driven cycle or motor scooter endorsement has pending a citation for violation of any motor vehicle law or ordinance, a description of any such citation pending, and the date of the citation;

(e) If an applicant has not certified the applicant's willingness to make an anatomical gift under section 2108.05 of the Revised Code, whether the applicant wishes to certify willingness to make such an anatomical gift, which shall be given no consideration in the issuance of a license or endorsement;

(f) Whether the applicant has executed a valid durable power of attorney for health care pursuant to sections 1337.11 to 1337.17 of the Revised Code or has executed a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment pursuant to sections 2133.01 to 2133.15 of the Revised Code and, if the applicant has executed either type of instrument, whether the applicant wishes the applicant's license to indicate that the applicant has executed the instrument;

(g) Whether the applicant is a veteran, active duty, or reservist of the armed forces of the United States and, if the applicant is such, whether the applicant wishes the applicant's license to indicate that the applicant is a veteran, active duty, or reservist of the armed forces of the United States by a military designation on the license.

(2) Every applicant for a driver's license applying in person at a deputy registrar office shall be photographed ~~in color~~ at the time the application for the license is made. The application shall state any additional information that the registrar requires.

(B) The registrar or a deputy registrar, in accordance with section 3503.11 of the Revised Code, shall register as an elector any person who applies for a license or endorsement under division (A) of this section, or for a renewal or duplicate of the license or endorsement, if the applicant is eligible and wishes to be registered as an elector. The decision of an applicant whether to register as an elector shall be given no consideration in the decision of whether to issue the applicant a license or endorsement, or a renewal or duplicate.

(C) The registrar or a deputy registrar, in accordance with section 3503.11 of the Revised Code, shall offer the opportunity of completing a notice of change of residence or change of name to any applicant for a driver's license or endorsement under division (A) of this section, or for a renewal or duplicate of the license or endorsement, if the applicant is a registered elector who has changed the applicant's residence or name and has not filed such a notice.

(D) In addition to any other information it contains, the approved form furnished by the registrar of motor vehicles for an application for a license or endorsement or an application for a duplicate of any such license or endorsement shall inform applicants that the applicant must present a copy of the applicant's DD-214 or an equivalent document in order to qualify to have the license or duplicate indicate that the applicant is a veteran, active duty, or reservist of the armed forces of the United States based on a request made pursuant to division (A)(1)(g) of this section."

In line 79611, strike through "color"

After line 79681, insert:

"Sec. 4507.18. (A) The registrar of motor vehicles shall permit all of the following to renew a driver's license or motorcycle operator's endorsement issued by this state by electronic means:

(1) Any person who is on active duty in the armed forces of the United States who is stationed outside of this state;

(2) The spouse of a person described in division (A)(1) of this section who is also outside of this state;

(3) The dependents of a person described in division (A)(1) of this section who are also outside of this state.

(B) The registrar shall require all of the following:

(1) That the applicant provide a digital copy of the applicant's military identification card or military dependent identification card;

(2) That any spouse or dependent applicant provide a digital copy of a form provided by the registrar demonstrating that the applicant received and passed

a vision examination in accordance with the vision requirements under section 4507.12 of the Revised Code;

(3) That the applicant provide a digital copy of a current two inch by two inch ~~color~~ passport quality photograph with a white background to be used as the applicant's new driver's license or motorcycle operator's endorsement photograph;

(4) That the applicant 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.

(C) The registrar shall make it possible for applicants to upload and send by electronic means all required copies of supporting documents and photographs for a driver's license or motorcycle operator's endorsement renewal under this section.

(D)(1) This section does not impact a person's ability to use the exemption from the license requirements available under division (B) of section 4507.03 of the Revised Code.

(2) This section does not prevent a person who is permitted to renew a driver's license or motorcycle operator's endorsement by electronic means under this section from making an application, as provided in section 4507.10 of the Revised Code, in person at a deputy ~~registrar~~ registrar's office.

(E) The registrar shall adopt rules under Chapter 119. of the Revised Code to implement and administer this section."

After line 79843, insert:

"Sec. 4507.51. (A)(1) Every application for an identification card or duplicate shall be made on a form furnished or in a manner specified by the registrar of motor vehicles, shall be signed by the applicant, and by the applicant's parent or guardian if the applicant is under eighteen years of age, and shall contain the following information pertaining to the applicant: name, date of birth, sex, general description including the applicant's height, weight, hair color, and eye color, address, country of citizenship, and social security number. The application also shall include, for an applicant who has not already certified the applicant's willingness to make an anatomical gift under section 2108.05 of the Revised Code, whether the applicant wishes to certify willingness to make such an anatomical gift and shall include information about the requirements of sections 2108.01 to 2108.29 of the Revised Code that apply to persons who are less than eighteen years of age. The statement regarding willingness to make such a donation shall be given no consideration in the decision of whether to issue an identification card. Each applicant applying in person at a deputy registrar office shall be photographed ~~in color~~ at the time of making application.

(2)(a) The application also shall state whether the applicant has executed a valid durable power of attorney for health care pursuant to sections 1337.11 to 1337.17 of the Revised Code or has executed a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment pursuant to sections 2133.01 to 2133.15 of the Revised Code and, if the applicant has executed either type of instrument, whether the applicant wishes the identification card issued to indicate that the applicant has executed the instrument.

(b) The application also shall state whether the applicant is a veteran, active duty, or reservist of the armed forces of the United States and, if the applicant is such, whether the applicant wishes the identification card issued to indicate that the applicant is a veteran, active duty, or reservist of the armed forces of the United States by a military designation on the identification card.

(3) The registrar or deputy registrar, in accordance with section 3503.11 of the Revised Code, shall register as an elector any person who applies for an identification card or duplicate if the applicant is eligible and wishes to be registered as an elector. The decision of an applicant whether to register as an elector shall be given no consideration in the decision of whether to issue the applicant an identification card or duplicate.

(B) Except as provided in section 4507.061 of the Revised Code, the application for an identification card or duplicate shall be filed in the office of the registrar or deputy registrar. Each applicant shall present documentary evidence as required by the registrar of the applicant's age and identity, and the applicant shall swear that all information given is true. An identification card issued by the department of rehabilitation and correction under section 5120.59 of the Revised Code or an identification card issued by the department of youth services under section 5139.511 of the Revised Code shall be sufficient documentary evidence under this division upon verification of the applicant's social security number by the registrar or a deputy registrar. Upon issuing an identification card under this section for a person who has been issued an identification card under section 5120.59 or section 5139.511 of the Revised Code, the registrar or deputy registrar shall destroy the identification card issued under section 5120.59 or section 5139.511 of the Revised Code.

All applications for an identification card or duplicate under this section shall be filed in duplicate, and if submitted to a deputy registrar, a copy shall be forwarded to the registrar. The registrar shall prescribe rules for the manner in which a deputy registrar is to file and maintain applications and other records. The registrar shall maintain a suitable, indexed record of all applications denied and cards issued or canceled.

(C) In addition to any other information it contains, the form furnished by

the registrar of motor vehicles for an application for an identification card or duplicate shall inform applicants that the applicant must present a copy of the applicant's DD-214 or an equivalent document in order to qualify to have the card or duplicate indicate that the applicant is an honorably discharged veteran of the armed forces of the United States based on a request made pursuant to division (A)(2)(b) of this section."

In line 79865, strike through "color"

In line 124687, after "4507.01," insert "4507.06,"; after "4507.13," insert "4507.18,"

In line 124688, after "4507.50," insert "4507.51,"

In line 140 of the title, after "4511.191," insert "4511.204,"

In line 141 of the title, after "4511.76," insert "4511.991,"

In line 865, after "4511.191," insert "4511.204,"; after "4511.76," insert "4511.991,"

After line 81248, insert:

"Sec. 4511.204. (A) No person shall operate a motor vehicle, trackless trolley, or streetcar on any street, highway, or property open to the public for vehicular traffic while using, holding, or physically supporting with any part of the person's body an electronic wireless communications device.

(B) Division (A) of this section does not apply to any of the following:

(1) A person using an electronic wireless communications device to make contact, for emergency purposes, with a law enforcement agency, hospital or health care provider, fire department, or other similar emergency agency or entity;

(2) A person driving a public safety vehicle while using an electronic wireless communications device in the course of the person's duties;

(3) A person using an electronic wireless communications device when the person's motor vehicle is in a stationary position and is outside a lane of travel, at a traffic control signal that is currently directing traffic to stop, or parked on a road or highway due to an emergency or road closure;

(4) A person using and holding an electronic wireless communications device directly near the person's ear for the purpose of making, receiving, or conducting a telephone call, provided that the person does not manually enter letters, numbers, or symbols into the device;

(5) A person receiving wireless messages on an electronic wireless communications device regarding the operation or navigation of a motor vehicle; safety-related information, including emergency, traffic, or weather

alerts; or data used primarily by the motor vehicle, provided that the person does not hold or support the device with any part of the person's body;

(6) A person using the speaker phone function of the electronic wireless communications device, provided that the person does not hold or support the device with any part of the person's body;

(7) A person using an electronic wireless communications device for navigation purposes, provided that the person does not do either of the following during the use:

(a) Manually enter letters, numbers, or symbols into the device;

(b) Hold or support the device with any part of the person's body;

(8) A person using a feature or function of the electronic wireless communications device with a single touch or single swipe, provided that the person does not do either of the following during the use:

(a) Manually enter letters, numbers, or symbols into the device;

(b) Hold or support the device with any part of the person's body;

(9) A person operating a commercial truck while using a mobile data terminal that transmits and receives data;

(10) A person operating a utility service vehicle or a vehicle for or on behalf of a utility, if the person is acting in response to an emergency, power outage, or circumstance that affects the health or safety of individuals;

(11) A person using an electronic wireless communications device in conjunction with a voice-operated or hands-free feature or function of the vehicle or of the device without the use of either hand except to activate, deactivate, or initiate the feature or function with a single touch or swipe, provided the person does not hold or support the device with any part of the person's body;

(12) A person using technology that physically or electronically integrates the device into the motor vehicle, provided that the person does not do either of the following during the use:

(a) Manually enter letters, numbers, or symbols into the device;

(b) Hold or support the device with any part of the person's body.

(13) A person storing an electronic wireless communications device in a holster, harness, or article of clothing on the person's body.

(C)(1) On January 31 of each year, the department of public safety shall issue a report to the general assembly that specifies the number of citations issued for violations of this section during the previous calendar year.

(2) If a law enforcement officer issues an offender a ticket, citation, or summons for a violation of division (A) of this section, the officer shall do both of the following:

(a) Report the issuance of the ticket, citation, or summons to the officer's law enforcement agency;

(b) Ensure that such report indicates the offender's race.

(D)(1) Whoever violates division (A) of this section is guilty of operating a motor vehicle while using an electronic wireless communication device, an unclassified misdemeanor;

(a) Except as provided in divisions (D)(1)(b), (c), (d), and (2) of this section, the court shall impose upon the offender a fine of not more than one hundred fifty dollars.

(b) If, within two years of the violation, the offender has been convicted of or pleaded guilty to one prior violation of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than two hundred fifty dollars.

(c) If, within two years of the violation, the offender has been convicted of or pleaded guilty to two or more prior violations of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than five hundred dollars. The court also may impose a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for ninety days.

(d) Notwithstanding divisions (D)(1)(a) to (c) of this section, if the offender was operating the motor vehicle at the time of the violation in a construction zone where a sign was posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the amount imposed for the violation under division (D)(1)(a), (b), or (c) of this section, as applicable.

(2) In lieu of payment of the fine of one hundred fifty dollars under division (D)(1)(a) of this section and the assessment of points under division (D)(4) of this section, the offender instead may elect to attend the distracted driving safety course, as described in section 4511.991 of the Revised Code. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall not be required to pay the fine and shall not have the points assessed against that offender's driver's license if the offender submits the written evidence to the court within 90 days of the violation of division (A) of this section. However, successful completion of the course does not result in a dismissal of the charges for the violation, and the violation is a prior offense

under divisions (D)(1)(b) and (c) of this section if the offender commits a subsequent violation or violations of division (A) of this section within two years of the offense for which the course was completed.

(3) The court may impose any other penalty authorized under sections 2929.21 to 2929.28 of the Revised Code. However, the court shall not impose a fine or a suspension not otherwise specified in division (D)(1) of this section. The court also shall not impose a jail term or community residential sanction.

(4) Except as provided in division (D)(2) of this section, points shall be assessed for a violation of division (A) of this section in accordance with section 4510.036 of the Revised Code.

(5) The offense established under this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(E) This section shall not be construed as invalidating, preempting, or superseding a substantially equivalent municipal ordinance that prescribes penalties for violations of that ordinance that are greater than the penalties prescribed in this section for violations of this section.

(F) A prosecution for an offense in violation of this section does not preclude a prosecution for an offense in violation of a substantially equivalent municipal ordinance based on the same conduct. However, the two offenses are allied offenses of similar import under section 2941.25 of the Revised Code.

(G)(1) A law enforcement officer does not have probable cause and shall not stop the operator of a motor vehicle for purposes of enforcing this section unless the officer visually observes the operator using, holding, or physically supporting with any part of the person's body the electronic wireless communications device.

(2) A law enforcement officer who stops the operator of a motor vehicle, trackless trolley, or streetcar for a violation of division (A) of this section shall inform the operator that the operator may decline a search of the operator's electronic wireless communications device. The officer shall not do any of the following:

(a) Access the device without a warrant, unless the operator voluntarily and unequivocally gives consent for the officer to access the device;

(b) Confiscate the device while awaiting the issuance of a warrant to access the device;

(c) Obtain consent from the operator to access the device through coercion or any other improper means. Any consent by the operator to access the device shall be voluntary and unequivocal before the officer may access the device without a warrant.

(H) As used in this section:

(1) "Electronic wireless communications device" includes any of the following:

(a) A wireless telephone;

(b) A text-messaging device;

(c) A personal digital assistant;

(d) A computer, including a laptop computer and a computer tablet;

(e) Any device capable of displaying a video, movie, broadcast television image, or visual image;

(f) Any other substantially similar wireless device that is designed or used to communicate text, initiate or receive communication, or exchange information or data.

An "electronic wireless communications device" does not include a two-way radio transmitter or receiver used by a person who is licensed by the federal communications commission to participate in the amateur radio service.

(2) "Voice-operated or hands-free feature or function" means a feature or function that allows a person to use an electronic wireless communications device without the use of either hand, except to activate, deactivate, or initiate the feature or function with a single touch or single swipe.

(3) "Utility" means an entity specified in division (A), (C), (D), (E), or (G) of section 4905.03 of the Revised Code.

(4) "Utility service vehicle" means a vehicle owned or operated by a utility."

After line 81570, insert:

"Sec. 4511.991. (A) As used in this section and each section referenced in division (B) of this section, all of the following apply:

(1) "Distracted" means doing either of the following while operating a vehicle:

(a) Using an electronic wireless communications device, as defined in section 4511.204 of the Revised Code, in violation of that section;

(b) Engaging in any activity that is not necessary to the operation of a vehicle and impairs, or reasonably would be expected to impair, the ability of the operator to drive the vehicle safely.

(2) "Distracted" does not include operating a motor vehicle while wearing an earphone or earplug over or in both ears at the same time. A person who so wears earphones or earplugs may be charged with a violation of section 4511.84 of the Revised Code.

(3) "Distracted" does not include conducting any activity while operating a utility service vehicle or a vehicle for or on behalf of a utility, provided that the driver of the vehicle is acting in response to an emergency, power outage, or a circumstance affecting the health or safety of individuals.

As used in division (A)(3) of this section:

(a) "Utility" means an entity specified in division (A), (C), (D), (E), or (G) of section 4905.03 of the Revised Code.

(b) "Utility service vehicle" means a vehicle owned or operated by a utility.

(B) If an offender violates section 4511.03, 4511.051, 4511.12, 4511.121, 4511.132, 4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 4511.431, 4511.44, 4511.441, 4511.451, 4511.46, 4511.47, 4511.54, 4511.55, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, or 4511.73 of the Revised Code while distracted and the distracting activity is a contributing factor to the commission of the violation, the offender is subject to the applicable penalty for the violation and, notwithstanding section 2929.28 of the Revised Code, is subject to an additional fine of not more than one hundred dollars as follows:

(1) Subject to Traffic Rule 13, if a law enforcement officer issues an offender a ticket, citation, or summons for a violation of any of the aforementioned sections of the Revised Code that indicates that the offender was distracted while committing the violation and that the distracting activity was a contributing factor to the commission of the violation, the offender may enter a written plea of guilty and waive the offender's right to contest the ticket, citation, or summons in a trial provided that the offender pays the total amount of the fine established for the violation and pays the additional fine of one hundred dollars.

In lieu of payment of the additional fine of one hundred dollars, the offender instead may elect to attend a distracted driving safety course, the duration and contents of which shall be established by the director of public safety. If the offender attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully

completed the course. The offender shall be required to pay the total amount of the fine established for the violation, but shall not be required to pay the additional fine of one hundred dollars, so long as the offender submits to the court both the offender's payment in full and such written evidence within ninety days of the underlying violation that resulted in the imposition of the additional fine under division (B) of this section.

(2) If the offender appears in person to contest the ticket, citation, or summons in a trial and the offender pleads guilty to or is convicted of the violation, the court, in addition to all other penalties provided by law, may impose the applicable penalty for the violation and may impose the additional fine of not more than one hundred dollars.

If the court imposes upon the offender the applicable penalty for the violation and an additional fine of not more than one hundred dollars, the court shall inform the offender that, in lieu of payment of the additional fine of not more than one hundred dollars, the offender instead may elect to attend the distracted driving safety course described in division (B)(1) of this section. If the offender elects the course option and attends and successfully completes the course, the offender shall be issued written evidence that the offender successfully completed the course. The offender shall be required to pay the total amount of the fine established for the violation, but shall not be required to pay the additional fine of not more than one hundred dollars, so long as the offender submits to the court the offender's payment and such written evidence within ninety days of the underlying violation that resulted in the imposition of the additional fine under division (B) of this section.

(C) If a law enforcement officer issues an offender a ticket, citation, or summons for a violation of any of the sections of the Revised Code listed in division (B) of this section that indicates that the offender was distracted while committing the violation and that the distracting activity was a contributing factor to the commission of the violation, the officer shall do both of the following:

(1) Report the issuance of the ticket, citation, or summons to the officer's law enforcement agency;

(2) Ensure that such report indicates the offender's race."

In line 124688, after "4511.191," insert "4511.204,"; after "4511.76," insert "4511.991,"

In line 155 of the title, delete "4737.04,"

In line 876, delete "4737.04,"

Delete lines 89186 through 89557

In line 124699, delete "4737.04,"

In line 94093, reinsert "Within"; after "~~sixty~~" insert "forty-five"; reinsert "days after receiving a completed"

Reinsert line 94094

In line 94095, reinsert "permit."

In line 195 of the title, delete "5502.701, 5502.702,"

In line 904, delete "5502.701, 5502.702,"

Delete lines 108830 through 108930

In line 124728, delete "5502.701, 5502.702,"

After line 274784b, insert:

"5LM0 768431 Highway Patrol Training \$100,500 \$100,500"

In line 274789, delete "\$372,000 \$372,000" and insert "\$792,000 \$792,000"

In line 274794, add \$520,500 to each fiscal year

In line 274822, add \$520,500 to each fiscal year

After line 275237, insert:

"HIGHWAY PATROL TRAINING

The foregoing appropriation item 768431, Highway Patrol Training, shall be used for Ohio State Highway Patrol training and associated costs at the Mid-Ohio Sports Car Course.

STATE HIGHWAY PATROL CONTINUING PROFESSIONAL TRAINING

Notwithstanding sections 109.802 and 109.803 of the Revised Code, of the foregoing appropriation item 764695, State Highway Patrol Continuing Professional Training, \$420,000 in each fiscal year shall be used for Ohio State Highway Patrol training and associated costs at the Mid-Ohio Sports Car Course."

In line 753 of the title, delete "to repeal"

Delete line 754 of the title

In line 755 of the title, delete "Assembly;"

In line 280332, delete ", and Section 5 of S.B. 202 of the 134th"

In line 280333, delete "General Assembly are" and insert "is"

Delete lines 281367 through 281401

Delete lines 280914 through 280961

After line 277675b insert:

"GRF 772456 Unmanned Aerial Systems Center \$247,500 \$0"

In line 277678, add \$247,500 to fiscal year 2024

In line 277684, add \$247,500 to fiscal year 2024

After line 277684 insert:

"Section 411. __.FLYOHIO TETHERED DRONE PILOT PROGRAM

The foregoing appropriation item, 772456, Unmanned Aerial Systems Center, shall be used to administer the FlyOhio Tethered Drone Pilot Program established under section 759.10 of this act. Up to three per cent of the funding may be used to pay administrative and reporting costs of the pilot program.

The unexpended, unencumbered portion of appropriation item 772456, Unmanned Aerial Systems Center, remaining at the end of fiscal year 2024 is hereby reappropriated to appropriation item 772456, Unmanned Aerial Systems Center, for the same purpose in fiscal year 2025."

After line 281559 insert:

"Section 759.10.FLYOHIO TETHERED DRONES PILOT PROGRAM

(A) The Office of Aviation within the Department of Transportation shall conduct a pilot program to field test the use of tethered drones over rural campsite areas and urban or suburban areas to gauge the feasibility and cost-effectiveness of sharing data collected from these overflights to emergency responders, public safety professionals, and infrastructure security professionals.

The pilot project shall examine both mobile and permanent tethered drones, including deployment in all weather and hazard conditions through the purchase and use of tethered drones by the Mandel Jewish Community Center in the city of Cleveland at its main campus site as well as at the Center's campsite at Camp Wise in Geauga County.

(B) The Office of Aviation shall issue a report of its findings on July 1, 2024, and July 1, 2025. Upon submission of the report on July 1, 2025, the pilot program is abolished."

In line 58 of the title, delete "2152.26,"

In line 243 of the title, delete "2152.261,"

In line 805, delete "2152.26,"

In line 940, delete "2152.261,"

Delete lines 35715 through 36018

In line 124628, delete "2152.26,"

In line 272722, delete "\$5,267,359,400 \$6,004,894,000" and insert "\$5,266,859,400 \$6,004,394,000"

In line 272724, delete "\$19,264,814,000 \$21,253,967,000" and insert "\$19,264,314,000 \$21,253,467,000"

In line 272727, subtract \$500,000 from each fiscal year

In line 272729, subtract \$500,000 from each fiscal year

In line 272755, subtract \$500,000 from each fiscal year

Delete lines 273399 through 273401

In line 264 of the title, delete "4511.765,"

In line 955, delete "4511.765,"

Delete lines 81548 through 81570

In line 112, delete "3727.44,"

In line 227, delete "3727.44 (3727.34),"

In line 261, delete "3727.31,"

In line 262, delete "3727.32, 3727.33, 3727.34,"

In line 290, delete "3727.42, 3727.43, 3727.45,"

In line 845, delete "3727.44,"

In line 926, delete "3727.44 (3727.34),"

In line 953, delete "3727.31, 3727.32, 3727.33, 3727.34,"

Delete lines 65737 through 65791

In line 124668, delete "3727.44,"

In line 124756, delete "3727.42, 3727.43, 3727.45,"

In line 274718, after "Code" insert "at an hourly rate not to exceed \$75 per hour"

In line 274721, after the period insert "The intent of the General Assembly is to stabilize costs while allowing the task force to study indigent defense established in H.B. 150 of the 134th General Assembly to issue its report."

In line 9 of the title, after "120.08," insert "120.34,"

In line 768, after "120.08," insert "120.34,"

After line 5391, insert:

"Sec. 120.34.~~The~~ (A) Except as provided in division (D) of this section, the total amount of money paid to all counties in any fiscal year pursuant to sections 120.18, 120.28, 120.33, 120.35, and 2941.51 of the Revised Code for the reimbursement of the counties' cost of operating county public defender offices, joint county public defender offices, and county appointed counsel systems, the counties' costs and expenses of conducting the defense in capital cases, and the counties' costs and expenses of appointed counsel covered by section 2941.51 of the Revised Code shall not exceed the total amount appropriated for that fiscal year by the general assembly for the reimbursement of the counties for the operation of the offices and systems and for those appointed counsel costs and expenses, and shall be determined as specified in this section. If the amount appropriated by the general assembly in any fiscal year is insufficient to pay the cost in the fiscal year of all county public defender offices, all joint county public defender offices, all county appointed counsel systems, and all costs and expenses of appointed counsel covered by section 2941.51 of the Revised Code, the amount of money paid in that fiscal year pursuant to sections 120.18, 120.28, 120.33, 120.35, and 2941.51 of the Revised Code to each county for the fiscal year shall be reduced proportionately so that each county is paid an equal percentage of its cost in the fiscal year for operating its county public defender system, its joint county public defender system, and its county appointed counsel system, an equal percentage of its costs and expenses of conducting the defense in capital cases in the fiscal year, and an equal percentage of its costs and expenses of appointed counsel covered by section 2941.51 of the Revised Code.

(B) If any county receives an amount of money pursuant to section 120.18, 120.28, 120.33, 120.35, or 2941.51 of the Revised Code that is in excess of the amount of reimbursement it is entitled to receive pursuant to this section, the state public defender shall request the board of county commissioners to return the excess payment and the board of county commissioners, upon receipt of the request, shall direct the appropriate county officer to return the excess payment to the state.

(C) Within thirty days of the end of each fiscal quarter, the state public defender shall provide to the office of budget and management and the legislative service commission an estimate of the amount of money that will be required for the balance of the fiscal year to make the payments required by sections 120.18, 120.28, 120.33, 120.35, and 2941.51 of the Revised Code.

(D) No reimbursement shall be made under this section for costs of indigent defense to the extent that those costs exceed the hourly rate, if any, established by the general assembly."

In line 124591, after "120.08," insert "120.34,"

In line 274398, delete "The" and insert "Of the"; after "Projects," insert "\$875,000 in each fiscal year"

After line 274401, insert:

"Of the foregoing appropriation item 725520, Special Projects, \$125,000 in each fiscal year shall be used to support the administrative costs and other expenses of the Indian Lake Watershed Project."

In line 52 of the title, after "1551.35," insert "1701.03,"

In line 54 of the title, after "1761.16," insert "1785.01, 1785.02, 1785.03,"

In line 147 of the title, after "4723.063," insert "4723.16,"

In line 148 of the title, after "4725.24," insert "4725.33, 4729.161,"

In line 151 of the title, after "4731.22," insert "4731.226,"; after "4731.481," insert "4731.65,"

In line 152 of the title, after "4732.17," insert "4732.28,"; after "4734.161," insert "4734.17,"

In line 156 of the title, after "4741.22," insert "4743.09,"; after "4755.11," insert "4755.111,"

In line 157 of the title, after "4755.47," insert "4755.471,"

In line 158 of the title, after "4755.64," insert "4757.01, 4757.02,"; after "4757.03," insert "4757.04, 4757.05, 4757.11, 4757.15, 4757.16, 4757.31, 4757.34, 4757.36,"; after "4757.361," insert "4757.37, 4757.38, 4757.41, 4757.43, 4757.50,"

In line 265 of the title, after "4731.37," insert "4757.24,"

In line 800, after "1551.35," insert "1701.03,"

In line 802, after "1761.16," insert "1785.01, 1785.02, 1785.03,"

In line 870, after "4723.063," insert "4723.16,"; after "4725.24," insert "4725.33, 4729.161,"

In line 873, after "4731.22," insert "4731.226,"; after "4731.481," insert "4731.65,"; after "4732.17," insert "4732.28,"; after "4734.161," insert "4734.17,"

In line 876, after "4741.22," insert "4743.09,"; after "4755.11," insert "4755.111,"

In line 877, after "4755.47," insert "4755.471,"; after "4755.64," insert "4757.01, 4757.02,"; after "4757.03," insert "4757.04, 4757.05, 4757.11,"

4757.15, 4757.16, 4757.31, 4757.34, 4757.36,"; after "4757.361," insert "4757.37, 4757.38, 4757.41, 4757.43, 4757.50,"

In line 955, after "4731.37," insert "4757.24,"

After line 32246, insert:

"Sec. 1701.03. (A)(1) A corporation may be formed under this chapter for any purpose or combination of purposes for which individuals lawfully may associate themselves, except that, if the Revised Code contains special provisions pertaining to the formation of any designated type of corporation other than a professional association, as defined in section 1785.01 of the Revised Code, a corporation of that type shall be formed in accordance with the special provisions.

(2) The purpose for which a corporation is formed may include a beneficial purpose. Except to the extent that the articles otherwise provide, both of the following apply:

(a) Having a beneficial purpose does not prevent a corporation from seeking any of the other purposes for which the corporation is formed, including operation of the corporation for pecuniary gain or profit and distribution of net earnings.

(b) No particular purpose of a corporation has priority over any other purpose of the corporation.

(3) A corporation that does not have a beneficial purpose is not required to operate exclusively for profit or distribution of net earnings of the corporation in all instances.

(4) To be effective, a beneficial purpose shall be expressly provided in the articles. A statement of purpose in the articles that includes any purpose or combination of purposes for which individuals lawfully may associate themselves, without the express provision of a beneficial purpose, does not establish a beneficial purpose as a purpose of the corporation.

(5) A corporation that meets both of the following shall not amend its articles of incorporation to include a beneficial purpose:

(a) The corporation has issued and has outstanding shares listed on a national securities exchange or regularly quoted in an over-the-counter market by one or more members of a national or affiliated securities association.

(b) The initial articles of the corporation did not include a beneficial purpose.

(B) On and after July 1, 1994, a corporation may be formed under this chapter for the purpose of carrying on the practice of any profession, including, but not limited to, a corporation for the purpose of providing public

accounting or certified public accounting services, a corporation for the erection, owning, and conducting of a sanitarium for receiving and caring for patients, medical and hygienic treatment of patients, and instruction of nurses in the treatment of disease and in hygiene, a corporation for the purpose of providing architectural, landscape architectural, professional engineering, or surveying services or any combination of those types of services, and a corporation for the purpose of providing a combination of the professional services, as defined in section 1785.01 of the Revised Code, of optometrists authorized under Chapter 4725. of the Revised Code, chiropractors authorized under Chapter 4734. of the Revised Code to practice chiropractic or acupuncture, psychologists authorized under Chapter 4732. of the Revised Code, registered or licensed practical nurses authorized under Chapter 4723. of the Revised Code, pharmacists authorized under Chapter 4729. of the Revised Code, physical therapists authorized under sections 4755.40 to 4755.56 of the Revised Code, occupational therapists authorized under sections 4755.04 to 4755.13 of the Revised Code, mechanotherapists authorized under section 4731.151 of the Revised Code, doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery authorized under Chapter 4731. of the Revised Code, and licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists,~~ art therapists, or music therapists authorized under Chapter 4757. of the Revised Code.

This chapter does not restrict, limit, or otherwise affect the authority or responsibilities of any agency, board, commission, department, office, or other entity to license, register, and otherwise regulate the professional conduct of individuals or organizations of any kind rendering professional services, as defined in section 1785.01 of the Revised Code, in this state or to regulate the practice of any profession that is within the jurisdiction of the agency, board, commission, department, office, or other entity, notwithstanding that an individual is a director, officer, employee, or other agent of a corporation formed under this chapter and is rendering professional services or engaging in the practice of a profession through a corporation formed under this chapter or that the organization is a corporation formed under this chapter.

(C) Nothing in division (A) or (B) of this section precludes the organization of a professional association in accordance with this chapter and Chapter 1785. of the Revised Code or the formation of a limited liability company under Chapter ~~1705. or~~ 1706. of the Revised Code with respect to a trade, occupation, or profession.

(D) No corporation formed for the purpose of providing a combination of the professional services, as defined in section 1785.01 of the Revised Code, of optometrists authorized under Chapter 4725. of the Revised Code,

chiropractors authorized under Chapter 4734. of the Revised Code to practice chiropractic or acupuncture, psychologists authorized under Chapter 4732. of the Revised Code, registered or licensed practical nurses authorized under Chapter 4723. of the Revised Code, pharmacists authorized under Chapter 4729. of the Revised Code, physical therapists authorized under sections 4755.40 to 4755.56 of the Revised Code, occupational therapists authorized under sections 4755.04 to 4755.13 of the Revised Code, mechanotherapists authorized under section 4731.151 of the Revised Code, doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery authorized under Chapter 4731. of the Revised Code, and licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists,~~ art therapists, or music therapists authorized under Chapter 4757. of the Revised Code shall control the professional clinical judgment exercised within accepted and prevailing standards of practice of a licensed, certificated, or otherwise legally authorized optometrist, chiropractor, chiropractor practicing acupuncture through the state chiropractic board, psychologist, nurse, pharmacist, physical therapist, occupational therapist, mechanotherapist, doctor of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery, licensed professional clinical counselor, licensed professional counselor, independent social worker, social worker, independent marriage and family therapist, ~~or marriage and family therapist,~~ art therapist, or music therapist in rendering care, treatment, or professional advice to an individual patient.

This division does not prevent a hospital, as defined in section 3727.01 of the Revised Code, insurer, as defined in section 3999.36 of the Revised Code, or intermediary organization, as defined in section 1751.01 of the Revised Code, from entering into a contract with a corporation described in this division that includes a provision requiring utilization review, quality assurance, peer review, or other performance or quality standards. Those activities shall not be construed as controlling the professional clinical judgment of an individual practitioner listed in this division."

After line 34249, insert:

"Sec. 1785.01. As used in this chapter:

(A) "Professional service" means any type of professional service that may be performed only pursuant to a license, certificate, or other legal authorization issued pursuant to Chapter 4701., 4703., 4705., 4715., 4723., 4725., 4729., 4730., 4731., 4732., 4733., 4734., 4741., 4755., or 4757. of the Revised Code to certified public accountants, licensed public accountants, architects, attorneys, dentists, nurses, optometrists, pharmacists, physician assistants, doctors of medicine and surgery, doctors of osteopathic medicine and surgery, doctors of podiatric medicine and surgery, practitioners of the

limited branches of medicine specified in section 4731.15 of the Revised Code, mechanotherapists, psychologists, professional engineers, chiropractors, chiropractors practicing acupuncture through the state chiropractic board, veterinarians, physical therapists, occupational therapists, licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~and marriage and family therapists,~~ art therapists, and music therapists.

(B) "Professional association" means an association organized under this chapter for the sole purpose of rendering one of the professional services authorized under Chapter 4701., 4703., 4705., 4715., 4723., 4725., 4729., 4730., 4731., 4732., 4733., 4734., 4741., 4755., or 4757. of the Revised Code, a combination of the professional services authorized under Chapters 4703. and 4733. of the Revised Code, or a combination of the professional services of optometrists authorized under Chapter 4725. of the Revised Code, chiropractors authorized under Chapter 4734. of the Revised Code to practice chiropractic or acupuncture, psychologists authorized under Chapter 4732. of the Revised Code, registered or licensed practical nurses authorized under Chapter 4723. of the Revised Code, pharmacists authorized under Chapter 4729. of the Revised Code, physical therapists authorized under sections 4755.40 to 4755.56 of the Revised Code, occupational therapists authorized under sections 4755.04 to 4755.13 of the Revised Code, mechanotherapists authorized under section 4731.151 of the Revised Code, doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery authorized under Chapter 4731. of the Revised Code, and licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists,~~ art therapists, or music therapists authorized under Chapter 4757. of the Revised Code.

Sec. 1785.02. An individual or group of individuals each of whom is licensed, certificated, or otherwise legally authorized to render within this state the same kind of professional service, a group of individuals each of whom is licensed, certificated, or otherwise legally authorized to render within this state the professional service authorized under Chapter 4703. or 4733. of the Revised Code, or a group of individuals each of whom is licensed, certificated, or otherwise legally authorized to render within this state the professional service of optometrists authorized under Chapter 4725. of the Revised Code, chiropractors authorized under Chapter 4734. of the Revised Code to practice chiropractic or acupuncture, psychologists authorized under Chapter 4732. of the Revised Code, registered or licensed practical nurses authorized under Chapter 4723. of the Revised Code, pharmacists authorized under Chapter 4729. of the Revised Code, physical therapists authorized under sections 4755.40 to 4755.56 of the Revised Code,

occupational therapists authorized under sections 4755.04 to 4755.13 of the Revised Code, mechanotherapists authorized under section 4731.151 of the Revised Code, doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery authorized under Chapter 4731. of the Revised Code, or licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists,~~ art therapists, or music therapists authorized under Chapter 4757. of the Revised Code may organize and become a shareholder or shareholders of a professional association. Any group of individuals described in this section who may be rendering one of the professional services as an organization created otherwise than pursuant to this chapter may incorporate under and pursuant to this chapter by amending the agreement establishing the organization in a manner that the agreement as amended constitutes articles of incorporation prepared and filed in the manner prescribed in section 1785.08 of the Revised Code and by otherwise complying with the applicable requirements of this chapter.

Sec. 1785.03. A professional association may render a particular professional service only through officers, employees, and agents who are themselves duly licensed, certificated, or otherwise legally authorized to render the professional service within this state. As used in this section, "employee" does not include clerks, bookkeepers, technicians, or other individuals who are not usually and ordinarily considered by custom and practice to be rendering a particular professional service for which a license, certificate, or other legal authorization is required and does not include any other person who performs all of that person's employment under the direct supervision and control of an officer, agent, or employee who renders a particular professional service to the public on behalf of the professional association.

No professional association formed for the purpose of providing a combination of the professional services, as defined in section 1785.01 of the Revised Code, of optometrists authorized under Chapter 4725. of the Revised Code, chiropractors authorized under Chapter 4734. of the Revised Code to practice chiropractic or acupuncture, psychologists authorized under Chapter 4732. of the Revised Code, registered or licensed practical nurses authorized under Chapter 4723. of the Revised Code, pharmacists authorized under Chapter 4729. of the Revised Code, physical therapists authorized under sections 4755.40 to 4755.56 of the Revised Code, occupational therapists authorized under sections 4755.04 to 4755.13 of the Revised Code, mechanotherapists authorized under section 4731.151 of the Revised Code, doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery authorized under Chapter 4731. of the Revised Code, and licensed professional clinical counselors, licensed professional

counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists, art therapists, or music therapists~~ authorized under Chapter 4757. of the Revised Code shall control the professional clinical judgment exercised within accepted and prevailing standards of practice of a licensed, certificated, or otherwise legally authorized optometrist, chiropractor, chiropractor practicing acupuncture through the state chiropractic board, psychologist, nurse, pharmacist, physical therapist, occupational therapist, mechanotherapist, doctor of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery, licensed professional clinical counselor, licensed professional counselor, independent social worker, social worker, independent marriage and family therapist, ~~or marriage and family therapist, art therapist, or music therapist~~ in rendering care, treatment, or professional advice to an individual patient.

This division does not prevent a hospital, as defined in section 3727.01 of the Revised Code, insurer, as defined in section 3999.36 of the Revised Code, or intermediary organization, as defined in section 1751.01 of the Revised Code, from entering into a contract with a professional association described in this division that includes a provision requiring utilization review, quality assurance, peer review, or other performance or quality standards. Those activities shall not be construed as controlling the professional clinical judgment of an individual practitioner listed in this division.

After line 84075, insert:

"Sec. 4723.16.(A) An individual whom the board of nursing licenses or otherwise legally authorizes to engage in the practice of nursing as a registered nurse, advanced practice registered nurse, or licensed practical nurse may render the professional services of a registered, advanced practice registered, or licensed practical nurse within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under former Chapter 1705. of the Revised Code as that chapter existed prior to February 11, 2022, or Chapter 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. This division does not preclude an individual of that nature from rendering professional services as a registered, advanced practice registered, or licensed practical nurse through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with this chapter, another chapter of the Revised Code, or rules of the board of nursing adopted pursuant to this chapter.

(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the following individuals who are licensed, certificated, or otherwise legally

authorized to practice their respective professions:

(1) Optometrists who are authorized to practice optometry under Chapter 4725. of the Revised Code;

(2) Chiropractors who are authorized to practice chiropractic or acupuncture under Chapter 4734. of the Revised Code;

(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;

(4) Registered, advanced practice registered, or licensed practical nurses who are authorized to practice nursing as registered nurses, advanced practice registered nurses, or licensed practical nurses under this chapter;

(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;

(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;

(7) Occupational therapists who are licensed to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;

(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;

(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are licensed, certificated, or otherwise legally authorized for their respective practices under Chapter 4731. of the Revised Code;

(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists,~~ art therapists, or music therapists who are authorized for their respective practices under Chapter 4757. of the Revised Code.

This division shall apply notwithstanding a provision of a code of ethics applicable to a nurse that prohibits a registered, advanced practice registered, or licensed practical nurse from engaging in the practice of nursing as a registered nurse, advanced practice registered nurse, or licensed practical nurse in combination with a person who is licensed, certificated, or otherwise legally authorized to practice optometry, chiropractic, acupuncture through the state chiropractic board, psychology, pharmacy, physical therapy, occupational therapy, mechanotherapy, medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, professional counseling, social work, ~~or marriage and family therapy,~~ art therapy, or music therapy, but who is not also licensed, certificated, or otherwise legally

authorized to engage in the practice of nursing as a registered nurse, advanced practice registered nurse, or licensed practical nurse."

After line 84287, insert:

"Sec. 4725.33.(A) An individual whom the state vision professionals board licenses to engage in the practice of optometry may render the professional services of an optometrist within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under former Chapter 1705. of the Revised Code as that chapter existed prior to February 11, 2022, or Chapter 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. This division does not preclude an optometrist from rendering professional services as an optometrist through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with this chapter, another chapter of the Revised Code, or rules of the state vision professionals board adopted pursuant to this chapter.

(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the following individuals who are licensed, certificated, or otherwise legally authorized to practice their respective professions:

(1) Optometrists who are authorized to practice optometry under Chapter 4725. of the Revised Code;

(2) Chiropractors who are authorized to practice chiropractic or acupuncture under Chapter 4734. of the Revised Code;

(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;

(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;

(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;

(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;

(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;

(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;

(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;

(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists~~, art therapists, or music therapists who are authorized for their respective practices under Chapter 4757. of the Revised Code.

This division shall apply notwithstanding a provision of a code of ethics applicable to an optometrist that prohibits an optometrist from engaging in the practice of optometry in combination with a person who is licensed, certificated, or otherwise legally authorized to practice chiropractic, acupuncture through the state chiropractic board, psychology, nursing, pharmacy, physical therapy, occupational therapy, mechanotherapy, medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, professional counseling, social work, ~~or marriage and family therapy~~, art therapy, or music therapy, but who is not also licensed, certificated, or otherwise legally authorized to engage in the practice of optometry.

Sec. 4729.161.(A) An individual registered with the state board of pharmacy to engage in the practice of pharmacy may render the professional services of a pharmacist within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under former Chapter 1705. of the Revised Code as that chapter existed prior to February 11, 2022, or Chapter 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. This division does not preclude an individual of that nature from rendering professional services as a pharmacist through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with this chapter, another chapter of the Revised Code, or rules of the state board of pharmacy adopted pursuant to this chapter.

(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the following individuals who are licensed, certificated, or otherwise legally authorized to practice their respective professions:

(1) Optometrists who are authorized to practice optometry under Chapter 4725. of the Revised Code;

(2) Chiropractors who are authorized to practice chiropractic or acupuncture under Chapter 4734. of the Revised Code;

(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;

(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;

(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;

(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;

(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;

(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;

(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;

(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists,~~ art therapists, or music therapists who are authorized for their respective practices under Chapter 4757. of the Revised Code.

This division shall apply notwithstanding a provision of a code of ethics applicable to a pharmacist that prohibits a pharmacist from engaging in the practice of pharmacy in combination with a person who is licensed, certificated, or otherwise legally authorized to practice optometry, chiropractic, acupuncture through the state chiropractic board, psychology, nursing, physical therapy, occupational therapy, mechanotherapy, medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, professional counseling, social work, ~~or marriage and family therapy,~~ art therapy, or music therapy, but who is not also licensed, certificated, or otherwise legally authorized to engage in the practice of pharmacy."

After line 86861, insert:

"Sec. 4731.226.(A)(1) An individual whom the state medical board licenses, certificates, or otherwise legally authorizes to engage in the practice of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery may render the professional services of a doctor of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed

under former Chapter 1705. of the Revised Code as that chapter existed prior to February 11, 2022, or Chapter 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. Division (A)(1) of this section does not preclude an individual of that nature from rendering professional services as a doctor of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with this chapter, another chapter of the Revised Code, or rules of the state medical board adopted pursuant to this chapter.

(2) An individual whom the state medical board authorizes to engage in the practice of mechanotherapy may render the professional services of a mechanotherapist within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under former Chapter 1705. of the Revised Code as that chapter existed prior to February 11, 2022, or Chapter 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. Division (A)(2) of this section does not preclude an individual of that nature from rendering professional services as a mechanotherapist through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with this chapter, another chapter of the Revised Code, or rules of the state medical board adopted pursuant to this chapter.

(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the following individuals who are licensed, certificated, or otherwise legally authorized to practice their respective professions:

(1) Optometrists who are authorized to practice optometry under Chapter 4725. of the Revised Code;

(2) Chiropractors who are authorized to practice chiropractic or acupuncture under Chapter 4734. of the Revised Code;

(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;

(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;

(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;

(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;

(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;

(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;

(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under this chapter;

(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists,~~ art therapists, or music therapists who are authorized for their respective practices under Chapter 4757. of the Revised Code.

(C) Division (B) of this section shall apply notwithstanding a provision of a code of ethics described in division (B)(18) of section 4731.22 of the Revised Code that prohibits either of the following:

(1) A doctor of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery from engaging in the doctor's authorized practice in combination with a person who is licensed, certificated, or otherwise legally authorized to engage in the practice of optometry, chiropractic, acupuncture through the state chiropractic board, psychology, nursing, pharmacy, physical therapy, occupational therapy, mechanotherapy, professional counseling, social work, ~~or marriage and family therapy,~~ art therapy, or music therapy, but who is not also licensed, certificated, or otherwise legally authorized to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery.

(2) A mechanotherapist from engaging in the practice of mechanotherapy in combination with a person who is licensed, certificated, or otherwise legally authorized to engage in the practice of optometry, chiropractic, acupuncture through the state chiropractic board, psychology, nursing, pharmacy, physical therapy, occupational therapy, medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, professional counseling, social work, ~~or marriage and family therapy,~~ art therapy, or music therapy, but who is not also licensed, certificated, or otherwise legally authorized to engage in the practice of mechanotherapy."

After line 86951, insert:

"**Sec. 4731.65.** As used in sections 4731.65 to 4731.71 of the Revised Code:

(A)(1) "Clinical laboratory services" means either of the following:

(a) Any examination of materials derived from the human body for the purpose of providing information for the diagnosis, prevention, or treatment of any disease or impairment or for the assessment of health;

(b) Procedures to determine, measure, or otherwise describe the presence or absence of various substances or organisms in the body.

(2) "Clinical laboratory services" does not include the mere collection or preparation of specimens.

(B) "Designated health services" means any of the following:

(1) Clinical laboratory services;

(2) Home health care services;

(3) Outpatient prescription drugs.

(C) "Fair market value" means the value in arms-length transactions, consistent with general market value and:

(1) With respect to rentals or leases, the value of rental property for general commercial purposes, not taking into account its intended use;

(2) With respect to a lease of space, not adjusted to reflect the additional value the prospective lessee or lessor would attribute to the proximity or convenience to the lessor if the lessor is a potential source of referrals to the lessee.

(D) "Governmental health care program" means any program providing health care benefits that is administered by the federal government, this state, or a political subdivision of this state, including the medicare program, health care coverage for public employees, health care benefits administered by the bureau of workers' compensation, and the medicaid program.

(E)(1) "Group practice" means a group of two or more holders of licenses or certificates under this chapter legally organized as a partnership, professional corporation or association, limited liability company, foundation, nonprofit corporation, faculty practice plan, or similar group practice entity, including an organization comprised of a nonprofit medical clinic that contracts with a professional corporation or association of physicians to provide medical services exclusively to patients of the clinic in order to comply with section 1701.03 of the Revised Code and including a corporation, limited liability company, partnership, or professional association described in division (B) of section 4731.226 of the Revised Code formed for the purpose of providing a combination of the professional services of optometrists who are licensed, certificated, or otherwise legally authorized to practice optometry under Chapter 4725. of the Revised Code, chiropractors

who are licensed, certificated, or otherwise legally authorized to practice chiropractic or acupuncture under Chapter 4734. of the Revised Code, psychologists who are licensed, certificated, or otherwise legally authorized to practice psychology under Chapter 4732. of the Revised Code, registered or licensed practical nurses who are licensed, certificated, or otherwise legally authorized to practice nursing under Chapter 4723. of the Revised Code, pharmacists who are licensed, certificated, or otherwise legally authorized to practice pharmacy under Chapter 4729. of the Revised Code, physical therapists who are licensed, certificated, or otherwise legally authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code, occupational therapists who are licensed, certificated, or otherwise legally authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code, mechanotherapists who are licensed, certificated, or otherwise legally authorized to practice mechanotherapy under section 4731.151 of the Revised Code, and doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are licensed, certificated, or otherwise legally authorized for their respective practices under this chapter, and licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists,~~ art therapists, or music therapists who are licensed, certificated, or otherwise legally authorized for their respective practices under Chapter 4757. of the Revised Code to which all of the following apply:

(a) Each physician who is a member of the group practice provides substantially the full range of services that the physician routinely provides, including medical care, consultation, diagnosis, or treatment, through the joint use of shared office space, facilities, equipment, and personnel.

(b) Substantially all of the services of the members of the group are provided through the group and are billed in the name of the group and amounts so received are treated as receipts of the group.

(c) The overhead expenses of and the income from the practice are distributed in accordance with methods previously determined by members of the group.

(d) The group practice meets any other requirements that the state medical board applies in rules adopted under section 4731.70 of the Revised Code.

(2) In the case of a faculty practice plan associated with a hospital with a medical residency training program in which physician members may provide a variety of specialty services and provide professional services both within and outside the group, as well as perform other tasks such as research, the criteria in division (E)(1) of this section apply only with respect to services rendered within the faculty practice plan.

(F) "Home health care services" and "immediate family" have the same meanings as in the rules adopted under section 4731.70 of the Revised Code.

(G) "Hospital" has the same meaning as in section 3727.01 of the Revised Code.

(H) A "referral" includes both of the following:

(1) A request by a holder of a license or certificate under this chapter for an item or service, including a request for a consultation with another physician and any test or procedure ordered by or to be performed by or under the supervision of the other physician;

(2) A request for or establishment of a plan of care by a license or certificate holder that includes the provision of designated health services.

(I) "Third-party payer" has the same meaning as in section 3901.38 of the Revised Code."

After line 87170, insert:

"Sec. 4732.28.(A) An individual whom the state board of psychology licenses, certificates, or otherwise legally authorizes to engage in the practice of psychology may render the professional services of a psychologist within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under former Chapter 1705. of the Revised Code as that chapter existed prior to February 11, 2022, or Chapter 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. This division does not preclude an individual of that nature from rendering professional services as a psychologist through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with this chapter, another chapter of the Revised Code, or rules of the state board of psychology adopted pursuant to this chapter.

(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the following individuals who are licensed, certificated, or otherwise legally authorized to practice their respective professions:

(1) Optometrists who are authorized to practice optometry under Chapter 4725. of the Revised Code;

(2) Chiropractors who are authorized to practice chiropractic or acupuncture under Chapter 4734. of the Revised Code;

(3) Psychologists who are authorized to practice psychology under this

chapter;

(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;

(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;

(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;

(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;

(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;

(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;

(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists,~~ art therapists, or music therapists who are authorized for their respective practices under Chapter 4757. of the Revised Code.

This division shall apply notwithstanding a provision of a code of ethics applicable to a psychologist that prohibits a psychologist from engaging in the practice of psychology in combination with a person who is licensed, certificated, or otherwise legally authorized to practice optometry, chiropractic, acupuncture through the state chiropractic board, nursing, pharmacy, physical therapy, occupational therapy, mechanotherapy, medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, professional counseling, social work, ~~or marriage and family therapy,~~ art therapy, or music therapy, but who is not also licensed, certificated, or otherwise legally authorized to engage in the practice of psychology."

After line 87186, insert:

"Sec. 4734.17.(A) An individual whom the state chiropractic board licenses to engage in the practice of chiropractic or certifies to practice acupuncture may render the professional services of a chiropractor or chiropractor certified to practice acupuncture within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under former Chapter 1705. of the Revised Code as that chapter existed prior to February 11, 2022, or Chapter 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785.

of the Revised Code. This division does not preclude a chiropractor from rendering professional services as a chiropractor or chiropractor certified to practice acupuncture through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with this chapter, another chapter of the Revised Code, or rules of the state chiropractic board adopted pursuant to this chapter.

(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the following individuals who are licensed, certificated, or otherwise legally authorized to practice their respective professions:

(1) Optometrists who are authorized to practice optometry, under Chapter 4725. of the Revised Code;

(2) Chiropractors who are authorized to practice chiropractic or acupuncture under this chapter;

(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;

(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;

(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;

(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;

(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;

(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;

(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;

(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists,~~ art therapists, or music therapists who are authorized for their respective practices under Chapter 4757. of the Revised Code.

This division shall apply notwithstanding a provision of any code of ethics

established or adopted under section 4734.16 of the Revised Code that prohibits an individual from engaging in the practice of chiropractic or acupuncture in combination with an individual who is licensed, certificated, or otherwise authorized for the practice of optometry, psychology, nursing, pharmacy, physical therapy, occupational therapy, mechanotherapy, medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, professional counseling, social work, ~~or~~ marriage and family therapy, art therapy, or music therapy, but who is not also licensed under this chapter to engage in the practice of chiropractic."

After line 89778, insert:

"Sec. 4743.09.(A) As used in this section:

(1) "Durable medical equipment" means a type of equipment, such as a remote monitoring device utilized by a physician, physician assistant, or advanced practice registered nurse in accordance with this section, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, and generally is not useful to a person in the absence of illness or injury and, in addition, includes repair and replacement parts for the equipment.

(2) "Facility fee" means any fee charged or billed for telehealth services provided in a facility that is intended to compensate the facility for its operational expenses and is separate and distinct from a professional fee.

(3) "Health care professional" means:

(a) An advanced practice registered nurse, as defined in section 4723.01 of the Revised Code;

(b) An optometrist licensed under Chapter 4725. of the Revised Code to practice optometry;

(c) A pharmacist licensed under Chapter 4729. of the Revised Code;

(d) A physician assistant licensed under Chapter 4730. of the Revised Code;

(e) A physician licensed under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;

(f) A psychologist, independent school psychologist, or school psychologist licensed under Chapter 4732. of the Revised Code;

(g) A chiropractor licensed under Chapter 4734. of the Revised Code;

(h) An audiologist or speech-language pathologist licensed under Chapter 4753. of the Revised Code;

(i) An occupational therapist or physical therapist licensed under Chapter 4755. of the Revised Code;

(j) An occupational therapy assistant or physical therapist assistant licensed under Chapter 4755. of the Revised Code;

(k) A professional clinical counselor, independent social worker, ~~or independent marriage and family therapist,~~ art therapist, or music therapist licensed under Chapter 4757. of the Revised Code;

(l) An independent chemical dependency counselor licensed under Chapter 4758. of the Revised Code;

(m) A dietitian licensed under Chapter 4759. of the Revised Code;

(n) A respiratory care professional licensed under Chapter 4761. of the Revised Code;

(o) A genetic counselor licensed under Chapter 4778. of the Revised Code;

(p) A certified Ohio behavior analyst certified under Chapter 4783. of the Revised Code.

(4) "Health care professional licensing board" means any of the following:

(a) The board of nursing;

(b) The state vision professionals board;

(c) The state board of pharmacy;

(d) The state medical board;

(e) The state board of psychology;

(f) The state chiropractic board;

(g) The state speech and hearing professionals board;

(h) The Ohio occupational therapy, physical therapy, and athletic trainers board;

(i) The counselor, social worker, and marriage and family therapist board;

(j) The chemical dependency professionals board.

(5) "Health plan issuer" has the same meaning as in section 3922.01 of the Revised Code.

(6) "Telehealth services" means health care services provided through the use of information and communication technology by a health care professional, within the professional's scope of practice, who is located at a site other than the site where either of the following is located:

(a) The patient receiving the services;

(b) Another health care professional with whom the provider of the services is consulting regarding the patient.

(B)(1) Each health care professional licensing board shall permit a health care professional under its jurisdiction to provide the professional's services as telehealth services in accordance with this section. Subject to division (B)(2) of this section, a board may adopt any rules it considers necessary to implement this section. All rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code. Any such rules adopted by a board are not subject to the requirements of division (F) of section 121.95 of the Revised Code.

(2)(a) Except as provided in division (B)(2)(b) of this section, the rules adopted by a health care professional licensing board under this section shall establish a standard of care for telehealth services that is equal to the standard of care for in-person services.

(b) Subject to division (B)(2)(c) of this section, a board may require an initial in-person visit prior to prescribing a schedule II controlled substance to a new patient, equivalent to applicable state and federal requirements.

(c)(i) A board shall not require an initial in-person visit for a new patient whose medical record indicates that the patient is receiving hospice or palliative care, who is receiving medication-assisted treatment or any other medication for opioid-use disorder, who is a patient with a mental health condition, or who, as determined by the clinical judgment of a health care professional, is in an emergency situation.

(ii) Notwithstanding division (B) of section 3796.01 of the Revised Code, medical marijuana shall not be considered a schedule II controlled substance.

(C) With respect to the provision of telehealth services, all of the following apply:

(1) A health care professional may use synchronous or asynchronous technology to provide telehealth services to a patient during an initial visit if the appropriate standard of care for an initial visit is satisfied.

(2) A health care professional may deny a patient telehealth services and, instead, require the patient to undergo an in-person visit.

(3) When providing telehealth services in accordance with this section, a health care professional shall comply with all requirements under state and federal law regarding the protection of patient information. A health care professional shall ensure that any username or password information and any electronic communications between the professional and a patient are securely transmitted and stored.

(4) A health care professional may use synchronous or asynchronous technology to provide telehealth services to a patient during an annual visit if the appropriate standard of care for an annual visit is satisfied.

(5) In the case of a health care professional who is a physician, physician assistant, or advanced practice registered nurse, both of the following apply:

(a) The professional may provide telehealth services to a patient located outside of this state if permitted by the laws of the state in which the patient is located.

(b) The professional may provide telehealth services through the use of medical devices that enable remote monitoring, including such activities as monitoring a patient's blood pressure, heart rate, or glucose level.

(D) When a patient has consented to receiving telehealth services, the health care professional who provides those services is not liable in damages under any claim made on the basis that the services do not meet the same standard of care that would apply if the services were provided in-person.

(E)(1) A health care professional providing telehealth services shall not charge a patient or a health plan issuer covering telehealth services under section 3902.30 of the Revised Code any of the following: a facility fee, an origination fee, or any fee associated with the cost of the equipment used at the provider site to provide telehealth services.

A health care professional providing telehealth services may charge a health plan issuer for durable medical equipment used at a patient or client site.

(2) A health care professional may negotiate with a health plan issuer to establish a reimbursement rate for fees associated with the administrative costs incurred in providing telehealth services as long as a patient is not responsible for any portion of the fee.

(3) A health care professional providing telehealth services shall obtain a patient's consent before billing for the cost of providing the services, but the requirement to do so applies only once.

(F) Nothing in this section limits or otherwise affects any other provision of the Revised Code that requires a health care professional who is not a physician to practice under the supervision of, in collaboration with, in consultation with, or pursuant to the referral of another health care professional.

(G) It is the intent of the general assembly, through the amendments to this section, to expand access to and investment in telehealth services in this state in congruence with the expansion and investment in telehealth services made during the COVID-19 pandemic."

After line 90052, insert:

"**Sec. 4755.111.** (A) An individual whom the occupational therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board licenses, certificates, or otherwise legally authorizes to engage in the practice of occupational therapy may render the professional services of an occupational therapist within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under former Chapter 1705. of the Revised Code as that chapter existed prior to February 11, 2022, or Chapter 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. This division does not preclude an individual of that nature from rendering professional services as an occupational therapist through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with sections 4755.04 to 4755.13 of the Revised Code, another chapter of the Revised Code, or rules of the Ohio occupational therapy, physical therapy, and athletic trainers board adopted pursuant to sections 4755.04 to 4755.13 of the Revised Code.

(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the following individuals who are licensed, certificated, or otherwise legally authorized to practice their respective professions:

(1) Optometrists who are authorized to practice optometry under Chapter 4725. of the Revised Code;

(2) Chiropractors who are authorized to practice chiropractic or acupuncture under Chapter 4734. of the Revised Code;

(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;

(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;

(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;

(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;

(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;

(8) Mechanotherapists who are authorized to practice mechanotherapy

under section 4731.151 of the Revised Code;

(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;

(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists,~~ art therapists, or music therapists who are authorized for their respective practices under Chapter 4757. of the Revised Code.

This division shall apply notwithstanding a provision of a code of ethics applicable to an occupational therapist that prohibits an occupational therapist from engaging in the practice of occupational therapy in combination with a person who is licensed, certificated, or otherwise legally authorized to practice optometry, chiropractic, acupuncture through the state chiropractic board, psychology, nursing, pharmacy, physical therapy, mechanotherapy, medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, professional counseling, social work, ~~or marriage and family therapy,~~ art therapy, or music therapy, but who is not also licensed, certificated, or otherwise legally authorized to engage in the practice of occupational therapy."

After line 90417, insert:

"Sec. 4755.471. (A) An individual whom the physical therapy section of the Ohio occupational therapy, physical therapy, and athletic trainers board licenses, certificates, or otherwise legally authorizes to engage in the practice of physical therapy may render the professional services of a physical therapist within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under former Chapter 1705. of the Revised Code as that chapter existed prior to February 11, 2022, or Chapter 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. This division does not preclude an individual of that nature from rendering professional services as a physical therapist through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with sections 4755.40 to 4755.53 of the Revised Code, another chapter of the Revised Code, or rules of the Ohio occupational therapy, physical therapy, and athletic trainers board adopted pursuant to sections 4755.40 to 4755.53 of the Revised Code.

(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the

following individuals who are licensed, certificated, or otherwise legally authorized to practice their respective professions:

(1) Optometrists who are authorized to practice optometry under Chapter 4725. of the Revised Code;

(2) Chiropractors who are authorized to practice chiropractic or acupuncture under Chapter 4734. of the Revised Code;

(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;

(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;

(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;

(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;

(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;

(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;

(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;

(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists,~~ art therapists, or music therapists who are authorized for their respective practices under Chapter 4757. of the Revised Code.

This division shall apply notwithstanding a provision of a code of ethics applicable to a physical therapist that prohibits a physical therapist from engaging in the practice of physical therapy in combination with a person who is licensed, certificated, or otherwise legally authorized to practice optometry, chiropractic, acupuncture through the state chiropractic board, psychology, nursing, pharmacy, occupational therapy, mechanotherapy, medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, professional counseling, social work, ~~or marriage and family therapy,~~ art therapy, or music therapy, but who is not also licensed, certificated, or otherwise legally authorized to engage in the practice of physical therapy."

After line 90573, insert:

"Sec. 4757.01. As used in this chapter:

(A) "Practice of professional counseling" means rendering or offering to render to individuals, groups, organizations, or the general public a counseling service involving the application of clinical counseling principles, methods, or procedures to assist individuals in achieving more effective personal, social, educational, or career development and adjustment, including the diagnosis and treatment of mental and emotional disorders.

(B) "Clinical counseling principles, methods, or procedures" means an approach to counseling that emphasizes the counselor's role in systematically assisting clients through all of the following: assessing and analyzing background and current information, diagnosing mental and emotional disorders, exploring possible solutions, and developing and providing a treatment plan for mental and emotional adjustment or development. "Clinical counseling principles, methods, or procedures" includes at least counseling, appraisal, consulting, and referral.

(C) "Practice of social work" means the application of social work theory and specialized knowledge of human development and behavior and social, economic, and cultural systems in directly assisting individuals, families, and groups in a clinical setting to improve or restore their capacity for social functioning, including counseling, the use of psychosocial interventions, and the use of social psychotherapy, which includes the diagnosis and treatment of mental and emotional disorders.

(D) "Accredited educational institution" means an institution accredited by a national or regional accrediting agency accepted by the board of regents.

(E) "Scope of practice" means the services, methods, and techniques in which and the areas for which a person licensed or registered under this chapter is trained and qualified.

(F) "Mental and emotional disorders" means those disorders that are classified in accepted nosologies such as the international classification of diseases and the diagnostic and statistical manual of mental disorders and in future editions of those nosologies.

(G) "Marriage and family therapy" means the diagnosis, evaluation, assessment, counseling, management and treatment of mental and emotional disorders, whether cognitive, affective, or behavioral, within the context of marriage and family systems, through the professional application of marriage and family therapies and techniques.

(H) "Practice of marriage and family therapy" means the diagnosis, treatment, evaluation, assessment, counseling, and management, of mental and emotional disorders, whether cognitive, affective or behavioral, within the context of marriage and family systems, to individuals, couples, and families,

singly or in groups, whether those services are offered directly to the general public or through public or private organizations, for a fee, salary or other consideration through the professional application of marriage and family theories, therapies, and techniques, including, but not limited to psychotherapeutic theories, therapies and techniques that marriage and family therapists are educated and trained to perform.

(I) "Social functioning" means living up to the expectations that are made of an individual by the individual's own self, the immediate social environment, and by society at large. "Social functioning" includes meeting basic needs of the individual and the individual's dependents, including physical aspects, personal fulfillment, emotional needs, and an adequate self-concept.

(J)(1) "Art therapy" means the integrated use of psychotherapeutic principles and methods with art media and the creative process to assist individuals, families, or groups in doing any of the following:

(a) Improving cognitive and sensory-motor function;

(b) Increasing self-awareness and self-esteem;

(c) Coping with grief and traumatic experiences;

(d) Enhancing cognitive abilities;

(e) Resolving conflicts and distress;

(f) Enhancing social functioning;

(g) Identifying and assessing clients' needs to implement therapeutic intervention to meet developmental, behavioral, mental, and emotional needs.

(2) "Art therapy" includes therapeutic intervention to facilitate alternative modes of receptive and expressive communication and evaluation and assessment to define and implement art-based treatment plans to address cognitive, behavioral, developmental, and emotional needs.

(K) "Practice of art therapy" means the rendering or offering to render art therapy in the prevention or treatment of cognitive, developmental, emotional, or behavioral disabilities or conditions.

(L) "Music therapy" means the clinical use of music interventions by an individual to accomplish individualized goals within a therapeutic relationship through an individualized music therapy treatment plan developed for a client.

(M) "Music therapy services" means the services a licensee is authorized to provide to achieve the goals of music therapy."

Sec. 4757.02. (A) Except as provided in division (C) of this section and section 4757.41 of the Revised Code:

(1) No person shall engage in or claim to the public to be engaging in the practice of professional counseling for a fee, salary, or other consideration unless the person is currently licensed under this chapter as a licensed professional clinical counselor or licensed professional counselor.

(2) No person shall practice or claim to the public to be practicing social work for a fee, salary, or other consideration unless the person is currently licensed under this chapter as an independent social worker or a social worker.

(3) No person shall claim to the public to be a social work assistant unless the person is currently registered under this chapter as a social work assistant.

(4) No person shall engage in the practice of marriage and family therapy or claim to the public to be engaging in the practice of marriage and family therapy unless the person is currently licensed under this chapter as a marriage and family therapist.

(B)(1) No person shall use the title "licensed professional clinical counselor," "licensed professional counselor," or any other title or description incorporating the word "counselor" or any initials used to identify persons acting in those capacities unless currently authorized under this chapter by licensure to act in the capacity indicated by the title or initials.

(2) No person shall use the title "social worker," "independent social worker," "social work assistant," or any other title or description incorporating the words "social worker" or any initials used to identify persons acting in those capacities unless the person is currently authorized by licensure or registration under this chapter to act in the capacity indicated by the title or initials.

(3) No person shall use the title "marriage and family therapist" or any initials used to identify persons acting in that capacity unless the person is currently authorized by licensure under this chapter to act in the capacity indicated by the title or initials.

(C)(1) Divisions (A)(1) to (3) of this section do not apply to the practice of marriage and family therapy by a person holding a valid license or temporary license as a marriage and family therapist under this chapter or holding a valid license as an independent marriage and family therapist under this chapter.

(2) Division (A)(4) of this section does not apply to the following persons licensed or registered under this chapter: licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, and social work assistants.

(D) Beginning one year after the effective date of this amendment, no person shall knowingly engage in the practice of art therapy or provide music therapy services or use the title "art therapist" or "music therapist" or a similar

title unless the person holds a valid license issued under this chapter that is in good standing."

In line 90576, strike through "fifteen" and insert "twenty-one"

In line 90604, strike through "Three" and insert "Five"

In line 90606, strike through "or"; after "work" insert ", art therapy, or music therapy"

In line 90608, strike through "or"; after "services" insert ", art therapy, or music therapy"

In line 90611, strike through "or"

In line 90612, after "work" insert ", art therapy, or music therapy"

In line 90613, strike through "or"; after "services" insert ", art therapy, or music therapy."

(5) Two members shall be individuals licensed under this chapter as art therapists.

(6) Two members shall be individuals licensed under this chapter as music therapists"

In line 90615, strike through "and"; after "(3)" insert ", (5), and (6)"

In line 90627, strike through "three" and insert "five"

In line 90634, strike through "eight" and insert "eleven"

In line 90641, strike through "four, five, or"; after "six" insert ", seven, or eight"

After line 90652, insert:

"Sec. 4757.04. Within the counselor, social worker, and marriage and family therapist board, there is hereby created the counselors professional standards committee, the social workers professional standards committee, ~~and the marriage and family therapist professional standards committee,~~ the art therapist professional standards committee, and the music therapist professional standards committee.

The counselors professional standards committee consists of the board's licensed professional clinical counselor and licensed professional counselor members and one of the members representing the public who is not the member representing the public on the marriage and family therapist professional standards committee ~~or,~~ the social workers professional standards committee, the art therapist professional standards committee, or the music therapist professional standards committee. The committee has full authority to act on behalf of the board on all matters concerning professional clinical

counselors and professional counselors.

The social workers professional standards committee consists of the board's independent social worker and social worker members and one of the members representing the public who is not the member representing the public on the counselors professional standards committee ~~or~~, the marriage and family therapist professional standards committee, the art therapist professional standards committee, or the music therapist professional standards committee. The committee has full authority to act on behalf of the board on all matters concerning independent social workers, social workers, and social work assistants.

The marriage and family therapist professional standards committee consists of the board's marriage and family therapists and one of the members representing the public who is not the member representing the public on the counselors professional standards committee ~~or~~, the social workers professional standards committee, the art therapist professional standards committee, or the music therapist professional standards committee. The committee has full authority to act on behalf of the board on all matters concerning independent marriage and family therapists and marriage and family therapists.

The art therapist professional standards committee consists of the board's licensed art therapist members and one of the members representing the public who is not the member representing the public on the marriage and family therapist professional standards committee, the social workers professional standards committee, the counselor professional standards committee, or the music therapist professional standards committee. The committee has full authority to act on behalf of the board on all matters concerning art therapy and art therapists.

The music therapist professional standards committee consists of the board's licensed music therapist members and one of the members representing the public who is not the member representing the public on the marriage and family therapist professional standards committee, the social workers professional standards committee, the counselor professional standards committee, or the art therapist professional standards committee. The committee has full authority to act on behalf of the board on all matters concerning music therapy and music therapists.

Sec. 4757.05. (A)(A)(1) The counselor, social worker, and marriage and family therapist board shall meet as a whole to discuss and review issues regarding personnel, budgetary matters, administration, and any other matter pertaining to the operation of the entire board. The board shall hold at least one regular meeting every three months. Additional meetings may be held at such times as the board determines, upon call of the chairperson, or upon the

written request of four or more members of the board to the executive director. If four or more members so request a meeting, the executive director shall call a meeting to commence in not more than seven days. ~~Eight~~ Eleven members of the board constitute a quorum to conduct business. Except as provided in section 4757.39 of the Revised Code, no action shall be taken without the concurrence of at least a quorum.

(2) The counselors professional standards committee, the social workers professional standards committee, ~~and the marriage and family therapist professional standards committee, the art therapist professional standards committee, and the music therapist professional standards committee~~ shall meet as necessary to fulfill their duties established by this chapter and the rules adopted under it. Three members of a committee constitute a quorum for ~~that the counselors professional standards committee, the social workers professional standards committee, and the marriage and family therapist professional standards committee to conduct business, and two members of a committee constitute a quorum for the art therapist professional standards committee and the music therapist professional standards committee to conduct business.~~ No action shall be taken without the concurrence of at least a quorum.

(B) At its first meeting each year, the board shall elect a chairperson from among its members. At the first meeting held each year by the board's professional standards committees, each committee shall elect from among its members a chairperson. The chairpersons of the committees shall serve as co-vice-chairpersons of the board. Neither the board nor its committees shall elect a member to serve more than two consecutive terms in the same office.

(C) The board shall employ an executive director. The board may employ and prescribe the powers and duties of such employees and consultants as are necessary for it and its professional standards committees to carry out this chapter and rules adopted under it.

(D) The members of the board shall receive an amount fixed under division (J) of section 124.15 of the Revised Code for each day employed in the discharge of their official duties as board or committee members and shall be reimbursed for their necessary and actual expenses incurred in the performance of their official duties.

(E) The board and each of its professional standards committees shall keep any records and minutes necessary to fulfill the duties established by this chapter and the rules adopted under it.

Sec. 4757.11. The counselor, social worker, and marriage and family therapist board shall establish a code of ethical practice for persons licensed under this chapter as licensed professional clinical counselors or licensed professional counselors. The board shall establish a code of ethical practice

for persons licensed under this chapter as independent social workers or social workers, persons registered under this chapter as social work assistants, and persons licensed as independent marriage and family therapists or marriage and family therapists. The board shall establish a code of ethical practice for persons licensed under this chapter as art therapists. The board shall establish a code of ethical practice for persons licensed under this chapter as music therapists. The codes of ethical practice shall be established by adopting rules in accordance with Chapter 119. of the Revised Code. The codes of ethical practice shall define unprofessional conduct, which shall include engaging in a dual relationship with a client or former client, committing an act of sexual abuse, misconduct, or exploitation of a client or former client, and, except as permitted by law, violating client confidentiality. The codes of ethical practice may be based on any codes of ethical practice developed by national organizations representing the interests of those involved in professional counseling, social work, ~~or~~ marriage and family therapy, art therapy, or music therapy. The board may establish standards in its codes of ethical practice that are more stringent than those established by national organizations.

Sec. 4757.15. The counselor, social worker, and marriage and family therapist board shall prepare, cause to be prepared, or procure the use of, and grade, have graded, or procure the grading of, examinations to determine the competence of applicants for licensure under this chapter. The board may administer separate examinations to reflect differences in educational degrees earned by applicants. The board may develop the examinations or use examinations prepared by state or national organizations that represent the interests of those involved in professional counseling, social work, ~~or~~ marriage and family therapy, art therapy, or music therapy. The board shall conduct examinations at least twice each year and shall determine the level of competence necessary for a passing score.

Sec. 4757.16. (A) A person seeking to be licensed under this chapter as a licensed professional clinical counselor or licensed professional counselor shall file with the counselors professional standards committee of the counselor, social worker, and marriage and family therapist board a written application on a form prescribed by the board. A person seeking to be licensed under this chapter as an independent social worker or social worker or registered under this chapter as a social work assistant shall file with the social workers professional standards committee of the board a written application on a form prescribed by the board. A person seeking to be licensed under this chapter as an independent marriage and family therapist or a marriage and family therapist shall file with the marriage and family therapist professional standards committee of the board a written application on a form prescribed by the board. A person seeking to be licensed under this chapter as a licensed art therapist shall file with the art therapist professional standards committee of the board a written application on a form prescribed by the

board. A person seeking to be licensed under this chapter as a licensed music therapist shall file with the music therapist professional standards committee of the board a written application on a form prescribed by the board.

Each form prescribed by the board shall contain a statement informing the applicant that a person who knowingly makes a false statement on the form is guilty of falsification under section 2921.13 of the Revised Code, a misdemeanor of the first degree.

(B) The professional standards committees shall adopt rules under Chapter 119. of the Revised Code concerning the process for review of each application received to determine whether the applicant meets the requirements to receive the license or certificate of registration for which application has been made.

Sec. 4757.24. (A) The art therapy professional standards committee of the counselor, social worker, and marriage and family therapist board shall issue a license as an art therapist to each applicant who submits a properly completed application, pays the fee established under section 4757.31 of the Revised Code, and meets the requirements established under division (B) of this section.

The music therapy professional standards committee of the board shall issue a license as a music therapist to each applicant who submits a properly completed application, pays the fee established under section 4757.31 of the Revised Code, and meets the requirements established under division (C) of this section.

(B) To be eligible for a license to practice art therapy under this chapter, an applicant shall meet all of the following requirements:

(1) Be at least eighteen years of age;

(2) Have attained a master's degree or higher degree from a graduate program in art therapy that one of the following applies to at the time the degree was conferred:

(a) The program is approved by the American art therapy association or its successor organization;

(b) The program is accredited by the commission on accreditation of allied health education programs or its successor organization;

(c) The board considers the program to be substantially equivalent to a program approved or accredited under division (B)(2)(a) or (b) of this section.

(3) Have completed at least two years of postgraduate supervised clinical experience in the experience requirements that the art therapy credentials board, its successor organization, or an equivalent organization recognized by

the counselor, social worker, and marriage and family therapist board required for an individual to become a registered art therapist at the time the experience was completed;

(4) Have a board certification in good standing with the art therapy credentials board, its successor organization, or an equivalent organization recognized by the counselor, social worker, and marriage and family therapist board;

(5) Have satisfied any other requirements established by the counselor, social worker, and marriage and family therapist board.

(C) To be eligible for a license to practice music therapy under this chapter, an applicant shall meet all of the following requirements:

(1) Be at least eighteen years of age;

(2) Have successfully completed an academic program with a bachelor's or higher degree in music therapy approved by the American music therapy association or its successor organization;

(3) Have passed the examination for board certification by the certification board for music therapists or its successor organization or obtained certification as a music therapist by that board on January 1, 1985;

(4) Be currently certified as a music therapist by the certification board for music therapists or its successor organization.

(5) Have successfully completed a minimum of one thousand two hundred hours of clinical training, with at least one hundred eighty hours in preinternship experience and at least nine hundred hours in internship experience, if the internship is approved by the American music therapy association or its successor organization, an academic institution, or both.

(D) Within sixty days after receiving the information described in division (B) or (C) of this section and receipt of proof of compliance with section 4757.101 of the Revised Code, the appropriate professional standards committee of the board shall issue a license to practice as an art therapist or music therapist as required under division (A) of this section.

(E) This section does not apply to members of other professions licensed, certified, or registered by this state while performing services within the recognized scope, standards, and ethics of their respective professions.

Sec. 4757.31. (A) Subject to division (B) of this section, the counselor, social worker, and marriage and family therapist board shall establish, and may from time to time adjust, fees to be charged for the following:

(1) Examination for licensure as a licensed professional clinical counselor, licensed professional counselor, marriage and family therapist, independent

marriage and family therapist, social worker, or independent social worker;

(2) Initial licenses of licensed professional clinical counselors, licensed professional counselors, marriage and family therapists, independent marriage and family therapists, social workers, ~~and independent social workers, art therapists, and music therapists~~, except that the board shall charge only one fee to a person who fulfills all requirements for more than one of the following initial licenses: an initial license as a social worker or independent social worker, an initial license as a licensed professional counselor or licensed professional clinical counselor, and an initial license as a marriage and family therapist or independent marriage and family therapist;

(3) Initial certificates of registration of social work assistants;

(4) Renewal and late renewal of licenses of licensed professional clinical counselors, licensed professional counselors, marriage and family therapists, independent marriage and family therapists, social workers, ~~and independent social workers, art therapists, and music therapists~~ and renewal and late renewal of certificates of registration of social work assistants;

(5) Verification, to another jurisdiction, of a license or registration issued by the board;

(6) Continuing education programs offered by the board to licensees or registrants;

(7) Approval of continuing education programs;

(8) Approval of continuing education providers to be authorized to offer continuing education programs without prior approval from the board for each program offered;

(9) Issuance of a replacement copy of any wall certificate issued by the board;

(10) Late completion of continuing counselor, social worker, or marriage and family therapy education required under section 4757.33 of the Revised Code and the rules adopted under it.

(B) The fees charged under division (A)(1) of this section shall be established in amounts sufficient to cover the direct expenses incurred in examining applicants for licensure. The fees charged under divisions (A)(2) to (9) of this section shall be nonrefundable and shall be established in amounts sufficient to cover the necessary expenses in administering this chapter and rules adopted under it that are not covered by fees charged under division (A)(1) or (C) of this section. The renewal fee for a license or certificate of registration shall not be less than the initial fee for that license or certificate. The fees charged for licensure and registration and the renewal of licensure and registration may differ for the various types of licensure and registration,

but shall not exceed one hundred twenty-five dollars each, unless the board determines that amounts in excess of one hundred twenty-five dollars are needed to cover its necessary expenses in administering this chapter and rules adopted under it and the amounts in excess of one hundred twenty-five dollars are approved by the controlling board.

(C) All receipts of the board shall be deposited in the state treasury to the credit of the occupational licensing and regulatory fund. All vouchers of the board shall be approved by the chairperson or executive director of the board, or both, as authorized by the board.

Sec. 4757.34. The counselor, social worker, and marriage and family therapist board shall approve one or more continuing education courses of study that assist social workers, independent social workers, social work assistants, independent marriage and family therapists, marriage and family therapists, licensed professional clinical counselors, ~~and~~ licensed professional counselors, art therapists, and music therapists in recognizing the signs of domestic violence and its relationship to child abuse. Social workers, independent social workers, social work assistants, independent marriage and family therapists, marriage and family therapists, licensed professional clinical counselors, ~~and~~ licensed professional counselors, art therapists, and music therapists are not required to take the courses.

Sec. 4757.36.(A) The appropriate professional standards committee of the counselor, social worker, and marriage and family therapist board may, in accordance with Chapter 119. of the Revised Code, take any action specified in division (B) of this section for any reason described in division (C) of this section against an individual who has applied for or holds a license issued under this chapter; a master's level counselor trainee, social worker trainee, or marriage and family therapist trainee; or an individual or entity that is registered, or has applied for registration, in accordance with rules adopted under section 4757.33 of the Revised Code to provide continuing education programs approved by the board.

(B) In its imposition of sanctions against an individual or entity specified in division (A) of this section, the board may do any of the following:

- (1) Refuse to issue or refuse to renew a license or certificate of registration;
- (2) Suspend, revoke, or otherwise restrict a license or certificate of registration;
- (3) Reprimand an individual holding a license or certificate of registration;
- (4) Except as otherwise provided in division (J) of this section, impose a fine in accordance with the graduated system of fines established by the board in rules adopted under section 4757.10 of the Revised Code;

(5) Require an individual holding a license or certificate of registration to take corrective action courses.

(C) The appropriate professional standards committee of the board may take an action specified in division (B) of this section for any of the following reasons:

(1) Commission of an act that violates any provision of this chapter or rules adopted under it;

(2) Knowingly making a false statement on an application for licensure or registration, or for renewal of a license or certificate of registration;

(3) Accepting a commission or rebate for referring persons to any professionals licensed, certified, or registered by any court or board, commission, department, division, or other agency of the state, including, but not limited to, individuals practicing counseling, social work, ~~or marriage and family therapy~~, art therapy, and music therapy or practicing in fields related to counseling, social work, ~~or marriage and family therapy~~, art therapy, and music therapy;

(4) A failure to comply with section 4757.13 of the Revised Code;

(5) A conviction in this or any other state of a crime that is a felony in this state;

(6) A failure to perform properly as a licensed professional clinical counselor, licensed professional counselor, independent marriage and family therapist, marriage and family therapist, social work assistant, social worker, ~~or independent social worker~~, art therapist, or music therapist due to the use of alcohol or other drugs or any other physical or mental condition;

(7) A conviction in this state or in any other state of a misdemeanor committed in the course of practice as a licensed professional clinical counselor, licensed professional counselor, independent marriage and family therapist, marriage and family therapist, social work assistant, social worker, ~~or independent social worker~~, art therapist, or music therapist;

(8) Practicing outside the scope of practice applicable to that person;

(9) Practicing in violation of the supervision requirements specified under sections 4757.21 and 4757.26, and division (E) of section 4757.30, of the Revised Code;

(10) A violation of the person's code of ethical practice adopted by rule of the board pursuant to section 4757.11 of the Revised Code;

(11) Revocation or suspension of a license or certificate of registration, other disciplinary action against a license holder or registration, or the voluntary surrender of a license or certificate of registration in another state or

jurisdiction for an offense that would be a violation of this chapter;

(12) Commission of a second or subsequent violation of division (B)(1) of section 959.07 or any violation of division (C) of section 959.09 of the Revised Code.

(D) Notwithstanding any provision of divisions (A) to (C) of this section to the contrary, the board shall not refuse to issue a license or certificate of registration to an applicant because of a criminal conviction unless the refusal is in accordance with section 9.79 of the Revised Code.

(E) A disciplinary action under division (B) of this section shall be taken pursuant to an adjudication under Chapter 119. of the Revised Code, except that in lieu of an adjudication, the appropriate professional standards committee may enter into a consent agreement with an individual or entity specified in division (A) of this section to resolve an allegation of a violation of this chapter or any rule adopted under it. A consent agreement, when ratified by the appropriate professional standards committee, constitutes the findings and order of the board with respect to the matter addressed in the agreement. If a committee refuses to ratify a consent agreement, the admissions and findings contained in the consent agreement are of no force or effect.

(F) In any instance in which a professional standards committee of the board is required by Chapter 119. of the Revised Code to give notice of the opportunity for a hearing and the individual or entity subject to the notice does not timely request a hearing in accordance with section 119.07 of the Revised Code, the committee may adopt a final order that contains the board's findings. In that final order, the committee may order any of the sanctions identified in division (B) of this section.

(G) One year or more after the date of suspension or revocation of a license or certificate of registration under this section, application may be made to the appropriate professional standards committee for reinstatement. The committee may approve or deny an application for reinstatement. If a license has been suspended or revoked, the committee may require an examination for reinstatement.

(H) On request of the board, the attorney general shall bring and prosecute to judgment a civil action to collect any fine imposed under division (B)(4) of this section that remains unpaid.

(I) All fines collected under division (B)(4) of this section shall be deposited into the state treasury to the credit of the occupational licensing and regulatory fund.

(J) A board shall impose a fine under division (B)(4) of this section for a violation specified in division (C)(12) of this section as follows:

(1) One hundred dollars for a second violation of division (B)(1) of section 959.07 of the Revised Code or a first violation of division (C) of section 959.09 of the Revised Code;

(2) Five hundred dollars for any subsequent violation of division (B)(1) of section 959.07 or division (C) of section 959.09 of the Revised Code.

(K) Notwithstanding any provision of this section to the contrary, for a first violation of division (B)(1) of section 959.07 of the Revised Code, the board shall issue a confidential written warning and shall not take any other disciplinary action under this section. The board shall include in the warning an explanation of the violation and the reporting requirement specified under section 959.07 of the Revised Code."

After line 90704, insert:

"Sec. 4757.37.(A) An individual whom the counselor, social worker, and marriage and family therapist board licenses, certificates, or otherwise legally authorizes to engage in the practice of professional counseling, social work, ~~or marriage and family therapy~~, art therapy, or music therapy may render the professional services of a licensed professional clinical counselor, licensed professional counselor, independent social worker, social worker, independent marriage and family therapist, ~~or marriage and family therapist~~, art therapist, or music therapist within this state through a corporation formed under division (B) of section 1701.03 of the Revised Code, a limited liability company formed under Chapter 1705. or 1706. of the Revised Code, a partnership, or a professional association formed under Chapter 1785. of the Revised Code. This division does not preclude such an individual from rendering professional services as a licensed professional clinical counselor, licensed professional counselor, independent social worker, social worker, independent marriage and family therapist, ~~or marriage and family therapist~~, art therapist, or music therapist through another form of business entity, including, but not limited to, a nonprofit corporation or foundation, or in another manner that is authorized by or in accordance with this chapter, another chapter of the Revised Code, or rules of the counselor, social worker, and marriage and family therapist board adopted pursuant to this chapter.

(B) A corporation, limited liability company, partnership, or professional association described in division (A) of this section may be formed for the purpose of providing a combination of the professional services of the following individuals who are licensed, certificated, or otherwise legally authorized to practice their respective professions:

(1) Optometrists who are authorized to practice optometry under Chapter 4725. of the Revised Code;

(2) Chiropractors who are authorized to practice chiropractic or

acupuncture under Chapter 4734. of the Revised Code;

(3) Psychologists who are authorized to practice psychology under Chapter 4732. of the Revised Code;

(4) Registered or licensed practical nurses who are authorized to practice nursing as registered nurses or as licensed practical nurses under Chapter 4723. of the Revised Code;

(5) Pharmacists who are authorized to practice pharmacy under Chapter 4729. of the Revised Code;

(6) Physical therapists who are authorized to practice physical therapy under sections 4755.40 to 4755.56 of the Revised Code;

(7) Occupational therapists who are authorized to practice occupational therapy under sections 4755.04 to 4755.13 of the Revised Code;

(8) Mechanotherapists who are authorized to practice mechanotherapy under section 4731.151 of the Revised Code;

(9) Doctors of medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery who are authorized for their respective practices under Chapter 4731. of the Revised Code;

(10) Licensed professional clinical counselors, licensed professional counselors, independent social workers, social workers, independent marriage and family therapists, ~~or marriage and family therapists~~, art therapist, or music therapist who are authorized for their respective practices under this chapter.

This division applies notwithstanding a provision of a code of ethics applicable to an individual who is a licensed professional clinical counselor, licensed professional counselor, independent social worker, social worker, independent marriage and family therapist, ~~or marriage and family therapist~~, art therapist, or music therapist that prohibits the individual from engaging in the individual's practice in combination with a person who is licensed, certificated, or otherwise legally authorized to practice optometry, chiropractic, acupuncture through the state chiropractic board, psychology, nursing, pharmacy, physical therapy, occupational therapy, mechanotherapy, medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery, but who is not also licensed, certificated, or otherwise legally authorized to engage in the practice of professional counseling, social work, ~~or marriage and family therapy~~, art therapy, or music therapy.

Sec. 4757.38. (A) The counselor, social worker, and marriage and family therapist board shall investigate alleged violations of this chapter or the rules adopted under it and alleged irregularities in the delivery of services related to professional counseling, social work, ~~or marriage and family therapy~~, art therapy, or music therapy by persons licensed or registered under this chapter.

As part of its conduct of an investigation, the board may issue subpoenas, examine witnesses, and administer oaths.

(B) All of the following apply under this chapter with respect to the confidentiality of information:

(1) Information received by the board pursuant to a complaint or an investigation is confidential and not subject to discovery in any civil action, except that the board may disclose information to law enforcement officers and government entities for purposes of an investigation of either an individual who holds a license or certificate of registration issued under this chapter or an individual or entity that may have engaged in the unauthorized practice of professional counseling, social work, ~~or marriage and family therapy, art therapy, or music therapy~~. No law enforcement officer or government entity with knowledge of any information disclosed by the board pursuant to this division shall divulge the information to any other person or government entity except for the purpose of a government investigation, a prosecution, or an adjudication by a court or government entity.

(2) If an investigation requires a review of patient records, the investigation and proceeding shall be conducted in such a manner as to protect patient confidentiality.

(3) All adjudications and investigations of the board are civil actions for the purposes of section 2305.252 of the Revised Code.

(4) Any board activity that involves continued monitoring of an individual as part of or following any disciplinary action taken under section ~~4755.36~~ 4757.36 of the Revised Code shall be conducted in a manner that maintains the individual's confidentiality. Information received or maintained by the board with respect to the board's monitoring activities is not subject to discovery in any civil action and is confidential, except that the board may disclose information to law enforcement officers and government entities for purposes of an investigation of an individual holding a license or certificate of registration issued under this chapter.

(C) The board may receive any information necessary to conduct an investigation under this section. If the board is investigating the provision of services to a couple or group, it is not necessary for both members of the couple or all members of the group to consent to the release of information relevant to the investigation.

(D) The board shall ensure that all records it holds pertaining to an investigation remain confidential. The board shall adopt rules establishing procedures to be followed in maintaining the confidentiality of its investigative records. The rules shall be adopted in accordance with Chapter 119. of the Revised Code.

Sec. 4757.41.(A) This chapter shall not apply to the following:

(1) A person certified by the state board of education under Chapter 3319. of the Revised Code while performing any services within the person's scope of employment by a board of education or by a private school meeting the standards prescribed by the state board of education under division (D) of section 3301.07 of the Revised Code or in a program operated under Chapter 5126. of the Revised Code for training individuals with developmental disabilities;

(2) Psychologists, independent school psychologists, or school psychologists licensed under Chapter 4732. of the Revised Code;

(3) Members of other professions licensed, certified, or registered by this state while performing services within the recognized scope, standards, and ethics of their respective professions;

(4) Rabbis, priests, Christian science practitioners, clergy, or members of religious orders and other individuals participating with them in pastoral counseling when the counseling activities are within the scope of the performance of their regular or specialized ministerial duties and are performed under the auspices or sponsorship of an established and legally cognizable church, denomination, or sect or an integrated auxiliary of a church as defined in federal tax regulations, paragraph (g)(5) of 26 C.F.R. 1.6033-2 (1995), and when the individual rendering the service remains accountable to the established authority of that church, denomination, sect, or integrated auxiliary;

(5) Any person who is not licensed under this chapter as a licensed professional clinical counselor, licensed professional counselor, independent social worker, or social worker and is employed in the civil service as defined in section 124.01 of the Revised Code while engaging in professional counseling or social work as a civil service employee, if on July 10, 2014, the person has at least two years of service in that capacity;

(6) A student in an accredited educational institution while carrying out activities that are part of the student's prescribed course of study if the activities are supervised as required by the educational institution and if the student does not hold herself or himself out as a person licensed or registered under this chapter;

(7) An individual who holds a license or certificate under Chapter 4758. of the Revised Code who is acting within the scope of the individual's license or certificate as a member of the profession of chemical dependency counseling or prevention services;

(8) Any person employed by the American red cross while engaging in activities relating to services for military families and veterans and disaster

relief, as described in the "American National Red Cross Act," 33 Stat. 599 (1905), 36 U.S.C.A. 1, as amended;

(9) Members of labor organizations who hold union counselor certificates while performing services in their official capacity as union counselors;

(10) Any person employed in a hospital as defined in section 3727.01 of the Revised Code or in a nursing home as defined in section 3721.01 of the Revised Code while providing as a hospital employee or nursing home employee, respectively, social services other than counseling and the use of psychosocial interventions and social psychotherapy;

(11) A vocational rehabilitation professional who is providing rehabilitation services to individuals under section 3304.17 of the Revised Code, or holds certification by the commission on rehabilitation counselor certification and is providing rehabilitation counseling services consistent with the commission's standards;

(12) A caseworker not licensed under this chapter as an independent social worker or social worker who is employed by a public children services agency under section 5153.112 of the Revised Code;

(13) A person completing supervised experience to qualify for a license as an art therapist or music therapist, provided that experience is completed under the supervision of a licensed art therapist or music therapist, as applicable.

(B) Divisions (A)(5) and (10) of this section do not prevent a person described in those divisions from obtaining a license or certificate of registration under this chapter.

(C) Except as provided in divisions (A) and (D) of this section, no employee in the service of the state, including public employees as defined by Chapter 4117. of the Revised Code, shall engage in the practice of professional counseling, social work, or marriage and family therapy without the appropriate license issued by the board. Failure to comply with this division constitutes nonfeasance under section 124.34 of the Revised Code or just cause under a collective bargaining agreement. Nothing in this division restricts the director of administrative services from developing new classifications related to this division or from reassigning affected employees to appropriate classifications based on the employee's duties and qualifications.

(D) Except as provided in division (A) of this section, an employee who was engaged in the practice of professional counseling, social work, or marriage and family therapy in the service of the state prior to July 10, 2014, including public employees as defined by Chapter 4117. of the Revised Code, shall comply with division (C) of this section within two years after July 10,

2014. Any such employee who fails to comply shall be removed from employment.

(E) Nothing in this chapter prevents a public children services agency from employing as a caseworker a person not licensed under this chapter as an independent social worker or social worker who has the qualifications specified in section 5153.112 of the Revised Code.

Sec. 4757.43. Nothing in this chapter or the rules adopted under it shall be construed as authorizing a licensed professional clinical counselor, licensed professional counselor, independent marriage and family therapist, marriage and family therapist, independent social worker, social worker, ~~or social work assistant, art therapist, or music therapist~~ to admit a patient to a hospital or as requiring a hospital to allow any of those individuals to admit a patient.

Sec. 4757.50. A professional clinical counselor, independent social worker, ~~or independent marriage and family therapist, art therapist, or music therapist~~ may provide telehealth services in accordance with section 4743.09 of the Revised Code."

In line 124623, after "1551.35," insert "1701.03,"

In line 124625, after "1761.16," insert "1785.01, 1785.02, 1785.03,"

In line 124693, after "4723.063," insert "4723.16,"

In line 124694, after "4725.24," insert "4725.33, 4729.161,"

In line 124696, after "4731.22," insert "4731.226,"; after "4731.481," insert "4731.65,"; after "4732.17," insert "4732.28,"

In line 124697, after "4734.161," insert "4734.17,"

In line 124699, after "4741.22," insert "4743.09,"

In line 124700, after "4755.11," insert "4755.111,"; after "4755.47," insert "4755.471,"

In line 124701, after "4755.64," insert "4757.01, 4757.02,"; after "4757.03," insert "4757.04, 4757.05, 4757.11, 4757.15, 4757.16, 4757.31, 4757.34, 4757.36,"; after "4757.361," insert "4757.37, 4757.38, 4757.41, 4757.43, 4757.50,"

In line 267482, delete "\$1,967,897 \$2,039,897" and insert "\$2,150,000 \$2,190,000"

In line 267483, add \$182,103 to fiscal year 2024 and \$150,103 to fiscal year 2025

In line 267484, add \$182,103 to fiscal year 2024 and \$150,103 to fiscal year 2025

After line 281184, insert:

"Section 747.20. (A) The Governor shall appoint new members to the Counselor, Social Worker, and Marriage and Family Therapist Board under section 4757.03 of the Revised Code, as amended by this act, within 90 days after the effective date of this section. Two of the members are appointed to a term ending on October 10, 2024, two members are appointed to a term ending on October 10, 2025, and two members are appointed to a term ending on October 10, 2026. Thereafter, terms of office are for three years in accordance with section 4757.03 of the Revised Code, as amended by this act.

(B) Notwithstanding section 4757.03 of the Revised Code, as amended by this act, individuals appointed to the Board under division (A) of this section need not be licensed as required under section 4757.03 of the Revised Code.

(C) For a period of one year beginning on the effective date of this section, the Board may waive the requirements in section 4757.24 of the Revised Code, as enacted by this act, that an applicant must satisfy to obtain a license to practice art therapy if the applicant files an application with the Board that includes evidence satisfactory to the Board that the applicant meets all of the following requirements:

(1) The applicant holds a credential in good standing with the Art Therapy Credentials Board, its successor organization, or an equivalent organization recognized by the Counselor, Social Worker, and Marriage and Family Therapist Board.

(2) The applicant has practiced art therapy for at least five years.

(3) The applicant satisfies any additional requirements established by the Counselor, Social Worker, and Marriage and Family Therapist Board.

(D) For a period of one year beginning on the effective date of this section, the Counselor, Social Worker, and Marriage and Family Therapist Board shall waive the examination requirement under section 4757.24 of the Revised Code, as enacted by this act, that an applicant must satisfy to obtain a license to practice as a music therapist if the applicant demonstrates to the Board that the individual is either of the following:

(1) A board-certified music therapist who has completed the education and clinical training requirements established by the American Music Therapy Association, has passed the Certification Board for Music Therapists certification examination or obtained certification by that Board on January 1, 1985, and remains actively certified by the Certification Board for Music Therapists;

(2) A registered music therapist, certified music therapist, or advanced certified music therapist in good standing with the National Music Therapy

Registry."

After line 281846, insert:

"Section 1701.03 of the Revised Code, as amended by both S.B. 21 and S.B. 276 of the 133rd General Assembly."

After line 281903, insert:

"Section 4757.36 of the Revised Code, as amended by both H.B. 33 and H.B. 263 of the 133rd General Assembly."

In line 265 of the title, after "4517.35," insert "4723.89, 4723.90,"

In line 272 of the title, after "5163.51," insert "5164.071,"

In line 328 of the title, after the semicolon insert "to repeal sections 4723.89, 4723.90, and 5164.071 of the Revised Code five years after those sections take effect, to abolish those provisions on that date;"

In line 955, after "4517.35," insert "4723.89, 4723.90,"

In line 961, after "5163.51," insert "5164.071,"

After line 84254, insert:

"Sec. 4723.89.(A) As used in this section:

(1) "Doula" means a trained, nonmedical professional who provides continuous physical, emotional, and informational support to a pregnant woman during any of the following periods, regardless of whether the woman's pregnancy results in a live birth:

(a) The antepartum period;

(b) The intrapartum period;

(c) The postpartum period.

(2) "Doula certification organization" means all of the following organizations that are recognized, at an international, national, state, or local level, for training and certifying doulas:

(a) Birthing beautiful communities;

(b) Restoring our own through transformation;

(c) The international childbirth education association;

(d) DONA international;

(e) Birthworks international;

(f) Childbirth and postpartum professional association;

(g) Childbirth international;

(h) Commonsense childbirth inc.;

(i) Any other recognized organization that the board of nursing considers appropriate.

(B) Beginning on the date that occurs one year after the effective date of this section, a person shall not use or assume the title "certified doula" unless the person holds a certificate issued under this section by the board of nursing.

(C) The board shall adopt rules in accordance with Chapter 119. of the Revised Code establishing standards and procedures for issuing certificates to doulas under this section. The rules shall include all of the following:

(1) Requirements for certification as a doula, including a requirement that a doula either be certified by a doula certification organization or, if not certified, have education and experience considered by the board to be appropriate, as specified in the rules;

(2) Requirements for renewal of a certificate and continuing education;

(3) Requirements for training on racial bias, health disparities, and cultural competency as a condition of initial certification and certificate renewal;

(4) Certificate application and renewal fees, as well as a waiver of those fees for applicants with a family income not exceeding two hundred per cent of the federal poverty line;

(5) Requirements and standards of practice for certified doulas;

(6) The amount of a fine to be imposed under division (E) of this section;

(7) Any other standards or procedures the board considers necessary to implement this section.

(D) The board shall develop and regularly update a registry of doulas who hold certificates issued under this section. The registry shall be made available to the public on a web site maintained by the board.

(E) In an adjudication under Chapter 119. of the Revised Code, the board may impose a fine against any person who violates division (B) of this section. On request of the board, the attorney general shall bring and prosecute to judgment a civil action to collect any fine imposed under this division that remains unpaid.

Sec. 4723.90.(A) For the period of the program operated under section 5164.071 of the Revised Code, there is hereby established within the board of nursing the doula advisory board.

(B)(1) The advisory board shall consist of at least thirteen but not more

than fifteen members appointed by the board of nursing, including at least one representative from birthing beautiful communities and one representative from restoring our own through transformation.

The overall composition of the membership of the advisory board shall be as follows:

(a) At least three members shall represent communities most impacted by negative maternal and infant health outcomes.

(b) At least six members shall be doulas with current, valid certification from a doula certification organization.

(c) At least one member shall be a public health official, physician, nurse, or social worker.

(d) At least one member shall be a consumer.

(2) Both of the following apply to the board of nursing in appointing members to the advisory board:

(a) A good faith effort shall be made to select members who represent counties with higher rates of infant and maternal mortality, particularly those counties with the largest disparities.

(b) Priority shall be given to individuals with direct service experience providing care to infants and pregnant and postpartum women.

(C) The advisory board, by a majority vote of a quorum of its members, shall select an individual to serve as its chairperson. The advisory board may replace a chairperson in the same manner.

(D) Of the initial appointments to the advisory board, half shall be appointed to a term of one year and half shall be appointed to a term of two years. Thereafter, all terms shall be two years. The board of nursing shall fill a vacancy as soon as practicable.

(E) If requested, a member shall receive per diem compensation for, as well as reimbursement of actual and necessary expenses incurred pursuant to, fulfilling the member's duties on the advisory board.

(F) The advisory board shall meet at the call of the advisory board's chairperson as often as the chairperson determines necessary for timely completion of the board's duties as described in this section.

(G) The board of nursing shall provide meeting space, staff services, and other technical assistance required by the advisory board in carrying out its duties.

(H) The advisory board shall do all of the following:

(1) Provide general advice, guidance, and recommendations to the board of nursing regarding doula certification and the adoption of rules under divisions (C)(3) and (5) of section 4723.89 of the Revised Code;

(2) Provide general advice, guidance, and recommendations to the department of medicaid regarding the program operated under section 5164.071 of the Revised Code;

(3) Make recommendations to the medicaid director regarding the adoption of rules for purposes of section 5164.071 of the Revised Code."

After line 104613, insert:

"Sec. 5164.071.(A) As used in this section, "doula" has the same meaning as in section 4723.89 of the Revised Code.

(B) During the period beginning one year after the effective date of this section and ending five years after the effective date of this section, the medicaid program shall operate a program to cover doula services that are provided by a doula if the doula has a valid provider agreement and is certified under section 4723.89 of the Revised Code. Medicaid payments for doula services shall be determined on the basis of each pregnancy, regardless of whether multiple births occur as a result of that pregnancy.

(C) Outcome measurements and incentives for the program shall be consistent with this state's medicare-medicaid plan quality withhold methodology and benchmarks. The medicaid director shall complete an annual report regarding the program outcomes, including related to maternal health and morbidity and an estimated fiscal impact. The final annual report shall include recommendations related to whether the program should be continued. The director shall provide a copy of the annual report to the joint medicaid oversight committee.

(D) The medicaid director shall adopt rules under section 5164.02 of the Revised Code to implement this section. Notwithstanding any provision of section 121.95 of the Revised Code to the contrary, a regulatory restriction contained in a rule adopted under this section is not subject to sections 121.95 to 121.953 of the Revised Code."

After line 124768, insert:

"Section 105. ____.That sections 4723.89, 4723.90, and 5164.071 of the Revised Code are hereby repealed, effective five years after the effective date of this section."

In line 10821, delete "(1)"

In line 10822, delete "eight" and insert "twelve"; reinsert "four"; delete "three"

In line 10823, delete "twenty" and insert "eighty"

In line 10825, reinsert "Parental"

In line 10826, delete "(2) Parental"

In line 10832, reinsert "During"

In line 10833, delete "(3) During"

In line 10834, delete "in amounts"; reinsert "seventy per"

In line 10835, reinsert "cent"; delete "the following percentages"; delete the underlined colon

Delete lines 10836 through 10838

In line 10839, delete "hundred forty hours, seventy per cent"; reinsert "All"

In line 10840, delete "(4) All"

In line 10842, reinsert "(1)"; delete "(a)"

In line 10845, reinsert "(2)"; delete "(b)"

In line 10848, reinsert "(3)"; delete "(c)"

In line 10855, delete "last six weeks"

In line 10856, delete "of the"

In line 270603, delete "\$10,050,000 \$10,050,000" and insert "\$12,362,119 \$14,147,759"

In line 270605, add \$2,312,119 to fiscal year 2024 and \$4,097,759 to fiscal year 2025

In line 270606, add \$2,312,119 to fiscal year 2024 and \$4,097,759 to fiscal year 2025

In line 270665, delete "8" and insert "12"; after the period delete the balance of the line

Delete lines 270666 and 270667

In line 278381, delete "Appalachian"; after "communities" insert "with high infant mortality rates"

In line 278382, delete the second "and"

In line 278383, delete "members of the Early Childhood Advisory Council"

Delete line 278390

In line 278391, delete "professional development and"

In line 278392, delete "Applicants may" and insert "Eligible applicants shall"; delete ", but"

In line 278393, delete "are not limited to, early childhood collaboratives,"

In line 278394, delete the first comma and insert "and"; delete ", local government"

In line 278395, delete "entities and child care resources and referral organizations"

In line 74 of the title, after "3313.48," insert "3313.5310,"

In line 86 of the title, after "3319.291," insert "3319.303,"

In line 250 of the title, after "3310.581," insert "3313.5318,"

In line 309 of the title, after "3319.26," insert "3319.303,"

In line 816, after "3313.48," insert "3313.5310,"

In line 825, after "3319.291," insert "3319.303,"

In line 945, after "3310.581," insert "3313.5318,"

After line 45252, insert:

"Sec. 3313.5310.(A)(1) This section applies to both of the following:

(a) Any school operated by a school district board of education;

(b) Any chartered or nonchartered nonpublic school that is subject to the rules of an interscholastic conference or an organization that regulates interscholastic conferences or events.

(2) As used in this section, "athletic activity" means all of the following:

(a) Interscholastic athletics;

(b) An athletic contest or competition that is sponsored by or associated with a school that is subject to this section, including cheerleading, club-sponsored sports activities, and sports activities sponsored by school-affiliated organizations;

(c) Noncompetitive cheerleading that is sponsored by school-affiliated organizations;

(d) Practices, interschool practices, and scrimmages for all of the activities described in divisions (A)(2)(a), (b), and (c) of this section.

(B) Prior to the start of each athletic season, a school that is subject to this section may hold an informational meeting for students, parents, guardians, other persons having care or charge of a student, physicians, pediatric cardiologists, athletic trainers, and any other persons regarding the symptoms

and warning signs of sudden cardiac arrest for all ages of students.

(C) No student shall participate in an athletic activity until the student has submitted to a designated school official a form signed by the student and the parent, guardian, or other person having care or charge of the student stating that the student and the parent, guardian, or other person having care or charge of the student have received and reviewed a copy of the information developed by the departments of health and education and posted on their respective internet web sites as required by section 3707.59 of the Revised Code. A completed form shall be submitted each school year, as defined in section 3313.62 of the Revised Code, in which the student participates in an athletic activity.

(D) No individual shall coach an athletic activity unless the individual has completed, ~~on an annual basis~~, the sudden cardiac arrest training course approved by the department of health under division (C) of section 3707.59 of the Revised Code in accordance with section 3319.303 of the Revised Code.

(E)(1) A student shall not be allowed to participate in an athletic activity if either of the following is the case:

(a) The student's biological parent, biological sibling, or biological child has previously experienced sudden cardiac arrest, and the student has not been evaluated and cleared for participation in an athletic activity by a physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(b) The student is known to have exhibited syncope or fainting at any time prior to or following an athletic activity and has not been evaluated and cleared for return under division (E)(3) of this section after exhibiting syncope or fainting.

(2) A student shall be removed by the student's coach from participation in an athletic activity if the student exhibits syncope or fainting.

(3) If a student is not allowed to participate in or is removed from participation in an athletic activity under division (E)(1) or (2) of this section, the student shall not be allowed to return to participation until the student is evaluated and cleared for return in writing by any of the following:

(a) A physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery, including a physician who specializes in cardiology;

(b) A certified nurse practitioner, clinical nurse specialist, or certified nurse-midwife who holds a certificate of authority issued under Chapter 4723. of the Revised Code;

(c) A physician assistant licensed under Chapter 4730. of the Revised Code;

(d) An athletic trainer licensed under Chapter 4755. of the Revised Code.

The licensed health care providers specified in divisions (E)(3)(a) to (d) of this section may consult with any other licensed or certified health care providers in order to determine whether a student is ready to return to participation.

(F) A school that is subject to this section shall establish penalties for a coach who violates the provisions of division (E) of this section.

(G) Nothing in this section shall be construed to abridge or limit any rights provided under a collective bargaining agreement entered into under Chapter 4117. of the Revised Code prior to March 14, 2017.

(H)(1) A school district, member of a school district board of education, or school district employee or volunteer, including a coach, is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties under this section, unless the act or omission constitutes willful or wanton misconduct.

This section does not eliminate, limit, or reduce any other immunity or defense that a school district, member of a school district board of education, or school district employee or volunteer, including a coach, may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

(2) A chartered or nonchartered nonpublic school or any officer, director, employee, or volunteer of the school, including a coach, is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties under this section, unless the act or omission constitutes willful or wanton misconduct.

Sec. 3313.5318.As used in this section, "athletic activity" has the same meaning as in section 3313.5310 of the Revised Code.

(A) No individual shall coach an athletic activity at a school operated by a school district board of education or any chartered or nonchartered nonpublic school that is subject to the rules of an interscholastic conference or an organization that regulates interscholastic conferences or events unless the individual has completed a student mental health training course approved by the department of mental health and addiction services pursuant to division (B) of this section. The mental health training course may be combined with or part of another training course.

(B) On or after the effective date of this section, an individual shall complete the training prescribed by division (A) of this section each time the individual applies for or renews a pupil-activity program permit under section 3319.303 of the Revised Code. An individual may complete the training at

any time within the duration of the individual's new or renewed permit. Upon completion, the individual shall present evidence to the state board of education that the individual has successfully completed the training described in division (A) of this section."

In line 47910, after "3313.5310," insert "3313.5318,"

After line 54570, insert:

"Sec. 3319.303.(A) The state board of education shall adopt rules establishing standards and requirements for obtaining a pupil-activity program permit for any individual who does not hold a valid educator license, certificate, or permit issued by the state board under section 3319.22, 3319.26, or 3319.27 of the Revised Code. The permit issued under this section shall be valid for coaching, supervising, or directing a pupil-activity program under section 3313.53 of the Revised Code. Subject to the provisions of section 3319.31 of the Revised Code, a permit issued under this division shall be valid for three years and shall be renewable.

(B) The state board shall adopt rules applicable to individuals who hold valid educator licenses, certificates, or permits issued by the state board under section 3319.22, 3319.26, or 3319.27 of the Revised Code setting forth standards to assure any such individual's competence to direct, supervise, or coach a pupil-activity program described in section 3313.53 of the Revised Code. The rules adopted under this division shall not be more stringent than the standards set forth in rules applicable to individuals who do not hold such licenses, certificates, or permits adopted under division (A) of this section. Subject to the provisions of section 3319.31 of the Revised Code, a permit issued to an individual under this division shall be valid for the same number of years as the individual's educator license, certificate, or permit issued under section 3319.22, 3319.26, or 3319.27 of the Revised Code and shall be renewable.

(C) As a condition to issuing or renewing a pupil-activity program permit to coach interscholastic athletics:

(1) The state board shall require each individual applying for a first permit ~~on or after April 26, 2013,~~ to successfully complete a training program that is specifically focused on brain trauma and brain injury management and the sudden cardiac arrest training course approved by the department of health under division (C) of section 3707.59 of the Revised Code.

(2) The state board shall require each individual applying for a permit renewal ~~on or after that date~~ to present evidence that the individual has successfully completed, within the duration of the individual's previous three ~~years,~~ a permit, both of the following:

(a) A training program in recognizing the symptoms of concussions and

head injuries to which the department of health has provided a link on its internet web site under section 3707.52 of the Revised Code or a training program authorized and required by an organization that regulates interscholastic athletic competition and conducts interscholastic athletic events;

(b) The sudden cardiac arrest training course approved by the department of health under division (C) of section 3707.59 of the Revised Code.

(3) The state board shall require each individual applying for a permit renewal on or after the effective date of this amendment to present evidence that the individual has complied with the student mental health training requirement under section 3313.5318 of the Revised Code."

In line 55319, after "3313.5310," insert "3313.5318,"

In line 55982, after "3302.037," insert "3313.5318,"

In line 124640, after "3313.48," insert "3313.5310,"

In line 124648, after "3319.291," insert "3319.303,"

In line 125606, after "3319.26," insert "3319.303,"

After line 126918, insert:

"Sec. 3319.303. (A) Except as provided in division (D) of this section, the state board of education shall adopt rules establishing standards and requirements for obtaining a pupil-activity program permit for any individual who does not hold a valid educator license, certificate, or permit issued by the state board under section 3319.22, 3319.26, or 3319.27 of the Revised Code. The permit issued under this section shall be valid for coaching, supervising, or directing a pupil-activity program under section 3313.53 of the Revised Code. Subject to the provisions of section 3319.31 of the Revised Code, a permit issued under this division shall be valid for three years and shall be renewable.

(B) The state board shall adopt rules applicable to individuals who hold valid educator licenses, certificates, or permits issued by the state board under section 3319.22, 3319.26, or 3319.27 of the Revised Code setting forth standards to assure any such individual's competence to direct, supervise, or coach a pupil-activity program described in section 3313.53 of the Revised Code. The rules adopted under this division shall not be more stringent than the standards set forth in rules applicable to individuals who do not hold such licenses, certificates, or permits adopted under division (A) of this section. Subject to the provisions of section 3319.31 of the Revised Code, a permit issued to an individual under this division shall be valid for the same number of years as the individual's educator license, certificate, or permit issued under section 3319.22, 3319.26, or 3319.27 of the Revised Code and shall be

renewable.

(C)(1) Except as provided in division (D) of this section, as a condition to issuing a pupil-activity program permit to coach interscholastic athletics, the state board shall require each individual applying for a first permit ~~on or after April 26, 2013,~~ to successfully complete a training program that is specifically focused on brain trauma and brain injury management and the sudden cardiac arrest training course approved by the department of health under division (C) of section 3707.59 of the Revised Code.

(2) The state board shall require, as a condition to renewing a pupil-activity program permit to coach interscholastic athletics, each individual applying for a permit renewal ~~on or after that date~~ to present evidence that the individual has successfully completed, within the duration of the individual's previous three years, a permit, both of the following:

(a) A training program in recognizing the symptoms of concussions and head injuries to which the department of health has provided a link on its internet web site under section 3707.52 of the Revised Code or a training program authorized and required by an organization that regulates interscholastic athletic competition and conducts interscholastic athletic events;

(b) The sudden cardiac arrest training course approved by the department of health under division (C) of section 3707.59 of the Revised Code.

(3) The state board shall require each individual applying for a permit renewal on or after the effective date of this amendment to present evidence that the individual has complied with the student mental health training requirement under section 3313.5318 of the Revised Code.

(D) The state board shall issue a permit for coaching, supervising, or directing a pupil-activity program in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a license or permit in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as a coach, supervisor, or pupil-activity program director in a state that does not issue that permit."

In line 128820, after "3319.26," insert "3319.303,"

After line 268239, insert:

"GRF 322423 Technology First \$3,200,000 \$3,200,000"

In line 268244, add \$3,200,000 to each fiscal year

In line 268267, add \$3,200,000 to each fiscal year

After line 268300, insert:

"Section 261.45. TECHNOLOGY FIRST

Of the foregoing appropriation item 322423, Technology First, a portion may be used to increase access and utilization of innovative technology for people with developmental disabilities in accordance with the Technology First Policy established in section 5123.025 of the Revised Code."

Delete lines 59586 through 59613 and insert:

"Sec. 3357.131. (A) As used in this section:

(1) "Community college" has the same meaning as in section 3333.168 of the Revised Code.

(2) "County board" means the board of county commissioners of Fairfield county.

(3) "Degree or program" means any of the following:

(a) An academic program that grants a student college credit;

(b) A certificate program that grants a student college credit;

(c) An associate's degree issued pursuant to section 3333.04 of the Revised Code;

(d) A bachelor's degree issued pursuant to section 3333.051 of the Revised Code.

(4) "Qualifying university" means a state university, as defined in section 3345.011 of the Revised Code, that operates a branch campus in Fairfield county;

(5) "Workforce advisory board" means an advisory board established by the county board to address workforce issues in Fairfield county. The advisory board shall consist of the following members:

(a) An individual appointed by the county board, who shall serve as chairperson of the advisory board;

(b) A representative of the local board of the local area that includes Fairfield county, who shall be appointed by the county board. As used in this division, "local area" and "local board" have the same meanings as in section 6301.01 of the Revised Code.

(c) A representative of a technical college established under this chapter that is not co-located with an institution of higher education, who shall be appointed by the county board;

(d) A representative of the educational service center that has a majority of the territory of Fairfield county, who shall be appointed by the county board;

(e) The vice provost for regional higher education and partnerships of a qualifying university.

A member of the advisory board appointed by the county board serves at the pleasure of the county board.

A member of the workforce advisory board may designate an individual to serve in the member's place on the advisory board.

(B) Notwithstanding anything to the contrary in this chapter, subject to the approval of the chancellor of higher education, a community college that is not co-located with an institution of higher education may develop and offer a degree or program in Fairfield county if all of the following apply:

(1) The college creates a document that demonstrates there is a workforce need in the county, which shall include a request for a degree or program.

(2) The college submits the document to the workforce advisory board. The workforce advisory board shall review the document and vote on all of the following:

(a) Whether the document demonstrates a legitimate workforce need in Fairfield county;

(b) Whether to support an institution of higher education offering the degree or program in Fairfield county;

(c) Which institution of higher education to recommend to the chancellor to offer the degree or program in Fairfield county.

(3) If the advisory board unanimously votes that the document demonstrates a legitimate workforce need in Fairfield county and to support an institution of higher education offering the degree or program in the county, it shall transmit that fact and its recommended institution to the chancellor.

(C) Nothing in this section precludes a qualifying university from developing or expanding degrees or programs at the university's branch campus in Fairfield county.

Nothing in this section replaces or supersedes existing processes for the development and approval of degrees or programs."

In line 278431, delete "The" and insert "Except as provided in division (B) of this section, the"

In line 278434, delete "The" and insert "For special needs child care, as defined in section 5104.01 of the Revised Code, the maximum amount of

income that the family may have for initial eligibility shall not exceed one hundred fifty per cent of the federal poverty line;

(C)"

In line 272929, delete "COUNTY COMMISSION" and insert "BOARD OF COUNTY COMMISSIONERS"

In line 272932, delete "County Commission" and insert "Board of County Commissioners"

In line 10273, strike through "Not more than"

In line 10274, delete "fifty"; strike through "million dollars" and insert "The amount"; strike through "may be"

In line 10275, after "~~for~~" insert "shall not exceed the sum of (a) fifty million dollars, (b) the difference between the maximum credit amount for that fiscal year under section 122.852 of the Revised Code and the amount the director of development elects to allow under this section pursuant to division (D)(3) section 122.852 of the Revised Code, and (c) the difference between the maximum amount of credits that could have been awarded in the previous fiscal year under this section and the amount actually awarded"; delete "Of the fifty million dollar total" and insert "Out of that sum"

In line 10277, delete "forty-five million dollars" and insert "the balance"

In line 10278, delete "For"; strike through "any fiscal year in which the"

In line 10279, strike through "amount of tax credits allowed under this section is less than"

In line 10280, delete "the"; strike through "maximum annual amount, the amount not allowed for that fiscal"

Strike through line 10281

In line 10282, strike through "allowed for the following fiscal year" and insert "For any fiscal year in which less than five million dollars of tax credits are allowed for Broadway theatrical productions, the amount of the five million dollars not allowed and added to the maximum annual amount for the following fiscal year shall be reserved for Broadway theatrical productions in the following fiscal year"; delete "For any fiscal year in"

Delete lines 10283 through 10287

In line 10294, delete "twenty-five"; strike through "million dollars" and insert "one-half of the maximum allowance for the fiscal year calculated under division (D)(4) of this section"; delete ", two"

Delete line 10295

In line 10296, delete "for Broadway theatrical productions"; strike through "plus any credit allotment"

Strike through line 10297

In line 10298, strike through "under division (C)(4) of this section and insert ", two million five hundred thousand dollars of which shall be reserved for Broadway theatrical productions"

After line 10497, insert:

"In any fiscal year, the director may reduce the maximum amount calculated under division (D)(1) of this section and increase the maximum amount calculated under division (D)(4) of section 122.85 of the Revised Code by the amount of that reduction."

Delete lines 114218 through 114568 and insert:

"Sec. 5727.75. (A) For purposes of this section:

(1) "Qualified energy project" means an energy project certified by the director of development pursuant to this section.

(2) "Energy project" means a project to provide electric power through the construction, installation, and use of an energy facility.

(3) "Alternative energy zone" means a county declared as such by the board of county commissioners under division (E)(1)(b) or (c) of this section.

(4) "Full-time equivalent employee" means the total number of employee-hours for which compensation was paid to individuals employed at a qualified energy project for services performed at the project during the calendar year divided by two thousand eighty hours. For the purpose of this calculation, "performed at the project" includes only hours worked at the qualified energy project and devoted to site preparation or protection, construction and installation, and the unloading and distribution of materials at the project site, but does not include hours worked by superintendents, owners, manufacturers' representatives, persons employed in a bona fide executive, management, supervisory, or administrative capacity, or persons whose sole employment on the project is transporting materials or persons to the project site.

(5) "Solar energy project" means an energy project composed of an energy facility using solar panels to generate electricity.

(6) "Internet identifier of record" has the same meaning as in section 9.312 of the Revised Code.

(7) "Applicable year" means the later of the following:

(a) The tax year in which the secretary of the treasury of the United States, or the secretary's delegate, determines, in accordance with section 45Y of the

Internal Revenue Code, that the annual greenhouse gas emissions from the production of electricity in the United States are equal to or less than twenty-five per cent of the annual greenhouse gas emissions from the production of electricity in the United States for calendar year 2022;

(b) Tax year 2029.

(8) "Internal Revenue Code" means the Internal Revenue Code as of the effective date of this amendment.

(B)(1) Tangible personal property of a qualified energy project using renewable energy resources is exempt from taxation for tax years 2011 through ~~2025~~ the applicable year if all of the following conditions are satisfied:

(a) On or before ~~December 31, 2024~~ the last day of the tax year preceding the applicable year, the owner or a lessee pursuant to a sale and leaseback transaction of the project submits an application to the power siting board for a certificate under section 4906.20 of the Revised Code, or if that section does not apply, submits an application for any approval, consent, permit, or certificate or satisfies any condition required by a public agency or political subdivision of this state for the construction or initial operation of an energy project.

(b) Construction or installation of the energy facility begins on or after January 1, 2009, and before ~~January 1, 2025~~ the first day of the applicable year. For the purposes of this division, construction begins on the earlier of the date of application for a certificate or other approval or permit described in division (B)(1)(a) of this section, or the date the contract for the construction or installation of the energy facility is entered into.

(c) For a qualified energy project with a nameplate capacity of twenty megawatts or greater, a board of county commissioners of a county in which property of the project is located has adopted a resolution under division (E)(1)(b) or (c) of this section to approve the application submitted under division (E) of this section to exempt the property located in that county from taxation. A board's adoption of a resolution rejecting an application or its failure to adopt a resolution approving the application does not affect the tax-exempt status of the qualified energy project's property that is located in another county.

(2) If tangible personal property of a qualified energy project using renewable energy resources was exempt from taxation under this section beginning in any of tax years 2011 through ~~2025~~ the applicable year, and the certification under division (E)(2) of this section has not been revoked, the tangible personal property of the qualified energy project is exempt from taxation for the tax year 2026 following the applicable year and all ensuing

tax years if the property was placed into service before January 1, 2026 before the first day of the tax year following the applicable year, as certified in the construction progress report required under division (F)(2) of this section. Tangible personal property that has not been placed into service before that date is taxable property subject to taxation. An energy project for which certification has been revoked is ineligible for further exemption under this section. Revocation does not affect the tax-exempt status of the project's tangible personal property for the tax year in which revocation occurs or any prior tax year.

(C) Tangible personal property of a qualified energy project using clean coal technology, advanced nuclear technology, or cogeneration technology is exempt from taxation for the first tax year that the property would be listed for taxation and all subsequent years if all of the following circumstances are met:

(1) The property was placed into service before January 1, 2021. Tangible personal property that has not been placed into service before that date is taxable property subject to taxation.

(2) For such a qualified energy project with a nameplate capacity of twenty megawatts or greater, a board of county commissioners of a county in which property of the qualified energy project is located has adopted a resolution under division (E)(1)(b) or (c) of this section to approve the application submitted under division (E) of this section to exempt the property located in that county from taxation. A board's adoption of a resolution rejecting the application or its failure to adopt a resolution approving the application does not affect the tax-exempt status of the qualified energy project's property that is located in another county.

(3) The certification for the qualified energy project issued under division (E)(2) of this section has not been revoked. An energy project for which certification has been revoked is ineligible for exemption under this section. Revocation does not affect the tax-exempt status of the project's tangible personal property for the tax year in which revocation occurs or any prior tax year.

(D) Except as otherwise provided in this section, real property of a qualified energy project is exempt from taxation for any tax year for which the tangible personal property of the qualified energy project is exempted under this section.

(E)(1)(a) A person may apply to the director of development for certification of an energy project as a qualified energy project on or before the following dates:

(i) December 31, 2024 The last day of the tax year preceding the applicable

year, for an energy project using renewable energy resources;

(ii) December 31, 2017, for an energy project using clean coal technology, advanced nuclear technology, or cogeneration technology.

(b) The director shall forward a copy of each application for certification of an energy project with a nameplate capacity of twenty megawatts or greater to the board of county commissioners of each county in which the project is located and to each taxing unit with territory located in each of the affected counties. Any board that receives from the director a copy of an application submitted under this division shall adopt a resolution approving or rejecting the application unless it has adopted a resolution under division (E)(1)(c) of this section. A resolution adopted under division (E)(1)(b) or (c) of this section may require an annual service payment to be made in addition to the service payment required under division (G) of this section. The sum of the service payment required in the resolution and the service payment required under division (G) of this section shall not exceed nine thousand dollars per megawatt of nameplate capacity located in the county. The resolution shall specify the time and manner in which the payments required by the resolution shall be paid to the county treasurer. The county treasurer shall deposit the payment to the credit of the county's general fund to be used for any purpose for which money credited to that fund may be used.

The board shall send copies of the resolution to the owner of the facility and the director by certified mail or, if the board has record of an internet identifier of record associated with the owner or director, by ordinary mail and by that internet identifier of record. The board shall send such notice within thirty days after receipt of the application, or a longer period of time if authorized by the director.

(c) A board of county commissioners may adopt a resolution declaring the county to be an alternative energy zone and declaring all applications submitted to the director of development under this division after the adoption of the resolution, and prior to its repeal, to be approved by the board.

All tangible personal property and real property of an energy project with a nameplate capacity of twenty megawatts or greater is taxable if it is located in a county in which the board of county commissioners adopted a resolution rejecting the application submitted under this division or failed to adopt a resolution approving the application under division (E)(1)(b) or (c) of this section.

(2) The director shall certify an energy project if all of the following circumstances exist:

(a) The application was timely submitted.

(b) For an energy project with a nameplate capacity of twenty megawatts or

greater, a board of county commissioners of at least one county in which the project is located has adopted a resolution approving the application under division (E)(1)(b) or (c) of this section.

(c) No portion of the project's facility was used to supply electricity before December 31, 2009.

(d) For construction or installation of a qualified energy project described in division (B)(1)(b) of this section, that the project is subject to wage requirements described in section 45(b)(7)(A) of the Internal Revenue Code and apprenticeship requirements described in section 45(b)(8)(A)(i) of the Internal Revenue Code, provided both of the following apply:

(i) The person applies for such certificate after the effective date of this amendment.

(ii) A board of commissioners of at least one county in which the project is located is required to adopt a resolution approving the application under division (E)(1)(b) or (c) of this section.

(3) The director shall deny a certification application if the director determines the person has failed to comply with any requirement under this section. The director may revoke a certification if the director determines the person, or subsequent owner or lessee pursuant to a sale and leaseback transaction of the qualified energy project, has failed to comply with any requirement under this section. Upon certification or revocation, the director shall notify the person, owner, or lessee, the tax commissioner, and the county auditor of a county in which the project is located of the certification or revocation. Notice shall be provided in a manner convenient to the director.

(F) The owner or a lessee pursuant to a sale and leaseback transaction of a qualified energy project shall do each of the following:

(1) Comply with all applicable regulations;

(2) File with the director of development a certified construction progress report before the first day of March of each year during the energy facility's construction or installation indicating the percentage of the project completed, and the project's nameplate capacity, as of the preceding thirty-first day of December. Unless otherwise instructed by the director of development, the owner or lessee of an energy project shall file a report with the director on or before the first day of March each year after completion of the energy facility's construction or installation indicating the project's nameplate capacity as of the preceding thirty-first day of December. Not later than sixty days after June 17, 2010, the owner or lessee of an energy project, the construction of which was completed before June 17, 2010, shall file a certificate indicating the project's nameplate capacity.

(3) File with the director of development, in a manner prescribed by the director, a report of the total number of full-time equivalent employees, and the total number of full-time equivalent employees domiciled in Ohio, who are employed in the construction or installation of the energy facility;

(4) For energy projects with a nameplate capacity of twenty megawatts or greater, repair all roads, bridges, and culverts affected by construction as reasonably required to restore them to their preconstruction condition, as determined by the county engineer in consultation with the local jurisdiction responsible for the roads, bridges, and culverts. In the event that the county engineer deems any road, bridge, or culvert to be inadequate to support the construction or decommissioning of the energy facility, the road, bridge, or culvert shall be rebuilt or reinforced to the specifications established by the county engineer prior to the construction or decommissioning of the facility. The owner or lessee of the facility shall post a bond in an amount established by the county engineer and to be held by the board of county commissioners to ensure funding for repairs of roads, bridges, and culverts affected during the construction. The bond shall be released by the board not later than one year after the date the repairs are completed. The energy facility owner or lessee pursuant to a sale and leaseback transaction shall post a bond, as may be required by the Ohio power siting board in the certificate authorizing commencement of construction issued pursuant to section 4906.10 of the Revised Code, to ensure funding for repairs to roads, bridges, and culverts resulting from decommissioning of the facility. The energy facility owner or lessee and the county engineer may enter into an agreement regarding specific transportation plans, reinforcements, modifications, use and repair of roads, financial security to be provided, and any other relevant issue.

(5) Provide or facilitate training for fire and emergency responders for response to emergency situations related to the energy project and, for energy projects with a nameplate capacity of twenty megawatts or greater, at the person's expense, equip the fire and emergency responders with proper equipment as reasonably required to enable them to respond to such emergency situations;

~~(6) Maintain~~ (6)(a) Except as otherwise provided in this division, for projects for which certification as a qualified energy project was applied for, under division (E) of this section, before the effective date of this amendment, maintain a ratio of Ohio-domiciled full-time equivalent employees employed in the construction or installation of the energy project to total full-time equivalent employees employed in the construction or installation of the energy project of not less than eighty per cent in the case of a solar energy project, and not less than fifty per cent in the case of any other energy project. ~~In~~ A person applying for such a qualified energy project may certify to the director of development that the project will be voluntarily subject to the

wage requirements described in section 45(b)(7)(A) of the Internal Revenue Code and apprenticeship requirements described in section 45(b)(8)(A)(i) of the Internal Revenue Code as authorized in division (F)(6)(b) of this section. Upon receipt of that certification, the project shall comply with division (F)(6)(b) of this section rather than division (F)(6)(a) of this section.

(b) For projects for which certification as a qualified energy project was applied for, under division (E) of this section, on or after the effective date of this amendment, maintain a ratio of Ohio-domiciled full-time equivalent employees employed in the construction or installation of the energy project to total full-time equivalent employees employed in the construction or installation of the energy project of not less than seventy per cent in the case of a solar energy project, and not less than fifty per cent in the case of any other energy project.

(c) For purposes of divisions (F)(6)(a) and (b) of this section, "Ohio-domiciled" includes persons who live outside the state but within fifty miles of a border of the state who are members of any bona fide labor organization which has as members, or is authorized to represent, employees in Ohio and which exists, in whole or in part, for the purpose of negotiating with employers concerning the wages, hours, or terms and conditions of employment of employees and whose members are engaged to perform work on the construction or installation of the qualified energy project.

(d) For purposes of divisions (F)(6)(a) and (b) of this section, in the case of an energy project for which certification from the power siting board is required under section 4906.20 of the Revised Code, the number of full-time equivalent employees employed in the construction or installation of the energy project equals the number actually employed or the number projected to be employed in the certificate application, if such projection is required under regulations adopted pursuant to section 4906.03 of the Revised Code, whichever is greater. For all other energy projects, the number of full-time equivalent employees employed in the construction or installation of the energy project equals the number actually employed or the number projected to be employed by the director of development, whichever is greater. To estimate the number of employees to be employed in the construction or installation of an energy project, the director shall use a generally accepted job-estimating model in use for renewable energy projects, including but not limited to the job and economic development impact model. The director may adjust an estimate produced by a model to account for variables not accounted for by the model.

(7) For energy projects with a nameplate capacity in excess of twenty megawatts, establish a relationship with any of the following to educate and train individuals for careers in the wind or solar energy industry:

(a) A member of the university system of Ohio as defined in section 3345.011 of the Revised Code;

(b) A person offering an apprenticeship program registered with the employment and training administration within the United States department of labor or with the apprenticeship council created by section 4139.02 of the Revised Code;

(c) A career-technical center, joint vocational school district, comprehensive career-technical center, or compact career-technical center;

(d) A training center operated by a labor organization, or with a training center operated by a for-profit or nonprofit organization.

The relationship may include endowments, cooperative programs, internships, apprenticeships, research and development projects, and curriculum development.

(8) Offer to sell power or renewable energy credits from the energy project to electric distribution utilities or electric service companies subject to renewable energy resource requirements under section 4928.64 of the Revised Code that have issued requests for proposal for such power or renewable energy credits. If no electric distribution utility or electric service company issues a request for proposal on or before December 31, 2010, or accepts an offer for power or renewable energy credits within forty-five days after the offer is submitted, power or renewable energy credits from the energy project may be sold to other persons. Division (F)(8) of this section does not apply if:

(a) The owner or lessee is a rural electric company or a municipal power agency as defined in section 3734.058 of the Revised Code.

(b) The owner or lessee is a person that, before completion of the energy project, contracted for the sale of power or renewable energy credits with a rural electric company or a municipal power agency.

(c) The owner or lessee contracts for the sale of power or renewable energy credits from the energy project before June 17, 2010.

(9) Make annual service payments as required by division (G) of this section and as may be required in a resolution adopted by a board of county commissioners under division (E) of this section.

(G) The owner or a lessee pursuant to a sale and leaseback transaction of a qualified energy project shall make annual service payments in lieu of taxes to the county treasurer on or before the final dates for payments of taxes on public utility personal property on the real and public utility personal property tax list for each tax year for which property of the energy project is exempt from taxation under this section. The county treasurer shall allocate the payment on the basis of the project's physical location. Upon receipt of a

payment, or if timely payment has not been received, the county treasurer shall certify such receipt or non-receipt to the director of development and tax commissioner in a form determined by the director and commissioner, respectively. Each payment shall be in the following amount:

(1) In the case of a solar energy project, seven thousand dollars per megawatt of nameplate capacity located in the county as of the thirty-first-day of December of the preceding tax year;

(2) In the case of any other energy project using renewable energy resources, the following:

(a) If the project maintains during the construction or installation of the energy facility a ratio of Ohio-domiciled full-time equivalent employees to total full-time equivalent employees of not less than seventy-five per cent, six thousand dollars per megawatt of nameplate capacity located in the county as of the thirty-first day of December of the preceding tax year;

(b) If the project maintains during the construction or installation of the energy facility a ratio of Ohio-domiciled full-time equivalent employees to total full-time equivalent employees of less than seventy-five per cent but not less than sixty per cent, seven thousand dollars per megawatt of nameplate capacity located in the county as of the thirty-first day of December of the preceding tax year;

(c) If the project maintains during the construction or installation of the energy facility a ratio of Ohio-domiciled full-time equivalent employees to total full-time equivalent employees of less than sixty per cent but not less than fifty per cent, eight thousand dollars per megawatt of nameplate capacity located in the county as of the thirty-first day of December of the preceding tax year.

(3) In the case of an energy project using clean coal technology, advanced nuclear technology, or cogeneration technology, the following:

(a) If the project maintains during the construction or installation of the energy facility a ratio of Ohio-domiciled full-time equivalent employees to total full-time equivalent employees of not less than seventy-five per cent, six thousand dollars per megawatt of nameplate capacity located in the county as of the thirty-first day of December of the preceding tax year;

(b) If the project maintains during the construction or installation of the energy facility a ratio of Ohio-domiciled full-time equivalent employees to total full-time equivalent employees of less than seventy-five per cent but not less than sixty per cent, seven thousand dollars per megawatt of nameplate capacity located in the county as of the thirty-first day of December of the preceding tax year;

(c) If the project maintains during the construction or installation of the energy facility a ratio of Ohio-domiciled full-time equivalent employees to total full-time equivalent employees of less than sixty per cent but not less than fifty per cent, eight thousand dollars per megawatt of nameplate capacity located in the county as of the thirty-first day of December of the preceding tax year.

(H) The director of development in consultation with the tax commissioner shall adopt rules pursuant to Chapter 119. of the Revised Code to implement and enforce this section."

In line 266609, delete "\$2,314,000 \$2,375,000" and insert "\$2,464,000 \$2,525,000"

In line 266611, add \$150,000 to each fiscal year

In line 266619, add \$150,000 to each fiscal year

In line 31727, delete "in their entirety"; delete "the annual"

In line 31728, delete "each calendar year's"

In line 31730, after the period insert "Hunting seasons shall state a full date including month, day, and year."

In line 279 of the title, delete "101.38,"

In line 124748, delete "101.38,"

After line 281166, insert:

"Section 737. ____ (A) Notwithstanding division (L) of rule 3796:6-2-04 of the Ohio Administrative Code, as that rule existed before the effective date of this section, or any contrary rule adopted by the Division of Marijuana Control within the Department of Commerce pursuant to division (B) of section 525.20 of this act, a person awarded a provisional dispensary license by the State Board of Pharmacy following the Board's request for applications announced in 2022, commonly referred to as RFA II, shall have until December 31, 2023, to demonstrate compliance with the dispensary operational requirements and obtain a certificate of operation. The Board or, if the transfer of the Medical Marijuana Control Program required by section 525.20 of this Act is complete, the Division shall award a certificate of operation to such a person if the person is otherwise in compliance with Ohio law.

(B)(1) Any administrative action or appeal, notice of opportunity for hearing, settlement, discipline, fine, fee, penalty, forfeiture, or similar action related to a person described in division (A) of this section that has not, as of the effective date of this section, obtained a certificate of operation, shall be held in abeyance until the person obtains a certificate of operation, or January

1, 2024, whichever occurs first.

(2) If the person obtains a certificate of operation on or before December 31, 2023, any matter listed in division (B)(1) of this section shall be null and void, cease to have any force or effect whatsoever, and be fully discharged, dismissed, and closed.

(3) If the person does not obtain a certificate of operation on or before December 31, 2023, any matters listed in division (B)(1) of this section shall be completed by the Division of Marijuana Control in the same manner, and with the same effect, as if completed by the State Board of Pharmacy. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the abeyance required by division (B)(1) of this section or the transfer required by section 525.20 of this act.

(C) All of the following apply to a person described in division (A) of this section that obtains a certificate of operation on or before December 31, 2023:

(1) Such a person shall not be considered to have:

(a) Undergone discipline;

(b) Been the subject of a disciplinary action or proceeding;

(c) Entered into a settlement to resolve a disciplinary action or proceeding;

(d) Been fined or otherwise penalized in any manner for not having commenced operations within 270 days after being awarded a provisional dispensary license.

(2) Such a person shall not be required to report or disclose any matter listed under division (B)(1) of this section to any agency, department, board, commission, official, or political subdivision of this state or of any other state or jurisdiction, except as specifically required to do so by a proper licensing authority of another state or jurisdiction.

(3) Such a person shall not be deemed to be noncompliant in any way by an agency, department, board, commission, official, or political subdivision of this state as part of any licensing determination, merely because the person did not obtain a certificate of operation within 270 days after being awarded a provisional dispensary license."

In line 98, delete "3345.47,"

In line 834, delete "3345.47,"

Delete lines 58662 through 58672

In line 124658, delete "3345.47,"

In line 44071, after "in" insert "section 3310.13 of the Revised Code and

in"

In line 44229, reinsert "No chartered nonpublic school shall charge"

Reinsert lines 44230 through 44234

In line 44235, reinsert "(B)"

In line 44236, reinsert "that"; delete "3317.022 of the"

In line 44237, delete "Revised Code"

In line 44244, reinsert "(C)"; delete "(B)"

In line 44246, reinsert "(B)"; delete "(A)"

In line 44251, delete "(C)" and insert "(D)"

In line 44261, delete "(D)" and insert "(E)"

In line 44266, delete "(E)" and insert "(F)"

In line 44272, delete "(F)" and insert "(G)"

In line 47122, after "(8)" insert "(7)"; reinsert "For students in grades kindergarten through eight with"

Reinsert lines 47123 through 47128

In line 47129, delete "(7)" and insert "(8)"; reinsert "with"

Reinsert line 47130

In line 47131, reinsert "guidelines"

In line 47140, delete "(8)" and insert "(9)"

In line 47146, delete "(9)" and insert "(10)"

In line 47307, delete "(9)" and insert "(10)"

In line 47312, delete "(9)" and insert "(10)"

In line 47316, delete "(9)" and insert "(10)"

In line 47344, delete "(9)" and insert "(10)"

In line 75 of the title, delete "3313.618, 3313.619,"

In line 817, delete "3313.618, 3313.619,"

Delete lines 46244 through 46439

In line 124640, delete "3313.618,"

In line 124641, delete "3313.619,"

In line 268919, after "(1)" insert "Administer a grant program for

institutions of higher education to provide financial incentives and assistance for eligible military individuals, as defined in section 3319.285 of the Revised Code, to enroll in and complete an educator preparation program approved under section 3333.048 of the Revised Code;

(2)"; after "for" insert "eligible"

In line 268920, delete "the" and insert "college"; delete "required" and insert "or professional development in pedagogy for the purpose of obtaining an alternative military educator license"; delete "division (C)"

In line 268921, delete "of"; delete "3319.283" and insert "3319.285"

In line 268922, delete "(2)" and insert "(3)"

In line 268926, delete "(3)" and insert "(4)"

In line 268929, delete "(4)" and insert "(5)"

In line 249 of the title, after "3301.85," insert "3301.91,"

In line 252 of the title, after "3313.7117," insert "3313.819,"

In line 944, after "3301.85," insert "3301.91,"

In line 946, after "3313.7117," insert "3313.819,"

After line 42590, insert:

"Sec. 3301.91. (A) As used in this section:

(1) "National school breakfast program" means the federal school breakfast program created under 42 U.S.C. 1773.

(2) "National school lunch program" means the federal school lunch program created under 42 U.S.C. 1751.

(3) "Public school" means a school building operated by a school district, a community school established under Chapter 3314. of the Revised Code, a STEM school established under Chapter 3326. of the Revised Code, a building operated by an educational service center, a special education program operated by the county board of developmental disabilities under section 3323.09 of the Revised Code, or a facility offering juvenile day treatment services.

(B) The department of education and workforce shall reimburse each public and chartered nonpublic school that participates in the national school breakfast program, from funds appropriated by the general assembly for that purpose, an amount equal to the difference between the federal free reimbursement rate and the federal reimbursement for a reduced-price breakfast for each student eligible for a reduced-price breakfast and receiving breakfast.

(C) The department shall reimburse each public school and chartered nonpublic school that participates in the national school lunch program, from funds appropriated by the general assembly for that purpose, an amount equal to the difference between the federal free reimbursement rate and the federal reimbursement for a reduced-price lunch for each student eligible for a reduced-price lunch and receiving lunch."

After line 46598, insert:

"Sec. 3313.819.(A) As used in this section, "national school breakfast program," "national school lunch program," and "public school" all have the same meanings as in section 3301.91 of the Revised Code.

(B) A public or chartered nonpublic school that participates in the national school breakfast program shall provide each student eligible for a reduced-price breakfast a breakfast at no cost to the student.

A public or chartered nonpublic school that participates in the national school lunch program shall provide each student eligible for a reduced-price lunch a lunch at no cost to the student."

In line 47917, after "3313.818," insert "3313.819,"

In line 55328, after "3313.818," insert "3313.819,"

In line 268600, delete "Lunch Match \$8,963,500 \$8,963,500" and insert "Meal Programs \$13,163,000 \$13,163,000"

In line 268612, add \$4,199,500 to each fiscal year

In line 268663, add \$4,199,500 to each fiscal year

In line 269119, delete "LUNCH MATCH" and insert "MEAL PROGRAMS"

In line 269120, delete "Lunch Match" and insert "Meal Programs"

In line 269121, after the first "to" insert "support the reimbursements required by section 3301.91 of the Revised Code and"

In line 93 of the title, after "3333.044," insert "3333.045,"

In line 96 of the title, delete "3337.01, 3339.01,"

In line 97 of the title, delete "3341.02, 3343.02, 3344.01,"

In line 98 of the title, delete "3345.45,"

In line 99 of the title, delete "3350.10, 3352.01,"

In line 100 of the title, delete "3356.01,"; delete "3359.01,"

In line 101 of the title, delete "3361.01, 3362.01, 3364.01,"

In line 218 of the title, delete "5813.06,"

In line 229 of the title, after "718.021," insert "and"; delete ", and 3333.045"

In line 242 of the title, delete "1715.551,"

Delete lines 256 and 257 of the title

In line 258 of the title, delete "3345.455, 3345.591,"; delete "3345.80, 3345.87,"

In line 288 of the title, delete "3333.045,"

In line 831, after "3333.044," insert "3333.045,"

In line 833, delete "3337.01, 3339.01, 3341.02, 3343.02,"

In line 834, delete "3344.01,"; delete "3345.45,"

In line 835, delete "3350.10, 3352.01,"; delete "3356.01,"

In line 836, delete "3359.01, 3361.01, 3362.01, 3364.01,"

In line 921, delete "5813.06,"

In line 929, after "718.021," insert "and"; delete ", and 3333.045"

In line 939, delete "1715.551,"

Delete line 949

In line 950, delete "3345.452, 3345.453, 3345.454, 3345.455, 3345.591,"

In line 951, delete "3345.80, 3345.87,"

Delete lines 33811 through 33955

Delete lines 56369 through 56422 and insert:

"Sec. 3333.045. As used in this section, "state university or college" means any state university listed in section 3345.011 of the Revised Code, the northeast Ohio medical university, any community college under Chapter 3354. of the Revised Code, any university branch district under Chapter 3355. of the Revised Code, any technical college under Chapter 3357. of the Revised Code, and any state community college under Chapter 3358. of the Revised Code.

The chancellor of higher education shall work with the attorney general, the auditor of state, and the Ohio ethics commission to develop a model for training members of the boards of trustees of all state universities and colleges ~~and members of the board of regents~~ regarding the authority and responsibilities of a board of trustees ~~or the board of regents~~. This model shall include a review of fiduciary responsibilities, ethics, and fiscal management.

Use of this model by members of boards of trustees ~~and the board of regents~~ shall be voluntary."

In line 57472, reinsert "Except"

Delete line 57473

Delete lines 57478 through 57481

In line 57490, reinsert all after the period

Reinsert lines 57491 and 57492

In line 57493, reinsert "for which the person previously served."

In line 57500, delete "student" and insert "Student"

In line 57553, delete "for trustees appointed prior to January 1, 2024,"

In line 57554, reinsert "(A)"; delete "(A)(1)"

Delete lines 57555 through 57557

In line 57563, delete "for trustees appointed prior to January"

In line 57564, delete "1, 2024,"

In line 57565, reinsert "(A)"; delete "(A)(1)"; delete "Terms of office for trustees appointed"

Delete lines 57566 and 57567

Delete lines 57666 through 57950

Delete lines 57987 through 58283

Delete lines 58416 through 58661

Delete lines 58782 through 58833

Delete lines 58857 through 59149

Delete lines 59341 through 59387

Delete lines 59652 through 59969

In line 73589, reinsert the comma; reinsert "members of a police or fire"

Reinsert lines 73590 through 73595

In line 73596, reinsert "employees of"

In line 73597, after "~~blind~~" insert "Ohio deaf and blind education services" and reinsert the balance of the line

Reinsert lines 73598 through 73604

In line 73605, reinsert "are employed by that board,"; delete "prohibited from striking under this"

In line 73606, delete "division"

Delete lines 73617 through 73641

In line 73749, reinsert "members of a police or"

Reinsert lines 73750 through 73755

In line 73756, reinsert "exclusive nurse's unit, employees of"

In line 73757, after "~~blind~~" insert "Ohio deaf and blind education services" and reinsert the balance of the line

Reinsert lines 73758 through 73764

In line 73765, reinsert "commissioners and whose members are employed by that board" and delete "public"

Delete line 73766

In line 73767, delete "of section 4117.14 of the Revised Code"

Delete lines 124019 through 124035

In line 124654, after "3333.044," insert "3333.045,"

In line 124656, delete "3337.01, 3339.01,"

In line 124657, delete "3341.02, 3343.02, 3344.01,"

In line 124658, delete "3345.45,"; delete "3350.10, 3352.01,"

In line 124659, delete "3356.01,"; delete "3359.01, 3361.01,"

In line 124660, delete "3362.01, 3364.01,"

In line 124744, delete "5813.06,"

In line 124755, delete "3333.045,"

Delete lines 281041 through 281063

In line 82 of the title, after "3317.0217," insert "3317.0218,"

In line 83 of the title, after "3317.161," insert "3317.162,"

In line 286 of the title, delete "3317.0218, 3317.162,"

In line 822, after "3317.0217," insert "3317.0218,"

In line 823, after "3317.161," insert "3317.162,"

In line 49745, reinsert "Calculate the district's adjusted local share federal"

Reinsert line 49746

In line 49747, reinsert "(a)"; reinsert "both of the following:"

In line 49748, reinsert "(i) The" delete "the"

In line 49751, reinsert the semicolon

Reinsert lines 49752 through 49759

In line 49760, reinsert everything before the period

In line 49765, reinsert "(A)(3)(a)(i)"; delete "(A)(3)"

In line 49768, reinsert "(A)(3)(a)(i)"; delete "(A)(3)"

In line 49810, reinsert "0.20"; delete "0.40"; reinsert "+ (the district's)

Reinsert lines 49811 through 49814

In line 49864, reinsert "(A)(1) Subject to division (C) of this"

In line 49865, reinsert "section, for fiscal years"; after "2022" insert "2024"; reinsert "and"; after "2023" insert "2025"; reinsert the balance of the line

In line 49866, reinsert "education" and insert "and workforce"; reinsert the balance of the line

Reinsert lines 49867 through 49877

In line 49878, reinsert "(2)"

In line 49879, delete "of education and workforce"

In line 49880, reinsert "that"; delete "each city, local, and exempted village"

In line 49881, delete "school"

In line 49892, reinsert "division (A)(2) of"

In line 49894, reinsert "division (A)(2) of"

Reinsert lines 49895 through 49897

In line 49898, reinsert "fiscal year"; after "2022" insert "2024"; reinsert "or fiscal year"; after "2023" insert "2025"; reinsert ", but does not receive"

Reinsert lines 49899 through 49912

In line 49913, reinsert "(2) For fiscal years"; after "2022" insert "2024"; reinsert "and"; after "2023" insert "2025"; reinsert ", if a district has fewer"

Reinsert lines 49914 through 49927

In line 50800, reinsert "+ the"

Reinsert lines 50801 and 50802

In line 50807, reinsert "and"

Reinsert line 50808

In line 50809, reinsert "under section 3317.0218 of the Revised Code"

In line 52085, reinsert "- the students described in division"

Reinsert lines 52086 and 52087

In line 52088, reinsert "Code"

After line 52107, insert:

"Sec. 3317.0218. This section shall apply only for fiscal years ~~2022~~ 2024 and ~~2023~~ 2025.

For each fiscal year, the department of education shall compute supplemental targeted assistance for each city, local, and exempted village school district as follows:

(A) Determine if the district satisfies both of the following criteria:

(1) The wealth index calculated for the district for fiscal year 2019 under division (A)(4) of former section 3317.0217 of the Revised Code as it existed prior to ~~the effective date of this section~~ September 30, 2021, is greater than 1.6;

(2) The district's enrolled ADM for fiscal year 2019 is less than eighty-eight per cent of the district's total ADM for fiscal year 2019.

(B) Determine the maximum of the wealth indices calculated under division (A)(4) of former section 3317.0217 of the Revised Code as it existed prior to ~~the effective date of this section~~ September 30, 2021, for all districts that satisfy both of the criteria specified under division (A) of this section;

(C) If the district satisfies both of the criteria specified under division (A) of this section, compute the district's supplemental amount as the product of the following:

(1) $\{[(\text{The number specified under division (A)(1) of this section} - 1.6) / (\text{the number determined under division (B) of this section} - 1.6)] \times 675\} + 75$;

(2) The district's enrolled ADM.

(D) If the district does not satisfy both of the criteria specified under division (A) of this section, the district's supplemental amount shall be equal to zero."

After line 52760, insert:

"Sec. 3317.162.(A) For fiscal years ~~2022~~ 2024 and ~~2023~~ 2025, the department of education shall pay temporary transitional aid to each joint vocational school district according to the following formula:

(The district's funding base, as that term is defined in section 3317.02 of the Revised Code) – (the district's payment under section 3317.16 of the Revised Code for the fiscal year for which the payment is computed)

If the computation made under division (A) of this section results in a negative number, the district's funding under division (A) of this section shall be zero.

(B) If a joint vocational school district begins receiving payments under section 3317.16 of the Revised Code for fiscal year ~~2022~~ 2024 or fiscal year ~~2023~~ 2025 but does not receive payments for the fiscal year immediately preceding that fiscal year, the department shall establish the district's funding base, as that term is defined in section 3317.02 of the Revised Code, as an amount equal to the absolute value of the sum of the associated adjustments of any local school district's funding base under division (C) of section 3317.019 of the Revised Code."

In line 124645, after "3317.0217," insert "3317.0218,"

In line 124646, after "3317.161," insert "3317.162,"

In line 124754, delete "3317.0218, 3317.162,"

In line 268599, delete "\$758,439,000 \$810,997,000" and insert "\$774,089,000 \$823,647,000"

In line 268603, delete "\$192,850,000 \$193,850,000" and insert "\$197,850,000 \$198,850,000"

In line 268605, delete "\$7,706,250,000 \$7,951,497,000" and insert "\$7,967,250,000 \$8,269,497,000"

In line 268612, add \$281,650,000 to fiscal year 2024 and \$335,650,000 to fiscal year 2025

In line 268663, add \$281,650,000 to fiscal year 2024 and \$335,650,000 to fiscal year 2025

In line 269093, delete "\$124,423,293" and insert "\$127,423,293"

In line 269094, delete "\$136,038,039" and insert "\$138,038,039"

Delete lines 269100 through 269102

In line 269106, after the second "and", insert "division (A)(2) of"

In line 269149, delete "\$37,500,000" and insert "\$38,500,000"

In line 269347, delete "section" and insert "sections"; after "3317.16" insert "and 3317.162"

In line 269348, delete "TRANSITIONAL AID" and insert "FORMULA TRANSITION SUPPLEMENT"

In line 269384, after "under" insert "division (A)(1) of section 3317.019,"

In line 269385, after "Code" insert a comma

In line 269386, delete "TRANSITIONAL AID" and insert "FORMULA TRANSITION SUPPLEMENT"

In line 269506, delete "\$400" and insert "\$650"

Delete lines 269507 through 269595 and insert:

"Section 265.290.FORMULA TRANSITION SUPPLEMENT

(A)(1) For fiscal years 2024 and 2025, the Department of Education and Workforce shall pay a formula transition supplement to each city, local, and exempted village school district according to the following formula:

(The district's funding base for fiscal year 2021) - (the district's payments for the fiscal year for which the supplement is calculated under sections 3317.019, 3317.022, and 3317.0212 of the Revised Code)

If the computation made under division (A)(1) of this section for a fiscal year results in a negative number, the district's formula transition supplement for that fiscal year shall be zero.

(2) For purposes of division (A)(1) of this section, a city, local, or exempted village school district's "funding base for fiscal year 2021" means the amount calculated as follows:

(a) Compute the sum of the following:

(i) The amount calculated for the district for fiscal year 2021 under division (A)(1) of Section 265.220 of H.B. 166 of the 133rd General Assembly after any adjustments required under Section 265.227 of H.B. 166 of the 133rd General Assembly and before any funding reductions authorized by Executive Order 2020-19D, issued on May 7, 2020, and Executive Order 2021-01D, issued on January 22, 2021;

(ii) The amount calculated for the district for fiscal year 2021 under division (A)(2) of Section 265.220 of H.B. 166 of the 133rd General Assembly before any funding reductions authorized by Executive Order 2020-19D, issued on May 7, 2020, and Executive Order 2021-01D, issued on January 22, 2021;

(iii) The amount calculated for the district for fiscal year 2021 under division (B) of Section 265.220 of H.B. 166 of the 133rd General Assembly;

(iv) The district's payments for fiscal year 2021 under divisions (C)(1), (2), (3), and (4) of section 3313.981 of the Revised Code as those divisions existed for payments for fiscal year 2021;

(v) The district's payments for fiscal year 2021 under section 3317.0219 of the Revised Code as that section existed for payments for fiscal year 2021 and under Section 20 of S.B. 310 of the 133rd General Assembly.

(b) Subtract from the amount calculated in division (A)(2)(a) of this section the sum of the following:

(i) The payments deducted from the district and paid to a community school established under Chapter 3314. of the Revised Code for fiscal year 2021 under divisions (C)(1)(a), (b), (c), (d), (e), (f), and (g) of section 3314.08 of the Revised Code and division (D) of section 3314.091 of the Revised Code, as those divisions existed for deductions and payments for fiscal year 2021, in accordance with division (A) of Section 265.230 of H.B. 166 of the 133rd General Assembly, before any funding reductions authorized by Executive Order 2020-19D, issued on May 7, 2020, and Executive Order 2021-01D, issued on January 22, 2021;

(ii) The payments deducted from the district and paid to a science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code for fiscal year 2021, under divisions (A), (B), (C), (D), (E), (F), and (G) of section 3326.33 of the Revised Code as those divisions existed for deductions and payments for fiscal year 2021, in accordance with division (A) of Section 265.235 of H.B. 166 of the 133rd General Assembly, before any funding reductions authorized by Executive Order 2020-19D, issued on May 7, 2020, and Executive Order 2021-01D, issued on January 22, 2021;

(iii) The payments deducted from the district for fiscal year 2021 under division (C) of section 3310.08 of the Revised Code as that division existed for deductions for fiscal year 2021, division (C)(2) of section 3310.41 of the Revised Code, as that division existed for deductions for fiscal year 2021, and section 3310.55 of the Revised Code as that section existed for deductions for fiscal year 2021 and, in the case of a pilot project school district as defined in section 3313.975 of the Revised Code, the funds deducted from the district for fiscal year 2021 under Section 265.210 of H.B. 166 of the 133rd General Assembly to operate the pilot project scholarship program for fiscal year 2021 under sections 3313.974 to 3313.979 of the Revised Code;

(iv) The payments subtracted from the district for fiscal year 2021 under divisions (B)(1), (2), and (3) of section 3313.981 of the Revised Code, as

those divisions existed for subtractions from the district for fiscal year 2021.

(B)(1) For fiscal years 2024 and 2025, the Department of Education and Workforce shall pay a formula transition supplement to each joint vocational school district according to the following formula:

(The district's funding base for fiscal year 2021) - (the district's payments for the fiscal year for which the supplement is calculated under sections 3317.16 and 3317.162 of the Revised Code)

If the computation made under division (B)(1) of this section for a fiscal year results in a negative number, the district's formula transition supplement for that fiscal year shall be zero.

(2) For purposes of division (B)(1) of this section, a joint vocational district's "funding base for fiscal year 2021" means the sum of the following:

(a) The district's payments for fiscal year 2021 under Section 265.225 of H.B. 166 of the 133rd General Assembly after any adjustments required under Section 265.227 of H.B. 166 of the 133rd General Assembly;

(b) The district's payments for fiscal year 2021 under divisions (D)(1) and (2) of section 3313.981 of the Revised Code, as those divisions existed for payments for fiscal year 2021;

(c) The district's payments for fiscal year 2021 under section 3317.163 of the Revised Code as that section existed for payments for fiscal year 2021 and under Section 20 of S.B. 310 of the 133rd General Assembly.

(C)(1) For fiscal years 2024 and 2025, the Department of Education and Workforce shall pay a formula transition supplement to each community school established under Chapter 3314. of the Revised Code according to the following formula:

$$\left[\left(\frac{\text{The school's funding base for fiscal year 2021}}{\text{the number of students enrolled in the school for fiscal year 2021}} \right) - \left(\frac{\text{the sum of the school's payments for the fiscal year for which the supplement is calculated under sections 3317.022 and 3317.0212 of the Revised Code and the section of this act entitled "COMMUNITY SCHOOL EQUITY SUPPLEMENT" for the fiscal year for which the supplement is calculated}}{\text{the number of students enrolled in the school for the fiscal year for which the supplement is calculated}} \right) \right] \times \text{the number of students enrolled in the school for the fiscal year for which the supplement is calculated.}$$

If the computation made under division (C)(1) of this section for a fiscal year results in a negative number, the school's formula transition supplement for that fiscal year shall be zero.

(2) For purposes of division (C)(1) of this section, a community school's

"funding base for fiscal year 2021" means the sum of the following:

(a) The amount calculated for the school for fiscal year 2021 under division (C)(1) of section 3314.08 of the Revised Code as that section existed for payments for fiscal year 2021, before any funding reductions authorized by Executive Order 2020-19D, issued on May 7, 2020, and Executive Order 2021-01D, issued on January 22, 2021;

(b) The amount calculated for the school for fiscal year 2021 under section 3314.085 of the Revised Code as that section existed for payments for fiscal year 2021;

(c) The amount calculated for the school for fiscal year 2021 under division (D)(1) of section 3314.091 of the Revised Code as that division existed for payments for fiscal year 2021;

(d) The amount calculated for the school for fiscal year 2021 under section 3314.088 of the Revised Code as that section existed for payments for fiscal year 2021 and under Section 20 of S.B. 310 of the 133rd General Assembly.

(D)(1) For fiscal years 2024 and 2025, the Department of Education and Workforce shall pay a formula transition supplement to each science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code according to the following formula:

$$[(\text{The school's funding base for fiscal year 2021} / \text{the number of students enrolled in the school for fiscal year 2021}) - (\text{the school's payments for the fiscal year for which the supplement is calculated under section 3317.022 of the Revised Code} / \text{the number of students enrolled in the school for the fiscal year for which the supplement is calculated})] \times \text{the number of students enrolled in the school for the fiscal year for which the supplement is calculated.}$$

If the computation made under division (D)(1) of this section for a fiscal year results in a negative number, the school's formula transition supplement for that fiscal year shall be zero.

(2) For purposes of division (D)(1) of this section, a science, technology, engineering, and mathematics school's "funding base for fiscal year 2021" means the sum of the following:

(a) The amount calculated for the school for fiscal year 2021 under section 3326.33 of the Revised Code as that section existed for payments for fiscal year 2021, before any funding reductions authorized by Executive Order 2020-19D, issued on May 7, 2020, and Executive Order 2021-01D, issued on January 22, 2021;

(b) The amount calculated for the school for fiscal year 2021 under section 3326.41 of the Revised Code as that section existed for payments for fiscal

year 2021;

(c) The amount calculated for the school for fiscal year 2021 under section 3326.42 of the Revised Code as that section existed for payments for fiscal year 2021 and under Section 20 of S.B. 310 of the 133rd General Assembly."

In line 255 of the title, after "3335.39," insert "3339.06, 3344.07,"

In line 259 of the title, after "3357.131," insert "3361.06,"

In line 948, after "3333.303," insert "3335.39, 3339.06, 3344.07,"

In line 951, after "3357.131," insert "3361.06,"

In line 57580, after "independent" insert "academic"

In line 57581, delete "initially" and insert "physically"

In line 57607, after "independent" insert "academic"

In line 57609, delete "make" and insert "house tenure-track faculty who hold their"; after "appointments" delete "of faculty, including tenure-track faculty" and insert "within the center"

In line 57613, after the underlined period insert "No faculty outside of the center shall have the authority to block faculty hires into the center."

In line 57628, delete "sixty days after the effective date of"

In line 57629, delete "this section" and insert "November 20, 2023"

In line 57631, after the underlined period insert "An initial member shall not begin service until confirmed by the senate. Four members shall form a quorum."

In line 57645, delete "candidates" and insert "finalists"

In line 57647, after the underlined period insert "Future directors shall be chosen in the same manner."

In line 57652, delete "ability" and insert "authority"

In line 57653, delete "have the authority"

After line 57773, insert:

"Sec. 3339.06.(A)(1) The Miami university center for civics, culture, and society is established as an independent academic unit within Miami university, physically located in the college of arts and sciences. The center shall conduct teaching and research in the historical ideas, traditions, and texts that have shaped the American constitutional order and society.

(2) The center shall establish bylaws requiring the center to do all of the following:

(a) Educate students by means of free, open, and rigorous intellectual inquiry to seek the truth;

(b) Affirm its duty to equip students with the skills, habits, and dispositions of mind they need to reach their own informed conclusions on matters of social and political importance;

(c) Affirm the value of intellectual diversity in higher education and aspire to enhance the intellectual diversity of the university;

(d) Affirm a commitment to create a community dedicated to an ethic of civil and free inquiry, which respects the intellectual freedom of each member, supports individual capacities for growth, and welcomes the differences of opinion that shall naturally exist in a public university community.

The requirements prescribed under divisions (A)(2)(a) to (d) of this section shall take priority over any other bylaws adopted by the center.

(3) The board of trustees of the university may name the center in accordance with the philanthropic naming policies and practices of the university.

(B) The center shall be an independent academic unit physically located at the college of arts and sciences with the authority to house tenure-track faculty who hold their appointments within the center. Faculty appointed to the center shall not be required, but may, hold joint appointments within any other division of the university. Not fewer than ten tenure-track faculty positions shall be allotted to teach under the center. No faculty outside of the center shall have the authority to block faculty hires into the center.

(C)(1) The center shall offer instruction in all of the following:

(a) The books and major debates which form the intellectual foundation of free societies, especially that of the United States;

(b) The principles, ideals, and institutions of the American constitutional order;

(c) The foundations of responsible leadership and informed citizenship.

(2) The center also shall focus on both of the following:

(a) Offering university-wide programming related to the values of free speech and civil discourse;

(b) Expanding the intellectual diversity of the university's academic community.

(D)(1) Not later than December 31, 2023, the board of trustees of the university shall appoint, with the advice and consent of the senate, a seven-

member center academic council. An initial member shall not begin service until confirmed by the senate. Four members shall form a quorum.

(2) The academic council shall be comprised of scholars with relevant expertise and experience. Not more than one member of the council may be an employee of the university. Best efforts shall be made to have not fewer than three members of the advisory board be from Ohio.

(3) Three members of the academic council shall serve initial terms of two years and four members shall serve initial terms of four years, which the members shall determine at their first meeting, and select replacements for vacant seats.

(E)(1) The academic council established under division (D) of this section shall conduct a nationwide search for candidates for the director of the center and shall strictly adhere to all relevant state and federal laws. The academic council shall submit to the president of the university a list of finalists from which the president shall select and appoint a director, subject to approval by the board of trustees. Future directors shall be chosen in the same manner.

(2) The director shall have the protection of tenure or tenure eligibility. The director shall consult with the dean of the college of arts and sciences; however, the director shall report directly to the provost or the president of the university.

(3) The director shall have the sole and exclusive authority to manage the recruitment and hiring process and to extend offers for employment for all faculty and staff of the center, and to terminate employment of all staff. The director shall oversee, develop, and approve the center's curriculum. The center shall be granted the authority to offer courses and develop certificate, minor, and major programs as well as graduate programs, and offer degrees.

(F) The director of the center shall submit an annual report to the board of trustees of the university and the general assembly in accordance with section 101.68 of the Revised Code. The report shall provide a full account of the center's achievements, opportunities, challenges, and obstacles in the development of this academic unit."

After line 57950, insert:

"Sec. 3344.07. (A)(1) The Cleveland state university center for civics, culture, and society is established as an independent academic unit within Cleveland state university, physically located in the Levin college of public affairs and education. The center shall conduct teaching and research in the historical ideas, traditions, and texts that have shaped the American constitutional order and society.

(2) The center shall establish bylaws requiring the center to do all of the

following:

(a) Educate students by means of free, open, and rigorous intellectual inquiry to seek the truth;

(b) Affirm its duty to equip students with the skills, habits, and dispositions of mind they need to reach their own informed conclusions on matters of social and political importance;

(c) Affirm the value of intellectual diversity in higher education and aspire to enhance the intellectual diversity of the university;

(d) Affirm a commitment to create a community dedicated to an ethic of civil and free inquiry, which respects the intellectual freedom of each member, supports individual capacities for growth, and welcomes the differences of opinion that shall naturally exist in a public university community.

The requirements prescribed under divisions (A)(2)(a) to (d) of this section shall take priority over any other bylaws adopted by the center.

(3) The board of trustees of the university may name the center in accordance with the philanthropic naming policies and practices of the university.

(B) The center shall be an independent academic unit physically located at the college of public affairs and education with the authority to house tenure-track faculty who hold their appointments within the center. Faculty appointed to the center shall not be required, but may, hold joint appointments within any other division of the university. Not fewer than ten tenure-track faculty positions shall be allotted to teach under the center. No faculty outside of the center shall have the authority to block faculty hires into the center.

(C)(1) The center shall offer instruction in all of the following:

(a) The books and major debates which form the intellectual foundation of free societies, especially that of the United States;

(b) The principles, ideals, and institutions of the American constitutional order;

(c) The foundations of responsible leadership and informed citizenship.

(2) The center also shall focus on both of the following:

(a) Offering university-wide programming related to the values of free speech and civil discourse;

(b) Expanding the intellectual diversity of the university's academic community.

(D)(1) Not later than December 31, 2023, the board of trustees of the university shall appoint, with the advice and consent of the senate, a seven-member center academic council. An initial member shall not begin service until confirmed by the senate. Four members shall form a quorum.

(2) The academic council shall be comprised of scholars with relevant expertise and experience. Not more than one member of the council may be an employee of the university. Best efforts shall be made to have not fewer than three members of the advisory board be from Ohio.

(3) Three members of the academic council shall serve initial terms of two years and four members shall serve initial terms of four years, which the members shall determine at their first meeting, and select replacements for vacant seats.

(E)(1) The academic council established under division (D) of this section shall conduct a nationwide search for candidates for the director of the center and shall strictly adhere to all relevant state and federal laws. The academic council shall submit to the president of the university a list of finalists from which the president shall select and appoint a director, subject to approval by the board of trustees. Future directors shall be chosen in the same manner.

(2) The director shall have the protection of tenure or tenure eligibility. The director shall consult with the dean of the college of public affairs and education; however, the director shall report directly to the provost or the president of the university.

(3) The director shall have the sole and exclusive authority to manage the recruitment and hiring process and to extend offers for employment for all faculty and staff of the center, and to terminate employment of all staff. The director shall oversee, develop, and approve the center's curriculum. The center shall be granted the authority to offer courses and develop certificate, minor, and major programs as well as graduate programs, and offer degrees.

(F) The director of the center shall submit an annual report to the board of trustees of the university and the general assembly in accordance with section 101.68 of the Revised Code. The report shall provide a full account of the center's achievements, opportunities, challenges, and obstacles in the development of this academic unit."

After line 59757, insert:

"Sec. 3361.06. (A)(1) The university of Cincinnati center for civics, culture, and society is established as an independent academic unit within the university of Cincinnati, physically located in the college of arts and sciences. The center shall conduct teaching and research in the historical ideas, traditions, and texts that have shaped the American constitutional order and society.

(2) The center shall establish bylaws requiring the center to do all of the following:

(a) Educate students by means of free, open, and rigorous intellectual inquiry to seek the truth;

(b) Affirm its duty to equip students with the skills, habits, and dispositions of mind they need to reach their own informed conclusions on matters of social and political importance;

(c) Affirm the value of intellectual diversity in higher education and aspire to enhance the intellectual diversity of the university;

(d) Affirm a commitment to create a community dedicated to an ethic of civil and free inquiry, which respects the intellectual freedom of each member, supports individual capacities for growth, and welcomes the differences of opinion that shall naturally exist in a public university community.

The requirements prescribed under divisions (A)(2)(a) to (d) of this section shall take priority over any other bylaws adopted by the center.

(3) The board of trustees of the university may name the center in accordance with the philanthropic naming policies and practices of the university.

(B) The center shall be an independent academic unit physically located at the college of arts and sciences with the authority to house tenure-track faculty who hold their appointments within the center. Faculty appointed to the center shall not be required, but may, hold joint appointments within any other division of the university. Not fewer than ten tenure-track faculty positions shall be allotted to teach under the center. No faculty outside of the center shall have the authority to block faculty hires into the center.

(C)(1) The center shall offer instruction in all of the following:

(a) The books and major debates which form the intellectual foundation of free societies, especially that of the United States;

(b) The principles, ideals, and institutions of the American constitutional order;

(c) The foundations of responsible leadership and informed citizenship.

(2) The center also shall focus on both of the following:

(a) Offering university-wide programming related to the values of free speech and civil discourse;

(b) Expanding the intellectual diversity of the university's academic community.

(D)(1) Not later than December 31, 2023, the board of trustees of the university shall appoint, with the advice and consent of the senate, a seven-member center academic council. An initial member shall not begin service until confirmed by the senate. Four members shall form a quorum.

(2) The academic council shall be comprised of scholars with relevant expertise and experience. Not more than one member of the council may be an employee of the university. Best efforts shall be made to have not fewer than three members of the advisory board be from Ohio.

(3) Three members of the academic council shall serve initial terms of two years and four members shall serve initial terms of four years, which the members shall determine at their first meeting, and select replacements for vacant seats.

(E)(1) The academic council established under division (D) of this section shall conduct a nationwide search for candidates for the director of the center and shall strictly adhere to all relevant state and federal laws. The academic council shall submit to the president of the university a list of finalists from which the president shall select and appoint a director, subject to approval by the board of trustees. Future directors shall be chosen in the same manner.

(2) The director shall have the protection of tenure or tenure eligibility. The director shall consult with the dean of the college of arts and sciences; however, the director shall report directly to the provost or the president of the university.

(3) The director shall have the sole and exclusive authority to manage the recruitment and hiring process and to extend offers for employment for all faculty and staff of the center, and to terminate employment of all staff. The director shall oversee, develop, and approve the center's curriculum. The center shall be granted the authority to offer courses and develop certificate, minor, and major programs as well as graduate programs, and offer degrees.

(F) The director of the center shall submit an annual report to the board of trustees of the university and the general assembly in accordance with section 101.68 of the Revised Code. The report shall provide a full account of the center's achievements, opportunities, challenges, and obstacles in the development of this academic unit."

In line 59975, after "an" insert "independent"

In line 60022, after the underlined period insert "An initial member shall not begin service until confirmed by the senate. Four members shall form a quorum."

In line 60032, after "director" insert "after the initial director"

In line 60051, after the underlined period insert "Not fewer than five

tenure-track faculty positions shall be allotted to the institute."

In line 60054, after the underlined period insert "No faculty from outside the institute shall have the authority to block faculty hires into the institute."

In line 60055, delete "ability" and insert "authority"

In line 60056, delete "the authority"

In line 275390, delete "\$10,550,000 \$8,600,000" and insert "\$16,550,000 \$14,600,000"

In line 275415, add \$6,000,000 to each fiscal year

In line 275441, add \$6,000,000 to each fiscal year

After line 276511, insert:

"(O) Of the foregoing appropriation item 235533, Program and Project Support, \$2,000,000 in each fiscal year shall be distributed to Miami University to support the center for civics, culture, and society established under section 3339.06 of the Revised Code.

(P) Of the foregoing appropriation item 235533, Program and Project Support, \$2,000,000 in each fiscal year shall be distributed to Cleveland State University to support the center for civics, culture, and society established under section 3344.07 of the Revised Code.

(Q) Of the foregoing appropriation item 235533, Program and Project Support, \$2,000,000 in each fiscal year shall be distributed to the University of Cincinnati to support the center for civics, culture, and society established under section 3361.06 of the Revised Code."

In line 231 of the title, delete "109.461,"

In line 931, delete "109.461,"

Delete lines 2598 through 2620

After line 73146, insert:

"(5) An employer may require a minor participating in the mentorship program to take a drug test in accordance with the policy described in division (C)(1)(e) of this section."

In line 73161, after "(E)" insert "(1) A minor who is sixteen or seventeen years of age shall possess a valid driver's license to be eligible for employment under the mentorship program.

(2)"

In line 117 of the title, after "3746.13," insert "3748.03,"

In line 263 of the title, after "3737.833," insert "3748.23,"

In line 264 of the title, after "4141.211," insert "4164.01, 4164.02, 4164.04, 4164.05, 4164.051, 4164.052, 4164.053, 4164.07, 4164.08, 4164.09, 4164.091, 4164.092, 4164.093, 4164.094, 4164.096, 4164.097, 4164.098, 4164.099, 4164.0911, 4164.0912, 4164.0913, 4164.0914, 4164.0916, 4164.0917, 4164.0918, 4164.10, 4164.11, 4164.12, 4164.13, 4164.15, 4164.16, 4164.18, 4164.19, 4164.20,"

In line 848, after "3746.13," insert "3748.03,"

In line 954, after "3737.833," insert "3748.23,"

In line 955, after "4141.211," insert "4164.01, 4164.02, 4164.04, 4164.05, 4164.051, 4164.052, 4164.053, 4164.07, 4164.08, 4164.09, 4164.091, 4164.092, 4164.093, 4164.094, 4164.096, 4164.097, 4164.098, 4164.099, 4164.0911, 4164.0912, 4164.0913, 4164.0914, 4164.0916, 4164.0917, 4164.0918, 4164.10, 4164.11, 4164.12, 4164.13, 4164.15, 4164.16, 4164.18, 4164.19, 4164.20,"

After line 69394, insert:

"Sec. 3748.03. (A)(1)(A)(1)(a) The governor, on behalf of the state, may enter into agreements with the United States nuclear regulatory commission as authorized by section 274(b) of the "Atomic Energy Act of 1954," 68 Stat. 919, 42 U.S.C.A. 2011, as amended, for the discontinuation of specified licensing and related regulatory authority of the commission with respect to byproduct material, source material, the commercial disposal of low-level radioactive waste, and special nuclear material in quantities not sufficient to form a critical mass and the assumption of that authority by the state.

(b) The governor, on behalf of the state, may also enter into agreements described in division (A)(1)(a) of this section with the the United States department of energy or branches of the United States military.

(2) The governor shall appoint a state liaison officer to the United States nuclear regulatory commission, who shall serve at the pleasure of the governor.

(B) The general assembly hereby designates the department of health, in addition to the Ohio nuclear development authority as the agency authorized to by division (F) of section 4164.11 of the Revised Code, may pursue agreement state status, on behalf of the governor, for the assumption by the state of specified licensing and related regulatory authority from the commission pursuant to division (A) of this section. The department shall and the Ohio nuclear development authority may enter into negotiations with the commission for that purpose.

(C) Any person who, on the effective date of an agreement entered into by

the state and the commission pursuant to divisions (A) and (B) of this section, holds a license issued by the commission for radioactive materials that are subject to the agreement is deemed to hold a license issued under this chapter and rules adopted under it. That license shall expire ninety days after the holder receives a notice of expiration from the department or on the date of expiration specified in the license issued by the commission, whichever is later, provided that no such license shall expire during the ninety days immediately following the effective date of the agreement.

Sec. 3748.23. The rules adopted under this chapter shall neither conflict with nor supersede the rules adopted under Chapter 4164. of the Revised Code."

After line 74632, insert:

"Sec. 4164.01. As used in this chapter, unless the context otherwise requires:

(A) "Authority" means the Ohio nuclear development authority created and constituted under section 4164.04 of the Revised Code.

(B) "Council" means the Ohio nuclear development authority nominating council created and constituted under section 4164.09 of the Revised Code.

Sec. 4164.02. It is the intent of the general assembly in enacting this chapter of the Revised Code to encourage its use as a model for future legislation to further the pursuit of innovative research and development for any industry in this state.

Sec. 4164.04. There is hereby created and constituted within the department of development, the Ohio nuclear development authority. The authority's exercise of powers conferred by this chapter is the performance of an essential governmental function and addresses matters of public necessity for which public moneys may be spent.

Sec. 4164.05. (A) The authority shall consist of nine members appointed by the governor, representing the following three stakeholder groups within the nuclear-engineering-and-manufacturing industry:

(1) Safety;

(2) Industry;

(3) Engineering research and development.

(B)(1) A member appointed from the safety group shall hold at least a bachelor's degree in nuclear, mechanical, chemical, or electrical engineering and at least one of the following shall also apply:

(a) The member is a recognized professional in nuclear-reactor safety or

developing ISO 9000 standards.

(b) The member has been employed by or has worked closely with the United States department of energy or the nuclear regulatory commission and the member also has a professional background in nuclear-energy-technology development or advanced-nuclear-reactor concepts.

(c) The member has been employed by a contractor that has built concept reactors and the member also worked with hazardous substances, either nuclear or chemical, during that employment.

(2) A member appointed from the industry group shall have at least five years of experience in one or more of the following:

(a) Nuclear-power-plant operation;

(b) Processing and extracting isotopes;

(c) Managing a facility that deals with hazardous substances, either nuclear or chemical;

(d) Handling and storing nuclear waste.

(3) A member appointed from the engineering research and development group shall hold at least a bachelor's degree in nuclear, mechanical, chemical, or electrical engineering and the member shall also be a recognized professional in at least one of the following areas of study:

(a) Advanced nuclear reactors;

(b) Materials science involving the study of alloys and metallurgy, ceramics, or composites;

(c) Molten-salt chemistry;

(d) Solid-state chemistry;

(e) Chemical physics;

(f) Actinide chemistry;

(g) Instrumentation and sensors;

(h) Control systems.

(C) The members shall be United States citizens and residents of this state.

(D) The members shall serve five-year terms.

(E) Any appointment to fill a vacancy on the authority shall be made for the unexpired term of the member whose death, resignation, or removal created the vacancy.

(F) Initial appointments under this section shall be made not later than one

hundred twenty days after the effective date of this section.

Sec. 4164.051. The governor shall appoint members, and fill vacancies in the membership, of the authority from lists of nominees recommended by the council. The governor shall fill a vacancy not later than thirty days after receipt of the council's recommendations.

Sec. 4164.052. The governor, in the governor's discretion, may reject all of the nominees recommended by the council and reconvene the council for it to recommend additional nominees. If the governor reconvenes the council and the council provides a second list of nominees, the governor shall make the required appointment from one of the names on the first or second list.

Sec. 4164.053. All appointments by the governor to the authority are subject to the advice and consent of the senate.

Sec. 4164.07. Immediately after appointment to the authority under section 4164.05 of the Revised Code, the members shall enter upon the performance of their duties.

Sec. 4164.08. Notwithstanding any law to the contrary, no officer or employee of this state shall be deemed to have forfeited, or shall have forfeited, the officer's or employee's office or employment due to acceptance of membership on the authority or by providing service to the authority.

Sec. 4164.09. There is hereby created the Ohio nuclear development authority nominating council.

Sec. 4164.091. The council shall review, evaluate, and make recommendations to the governor regarding potential appointees to serve as members of the authority.

Sec. 4164.092. (A) Consistent with division (B) of section 4164.05 of the Revised Code, and for the purpose of making initial and subsequent appointments, and for filling vacancies, the council shall provide the governor with a list of individuals who are, in the judgment of the council, the most fully qualified to become members of the authority.

(B) For each initial appointment, and for each subsequent or vacancy appointment, the council shall provide a list of four possible appointees.

(C) The council shall provide the lists at the following times:

(1) For each subsequent appointment, not more than eighty-five, nor less than sixty, days before the expiration of the term of an authority member to be renewed or replaced;

(2) For each vacancy appointment, not more than thirty days after the death of, resignation of, or termination of service by, an authority member for whom a vacancy exists.

Sec. 4164.093. In reviewing, evaluating, and recommending potential appointees to serve as members of the authority, the council may solicit and accept comments from, and cooperate with, any individual.

Sec. 4164.094. The council may make recommendations to the general assembly concerning changes in law to assist the council in the performance of its duties.

Sec. 4164.096. The council shall consist of seven members:

(A) The president of the senate, or the president's designee;

(B) The speaker of the house of representatives, or the speaker's designee.

(C) Five members of the Ohio state university's nuclear engineering external advisory board.

Sec. 4164.097. (A) Of the seven members of the council, the five members from the Ohio state university's nuclear engineering external advisory board shall be appointed by the governor.

(B) Initial appointments under this section shall be made not later than thirty days after the effective date of this section.

Sec. 4164.098. The term of office for council members appointed by the governor shall be two years. Each appointed member shall serve as a member of the council from the date of appointment until the end of the term for which the member was appointed.

The president of the senate, or the president's designee, and the speaker of the house of representatives, or the speaker's designee, shall serve on the council only during the tenure of the president or speaker.

Sec. 4164.099. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member was appointed shall hold office for the remainder of such term. Any member shall continue in office after the expiration date of the term for which the member was appointed until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. Each vacancy of an appointed member shall be filled by appointment not later than sixty days after the vacancy occurs and shall be filled in the same manner as the original appointment.

Sec. 4164.0911. The council shall elect a chairperson and a secretary at its initial meeting.

Sec. 4164.0912. The council shall hold its initial meeting not later than sixty days after the effective date of this section. Subsequent meetings of the council may be called by the chairperson. Special meetings shall be called by the chairperson upon receipt of a written request for a meeting signed by two or more members of the council.

Sec. 4164.0913. Before each meeting of the council, written notice of the time and place of each meeting shall be sent to each member of the council by mail or electronic mail.

Sec. 4164.0914. Four members of the council, or their alternates, constitute a quorum. No measure shall be voted on, or any action taken by the council unless a quorum is present.

Sec. 4164.0916. The council shall keep a record of its proceedings.

Sec. 4164.0917. The council may adopt bylaws governing its proceedings.

Sec. 4164.0918. Members of the council shall serve without compensation.

Sec. 4164.10. The authority is established for both of the following purposes:

(A) To be an information resource for this state, the United States nuclear regulatory commission, all branches of the United States military, and the United States department of energy on advanced-nuclear-research reactors, isotopes, and isotope technologies;

(B) To make this state all of the following:

(1) A leader in the development and construction of new-type advanced-nuclear-research reactors;

(2) A national and global leader in the commercial production of isotopes and research;

(3) A leader in the research and development of high-level-nuclear-waste reduction and storage technology.

Sec. 4164.11. The authority shall have all powers necessary and convenient for carrying out its statutory purposes, including the following powers:

(A) To adopt bylaws for the management and regulation of its affairs;

(B) To develop and adopt a strategic plan for carrying out the purposes set forth in this chapter;

(C) To foster innovative partnerships and relationships in the state and among the state's public institutions of higher education, private companies, federal laboratories, and nonprofit organizations, to accomplish the purposes set forth in this chapter;

(D) To identify and support, in cooperation with the public and private sectors, the development of education programs related to Ohio's isotope industry;

(E) To assume, with the advice and consent of the Senate, any regulatory powers delegated from the United States nuclear regulatory commission, the

United States department of energy, or any branch of the United States military, or similar federal agencies, departments, or programs, governing the construction and operation of noncommercial power-producing nuclear reactors and the handling of radioactive materials;

(F) To act in place of the governor in approving agreements with the United States nuclear regulatory commission and joint-development agreements with the United States department of energy or an equivalent regulatory agency in the event that any of the following occur:

(1) The authority requests the commission to delegate rules for a state-based nuclear research-and-development program.

(2) The authority requests to jointly develop advanced-nuclear-research-reactor technology with the department under the department's authority.

(3) The authority requests to jointly develop advanced-nuclear-research-reactor technology with the United States department of defense or another United States military agency under the authority of the department or agency.

Sec. 4164.12. For the purpose of carrying out the Ohio nuclear development authority's duties under sections 4164.01 to 4164.20 of the Revised Code, the authority may make use of the staff and experts employed at the department of development in such manner as is provided by mutual arrangement between the authority and the department.

Sec. 4164.13. Meetings of the authority shall be held in compliance with section 121.22 of the Revised Code.

Sec. 4164.15. The authority shall work with industrial and academic institutions and the United States department of energy or branches of the United States military to approve designs for the commercialization of advanced-nuclear-reactor components, which may include any of the following:

(A) Advanced-nuclear-reactor-neutronics analysis and experimentation, including reactor, plant, shielding, nuclear data, source-program software, nuclear database, conceptual design, core and system design, certification in the phases, core-management and fuel-management technology, modeling, and calculation;

(B) Advanced-nuclear-reactor safety and plant safety, including reactor-system safety standards, accident-analysis software, and accident-management regulations;

(C) Advanced-nuclear-reactor fuels and materials, including long-life fuel, clad materials, structural materials, component materials, absorber materials, circuit materials, raw materials, fuels-and-materials research and development, testing programs used to develop fuels and materials-

manufacturing processes, experimental data, formulae, technological processes, and facilities and equipment used to manufacture advanced-nuclear-reactor fuels and materials;

(D) Advanced-nuclear-reactor-nuclear-steam-supply systems and their associated components and equipment, including design standards, component, equipment, and systems design, thermal hydraulics, mechanics, and chemistry analysis;

(E) Advanced-nuclear-reactor engineered-safety features and their associated components, including design standards, component design, system design, and structural design;

(F) Advanced-nuclear-reactor building, including containment design, structural analysis, and architectural analysis;

(G) Advanced-nuclear-reactor instrumentation and control and application of computer science, including survey, monitor, control, and protection systems;

(H) Advanced-nuclear-reactor-quality practices, nondestructive-inspection practices, and in-service-inspection technology;

(I) Advanced-nuclear-reactor plant design and construction, debug, test-run, operation, maintenance, and decommissioning technology;

(J) Advanced-nuclear-reactor economic methodology and evaluation technology;

(K) Treatment, storage, recycling, and disposal technology for advanced-nuclear-reactor and system-spent fuel;

(L) Treatment, storage, and disposal technology for advanced-nuclear-reactor and system radioactive waste;

(M) Other areas that the parties or their executive agents agree upon in writing.

Sec. 4164.16. The authority shall give priority to projects that reduce nuclear waste and produce isotopes.

Sec. 4164.18. On or before the fourth day of July of each year, the authority shall submit an annual report of its activities to the governor, the speaker of the house of representatives, the president of the senate, and the chairs of the house and senate committees that oversee energy-related issues. The report shall be posted to the authority's web site.

Sec. 4164.19. Nothing in this chapter shall be construed to supersede any agreement between the department of health and the United States nuclear regulatory commission entered into under section 3748.03 of the Revised

Code with respect to regulating activities not within the scope of activities of the authority.

Sec. 4164.20. (A) The authority shall, under Chapter 119. of the Revised Code, adopt rules provided for by the United States nuclear regulatory commission, department of energy, department of defense or another United States military agency, or a comparable federal agency for an Ohio state nuclear technology research program for the purposes of developing and studying advanced-nuclear research reactors to produce isotopes and to reduce this state's high-level nuclear waste. The rules shall reasonably ensure Ohioans of their safety in respect to nuclear technology research and development and radioactive materials.

(B) Notwithstanding any provision of section 121.95 of the Revised Code to the contrary, a regulatory restriction contained in a rule adopted under this section is not subject to sections 121.95 to 121.953 of the Revised Code."

In line 124672, after "3746.13," insert "3748.03,"

After line 281166, insert:

"Section 741.10. Not later than ninety days after the effective date of this section, the Ohio nuclear development authority nominating council shall provide the governor with a list of possible initial appointees."

In line 83 of the title, after "3317.25," insert "3318.032, 3318.05, 3318.054,"; after "3318.08," insert "3318.41,"

In line 823, after "3317.25," insert "3318.032, 3318.05, 3318.054,"

In line 824, after "3318.08," insert "3318.41,"

After line 53111, insert:

"Sec. 3318.032. (A) Except as otherwise provided in divisions (C) and (D) of this section, the portion of the basic project cost supplied by the school district shall be the greater of:

(1) The required percentage of the basic project costs;

(2)(a) For all districts except a district that opts to divide its entire classroom facilities needs into segments to be completed separately as authorized by section 3318.034 of the Revised Code, an amount necessary to raise the school district's net bonded indebtedness, as of the date the controlling board approved the project, to within five thousand dollars of the required level of indebtedness;

(b) For a district that opts to divide its entire classroom facilities needs into segments to be completed separately as authorized by section 3318.034 of the Revised Code, an amount necessary to raise the school district's net bonded

indebtedness, as of the date the controlling board approved the project, to within five thousand dollars of the following:

The required level of indebtedness X (the basic project cost of the segment as approved by the controlling board / the estimated basic project cost of the district's entire classroom facilities needs as determined jointly by the staff of the Ohio facilities construction commission and the district)

(B) The amount of the district's share determined under this section shall be calculated only as of the date the controlling board approved the project, and that amount applies throughout the ~~thirteen-month~~ sixteen-month period permitted under section 3318.05 of the Revised Code for the district's electors to approve the propositions described in that section. If the amount reserved and encumbered for a project is released because the electors do not approve those propositions within that period, and the school district later receives the controlling board's approval for the project, subject to a new project scope and estimated costs under section 3318.054 of the Revised Code, the district's portion shall be recalculated in accordance with this section as of the date of the controlling board's subsequent approval.

(C) At no time shall a school district's portion of the basic project cost be greater than ninety-five per cent of the total basic project cost.

(D) If the controlling board approves a project under sections 3318.01 to 3318.20 of the Revised Code for a school district that previously received assistance under those sections or section 3318.37 of the Revised Code within the twenty-year period prior to the date on which the controlling board approves the new project, the district's portion of the basic project cost for the new project shall be the lesser of the following:

- (1) The portion calculated under division (A) of this section;
- (2) The greater of the following:
 - (a) The required percentage of the basic project costs for the new project;
 - (b) The percentage of the basic project cost paid by the district for the previous project.

Sec. 3318.05. The conditional approval of the Ohio facilities construction commission for a project shall lapse and the amount reserved and encumbered for such project shall be released unless the school district board accepts such conditional approval within one hundred twenty days following the date of certification of the conditional approval to the school district board and the

electors of the school district vote favorably on both of the propositions described in divisions (A) and (B) of this section within ~~thirteen~~ sixteen months of the date of such certification, except that a school district described in division (C) of this section does not need to submit the proposition described in division (B) of this section. The propositions described in divisions (A) and (B) of this section shall be combined in a single proposal. If the district board or the district's electors fail to meet such requirements and the amount reserved and encumbered for the district's project is released, the district shall be given first priority for project funding as such funds become available, subject to section 3318.054 of the Revised Code.

(A) On the question of issuing bonds of the school district board, for the school district's portion of the basic project cost, in an amount equal to the school district's portion of the basic project cost less the amount of the proceeds of any securities authorized or to be authorized under division (J) of section 133.06 of the Revised Code and dedicated by the school district board to payment of the district's portion of the basic project cost; and

(B) On the question of levying a tax the proceeds of which shall be used to pay the cost of maintaining or upgrading the classroom facilities included in the project. Such tax shall be at the rate of not less than one-half mill for each dollar of valuation for a period of twenty-three years, subject to any extension approved under section 3318.061 of the Revised Code.

(C) If a school district has in place a tax levied under section 5705.21 of the Revised Code for general permanent improvements for a continuing period of time and the proceeds of such tax can be used for maintenance or upgrades, or if a district agrees to the transfers described in section 3318.051 of the Revised Code, the school district need not levy the additional tax required under division (B) of this section, provided the school district board includes in the agreement entered into under section 3318.08 of the Revised Code provisions either:

(1) Earmarking an amount from the proceeds of that permanent improvement tax for maintenance or upgrades of classroom facilities equivalent to the amount of the additional tax and for the equivalent number of years otherwise required under this section;

(2) Requiring the transfer of money in accordance with section 3318.051 of the Revised Code.

The district board subsequently may rescind the agreement to make the transfers under section 3318.051 of the Revised Code only so long as the electors of the district have approved, in accordance with section 3318.063 of the Revised Code, the levy of a tax for the maintenance or upgrades of the classroom facilities acquired under the district's project and that levy continues to be collected as approved by the electors.

(D) Proceeds of the tax to be used for maintenance or upgrade of the classroom facilities under either division (B) or (C)(1) of this section, and transfers of money in accordance with section 3318.051 of the Revised Code shall be deposited into a separate fund established by the school district for such purpose.

(E) Proceeds of the tax to be used for maintenance or upgrades of the classroom facilities under either division (B) or (C)(1) of this section shall not be used to upgrade classroom facilities, unless the district board submits to the Ohio facilities construction commission a proposal regarding the use of those proceeds for upgrades and the commission approves the proposal.

Sec. 3318.054. (A) If conditional approval of a city, exempted village, or local school district's project lapses as provided in section 3318.05 of the Revised Code, or if conditional approval of a joint vocational school district's project lapses as provided in division (D) of section 3318.41 of the Revised Code, because the district's electors have not approved the ballot measures necessary to generate the district's portion of the basic project cost, and if the district board desires to seek a new conditional approval of the project, the district board shall request that the Ohio facilities construction commission set the scope, basic project cost, and school district portion of the basic project cost prior to resubmitting the ballot measures to the electors. To do so, the commission shall use the district's current assessed tax valuation and the district's percentile for the prior fiscal year. For a district that has entered into an agreement under section 3318.36 of the Revised Code and desires to proceed with a project under sections 3318.01 to 3318.20 of the Revised Code, the district's portion of the basic project cost shall be the percentage specified in that agreement. The project scope and basic costs established under this division shall be valid for ~~thirteen~~ sixteen months from the date the commission approves them.

(B) Upon the commission's approval under division (A) of this section, the district board may submit the ballot measures to the district's electors for approval of the project based on the new project scope and estimated costs. Upon electoral approval of those measures, the district shall be given first priority for project funding as such funds become available.

(C) When the commission determines that funds are available for the district's project, the commission shall do all of the following:

(1) Determine the school district portion of the basic project cost under section 3318.032 of the Revised Code, in the case of a city, exempted village, or local school district, or under section 3318.42 of the Revised Code, in the case of a joint vocational school district;

(2) Conditionally approve the project and submit it to the controlling board for approval pursuant to section 3318.04 of the Revised Code;

(3) Encumber funds for the project under section 3318.11 of the Revised Code;

(4) Enter into an agreement with the district board under section 3318.08 of the Revised Code."

After line 53341, insert:

"**Sec. 3318.41.**(A)(1) The Ohio facilities construction commission annually shall assess the classroom facilities needs of the number of joint vocational school districts that the commission reasonably expects to be able to provide assistance to in a fiscal year, based on the amount set aside for that fiscal year under division (B) of section 3318.40 of the Revised Code and the order of priority prescribed in division (B) of section 3318.42 of the Revised Code, except that in fiscal year 2004 the commission shall conduct at least the five assessments prescribed in division (E) of section 3318.40 of the Revised Code.

Upon conducting an assessment of the classroom facilities needs of a school district, the commission shall make a determination of all of the following:

(a) The number of classroom facilities to be included in a project and the basic project cost of acquiring the classroom facilities included in the project. The number of facilities and basic project cost shall be determined in accordance with the specifications adopted under section 3318.311 of the Revised Code except to the extent that compliance with such specifications is waived by the commission pursuant to the rule of the commission adopted under division (F) of section 3318.40 of the Revised Code.

(b) The school district's portion of the basic project cost as determined under division (C) of section 3318.42 of the Revised Code;

(c) The remaining portion of the basic project cost that shall be supplied by the state;

(d) The amount of the state's portion of the basic project cost to be encumbered in accordance with section 3318.11 of the Revised Code in the current and subsequent fiscal years from funds set aside under division (B) of section 3318.40 of the Revised Code.

(2) Divisions (A), (C), and (D) of section 3318.03 of the Revised Code apply to any project under sections 3318.40 to 3318.45 of the Revised Code.

(B)(1) If the commission makes a determination under division (A) of this section in favor of the acquisition of classroom facilities for a project under sections 3318.40 to 3318.45 of the Revised Code, such project shall be conditionally approved. Such conditional approval shall be submitted to the controlling board for approval. The controlling board shall immediately

approve or reject the commission's determination, conditional approval, the amount of the state's portion of the basic project cost, and the amount of the state's portion of the basic project cost to be encumbered in the current fiscal year. In the event of approval by the controlling board, the commission shall certify the conditional approval to the joint vocational school district board of education and shall encumber the approved funds for the current fiscal year.

(2) No school district that receives assistance under sections 3318.40 to 3318.45 of the Revised Code shall have another such project conditionally approved until the expiration of twenty years after the school district's prior project was conditionally approved, unless the school district board demonstrates to the satisfaction of the commission that the school district has experienced since conditional approval of its prior project an exceptional increase in enrollment or program requirements significantly above the school district's design capacity under that prior project as determined by rule of the commission. Any rule adopted by the commission to implement this division shall be tailored to address the classroom facilities needs of joint vocational school districts.

(C) In addition to generating the amount of the school district's portion of the basic project cost as determined under division (C) of section 3318.42 of the Revised Code, in order for a school district to receive assistance under sections 3318.40 to 3318.45 of the Revised Code, the school district board shall set aside school district moneys for the maintenance of the classroom facilities included in the school district's project in the amount and manner prescribed in section 3318.43 of the Revised Code.

(D)(1) The conditional approval for a project certified under division (B)(1) of this section shall lapse and the amount reserved and encumbered for such project shall be released unless both of the following conditions are satisfied:

(a) Within one hundred twenty days following the date of certification of the conditional approval to the joint vocational school district board, the school district board accepts the conditional approval and certifies to the commission the school district board's plan to generate the school district's portion of the basic project cost, as determined under division (C) of section 3318.42 of the Revised Code, and to set aside moneys for maintenance of the classroom facilities acquired under the project, as prescribed in section 3318.43 of the Revised Code.

(b) Within ~~thirteen~~ sixteen months following the date of certification of the conditional approval to the school district board, the electors of the school district vote favorably on any ballot measures proposed by the school district board to generate the school district's portion of the basic project cost.

(2) If the school district board or electors fail to satisfy the conditions prescribed in division (D)(1) of this section and the amount reserved and

encumbered for the school district's project is released, the school district shall be given first priority over other joint vocational school districts for project funding under sections 3318.40 to 3318.45 of the Revised Code as such funds become available, subject to section 3318.054 of the Revised Code.

(E) If the conditions prescribed in division (D)(1) of this section are satisfied, the commission and the school district board shall enter into an agreement as prescribed in section 3318.08 of the Revised Code and shall proceed with the development of plans, cost estimates, designs, drawings, and specifications as prescribed in section 3318.091 of the Revised Code.

(F) Costs in excess of those approved by the commission under section 3318.091 of the Revised Code shall be payable only as provided in sections 3318.042 and 3318.083 of the Revised Code.

(G) Advertisement for bids and the award of contracts for construction of any project under sections 3318.40 to 3318.45 of the Revised Code shall be conducted in accordance with section 3318.10 of the Revised Code.

(H) In accordance with division (R) of section 3318.08 of the Revised Code, the state funds reserved and encumbered and the funds provided by the school district to pay the basic project cost of a project under sections 3318.40 to 3318.45 of the Revised Code shall be spent simultaneously in proportion to the state's and the school district's respective portions of that basic project cost.

(I) Sections 3318.13, 3318.14, and 3318.16 of the Revised Code apply to projects under sections 3318.40 to 3318.45 of the Revised Code."

In line 124647, after "3317.25," insert "3318.032, 3318.05, 3318.054,";
after "3318.08," insert "3318.41,"

In line 62 of the title, after "2945.38," insert "2953.25, 2953.32,"

In line 807, after "2945.38," insert "2953.25, 2953.32,"

After line 38724, insert:

"Sec. 2953.25. (A) As used in this section:

(1) "Collateral sanction" means a penalty, disability, or disadvantage that is related to employment or occupational licensing, however denominated, as a result of the individual's conviction of or plea of guilty to an offense and that applies by operation of law in this state whether or not the penalty, disability, or disadvantage is included in the sentence or judgment imposed.

"Collateral sanction" does not include imprisonment, probation, parole, supervised release, forfeiture, restitution, fine, assessment, or costs of prosecution.

(2) "Decision-maker" includes, but is not limited to, the state acting through a department, agency, board, commission, or instrumentality established by the law of this state for the exercise of any function of government, a political subdivision, an educational institution, or a government contractor or subcontractor made subject to this section by contract, law, or ordinance.

(3) "Department-funded program" means a residential or nonresidential program that is not a term in a state correctional institution, that is funded in whole or part by the department of rehabilitation and correction, and that is imposed as a sanction for an offense, as part of a sanction that is imposed for an offense, or as a term or condition of any sanction that is imposed for an offense.

(4) "Designee" means the person designated by the deputy director of the division of parole and community services to perform the duties designated in division (B) of this section.

(5) "Division of parole and community services" means the division of parole and community services of the department of rehabilitation and correction.

(6) "Offense" means any felony or misdemeanor under the laws of this state.

(7) "Political subdivision" has the same meaning as in section 2969.21 of the Revised Code.

(8) "Discretionary civil impact," "licensing agency," and "mandatory civil impact" have the same meanings as in section 2961.21 of the Revised Code.

(B)(1) An individual who is subject to one or more collateral sanctions as a result of being convicted of or pleading guilty to an offense and who either has served a term in a state correctional institution for any offense or has spent time in a department-funded program for any offense may file a petition with the designee of the deputy director of the division of parole and community services for a certificate of qualification for employment.

(2) An individual who is subject to one or more collateral sanctions as a result of being convicted of or pleading guilty to an offense and who is not in a category described in division (B)(1) of this section may file for a certificate of qualification for employment by doing either of the following:

(a) In the case of an individual who resides in this state, filing a petition with the court of common pleas of the county in which the person resides or with the designee of the deputy director of the division of parole and community services;

(b) In the case of an individual who resides outside of this state, filing a

petition with the court of common pleas of any county in which any conviction or plea of guilty from which the individual seeks relief was entered or with the designee of the deputy director of the division of parole and community services.

(3) A petition under division (B)(1) or (2) of this section shall be made on a copy of the form prescribed by the division of parole and community services under division (J) of this section, shall contain all of the information described in division (F) of this section, and, except as provided in division (B)(6) of this section, shall be accompanied by an application fee of ~~not more than~~ fifty dollars, including and may be accompanied by a local court fees fee of not more than fifty dollars.

(4)(a) Except as provided in division (B)(4)(b) of this section, an individual may file a petition under division (B)(1) or (2) of this section at any time after the expiration of whichever of the following is applicable:

(i) If the offense that resulted in the collateral sanction from which the individual seeks relief is a felony, at any time after the expiration of one year from the date of release of the individual from any period of incarceration in a state or local correctional facility that was imposed for that offense and all periods of supervision imposed after release from the period of incarceration or, if the individual was not incarcerated for that offense, at any time after the expiration of one year from the date of the individual's final release from all other sanctions imposed for that offense.

(ii) If the offense that resulted in the collateral sanction from which the individual seeks relief is a misdemeanor, at any time after the expiration of six months from the date of release of the individual from any period of incarceration in a local correctional facility that was imposed for that offense and all periods of supervision imposed after release from the period of incarceration or, if the individual was not incarcerated for that offense, at any time after the expiration of six months from the date of the final release of the individual from all sanctions imposed for that offense including any period of supervision.

(b) The department of rehabilitation and correction may establish criteria by rule adopted under Chapter 119. of the Revised Code that, if satisfied by an individual, would allow the individual to file a petition before the expiration of six months or one year from the date of final release, whichever is applicable under division (B)(4)(a) of this section.

(5)(a) A designee that receives a petition for a certificate of qualification for employment from an individual under division (B)(1) or (2) of this section shall review the petition to determine whether it is complete. If the petition is complete, the designee shall forward the petition, the application fee, and any other information the designee possesses that relates to the petition, to the

court of common pleas of the county in which the individual resides if the individual submitting the petition resides in this state or, if the individual resides outside of this state, to the court of common pleas of the county in which the conviction or plea of guilty from which the individual seeks relief was entered.

(b) A court of common pleas that receives a petition for a certificate of qualification for employment from an individual under division (B)(2) of this section, or that is forwarded a petition for such a certificate under division (B)(5)(a) of this section, shall attempt to determine all other courts in this state in which the individual was convicted of or pleaded guilty to an offense other than the offense from which the individual is seeking relief. The court that receives or is forwarded the petition shall notify all other courts in this state that it determines under this division were courts in which the individual was convicted of or pleaded guilty to an offense other than the offense from which the individual is seeking relief that the individual has filed the petition and that the court may send comments regarding the possible issuance of the certificate.

A court of common pleas that receives a petition for a certificate of qualification for employment under division (B)(2) of this section shall notify the county's prosecuting attorney that the individual has filed the petition.

A court of common pleas that receives a petition for a certificate of qualification for employment under division (B)(2) of this section, or that is forwarded a petition for qualification under division (B)(5)(a) of this section may direct the clerk of court to process and record all notices required in or under this section. Except as provided in division (B)(6) of this section, the court shall pay thirty dollars of the application fee into the state treasury and twenty dollars of the application fee into the county general revenue fund.

(6) Upon receiving a petition for a certificate of qualification for employment filed by an individual under division (B)(1) or (2) of this section, a court of common pleas or the designee of the deputy director of the division of parole and community services who receives the petition may waive all or part of the filing application fee of ~~not more than~~ fifty dollars described in division (B)(3) of this section, for an applicant who presents a poverty affidavit showing that the applicant is indigent. If an applicant pays an application fee, the first twenty dollars or two-fifths of the fee, whichever is greater, that is collected shall be paid into the county general revenue fund. If an applicant pays an application fee, the amount collected in excess of the amount to be paid into the county general revenue fund shall be paid into the state treasury.

(C)(1) Upon receiving a petition for a certificate of qualification for employment filed by an individual under division (B)(2) of this section or

being forwarded a petition for such a certificate under division (B)(5)(a) of this section, the court shall review the individual's petition, the individual's criminal history, except for information contained in any record that has been sealed under section 2953.32 of the Revised Code, all filings submitted by the prosecutor or by the victim in accordance with rules adopted by the division of parole and community services, the applicant's military service record, if applicable, and whether the applicant has an emotional, mental, or physical condition that is traceable to the applicant's military service in the armed forces of the United States and that was a contributing factor in the commission of the offense or offenses, and all other relevant evidence. The court may order any report, investigation, or disclosure by the individual that the court believes is necessary for the court to reach a decision on whether to approve the individual's petition for a certificate of qualification for employment, except that the court shall not require an individual to disclose information about any record sealed under section 2953.32 of the Revised Code.

(2) Upon receiving a petition for a certificate of qualification for employment filed by an individual under division (B)(2) of this section or being forwarded a petition for such a certificate under division (B)(5)(a) of this section, except as otherwise provided in this division, the court shall decide whether to issue the certificate within sixty days after the court receives or is forwarded the completed petition and all information requested for the court to make that decision. Upon request of the individual who filed the petition, the court may extend the sixty-day period specified in this division.

(3) Except as provided in division (C)(5) of this section and subject to division (C)(7) of this section, a court that receives an individual's petition for a certificate of qualification for employment under division (B)(2) of this section or that is forwarded a petition for such a certificate under division (B)(5)(a) of this section may issue a certificate of qualification for employment, at the court's discretion, if the court finds that the individual has established all of the following by a preponderance of the evidence:

(a) Granting the petition will materially assist the individual in obtaining employment or occupational licensing.

(b) The individual has a substantial need for the relief requested in order to live a law-abiding life.

(c) Granting the petition would not pose an unreasonable risk to the safety of the public or any individual.

(4) The submission of an incomplete petition by an individual shall not be grounds for the designee or court to deny the petition.

(5) Subject to division (C)(6) of this section, an individual is rebuttably presumed to be eligible for a certificate of qualification for employment if the court that receives the individual's petition under division (B)(2) of this section or that is forwarded a petition under division (B)(5)(a) of this section finds all of the following:

(a) The application was filed after the expiration of the applicable waiting period prescribed in division (B)(4) of this section;

(b) If the offense that resulted in the collateral sanction from which the individual seeks relief is a felony, at least three years have elapsed since the date of release of the individual from any period of incarceration in a state or local correctional facility that was imposed for that offense and all periods of supervision imposed after release from the period of incarceration or, if the individual was not incarcerated for that offense, at least three years have elapsed since the date of the individual's final release from all other sanctions imposed for that offense;

(c) If the offense that resulted in the collateral sanction from which the individual seeks relief is a misdemeanor, at least one year has elapsed since the date of release of the individual from any period of incarceration in a local correctional facility that was imposed for that offense and all periods of supervision imposed after release from the period of incarceration or, if the individual was not incarcerated for that offense, at least one year has elapsed since the date of the final release of the individual from all sanctions imposed for that offense including any period of supervision.

(6) An application that meets all of the requirements for the presumption under division (C)(5) of this section shall be denied only if the court that receives the petition finds that the evidence reviewed under division (C)(1) of this section rebuts the presumption of eligibility for issuance by establishing, by clear and convincing evidence, that the applicant has not been rehabilitated.

(7) A certificate of qualification for employment shall not create relief from any of the following collateral sanctions:

(a) Requirements imposed by Chapter 2950. of the Revised Code and rules adopted under sections 2950.13 and 2950.132 of the Revised Code;

(b) A driver's license, commercial driver's license, or probationary license suspension, cancellation, or revocation pursuant to section 4510.037, 4510.07, 4511.19, or 4511.191 of the Revised Code if the relief sought is available pursuant to section 4510.021 or division (B) of section 4510.13 of the Revised Code;

(c) Restrictions on employment as a prosecutor or law enforcement officer;

(d) The denial, ineligibility, or automatic suspension of a license that is imposed upon an individual applying for or holding a license as a health care professional under Title XLVII of the Revised Code if the individual is convicted of, pleads guilty to, is subject to a judicial finding of eligibility for intervention in lieu of conviction in this state under section 2951.041 of the Revised Code, or is subject to treatment or intervention in lieu of conviction for a violation of section 2903.01, 2903.02, 2903.03, 2903.11, 2905.01, 2907.02, 2907.03, 2907.05, 2909.02, 2911.01, 2911.11, 2919.123, or 2919.124 of the Revised Code;

(e) The immediate suspension of a license, certificate, or evidence of registration that is imposed upon an individual holding a license as a health care professional under Title XLVII of the Revised Code pursuant to division (C) of section 3719.121 of the Revised Code;

(f) The denial or ineligibility for employment in a pain clinic under division (B)(4) of section 4729.552 of the Revised Code;

(g) The mandatory suspension of a license that is imposed on an individual applying for or holding a license as a health care professional under Title XLVII of the Revised Code pursuant to section 3123.43 of the Revised Code.

(8) If a court that receives an individual's petition for a certificate of qualification for employment under division (B)(2) of this section or that is forwarded a petition for such a certificate under division (B)(5)(a) of this section denies the petition, the court shall provide written notice to the individual of the court's denial. The court may place conditions on the individual regarding the individual's filing of any subsequent petition for a certificate of qualification for employment. The written notice must notify the individual of any conditions placed on the individual's filing of a subsequent petition for a certificate of qualification for employment.

If a court of common pleas that receives an individual's petition for a certificate of qualification for employment under division (B)(2) of this section or that is forwarded a petition for such a certificate under division (B)(5)(a) of this section denies the petition, the individual may appeal the decision to the court of appeals only if the individual alleges that the denial was an abuse of discretion on the part of the court of common pleas.

(D)(1) A certificate of qualification for employment issued to an individual lifts the automatic bar of a collateral sanction, and a decision-maker shall consider on a case-by-case basis whether to grant or deny the issuance or restoration of an occupational license or an employment opportunity, notwithstanding the individual's possession of the certificate, without, however, reconsidering or rejecting any finding made by a designee or court under division (C)(3) of this section.

(2) The certificate constitutes a rebuttable presumption that the person's criminal convictions are insufficient evidence that the person is unfit for the license, employment opportunity, or certification in question. Notwithstanding the presumption established under this division, the agency may deny the license or certification for the person if it determines that the person is unfit for issuance of the license.

(3) If an employer that has hired a person who has been issued a certificate of qualification for employment applies to a licensing agency for a license or certification and the person has a conviction or guilty plea that otherwise would bar the person's employment with the employer or licensure for the employer because of a mandatory civil impact, the agency shall give the person individualized consideration, notwithstanding the mandatory civil impact, the mandatory civil impact shall be considered for all purposes to be a discretionary civil impact, and the certificate constitutes a rebuttable presumption that the person's criminal convictions are insufficient evidence that the person is unfit for the employment, or that the employer is unfit for the license or certification, in question.

(E) A certificate of qualification for employment does not grant the individual to whom the certificate was issued relief from the mandatory civil impacts identified in division (A)(1) of section 2961.01 or division (B) of section 2961.02 of the Revised Code.

(F) A petition for a certificate of qualification for employment filed by an individual under division (B)(1) or (2) of this section shall include all of the following:

- (1) The individual's name, date of birth, and social security number;
- (2) All aliases of the individual and all social security numbers associated with those aliases;
- (3) The individual's residence address, including the city, county, and state of residence and zip code;
- (4) The length of time that the individual has resided in the individual's current state of residence, expressed in years and months of residence;
- (5) A general statement as to why the individual has filed the petition and how the certificate of qualification for employment would assist the individual;
- (6) A summary of the individual's criminal history, except for information contained in any record that has been sealed or expunged under section 2953.32 or 2953.39 of the Revised Code, with respect to each offense that is a disqualification from employment or licensing in an occupation or profession, including the years of each conviction or plea of guilty for each of those

offenses;

(7) A summary of the individual's employment history, specifying the name of, and dates of employment with, each employer;

(8) Verifiable references and endorsements;

(9) The name of one or more immediate family members of the individual, or other persons with whom the individual has a close relationship, who support the individual's reentry plan;

(10) A summary of the reason the individual believes the certificate of qualification for employment should be granted;

(11) Any other information required by rule by the department of rehabilitation and correction.

(G)(1) In a judicial or administrative proceeding alleging negligence or other fault, a certificate of qualification for employment issued to an individual under this section may be introduced as evidence of a person's due care in hiring, retaining, licensing, leasing to, admitting to a school or program, or otherwise transacting business or engaging in activity with the individual to whom the certificate of qualification for employment was issued if the person knew of the certificate at the time of the alleged negligence or other fault.

(2) In any proceeding on a claim against an employer for negligent hiring, a certificate of qualification for employment issued to an individual under this section shall provide immunity for the employer as to the claim if the employer knew of the certificate at the time of the alleged negligence.

(3) If an employer hires an individual who has been issued a certificate of qualification for employment under this section, if the individual, after being hired, subsequently demonstrates dangerousness or is convicted of or pleads guilty to a felony, and if the employer retains the individual as an employee after the demonstration of dangerousness or the conviction or guilty plea, the employer may be held liable in a civil action that is based on or relates to the retention of the individual as an employee only if it is proved by a preponderance of the evidence that the person having hiring and firing responsibility for the employer had actual knowledge that the employee was dangerous or had been convicted of or pleaded guilty to the felony and was willful in retaining the individual as an employee after the demonstration of dangerousness or the conviction or guilty plea of which the person has actual knowledge.

(H) A certificate of qualification for employment issued under this section shall be revoked if the individual to whom the certificate of qualification for employment was issued is convicted of or pleads guilty to a felony offense

committed subsequent to the issuance of the certificate of qualification for employment. The department of rehabilitation and correction shall periodically review the certificates listed in the database described in division (K) of this section to identify those that are subject to revocation under this division. Upon identifying a certificate of qualification for employment that is subject to revocation, the department shall note in the database that the certificate has been revoked, the reason for revocation, and the effective date of revocation, which shall be the date of the conviction or plea of guilty subsequent to the issuance of the certificate.

(I) A designee's forwarding, or failure to forward, a petition for a certificate of qualification for employment to a court or a court's issuance, or failure to issue, a petition for a certificate of qualification for employment to an individual under division (B) of this section does not give rise to a claim for damages against the department of rehabilitation and correction or court.

(J) The division of parole and community services shall adopt rules in accordance with Chapter 119. of the Revised Code for the implementation and administration of this section and shall prescribe the form for the petition to be used under division (B)(1) or (2) of this section. The form for the petition shall include places for all of the information specified in division (F) of this section.

(K) The department of rehabilitation and correction shall maintain a database that identifies granted certificates and revoked certificates and tracks the number of certificates granted and revoked, the industries, occupations, and professions with respect to which the certificates have been most applicable, and the types of employers that have accepted the certificates. The department shall annually create a report that summarizes the information maintained in the database and shall make the report available to the public on its internet web site.

Sec. 2953.32. (A) Sections 2953.32 to 2953.34 of the Revised Code do not apply to any of the following:

(1) Convictions under Chapter 4506., 4507., 4510., 4511., or 4549. of the Revised Code, or a conviction for a violation of a municipal ordinance that is substantially similar to any section contained in any of those chapters;

(2) Convictions of a felony offense of violence that is not a sexually oriented offense;

(3) Convictions of a sexually oriented offense when the offender is subject to the requirements of Chapter 2950. of the Revised Code or Chapter 2950. of the Revised Code as it existed prior to January 1, 2008;

(4) Convictions of an offense in circumstances in which the victim of the offense was less than thirteen years of age, except for convictions under

section 2919.21 of the Revised Code;

(5) Convictions of a felony of the first or second degree or of more than two felonies of the third degree;

(6) Convictions for a violation of section 2919.25 or 2919.27 of the Revised Code or a conviction for a violation of a municipal ordinance that is substantially similar to either section.

(B)(1) Except as provided in section 2953.61 of the Revised Code or as otherwise provided in division (B)(1)(a)(iii) of this section, an eligible offender may apply to the sentencing court if convicted in this state, or to a court of common pleas if convicted in another state or in a federal court, for the sealing or expungement of the record of the case that pertains to the conviction, except for convictions listed in division (A) of this section. Application may be made at whichever of the following times is applicable regarding the offense:

(a) An application for sealing under this section may be made at whichever of the following times is applicable regarding the offense:

(i) Except as otherwise provided in division (B)(1)(a)(iv) of this section, at the expiration of three years after the offender's final discharge if convicted of one or two felonies of the third degree, so long as none of the offenses is a violation of section 2921.43 of the Revised Code;

(ii) Except as otherwise provided in division (B)(1)(a)(iv) of this section, at the expiration of one year after the offender's final discharge if convicted of one or more felonies of the fourth or fifth degree or one or more misdemeanors, so long as none of the offenses is a violation of section 2921.43 of the Revised Code or a felony offense of violence;

(iii) At the expiration of seven years after the offender's final discharge if the record includes one or more convictions of soliciting improper compensation in violation of section 2921.43 of the Revised Code;

(iv) If the offender was subject to the requirements of Chapter 2950. of the Revised Code or Chapter 2950. of the Revised Code as it existed prior to January 1, 2008, at the expiration of five years after the requirements have ended under section 2950.07 of the Revised Code or section 2950.07 of the Revised Code as it existed prior to January 1, 2008, or are terminated under section 2950.15 or 2950.151 of the Revised Code;

(v) At the expiration of six months after the offender's final discharge if convicted of a minor misdemeanor.

(b) An application for expungement under this section may be made at whichever of the following times is applicable regarding the offense:

(i) Except as otherwise provided in division (B)(1)(b)(ii) of this section, if the offense is a misdemeanor, at the expiration of one year after the offender's final discharge;

(ii) If the offense is a minor misdemeanor, at the expiration of six months after the offender's final discharge;

(iii) If the offense is a felony, at the expiration of ten years after the time specified in division (B)(1)(a) of this section at which the person may file an application for sealing with respect to that felony offense.

(2) Any person who has been arrested for any misdemeanor offense and who has effected a bail forfeiture for the offense charged may apply to the court in which the misdemeanor criminal case was pending when bail was forfeited for the sealing or expungement of the record of the case that pertains to the charge. Except as provided in section 2953.61 of the Revised Code, the application may be filed at whichever of the following times is applicable regarding the offense:

(a) An application for sealing may be made at any time after the date on which the bail forfeiture was entered upon the minutes of the court or the journal, whichever entry occurs first.

(b) An application for expungement may be made at any time after the expiration of three years from the date on which the bail forfeiture was entered upon the minutes of the court or the journal, whichever entry occurs first.

(C) Upon the filing of an application under this section, the court shall set a date for a hearing and shall notify the prosecutor for the case of the hearing on the application not less than sixty days prior to the hearing. The prosecutor shall provide timely notice to a victim and victim's representative, if applicable, if the victim or victim's representative requested notice of the proceedings in the underlying case. The court shall hold the hearing not less than forty-five days and not more than ninety days from the date of the filing of the application. The prosecutor may object to the granting of the application by filing a written objection with the court not later than thirty days prior to the date set for the hearing. The prosecutor shall specify in the objection the reasons for believing a denial of the application is justified. The prosecutor shall provide notice of the application and the date and time of the hearing to the victim of the offense in the case pursuant to the Ohio Constitution. The victim, victim's representative, and victim's attorney, if applicable, may be present and heard orally, in writing, or both at any hearing under this section. The court shall direct its regular probation officer, a state probation officer, or the department of probation of the county in which the applicant resides to make inquiries and written reports as the court requires concerning the applicant. The probation officer or county department of

probation that the court directs to make inquiries and written reports as the court requires concerning the applicant shall determine whether or not the applicant was fingerprinted at the time of arrest or under section 109.60 of the Revised Code. If the applicant was so fingerprinted, the probation officer or county department of probation shall include with the written report a record of the applicant's fingerprints. If the applicant was convicted of or pleaded guilty to a violation of division (A)(2) or (B) of section 2919.21 of the Revised Code, the probation officer or county department of probation that the court directed to make inquiries concerning the applicant shall contact the child support enforcement agency enforcing the applicant's obligations under the child support order to inquire about the offender's compliance with the child support order.

(D)(1) At the hearing held under division (C) of this section, the court shall do each of the following:

(a) Determine whether the applicant is pursuing sealing or expunging a conviction of an offense that is prohibited under division (A) of this section or whether the forfeiture of bail was agreed to by the applicant and the prosecutor in the case, and determine whether the application was made at the time specified in division (B)(1)(a) or (b) or division (B)(2)(a) or (b) of this section that is applicable with respect to the application and the subject offense;

(b) Determine whether criminal proceedings are pending against the applicant;

(c) Determine whether the applicant has been rehabilitated to the satisfaction of the court;

(d) If the prosecutor has filed an objection in accordance with division (C) of this section, consider the reasons against granting the application specified by the prosecutor in the objection;

(e) If the victim objected, pursuant to the Ohio Constitution, consider the reasons against granting the application specified by the victim in the objection;

(f) Weigh the interests of the applicant in having the records pertaining to the applicant's conviction or bail forfeiture sealed or expunged against the legitimate needs, if any, of the government to maintain those records;

(g) Consider the oral or written statement of any victim, victim's representative, and victim's attorney, if applicable;

(h) If the applicant was an eligible offender of the type described in division (A)(3) of section 2953.36 of the Revised Code as it existed prior to the effective date of this amendment, determine whether the offender has been

rehabilitated to a satisfactory degree. In making the determination, the court may consider all of the following:

- (i) The age of the offender;
- (ii) The facts and circumstances of the offense;
- (iii) The cessation or continuation of criminal behavior;
- (iv) The education and employment of the offender;
- (v) Any other circumstances that may relate to the offender's rehabilitation.

(2) If the court determines, after complying with division (D)(1) of this section, that the offender is not pursuing sealing or expunging a conviction of an offense that is prohibited under division (A) of this section or that the forfeiture of bail was agreed to by the applicant and the prosecutor in the case, that the application was made at the time specified in division (B)(1)(a) or (b) or division (B)(2)(a) or (b) of this section that is applicable with respect to the application and the subject offense, that no criminal proceeding is pending against the applicant, that the interests of the applicant in having the records pertaining to the applicant's conviction or bail forfeiture sealed or expunged are not outweighed by any legitimate governmental needs to maintain those records, and that the rehabilitation of the applicant has been attained to the satisfaction of the court, both of the following apply:

(a) The court, except as provided in division (D)(4) or (5) of this section or division (D), (F), or (G) of section 2953.34 of the Revised Code, shall order all official records of the case that pertain to the conviction or bail forfeiture sealed if the application was for sealing or expunged if the application was for expungement and, except as provided in division (C) of section 2953.34 of the Revised Code, all index references to the case that pertain to the conviction or bail forfeiture deleted and, in the case of bail forfeitures, shall dismiss the charges in the case.

(b) The proceedings in the case that pertain to the conviction or bail forfeiture shall be considered not to have occurred and the conviction or bail forfeiture of the person who is the subject of the proceedings shall be sealed if the application was for sealing or expunged if the application was for expungement, except that upon conviction of a subsequent offense, a sealed record of prior conviction or bail forfeiture may be considered by the court in determining the sentence or other appropriate disposition, including the relief provided for in sections 2953.31, 2953.32, and 2953.34 of the Revised Code.

(3) An applicant may request the sealing or expungement of the records of more than one case in a single application under this section. Upon the filing of an application under this section, the applicant, unless the applicant presents a poverty affidavit showing that the applicant is indigent, shall pay a

an application fee of not more than fifty dollars, including and may pay a local court fees fee of not more than fifty dollars, regardless of the number of records the application requests to have sealed or expunged. If the applicant pays a fee, the court shall pay three-fifths of the fee collected into the state treasury, with half of that amount credited to the attorney general reimbursement fund created by section 109.11 of the Revised Code. If the applicant pays a fee, the court shall pay two-fifths of the fee collected into the county general revenue fund if the sealed or expunged conviction or bail forfeiture was pursuant to a state statute, or into the general revenue fund of the municipal corporation involved if the sealed or expunged conviction or bail forfeiture was pursuant to a municipal ordinance.

(4) If the court orders the official records pertaining to the case sealed or expunged, the court shall do one of the following:

(a) If the applicant was fingerprinted at the time of arrest or under section 109.60 of the Revised Code and the record of the applicant's fingerprints was provided to the court under division (C) of this section, forward a copy of the sealing or expungement order and the record of the applicant's fingerprints to the bureau of criminal identification and investigation.

(b) If the applicant was not fingerprinted at the time of arrest or under section 109.60 of the Revised Code, or the record of the applicant's fingerprints was not provided to the court under division (C) of this section, but fingerprinting was required for the offense, order the applicant to appear before a sheriff to have the applicant's fingerprints taken according to the fingerprint system of identification on the forms furnished by the superintendent of the bureau of criminal identification and investigation. The sheriff shall forward the applicant's fingerprints to the court. The court shall forward the applicant's fingerprints and a copy of the sealing or expungement order to the bureau of criminal identification and investigation.

Failure of the court to order fingerprints at the time of sealing or expungement does not constitute a reversible error.

(5) Notwithstanding any other provision of the Revised Code to the contrary, when the bureau of criminal identification and investigation receives notice from a court that a conviction has been expunged under this section, the bureau of criminal identification and investigation shall maintain a record of the expunged conviction record for the limited purpose of determining an individual's qualification or disqualification for employment in law enforcement. The bureau of criminal identification and investigation shall not be compelled by the court to expunge those records. These records may only be disclosed or provided to law enforcement for the limited purpose of determining an individual's qualification or disqualification for employment in law enforcement."

In line 124631, after "2945.38," insert "2953.25, 2953.32,"

After line 281859, insert:

"Section 2953.32 of the Revised Code as amended by both H.B. 343 and S.B. 288 of the 134th General Assembly."

In line 174083, after "or" insert ", except as provided in division (C) of this section,"

In line 174090, after "or" insert ", except as provided in division (C) of this section,"

After line 174186, insert:

"(C)(1) A person who is the defendant named in a dismissed complaint, indictment, or information or against whom a no bill is entered by a grand jury is not entitled to have records of the case expunged under this section if the case involves any of the following offenses:

(a) A violation of any section contained in Chapter 4506., 4507., 4510., 4511., or 4549. of the Revised Code, or a violation of a municipal ordinance that is substantially similar to any section contained in any of those chapters;

(b) A felony offense of violence that is not a sexually oriented offense;

(c) A sexually oriented offense when the offender is subject to the requirements of Chapter 2950. of the Revised Code or Chapter 2950. of the Revised Code as it existed prior to January 1, 2008;

(d) An offense involving a victim who is less than thirteen years of age, except for an offense under section 2919.21 of the Revised Code;

(e) A felony of the first or second degree;

(f) A violation of section 2919.25 or 2919.27 of the Revised Code or a violation of a municipal ordinance that is substantially similar to either section;

(g) A violation that is a felony of the third degree if the person has more than one prior conviction of any felony or, if the person has exactly one prior conviction of a felony of the third degree, the person has more prior convictions in total than a third degree felony conviction and two misdemeanor convictions.

(2) As used in division (C) of this section, "sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code."

In line 280735 delete "used" and insert "allocated to the Licking County Board of Commissioners"

In line 273439, delete "managed care"

In line 273441, delete all after "Department"

Delete line 273442

In line 273443, delete all before the period

In line 75383, delete "a concurrent resolution"

In line 75384, delete "of the general assembly" and insert "the controlling board"

Delete lines 277190 through 277194 and insert:

"To determine which projects will receive funding, the Department of Rehabilitation and Correction shall rank each county based on its financial need with a percentile ranking using the following funding formula, as calculated by the Department of Taxation:

The Department of Taxation shall determine the total value of all property in the county listed and assessed for taxation on the tax list as reported by the Department of Taxation in the preceding tax year, and list each county in order of total value, ascending, so that the county with the lowest value is number one on the list, which shall be called its property tax ranking.

The Department of Taxation also shall rank each county based on the estimate of the gross amount of taxable retail sales sourced to the county as reported by the Department for the preceding calendar year, computed by dividing the total amount of tax revenue received by the county during that period from taxes levied under sections 5739.021, 5739.026, 5741.021, and 5741.023 of the Revised Code by the aggregate tax rate levied by the county under sections 5739.021 and 5739.026 of the Revised Code on the last day of the preceding calendar year, and list each county in order of total value, ascending, so that the county with the lowest value is number one on the list, except that any county that does not currently levy taxes under section 5739.021 or 5739.026 of the Revised Code shall be ranked at number eighty-eight on the list, which ranking shall be called its sales tax ranking.

The Department of Taxation shall then, for each county, add the property tax ranking to the sales tax ranking, and shall order the counties according to the sum of the two rankings, the county with the lowest sum being number one on the list, to determine the county's final ranking. The percentile ranking shall be determined by taking the county's final ranking, dividing it by eighty-eight, and multiplying it by one hundred.

If the final ranking is the same for two or more counties, the county with the lowest population shall receive the lowest final ranking. The final ranking for the counties shall be numbers one through eighty-eight, the lowest ranking county being number one, and the highest number eighty-eight.

Upon receiving the final rankings, the Department of Rehabilitation and Correction shall select a number of counties among the lowest ranking counties and invite the selected counties to apply for assistance. Two or more counties may jointly apply for assistance as long as at least one of the counties was invited to apply."

Delete lines 277201 through 277210 and insert:

"Upon the application of a county so invited, the Department of Rehabilitation and Correction shall proceed with a needs assessment.

Under a needs assessment, the Department shall make a determination of all of the following:

(1) The need of the county for additional jail facilities, or for renovations or improvements to existing jail facilities, based on whether and to what extent existing facilities comply with the standards in section 5120.10 of the Revised Code, including the age and condition of the jail facilities;

(2) The number of jail facilities to be included in a project;

(3) The estimated annual, monthly, or daily cost of operating the facility once it is operational, as reported and certified by the county auditor;

(4) The estimated basic project cost of constructing, acquiring, reconstructing, or making additions to each facility;

(5) Whether the county has recently received a grant from the state to construct or renovate jail facilities.

The Department, following the completion of a needs assessment, shall make a determination in favor of constructing, acquiring, reconstructing, or making additions to a jail facility only upon evidence that the proposed project conforms to the construction and renovation standards described in divisions (D) and (E) of section 5120.10 of the Revised Code, and that it keeps with the needs of the county or counties as determined by the needs assessment. Exceptions shall be authorized only in those areas where topography, sparsity of population, and other factors make larger jail facilities impracticable.

Except as otherwise provided in this section, the portion of the basic project cost supplied by the state for each approved county shall be the difference between one hundred per cent, and a per cent equal to one per cent of the basic project costs times the percentile in which the county ranks according to the percentile ranking under this section, for the fiscal year preceding the fiscal year in which the Department approved the county's or counties' project.

At no time shall the state's portion of the basic project cost be less than twenty-five per cent of the total basic project cost. If a county's portion of the

basic project cost is calculated to be greater than seventy-five per cent of the total basic project cost, the county's portion shall be seventy-five per cent of the basic project cost. In the case of a multicounty jail facility, if the sum of two or more counties' portions of the total basic project cost are calculated to be greater than seventy-five per cent of the total basic project cost, the counties' portions shall be determined pro rata, so that the sum of their portions shall be equal to seventy-five per cent of the total basic project cost.

The Department of Rehabilitation and Correction shall award the funds to selected counties no later than July 1, 2024."

In line 267545, delete "\$120,000,000" and insert "\$124,000,000"

In line 267565, add \$4,000,000 in fiscal year 2024

In line 267611, add \$4,000,000 in fiscal year 2024

After line 267944, insert:

"WATER AND SEWER QUALITY PROGRAM

The foregoing appropriation item 1956A1, Water and Sewer Quality Program, shall be used to award grants under the Water and Sewer Quality Program established in Section 259.30 of H.B. 168 of the 134th General Assembly. This appropriation shall be used to fund a new round of grants under which all political subdivisions may apply for water and sewer improvements under the program."

In line 273575, delete "\$9,000,000" and insert "\$5,000,000"

In line 273584, subtract \$4,000,000 from fiscal year 2024

In line 273602, subtract \$4,000,000 from fiscal year 2024

After line 266379, insert:

"5CV3 490678 Healthy Aging Grants \$40,000,000 \$0"

In line 266387, add \$40,000,000 to fiscal year 2024

In line 266393, add \$40,000,000 to fiscal year 2024

After line 266444, insert:

"HEALTHY AGING GRANTS

The foregoing appropriation item 490678, Healthy Aging Grants, shall be used to provide one-time grants to the board of county commissioners, or the county executive and county council of a charter county, in all counties to foster improved quality of life for seniors so they can remain in their homes and connected to their communities, delay entry into Medicaid, preserve their personal assets, and promote a healthy, independent, active lifestyle."

In line 10002, delete everything after "entity"

Delete lines 10003 through 10008 and insert "designated in accordance with the following:

(a) If the county has a population of less than one hundred thousand according to the most recent federal decennial census, the director shall select the lead entity from a list of recommendations made by the board of county commissioners of the county. The board shall submit a lead entity letter of intent and any other documentation required by the director in order for the director to select a lead entity for that county.

(b) If the county has a population of one hundred thousand or more according to the most recent federal decennial census and the county does not have a county land reutilization corporation, the director shall select the lead entity from a list of recommendations made by the board of county commissioners of the county. The board shall submit a lead entity letter of intent and any other documentation required by the director in order for the director to select a lead entity for that county.

(c) If the county has a population of one hundred thousand or more according to the most recent federal decennial census and the county has a county land reutilization corporation, the county land reutilization corporation is the lead entity for that county."

In line 10057, delete everything after "entity"

Delete lines 10058 through 10063 and insert "designated in accordance with the following:

(a) If the county has a population of less than one hundred thousand according to the most recent federal decennial census, the director shall select the lead entity from a list of recommendations made by the board of county commissioners of the county. The board shall submit a lead entity letter of intent and any other documentation required by the director in order for the director to select a lead entity for that county.

(b) If the county has a population of one hundred thousand or more according to the most recent federal decennial census and the county does not have a county land reutilization corporation, the director shall select the lead entity from a list of recommendations made by the board of county commissioners of the county. The board shall submit a lead entity letter of intent and any other documentation required by the director in order for the director to select a lead entity for that county.

(c) If the county has a population of one hundred thousand or more according to the most recent federal decennial census and the county has a county land reutilization corporation, the county land reutilization corporation

is the lead entity for that county."

In line 281201, delete "any" and insert "an eligible"

In line 281205, delete "Any" and insert "A"

In line 281218, delete "If the railroad company is a Class I, as defined by the"

Delete line 281219

In line 281220, delete "(2)"

In line 281221, delete "fifty" and insert "forty"

In line 281222, delete "(3)" and insert "(2)"

In line 281223, delete "twenty-five" and insert "fifteen"

In line 281224, after "(E)" insert "A Class I railroad company, as defined by the federal Surface Transportation Board, is not eligible for a grant under the Program.

(F)"

After line 281511, insert:

"Section 757.60. (A) The Joint Committee on Property Tax Review and Reform is created, composed of the following members:

(1) Five members of the Senate, three of whom are members of the majority party appointed by the President of the Senate and two of whom are members of the minority party appointed by the Minority Leader of the Senate;

(2) Five members of the House of Representatives, three of whom are members of the majority party appointed by the Speaker of the House of Representatives and two of whom are members of the minority party appointed by the Minority Leader of the House of Representatives;

The Committee shall be co-chaired by one majority party member of the Senate, appointed by the President of the Senate, and one majority party member of the House of Representatives, appointed by the Speaker of the House of Representatives.

(B) The Committee shall review the history and purpose of all aspects of Ohio's property tax law, including the forms of levies, exemptions, and local subdivision budgeting. The Committee may hold hearings on pending legislation related to property taxation and make recommendations regarding that legislation. The Committee shall hold its first meeting not later than ninety days after the effective date of this section.

The Committee shall produce a report describing the activities and findings of the Committee and making recommendations on reforms to Ohio's property tax law and shall submit this report to the President of the Senate, the Speaker of the House of Representatives, and the Minority Leaders of the Senate and the House of Representatives not later than December 31, 2024.

(C) Members of the Committee shall serve at the pleasure of the appointing authority and without compensation.

(D) The Committee ceases to exist upon the submission of the report required under division (B) of this section."

In line 277894, delete "\$114,216,000 \$114,216,000" and insert "\$130,316,000 \$130,316,000"

In line 277905, add \$16,100,000 to each fiscal year

In line 277928, add \$16,100,000 to each fiscal year

After line 278008, insert:

"Of the foregoing appropriation item 830407, Early Childhood Education, up to \$1,100,000 in each fiscal year shall be used for the Supporting Partnerships to Assure Ready Kids (SPARK) program in Ohio."

In line 278011, delete "foregoing"; insert "remainder of"

After line 277682a insert:

"5ZR0 776673 Connect4Ohio \$500,000,000 \$0

In line 277683, add \$500,000,000 to fiscal year 2024

In line 277684, add \$500,000,000 to fiscal year 2024

After line 277703 insert:

"Section 411.30.CONNECT4OHIO

The foregoing appropriation item 776673, Connect4Ohio, shall be used to administer the Connect4Ohio Program established under Section 755.30 of this act. Notwithstanding any provision of law to the contrary, funding provided to administer the Connect4Ohio Program shall include any local matching portion of project funding required, if not otherwise already funded.

The unexpended, unencumbered portion of appropriation item 776673, Connect4Ohio, at the end of fiscal year 2024 is hereby reappropriated to appropriation item 776673, Connect4Ohio, for the same purpose in fiscal year 2025."

In line 279136, delete the period and insert "; and

(AC) Up to \$500,000,000 cash to the Connect4Ohio Fund (Fund 5ZR0),

which is hereby created in the state treasury."

After line 281366, insert:

"Section 755.30.(A) As used in this section, "rural county" means a county that does not contain a municipal corporation with a population greater than fifty-five thousand residents according to the most recent federal decennial census.

(B) The Connect4Ohio Program is created, and the Department of Transportation shall administer the Program. The purpose of the Program is to assist in creating seamless transportation connections throughout all of Ohio and, by doing so, to make it easier for all Ohio workers to commute from their homes to employment centers.

(C) As part of the Program, the Department and the Transportation Review Advisory Council (TRAC) shall work together to provide funding for unfunded projects included on the "Final 2023 – 2026 Major New Construction Program List, TRAC Tier 1 – Construction Commitments; TRAC Tier 2 – Development Commitments; TRAC Tier 3 – Development Commitments" document that was published by the Department on March 29, 2023. The provision of funding shall be consistent with the following priorities:

(1) Completing existing corridor projects, particularly corridor projects that benefit two or more connected rural counties;

(2) Eliminating traffic impediments on county, township, state, and federal highway routes, particularly within rural counties;

(3) Funding such projects at one hundred per cent of the project cost, when appropriate, particularly for projects that are located in a rural county or that extend between two or more connected rural counties;

(4) Providing the necessary matching funds to receive TRAC approval for any construction projects that are related to the Program and its purpose.

(D) The Director of Transportation shall establish any procedures and requirements necessary to administer this section."

In line 277904, delete "\$232,000,000 \$232,000,000" and insert "\$249,500,000 \$249,500,000"

In line 277905, add \$17,500,000 to each fiscal year

In line 277928, add \$17,500,000 to each fiscal year

In line 278291, delete "\$5,000,000" and insert "\$10,000,000"; after "in" insert "each"; delete "2024 and up to"

In line 278292, delete "\$7,500,000 in fiscal year 2025"

In line 273 of the title, after "5164.913," insert "5166.45,"

In line 962, after "5164.913," insert "5166.45,"

After line 107836, insert:

"Sec. 5166.45. (A) As used in this section, "medical assistance program" and "refugee medical assistance program" have the same meanings as in section 5160.01 of the Revised Code.

(B) The medicaid director shall establish a medicaid waiver component to provide continuous medicaid enrollment for children from birth through three years of age. A child who is determined eligible for medical assistance under Title XIX of the "Social Security Act" or child health assistance under Title XXI of the "Social Security Act" shall remain eligible for those benefits until the earlier of:

(1) The end of a period, not to exceed forty-eight months, following the determination;

(2) The date when the individual exceeds four years of age.

(C) The waiver component described in division (B) of this section does not apply to a child who is eligible for a medical assistance program on the basis of being any of the following:

(1) Deemed presumptively eligible for medicaid pursuant to section 5163.101 of the Revised Code;

(2) Eligible for alien emergency medical assistance, as specified in section 1903(v)(2) of the "Social Security Act," 42 U.S.C. 1396b(v)(2);

(3) Eligible for the refugee medical assistance program administered pursuant to section 5160.50 of the Revised Code."

In line 48 of the title, delete "1317.07,

In line 797, delete "1317.07,"

Delete lines 30200 through 30225

In line 124621, delete "1317.07,"

In line 267221, delete "\$7,500,000 \$7,500,000" and insert "\$7,515,000 \$7,515,000"

In line 267242, add \$15,000 to each fiscal year

In line 267252, add \$15,000 to each fiscal year

After line 267405, insert:

"(D) Of the foregoing appropriation item 800639, Fire Department Grants,

\$15,000 in each fiscal year shall be allocated to the Northwestern Ohio Volunteer Firemen's Association fire school."

In line 177 of the title, after "5104.31," insert "5107.02, 5107.10,"

In line 891, after "5104.31," insert "5107.02, 5107.10,"

After line 99771, insert:

"Sec. 5107.02. As used in this chapter:

(A) "Adult" means an individual who is not a minor child.

(B) "Assistance group" means a group of individuals treated as a unit for purposes of determining eligibility for and the amount of assistance provided under Ohio works first.

(C) "Custodian" means an individual who has legal custody, as defined in section 2151.011 of the Revised Code, of a minor child or comparable status over a minor child created by a court of competent jurisdiction in another state.

(D) "Domestic violence" means being subjected to any of the following:

(1) Physical acts that resulted in, or threatened to result in, physical injury to the individual;

(2) Sexual abuse;

(3) Sexual activity involving a dependent child;

(4) Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;

(5) Threats of, or attempts at, physical or sexual abuse;

(6) Mental abuse;

(7) Neglect or deprivation of medical care.

(E) "Guardian" means an individual that is granted authority by a probate court pursuant to Chapter 2111. of the Revised Code, or a court of competent jurisdiction in another state, to exercise parental rights over a minor child to the extent provided in the court's order and subject to residual parental rights of the minor child's parents.

(F) "LEAP program" means the learning, earning, and parenting program conducted under section 5107.30 of the Revised Code.

(G) "Minor child" means either of the following:

(1) An individual who has not attained age eighteen;

(2) An individual who has not attained age nineteen and is a full-time

student in a secondary school or in the equivalent level of vocational or technical training.

(H) "Minor head of household" means a minor child who is either of the following:

(1) Is married, ~~at least six months~~ pregnant, and a member of an assistance group that does not include an adult;

(2) Is married and is a parent of a child included in the same assistance group that does not include an adult.

(I) "Ohio works first" means the program established by this chapter known as temporary assistance for needy families in Title IV-A.

(J) "Payment standard" means the amount specified in rules adopted under section 5107.05 of the Revised Code that is the maximum amount of cash assistance an assistance group may receive under Ohio works first from state and federal funds.

(K) "Specified relative" means the following individuals who are age eighteen or older:

(1) The following individuals related by blood or adoption:

(a) Grandparents, including grandparents with the prefix "great," "great-great," or "great-great-great";

(b) Siblings;

(c) Aunts, uncles, nephews, and nieces, including such relatives with the prefix "great," "great-great," "grand," or "great-grand";

(d) First cousins and first cousins once removed.

(2) Stepparents and stepsiblings;

(3) Spouses and former spouses of individuals named in division (K)(1) or (2) of this section.

(L) "Title IV-A" or "Title IV-D" means Title IV-A or Title IV-D of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 301, as amended.

Sec. 5107.10. (A) As used in this section:

(1) "Countable income," "gross earned income," and "gross unearned income" have the meanings established in rules adopted under section 5107.05 of the Revised Code.

(2) "Federal poverty guidelines" has the same meaning as in section 5101.46 of the Revised Code, except that references to a person's family in the definition shall be deemed to be references to the person's assistance

group.

(3) "Gross income" means gross earned income and gross unearned income.

(4) "Strike" means continuous concerted action in failing to report to duty; willful absence from one's position; or stoppage of work in whole from the full, faithful, and proper performance of the duties of employment, for the purpose of inducing, influencing, or coercing a change in wages, hours, terms, and other conditions of employment. "Strike" does not include a stoppage of work by employees in good faith because of dangerous or unhealthful working conditions at the place of employment that are abnormal to the place of employment.

(B) Under the Ohio works first program, an assistance group shall receive, except as otherwise provided by this chapter, time-limited cash assistance. In the case of an assistance group that includes a minor head of household or adult, assistance shall be provided in accordance with the self-sufficiency contract entered into under section 5107.14 of the Revised Code.

(C)(1) To be eligible to participate in Ohio works first, an assistance group must meet all of the following requirements:

(a) The assistance group, except as provided in division (E) of this section, must include at least one of the following:

(i) A minor child who, except as provided in section 5107.24 of the Revised Code, resides with a parent, or specified relative caring for the child, or, to the extent permitted by Title IV-A and federal regulations adopted until Title IV-A, resides with a guardian or custodian caring for the child;

(ii) A parent residing with and caring for the parent's minor child who receives supplemental security income under Title XVI of the "Social Security Act," 86 Stat. 1475 (1972), 42 U.S.C.A. 1383, as amended, or federal, state, or local adoption assistance;

(iii) A specified relative residing with and caring for a minor child who is related to the specified relative in a manner that makes the specified relative a specified relative and receives supplemental security income or federal, state, or local foster care assistance, kinship guardianship assistance, kinship support program payments, or adoption assistance;

(iv) A pregnant woman ~~at least six months pregnant~~.

(b) The assistance group must meet the income requirements established by division (D) of this section.

(c) No member of the assistance group may be involved in a strike.

(d) The assistance group must satisfy the requirements for Ohio works first

established by this chapter and section 5101.83 of the Revised Code.

(e) The assistance group must meet requirements for Ohio works first established by rules adopted under section 5107.05 of the Revised Code.

(2) In addition to meeting the requirements specified in division (C)(1) of this section, a member of an assistance group who is required by section 5116.10 of the Revised Code to participate in the comprehensive case management and employment program must participate in that program to be eligible to participate in Ohio works first.

(D)(1) Except as provided in division (D)(4) of this section, to determine whether an assistance group is initially eligible to participate in Ohio works first, a county department of job and family services shall do the following:

(a) Determine whether the assistance group's gross income exceeds fifty per cent of the federal poverty guidelines. In making this determination, the county department shall disregard amounts that federal statutes or regulations and sections 5101.17 and 5117.10 of the Revised Code require be disregarded. The assistance group is ineligible to participate in Ohio works first if the assistance group's gross income, less the amounts disregarded, exceeds fifty per cent of the federal poverty guidelines.

(b) If the assistance group's gross income, less the amounts disregarded pursuant to division (D)(1)(a) of this section, does not exceed fifty per cent of the federal poverty guidelines, determine whether the assistance group's countable income is less than the payment standard. The assistance group is ineligible to participate in Ohio works first if the assistance group's countable income equals or exceeds the payment standard.

(2) For the purpose of determining whether an assistance group meets the income requirement established by division (D)(1)(a) of this section, the annual revision that the United States department of health and human services makes to the federal poverty guidelines shall go into effect on the first day of July of the year for which the revision is made.

(3) To determine whether an assistance group participating in Ohio works first continues to be eligible to participate, a county department of job and family services shall determine whether the assistance group's countable income continues to be less than the payment standard. In making this determination, the county department shall disregard an amount specified in rules adopted under section 5107.05 of the Revised Code and fifty per cent of the remainder of the assistance group's gross earned income. No amounts shall be disregarded from the assistance group's gross unearned income. The assistance group ceases to be eligible to participate in Ohio works first if its countable income, less the amounts disregarded, equals or exceeds the payment standard.

(4) If an assistance group reapplies to participate in Ohio works first not more than four months after ceasing to participate, a county department of job and family services shall use the income requirement established by division (D)(3) of this section to determine eligibility for resumed participation rather than the income requirement established by division (D)(1) of this section.

(E)(1) An assistance group may continue to participate in Ohio works first even though a public children services agency removes the assistance group's minor children from the assistance group's home due to abuse, neglect, or dependency if the agency does both of the following:

(a) Notifies the county department of job and family services at the time the agency removes the children that it believes the children will be able to return to the assistance group within six months;

(b) Informs the county department at the end of each of the first five months after the agency removes the children that the parent, guardian, custodian, or specified relative of the children is cooperating with the case plans prepared for the children under section 2151.412 of the Revised Code and that the agency is making reasonable efforts to return the children to the assistance group.

(2) An assistance group may continue to participate in Ohio works first pursuant to division (E)(1) of this section for not more than six payment months. This division does not affect the eligibility of an assistance group that includes a pregnant woman ~~at least six months pregnant~~.

In line 124714, after "5104.31," insert "5107.02, 5107.10,"

In line 255 of the title, after "3333.303," insert "3333.393, 3333.394,"

In line 948, after "3333.303," insert "3333.393, 3333.394,"

After line 57418, insert:

"Sec. 3333.393. (A) As used in this section and in section 3333.394 of the Revised Code:

(1) "Academic year" shall be as defined by the chancellor of higher education.

(2) "Parent" means the parent, guardian, or custodian of a qualified student as described by this section.

(3) "Qualified service" means teaching at a qualifying school.

(4) "Qualifying school" means a school district building identified as "high need" by the chancellor and meets both of the following conditions:

(a) The school building has difficulty attracting and retaining classroom teachers who hold a valid educator license issued under section 3319.22 of the

Revised Code;

(b) The school is operated by the same school district from which the recipient of a scholarship graduated from high school or was employed.

(5) "Qualifying employee" means an individual employed at a qualifying school and who either holds an educational aide permit or educational paraprofessional license issued under section 3319.088 or a substitute license under section 3319.226 of the Revised Code.

(B) The grow your own teacher college scholarship program is hereby established. Under the program, the chancellor of higher education, in conjunction with the department of education and workforce, shall award scholarships to the following:

(1) Low-income high school seniors who commit to teaching in a qualifying school for a minimum of four years upon graduation from a teacher training program at a state institution of higher education or an Ohio nonprofit institution of higher education that has a certificate of authorization under Chapter 1713. of the Revised Code.

(2) Qualifying employees who commit to teaching in a qualifying school for a minimum of four years upon graduation from a teacher training program at a state institution of higher education or an Ohio nonprofit institution of higher education that has a certificate of authorization under Chapter 1713. of the Revised Code.

Each scholarship shall be awarded for up to four academic years and shall not exceed \$7,500 for each academic year.

(C) The department and the chancellor shall develop an application process for awarding scholarships under the program. The department and the chancellor also shall appoint a highly qualified and diverse application committee to assist in the selection of scholarship recipients.

(D)(1) Scholarships shall be awarded to students under division (B)(1) of this section who meet both of the following conditions:

(a) Received a high school diploma or honors diploma under section 3313.61 of the Revised Code;

(b) Commit to completing the four-year teaching obligation within not more than six years after graduating from the teacher training program.

(2) Scholarships shall be awarded to qualifying employees under division (B)(2) of this section who commit to completing the four-year teaching obligation within not more than six years after graduating from the teacher training program. Qualifying employees shall be permitted to complete coursework associated with a teacher training program on evenings or

weekends as necessary while maintaining employment at a qualifying school.

(E) A teacher training program, in consultation with the department of education and workforce, may grant credit to a qualifying employee who has commensurate work experience at a qualifying school under this section for completion of a teacher training program.

(F) The chancellor shall require that all applicants to the grow your own teacher program file a statement of service status in compliance with section 3345.32 of the Revised Code, if applicable, and that all applicants have not been convicted of, plead guilty to, or adjudicated a delinquent child for any violation listed in section 3333.38 of the Revised Code.

(G) Recipients shall complete the four-year teaching commitment within not more than six years after graduating from the teacher training program. Failure to fulfill the commitment shall convert the scholarship into a loan to be repaid under section 3333.394 of the Revised Code.

Sec. 3333.394. (A)(1) Each recipient who accepts a scholarship under the grow your own teacher program under section 3333.393 of the Revised Code shall sign a promissory note payable to the state in the event the recipient does not satisfy the service requirement under division (G) of section 3333.393 of the Revised Code or the scholarship is terminated. The amount payable under the note shall be the amount of total scholarships accepted by the recipient under the program.

(2) Each recipient shall be awarded an amount of up to \$7,500 at the beginning of each school year in which the recipient begins or maintains qualifying employment as defined in section 3333.393 of the Revised Code. Upon completion of that school year, the amount the recipient received at the beginning of the year shall be forgiven. An individual may receive an award under this division for up to four years.

(3) Failure to complete a full school year of employment converts the award made under division (A)(1) of this section into a loan to be repaid. The loan to be repaid shall be the amount of the award made at the beginning of that school year.

(4) An award made under this division shall not exceed \$7,500 in each school year. The total amount awarded to an individual under this section and section 3333.393 of the Revised Code shall not exceed the total cost of a qualifying employee's loans for a teacher training program.

(B)(1) As specified in division (A)(2) of this section, the amount of the annual award made under division (A) of this section shall be forgiven following completion of one year of qualified employment by the recipient in accordance with division (G) of section 3333.393 of the Revised Code.

(2) An award also shall be forgiven in the event that a recipient dies, becomes totally and permanently disabled, or is unable to complete the required qualified service as a result of a reduction in force at the recipient's school of employment before the end of the academic year.

(C) The scholarship shall be deemed terminated upon the recipient's separation from employment at a qualifying school or the recipient's failure to meet the standards of the scholarship as determined by the department and the chancellor and shall be converted to a loan to be repaid under division (A) of this section.

(D) The chancellor and the attorney general shall collect payments on the converted loan in accordance with section 131.02 of the Revised Code, but shall not charge an interest rate on such payments."

After line 275426a, insert:

"5ZY0 235592 Grow Your Own Teacher Program \$5,000,000 \$10,000,000"

In line 275429, add \$5,000,000 to fiscal year 2024 and \$10,000,000 to fiscal year 2025

In line 275441, add \$5,000,000 to fiscal year 2024 and \$10,000,000 to fiscal year 2025

After line 276992, insert:

"Section 381.655. GROW YOUR OWN TEACHER PROGRAM

The foregoing appropriation item 235592, Grow Your Own Teacher Program, shall be used by the Chancellor of Higher Education to implement and administer the Grow Your Own Teacher Program pursuant to sections 3333.393 and 3333.394 of the Revised Code."

After line 279035, insert:

"GROW YOUR OWN TEACHER PROGRAM FUND

On July 1, 2023, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$5,000,000 cash from the General Revenue Fund to the Grow Your Own Teacher Program Fund (Fund 5ZY0), which is hereby created in the state treasury.

On July 1, 2024, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$10,000,000 cash from the General Revenue Fund to the Grow Your Own Teacher Program Fund (Fund 5ZY0)."

After line 268631, insert:

"7017 200611 Education Studies \$500,000 \$0"

In line 268636, add \$500,000 to fiscal year 2024

In line 268663, add \$500,000 to fiscal year 2024

After line 269987, insert:

"Section 265. __.EDUCATION STUDIES

The foregoing appropriation item 200611, Education Studies, shall be used by the Department of Education and Workforce to conduct a study to determine the needs of Ohio's economically disadvantaged students, the most effective services for meeting those needs, and the cost of implementing those services using Ohio cost data, including all current expenditures and inputs supporting economically disadvantaged students. The Department shall issue a report on the results of the study, which shall include recommendations regarding the measures and parameters for determining student eligibility for the services identified by the study. The recommendations shall take into account existing state and federal resources used to provide such services. An amount equal to the unexpended, unencumbered balance of the foregoing appropriation item 200611, Education Studies, at the end of fiscal year 2024 is hereby reappropriated for the same purpose in fiscal year 2025."

After line 267542a insert:

"5A11 1956G9 Broadband Pole Replacement \$50,000,000 \$0" and Undergrounding Program

Delete lines 267546 through 267546b

After line 267826, insert:

"BROADBAND POLE REPLACEMENT AND UNDERGROUNDING PROGRAM

The foregoing appropriation item 1956G9, Broadband Pole Replacement and Undergrounding Program, shall be used by the Department of Development to support the Broadband Pole Replacement and Undergrounding Program under section 191.27 of the Revised Code."

Delete lines 267945 through 267950

After line 279136, insert:

"(AC) Up to \$50,000,000 cash to the Broadband Pole Replacement Fund (Fund 5A11)."

In line 59558, delete "five" and insert "six"

After line 267546b, insert:

"5CV3 1956H4 County and Independent Fairs Grant \$10,000,000 \$0"

In line 267565, add \$10,000,000 to fiscal year 2024

In line 267611, add \$10,000,000 to fiscal year 2024

After line 267950, insert:

"COUNTY AND INDEPENDENT FAIRS GRANT

The foregoing appropriation item 1956H4, County and Independent Fairs Grant, shall be used to award grants to county and independent fairs to increase fair access or economic impact. The Department of Development shall set an application deadline and distribute grants evenly among all grant applicants."

In line 221 of the title, after "6119.10," insert "6121.02,"

In line 923, after "6119.10," insert "6121.02,"

After line 124528, insert:

"Sec. 6121.02. There is hereby created the Ohio water development authority. Such authority is a body both corporate and politic in this state, and the carrying out of its purposes and the exercise by it of the powers conferred by this chapter shall be held to be, and are hereby determined to be, essential governmental functions and public purposes of the state, but the authority is not immune from liability by reason thereof. The authority is subject to all provisions of law generally applicable to state agencies that do not conflict with this chapter.

The authority shall consist of eight members as follows: five members appointed by the governor, with the advice and consent of the senate, no more than three of whom shall be members of the same political party, and the directors of natural resources, environmental protection, and development, who shall be members ex officio without compensation. The director of development may designate a person in the unclassified civil service to serve in the director's place as a member of the authority notwithstanding section 121.05 of the Revised Code. The appointive members shall be residents of the state, and shall have been qualified electors therein for a period of at least five years next preceding their appointment. Appointed members' terms of office shall be for eight years, commencing on the second day of July and ending on the first day of July. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of such term. Any appointed member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. A member of the authority is eligible for reappointment. Each appointed member of the authority, before entering upon the performance of the duties of the office, shall take an oath as provided by

Section 7 of Article XV, Ohio Constitution. The governor may at any time remove any member of the authority for misfeasance, nonfeasance, or malfeasance in office.

The authority shall elect one of its appointed members as chairperson and another as vice-chairperson, and shall appoint a secretary-treasurer who need not be a member of the authority. Four members of the authority shall constitute a quorum, and the affirmative vote of four members shall be necessary for any action taken by vote of the authority. No vacancy in the membership of the authority shall impair the rights of a quorum by such vote to exercise all the rights and perform all the duties of the authority.

Before the issuance of any water development revenue bonds under this chapter, each appointed member of the authority shall give a surety bond to the state in the penal sum of twenty-five thousand dollars and the secretary-treasurer shall give such a bond in the penal sum of fifty thousand dollars, each such surety bond to be conditioned upon the faithful performance of the duties of the office, to be executed by a surety company authorized to transact business in this state, and to be approved by the governor and filed in the office of the secretary of state. Each appointed member of the authority shall receive an annual salary of ~~five~~ seven thousand five hundred dollars, payable in monthly installments, and is entitled to health care benefits comparable to those generally available to state officers and employees under section 124.82 of the Revised Code. If Section 20 of Article II, Ohio Constitution, prohibits the Ohio water development authority from paying all or a part of the cost of health care benefits on behalf of a member of the authority for the remainder of an existing term, the member may receive these benefits by paying their total cost from the member's own financial resources, including paying by means of deductions from the member's salary. Each member shall be reimbursed for actual expenses necessarily incurred in the performance of official duties. All expenses incurred in carrying out this chapter shall be payable solely from funds provided under this chapter, or appropriated for such purpose by the general assembly and no liability or obligation shall be incurred by the authority beyond the extent to which moneys have been provided under this chapter or such appropriations."

In line 124746, after "6119.10," insert "6121.02,"

In line 36978, delete "or retailer"

In line 36980, after "(ii)" insert "A retail dealer of vapor products, as defined in division (C)(3) of section 5743.01 of the Revised Code, that is not licensed as a vapor distributor, as long as the tax levied by section 5743.51, 5743.62, or 5743.63 of the Revised Code, as applicable, has been paid;

(iii)"

In line 36982, delete "(iii)" and insert "(iv)"

In line 36985, delete "(iv)" and insert "(v)"

In line 206 of the title, after "5735.044," insert "5735.27,"

In line 912, after "5735.044," insert "5735.27,"

After line 114989, insert:

"Sec. 5735.27. (A) There is hereby created in the state treasury the gasoline excise tax fund. All investment earnings of the fund shall be credited to the fund. Revenue credited to the fund under section 5735.051 from the tax levied under section 5735.05 of the Revised Code shall be distributed to municipal corporations, counties, and townships as provided in divisions (A)(1), (2), and (3) of this section.

(1) The amount distributed to each municipal corporation shall be that proportion of the amount to be distributed among municipal corporations that the number of motor vehicles registered within the municipal corporation bears to the total number of motor vehicles registered within all the municipal corporations of this state during the preceding motor vehicle registration year. When a new village is incorporated, the registrar of motor vehicles shall determine from the applications on file in the bureau of motor vehicles the number of motor vehicles located within the territory comprising the village during the entire registration year in which the municipal corporation was incorporated. The registrar shall forthwith certify the number of motor vehicles so determined to the tax commissioner for use in distributing motor vehicle fuel tax funds to the village until the village is qualified to participate in the distribution of the funds pursuant to this division. The number of motor vehicle registrations shall be determined by the official records of the bureau of motor vehicles. The amount received by each municipal corporation shall be used to plan, construct, reconstruct, repave, widen, maintain, repair, clear, and clean public highways, roads, and streets; to maintain and repair bridges and viaducts; to purchase, erect, and maintain street and traffic signs and markers; to pay the costs apportioned to the municipal corporation under section 4907.47 of the Revised Code; to purchase, erect, and maintain traffic lights and signals; to pay the principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for the purpose of acquiring or constructing roads, highways, bridges, or viaducts or acquiring or making other highway improvements for which the municipal corporation may issue bonds; and to supplement revenue already available for these purposes.

(2) The amount distributed to counties shall be paid in equal proportions to the county treasurer of each county within the state and shall be used only for

the purposes of planning, maintaining, and repairing the county system of public roads and highways within the county; the planning, construction, and repair of walks or paths along county roads in congested areas; the planning, construction, purchase, lease, and maintenance of suitable buildings for the housing and repair of county road machinery, housing of supplies, and housing of personnel associated with the machinery and supplies; the payment of costs apportioned to the county under section 4907.47 of the Revised Code; the payment of principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for the purpose of acquiring or constructing roads, highways, bridges, or viaducts or acquiring or making other highway improvements for which the board of county commissioners may issue bonds under that chapter; and the purchase, installation, and maintenance of traffic signal lights.

(3)(a) The amounts described under divisions (A)(2)(a)(iii)(III) and (B)(2) of section 5735.051 of the Revised Code to be distributed among townships shall be divided in equal proportions among the townships.

(b) As used in division (A)(3)(b) of this section, the "formula amount" for any township is the amount that would be allocated to that township if fifty per cent of the total amount credited to townships pursuant to divisions (A)(2)(b)(iii), (C)(2), and (E)(2)(c) of section 5735.051 of the Revised Code were allocated among townships in the state proportionate to the number of centerline miles within the boundaries of the respective townships, as determined annually by the department of transportation, and the other fifty per cent of that amount were allocated among townships in the state proportionate to the number of motor vehicles registered within the respective townships, as determined annually by the records of the bureau of motor vehicles. The number of centerline miles within the boundaries of a township shall not include any centerline miles of township roads that have been placed on nonmaintained status by a board of township trustees pursuant to section 5571.20 of the Revised Code.

The portion of the revenue of the tax levied by section 5735.05 of the Revised Code that is described under divisions (A)(3) and (B) of that section shall be partially allocated to provide funding for townships. Each township shall receive the greater of the following two calculations:

(i) The total statewide amount credited to townships under divisions (A)(2)(b)(iii), (C)(2), and (E)(2)(c) of section 5735.051 of the Revised Code divided by the number of townships in the state at the time of the calculation;

(ii) Seventy per cent of the formula amount for that township.

(c) The total difference between the amount of money credited to townships under divisions (A)(2)(b)(iii), (C)(2), and (E)(2)(c) of section 5735.051 of the

Revised Code and the total amount of money required to make all the payments specified in division (A)(3)(b) of this section shall be deducted, in accordance with division (C)(3) of section 5735.051 of the Revised Code, from the revenues resulting from the portion of the revenue described in division (A)(3) of section 5735.05 of the Revised Code prior to crediting portions of such revenues to counties, municipal corporations, and the highway operating fund.

(d) All amounts credited pursuant to divisions (A)(3)(a) and (b) of this section shall be paid to the county treasurer of each county for the total amount payable to the townships within each of the counties. The county treasurer shall pay to each township within the county its proportional share of the funds, which shall be expended by each township only for the purposes of planning, constructing, maintaining, widening, and reconstructing the public roads and highways within the township, paying principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. or 505. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for the purpose of acquiring or constructing roads, highways, bridges, or viaducts or acquiring or making other highway improvements for which the board of township trustees may issue bonds under those chapters, and paying costs apportioned to the township under section 4907.47 of the Revised Code.

No part of the funds designated for road and highway purposes shall be used for any purpose except to pay in whole or part the contract price of any such work done by contract, or to pay the cost of labor in planning, constructing, widening, and reconstructing such roads and highways, and the cost of materials forming a part of the improvement; provided that the funds may be used for the purchase of road machinery and equipment, the planning, construction, purchase, and maintenance of suitable buildings for housing road machinery and equipment, and the payment of principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. or 505. of the Revised Code for the purpose of purchasing road machinery and equipment or planning, constructing, purchasing, and maintaining suitable buildings for housing road machinery and equipment; and provided that all such improvement of roads shall be under supervision and direction of the county engineer as provided in section 5575.07 of the Revised Code. No obligation against the funds shall be incurred unless plans and specifications for the improvement, approved by the county engineer, are on file in the office of the township fiscal officer, and all contracts for material and for work done by contract shall be approved by the county engineer before being signed by the board of township trustees. The board of township trustees of any township may pass a resolution permitting the board of county commissioners to expend the township's share of the funds, or any portion of it, for the improvement of the roads within the township as may be designated in the

resolution.

(B) Amounts credited to the highway operating fund under section 5735.051 and other sections of the Revised Code are subject to transfer to the sinking fund upon receipt by the treasurer of state of the certification by the commissioners of the sinking fund, as required by section 5528.15 of the Revised Code, that there are sufficient moneys to the credit of the highway improvement bond retirement fund to meet in full all payments of principal, interest, and charges for the retirement of bonds and other obligations issued pursuant to Section 2g of Article VIII, Ohio Constitution, and sections 5528.10 and 5528.11 of the Revised Code due and payable during the current calendar year. All remaining amounts credited to the highway operating fund shall be expended for the purposes of planning, maintaining, repairing, and keeping in passable condition for travel the roads and highways of the state required by law to be maintained by the department; paying the costs apportioned to the state under section 4907.47 of the Revised Code; paying that portion of the construction cost of a highway project which a county, township, or municipal corporation normally would be required to pay, but which the director of transportation, pursuant to division (B) of section 5531.08 of the Revised Code, determines instead will be paid from moneys in the highway operating fund; paying the costs of the department of public safety in administering and enforcing the state law relating to the registration and operation of motor vehicles; paying the state's share of the cost of planning, constructing, widening, maintaining, and reconstructing the state highways; paying that portion of the construction cost of a highway project which a county, township, or municipal corporation normally would be required to pay, but which the director of transportation, pursuant to division (B) of section 5531.08 of the Revised Code, determines instead will be paid from moneys in the highway operating fund; and also for supplying the state's share of the cost of eliminating railway grade crossings upon such highways and costs apportioned to the state under section 4907.47 of the Revised Code. The director of transportation may expend portions of such amount upon extensions of state highways within municipal corporations or upon portions of state highways within municipal corporations, as is provided by law.

All investment earnings of the highway operating fund shall be credited to the fund."

In line 124736, after "5735.044," insert "5735.27,"

In line 18 of the title, delete "124.41,"

In line 775, delete "124.41,"

Delete lines 11756 through 11794

In line 124598, delete "124.41,"

In line 168 of the title, delete "4925.09,"

In line 265 of the title, delete "4925.11,"

In line 884, delete "4925.09,"

In line 956, delete "4925.11,"

Delete lines 96131 through 96196

In line 124708, delete "4925.09,"

In line 116160, strike through the semicolon and insert "including either of the following:

(a) Sales or rentals of tangible personal property by construction contractors or subcontractors to provide temporary traffic control or temporary structures, including material and equipment used to comply with the Ohio manual of uniform traffic control devices adopted pursuant to section 4511.09 of the Revised Code, whereby the state or any of its political subdivisions take title to, or permanent or temporary possession of, such tangible personal property for use by the state or any of its political subdivisions, including for use by the general public thereof;

(b) Sales of services by construction contractors or subcontractors to provide temporary traffic control or structures, including labor used to comply with the Ohio manual of uniform traffic control devices adopted pursuant to section 4511.09 of the Revised Code, whereby the state or any of its political subdivisions, including the general public thereof, receive the benefit of such services.

As used in divisions (B)(1)(a) and (b) of this section, "temporary structures" include temporary roads, bridges, drains, and pavement."

In line 116228, strike through the semicolon and insert "including either of the following:

(a) Sales or rentals of tangible personal property by construction contractors or subcontractors to provide temporary traffic control or temporary structures, including material and equipment used to comply with the Ohio manual of uniform traffic control devices adopted pursuant to section 4511.09 of the Revised Code, whereby the United States takes title to, or permanent or temporary possession of, such tangible personal property for use by the United States including for use by the general public thereof;

(b) Sales of services by construction contractors or subcontractors to provide temporary traffic control or structures, including labor used to comply with the Ohio manual of uniform traffic control devices adopted pursuant to section 4511.09 of the Revised Code, whereby the United States, including the general public thereof, receives the benefit of such services."

As used in divisions (B)(10)(a) and (b) of this section, "temporary structures" include temporary roads, bridges, drains, and pavement."

In line 281586, delete "The" and insert "Except as otherwise provided in Section 803.140 of this act, the"

After line 281622, insert:

"Section 803.140. The amendment by this act of divisions (B)(1) and (10) of section 5739.02 of the Revised Code is a remedial measure intended to clarify existing law and applies to all cases pending on a petition for reassessment or on further appeal, or transactions subject to an audit by the Department of Taxation, on or after the effective date of this section."

In line 197 of the title, delete "5703.03,"

In line 906, delete "5703.03,"

Delete lines 109426 through 109518

In line 124729, delete "5703.03,"

In line 37 of the title, after "319.202," insert "323.152,"

In line 133 of the title, after "4503.038," insert "4503.065,"

In line 789, after "319.202," insert "323.152,"

In line 860, after "4503.038," insert "4503.065,"

After line 23343, insert:

"Sec. 323.152. In addition to the reduction in taxes required under section 319.302 of the Revised Code, taxes shall be reduced as provided in divisions (A) and (B) of this section.

(A)(1)(a) Division (A)(1) of this section applies to any of the following persons:

(i) A person who is permanently and totally disabled;

(ii) A person who is sixty-five years of age or older;

(iii) A person who is the surviving spouse of a deceased person who was permanently and totally disabled or sixty-five years of age or older and who applied and qualified for a reduction in taxes under this division in the year of death, provided the surviving spouse is at least fifty-nine but not sixty-five or more years of age on the date the deceased spouse dies.

(b) Real property taxes on a homestead owned and occupied, or a homestead in a housing cooperative occupied, by a person to whom division (A)(1) of this section applies shall be reduced for each year for which an application for the reduction has been approved. The reduction shall equal one

of the following amounts, as applicable to the person:

(i) If the person received a reduction under division (A)(1) of this section for tax year 2006, the greater of the reduction for that tax year or the amount computed under division (A)(1)(c) of this section;

(ii) If the person received, for any homestead, a reduction under division (A)(1) of this section for tax year 2013 or under division (A) of section 4503.065 of the Revised Code for tax year 2014 or the person is the surviving spouse of such a person and the surviving spouse is at least fifty-nine years of age on the date the deceased spouse dies, the amount computed under division (A)(1)(c) of this section. ~~For purposes of divisions (A)(1)(b)(ii) and (iii) of this section, a person receives a reduction under division (A)(1) of this section or under division (A) of section 4503.065 of the Revised Code for tax year 2013 or 2014, respectively, if the person files a late application for that respective tax year that is approved by the county auditor under section 323.153 or 4503.066 of the Revised Code.~~

(iii) If the person is not described in division (A)(1)(b)(i) or (ii) of this section and the person's total income does not exceed thirty thousand dollars, as adjusted under division (A)(1)(d) of this section, the amount computed under division (A)(1)(c) of this section.

(c) The amount of the reduction under division (A)(1)(c) of this section equals the product of the following:

(i) Twenty-five thousand dollars of the true value of the property in money, as adjusted under division (A)(1)(d) of this section;

(ii) The assessment percentage established by the tax commissioner under division (B) of section 5715.01 of the Revised Code, not to exceed thirty-five per cent;

(iii) The effective tax rate used to calculate the taxes charged against the property for the current year, where "effective tax rate" is defined as in section 323.08 of the Revised Code;

(iv) The quantity equal to one minus the sum of the percentage reductions in taxes received by the property for the current tax year under section 319.302 of the Revised Code and division (B) of section 323.152 of the Revised Code.

(d) ~~Each calendar year, the~~ The tax commissioner shall adjust the total income threshold described in division (A)(1)(b)(iii) and the reduction amounts described in divisions (A)(1)(c)(i), (A)(2), and (A)(3) of this section by completing the following calculations in September of each year:

(i) Determine the percentage increase in the gross domestic product deflator determined by the bureau of economic analysis of the United States

department of commerce from the first day of January of the preceding calendar year to the last day of December of the preceding calendar year;

(ii) Multiply that percentage increase by the total income threshold or reduction amount for the current tax year, as applicable;

(iii) Add the resulting product to the total income threshold or the reduction amount, as applicable, for the current tax year;

(iv) Round the resulting sum to the nearest multiple of one hundred dollars.

The commissioner shall certify the amount resulting from ~~the~~ each adjustment to each county auditor not later than the first day of December each year. The certified total income threshold amount applies to the following tax year for persons described in division (A)(1)(b)(iii) of this section. The certified reduction amount applies to the following tax year. The commissioner shall not make the applicable adjustment in any calendar year in which the amount resulting from the adjustment would be less than the total income threshold or the reduction amount for the current tax year.

(2) Real property taxes on a homestead owned and occupied, or a homestead in a housing cooperative occupied, by a disabled veteran shall be reduced for each year for which an application for the reduction has been approved. The reduction shall equal the product obtained by multiplying fifty thousand dollars of the true value of the property in money, as adjusted under division (A)(1)(d) of this section, by the amounts described in divisions (A)(1)(c)(ii) to (iv) of this section. The reduction is in lieu of any reduction under section 323.158 of the Revised Code or division (A)(1) or (3) of this section. The reduction applies to only one homestead owned and occupied by a disabled veteran.

If a homestead qualifies for a reduction in taxes under division (A)(2) of this section for the year in which the disabled veteran dies, and the disabled veteran is survived by a spouse who occupied the homestead when the disabled veteran died and who acquires ownership of the homestead or, in the case of a homestead that is a unit in a housing cooperative, continues to occupy the homestead, the reduction shall continue through the year in which the surviving spouse dies or remarries.

(3) Real property taxes on a homestead owned and occupied, or a homestead in a housing cooperative occupied, by the surviving spouse of a public service officer killed in the line of duty shall be reduced for each year for which an application for the reduction has been approved. The reduction shall equal the product obtained by multiplying fifty thousand dollars of the true value of the property in money, as adjusted under division (A)(1)(d) of this section, by the amounts described in divisions (A)(1)(c)(ii) to (iv) of this section. The reduction is in lieu of any reduction under section 323.158 of the

Revised Code or division (A)(1) or (2) of this section. The reduction applies to only one homestead owned and occupied by such a surviving spouse. A homestead qualifies for a reduction in taxes under division (A)(3) of this section for the tax year in which the public service officer dies through the tax year in which the surviving spouse dies or remarries.

(B) To provide a partial exemption, real property taxes on any homestead, and manufactured home taxes on any manufactured or mobile home on which a manufactured home tax is assessed pursuant to division (D)(2) of section 4503.06 of the Revised Code, shall be reduced for each year for which an application for the reduction has been approved. The amount of the reduction shall equal two and one-half per cent of the amount of taxes to be levied by qualifying levies on the homestead or the manufactured or mobile home after applying section 319.301 of the Revised Code. For the purposes of this division, "qualifying levy" has the same meaning as in section 319.302 of the Revised Code.

(C) The reductions granted by this section do not apply to special assessments or respread of assessments levied against the homestead, and if there is a transfer of ownership subsequent to the filing of an application for a reduction in taxes, such reductions are not forfeited for such year by virtue of such transfer.

(D) The reductions in taxable value referred to in this section shall be applied solely as a factor for the purpose of computing the reduction of taxes under this section and shall not affect the total value of property in any subdivision or taxing district as listed and assessed for taxation on the tax lists and duplicates, or any direct or indirect limitations on indebtedness of a subdivision or taxing district. If after application of sections 5705.31 and 5705.32 of the Revised Code, including the allocation of all levies within the ten-mill limitation to debt charges to the extent therein provided, there would be insufficient funds for payment of debt charges not provided for by levies in excess of the ten-mill limitation, the reduction of taxes provided for in sections 323.151 to 323.159 of the Revised Code shall be proportionately adjusted to the extent necessary to provide such funds from levies within the ten-mill limitation.

(E) No reduction shall be made on the taxes due on the homestead of any person convicted of violating division (D) or (E) of section 323.153 of the Revised Code for a period of three years following the conviction."

After line 77204, insert:

"Sec. 4503.065.(A)(1) Division (A) of this section applies to any of the following persons:

(a) An individual who is permanently and totally disabled;

(b) An individual who is sixty-five years of age or older;

(c) An individual who is the surviving spouse of a deceased person who was permanently and totally disabled or sixty-five years of age or older and who applied and qualified for a reduction in assessable value under this section in the year of death, provided the surviving spouse is at least fifty-nine but not sixty-five or more years of age on the date the deceased spouse dies.

(2) The manufactured home tax on a manufactured or mobile home that is paid pursuant to division (C) of section 4503.06 of the Revised Code and that is owned and occupied as a home by an individual whose domicile is in this state and to whom this section applies, shall be reduced for any tax year for which an application for such reduction has been approved, provided the individual did not acquire ownership from a person, other than the individual's spouse, related by consanguinity or affinity for the purpose of qualifying for the reduction. An owner includes a settlor of a revocable or irrevocable inter vivos trust holding the title to a manufactured or mobile home occupied by the settlor as of right under the trust.

(a) For manufactured and mobile homes for which the tax imposed by section 4503.06 of the Revised Code is computed under division (D)(2) of that section, the reduction shall equal one of the following amounts, as applicable to the person:

(i) If the person received a reduction under this section for tax year 2007, the greater of the reduction for that tax year or the amount computed under division (A)(2)(b) of this section;

(ii) If the person received, for any homestead, a reduction under division (A) of this section for tax year 2014 or under division (A)(1) of section 323.152 of the Revised Code for tax year 2013 or the person is the surviving spouse of such a person and the surviving spouse is at least fifty-nine years of age on the date the deceased spouse dies, the amount computed under division (A)(2)(b) of this section. ~~For purposes of divisions (A)(2)(a)(ii) and (iii) of this section, a person receives a reduction under division (A) of this section or division (A)(1) of section 323.152 of the Revised Code for tax year 2014 or 2013, respectively, if the person files a late application for that respective tax year that is approved by the county auditor under section 4503.066 or 323.153 of the Revised Code.~~

(iii) If the person is not described in division (A)(2)(a)(i) or (ii) of this section and the person's total income does not exceed thirty thousand dollars, as adjusted under division (A)(2)(e) of this section, the amount computed under division (A)(2)(b) of this section.

(b) The amount of the reduction under division (A)(2)(b) of this section equals the product of the following:

(i) Twenty-five thousand dollars of the true value of the property in money, as adjusted under division (A)(2)(e) of this section;

(ii) The assessment percentage established by the tax commissioner under division (B) of section 5715.01 of the Revised Code, not to exceed thirty-five per cent;

(iii) The effective tax rate used to calculate the taxes charged against the property for the current year, where "effective tax rate" is defined as in section 323.08 of the Revised Code;

(iv) The quantity equal to one minus the sum of the percentage reductions in taxes received by the property for the current tax year under section 319.302 of the Revised Code and division (B) of section 323.152 of the Revised Code.

(c) For manufactured and mobile homes for which the tax imposed by section 4503.06 of the Revised Code is computed under division (D)(1) of that section, the reduction shall equal one of the following amounts, as applicable to the person:

(i) If the person received a reduction under this section for tax year 2007, the greater of the reduction for that tax year or the amount computed under division (A)(2)(d) of this section;

(ii) If the person received, for any homestead, a reduction under division (A) of this section for tax year 2014 or under division (A)(1) of section 323.152 of the Revised Code for tax year 2013 or the person is the surviving spouse of such a person and the surviving spouse is at least fifty-nine years of age on the date the deceased spouse dies, the amount computed under division (A)(2)(d) of this section. ~~For purposes of divisions (A)(2)(c)(ii) and (iii) of this section, a person receives a reduction under division (A) of this section or under division (A)(1) of section 323.152 of the Revised Code for tax year 2014 or 2013, respectively, if the person files a late application for a refund of overpayments for that respective tax year that is approved by the county auditor under section 4503.066 of the Revised Code.~~

(iii) If the person is not described in division (A)(2)(c)(i) or (ii) of this section and the person's total income does not exceed thirty thousand dollars, as adjusted under division (A)(2)(e) of this section, the amount computed under division (A)(2)(d) of this section.

(d) The amount of the reduction under division (A)(2)(d) of this section equals the product of the following:

(i) Twenty-five thousand dollars of the cost to the owner, or the market value at the time of purchase, whichever is greater, as those terms are used in division (D)(1) of section 4503.06 of the Revised Code, and as adjusted under

division (A)(2)(e) of this section;

(ii) The percentage from the appropriate schedule in division (D)(1)(b) of section 4503.06 of the Revised Code;

(iii) The assessment percentage of forty per cent used in division (D)(1)(b) of section 4503.06 of the Revised Code;

(iv) The tax rate of the taxing district in which the home has its situs.

(e) ~~Each calendar year, the~~ The tax commissioner shall adjust the income threshold described in divisions (A)(2)(a)(iii) and (A)(2)(c)(iii) and the reduction amounts described in divisions (A)(2)(b)(i), (A)(2)(d)(i), (B)(1), (B)(2), (C)(1), and (C)(2) of this section by completing the following calculations in September of each year:

(i) Determine the percentage increase in the gross domestic product deflator determined by the bureau of economic analysis of the United States department of commerce from the first day of January of the preceding calendar year to the last day of December of the preceding calendar year;

(ii) Multiply that percentage increase by the total income threshold or reduction amount for the ensuing tax year, as applicable;

(iii) Add the resulting product to the total income threshold or reduction amount, as applicable for the ensuing tax year;

(iv) Round the resulting sum to the nearest multiple of one hundred dollars.

The commissioner shall certify the amount resulting from ~~the each~~ adjustment to each county auditor not later than the first day of December each year. The certified amount applies to the second ensuing tax year. The commissioner shall not make the applicable adjustment in any calendar year in which the amount resulting from the adjustment would be less than the total income threshold or the reduction amount for the ensuing tax year.

(B) The manufactured home tax levied pursuant to division (C) of section 4503.06 of the Revised Code on a manufactured or mobile home that is owned and occupied by a disabled veteran shall be reduced for any tax year for which an application for such reduction has been approved, provided the disabled veteran did not acquire ownership from a person, other than the disabled veteran's spouse, related by consanguinity or affinity for the purpose of qualifying for the reduction. An owner includes an owner within the meaning of division (A)(2) of this section.

(1) For manufactured and mobile homes for which the tax imposed by section 4503.06 of the Revised Code is computed under division (D)(2) of that section, the reduction shall equal the product obtained by multiplying fifty thousand dollars of the true value of the property in money, as adjusted

under division (A)(2)(e) of this section, by the amounts described in divisions (A)(2)(b)(ii) to (iv) of this section.

(2) For manufactured and mobile homes for which the tax imposed by section 4503.06 of the Revised Code is computed under division (D)(1) of that section, the reduction shall equal the product obtained by multiplying fifty thousand dollars of the cost to the owner, or the market value at the time of purchase, whichever is greater, as those terms are used in division (D)(1) of section 4503.06 of the Revised Code, as adjusted under division (A)(2)(e) of this section, by the amounts described in divisions (A)(2)(d)(ii) to (iv) of this section.

The reduction is in lieu of any reduction under section 4503.0610 of the Revised Code or division (A) or (C) of this section. The reduction applies to only one manufactured or mobile home owned and occupied by a disabled veteran.

If a manufactured or mobile home qualifies for a reduction in taxes under this division for the year in which the disabled veteran dies, and the disabled veteran is survived by a spouse who occupied the home when the disabled veteran died and who acquires ownership of the home, the reduction shall continue through the year in which the surviving spouse dies or remarries.

(C) The manufactured home tax levied pursuant to division (C) of section 4503.06 of the Revised Code on a manufactured or mobile home that is owned and occupied by the surviving spouse of a public service officer killed in the line of duty shall be reduced for any tax year for which an application for such reduction has been approved, provided the surviving spouse did not acquire ownership from a person, other than the surviving spouse's deceased public service officer spouse, related by consanguinity or affinity for the purpose of qualifying for the reduction. An owner includes an owner within the meaning of division (A)(2) of this section.

(1) For manufactured and mobile homes for which the tax imposed by section 4503.06 of the Revised Code is computed under division (D)(2) of that section, the reduction shall equal the product obtained by multiplying fifty thousand dollars of the true value of the property in money, as adjusted under division (A)(2)(e) of this section, by the amounts described in divisions (A)(2)(b)(ii) to (iv) of this section.

(2) For manufactured and mobile homes for which the tax imposed by section 4503.06 of the Revised Code is computed under division (D)(1) of that section, the reduction shall equal the product obtained by multiplying fifty thousand dollars of the cost to the owner, or the market value at the time of purchase, whichever is greater, as those terms are used in division (D)(1) of section 4503.06 of the Revised Code, as adjusted under division (A)(2)(e) of this section, by the amounts described in divisions (A)(2)(d)(ii) to (iv) of this

section.

The reduction is in lieu of any reduction under section 4503.0610 of the Revised Code or division (A) or (B) of this section. The reduction applies to only one manufactured or mobile home owned and occupied by such a surviving spouse. A manufactured or mobile home qualifies for a reduction in taxes under this division for the tax year in which the public service officer dies through the tax year in which the surviving spouse dies or remarries.

(D) If the owner or the spouse of the owner of a manufactured or mobile home is eligible for a homestead exemption on the land upon which the home is located, the reduction to which the owner or spouse is entitled under this section shall not exceed the difference between the reduction to which the owner or spouse is entitled under division (A), (B), or (C) of this section and the amount of the reduction under the homestead exemption.

(E) No reduction shall be made with respect to the home of any person convicted of violating division (C) or (D) of section 4503.066 of the Revised Code for a period of three years following the conviction."

In line 124612, after "319.202," insert "323.152,"

In line 124683, after "4503.038," insert "4503.065,"

In line 277213, delete "\$638,360,000 \$638,360,000" and insert "\$642,160,000 \$647,960,000"

In line 277214, delete "\$1,207,556,000 \$1,219,632,000" and insert "\$1,214,756,000 \$1,238,032,000"

In line 277215, add \$11,000,000 to fiscal year 2024 and \$28,000,000 to fiscal year 2025

In line 277249, add \$11,000,000 to fiscal year 2024 and \$28,000,000 to fiscal year 2025

After line 281738, insert:

"Section 803. __. The amendment by this act of section 323.152 of the Revised Code applies to tax year 2023 and every tax year thereafter. The amendment by this act of section 4503.065 of the Revised Code applies to tax year 2024 and every tax year thereafter."

In line 278990, delete "\$1,000,000,000" and insert "\$750,000,000"

In line 279126, delete "\$991,000,000" and insert "\$741,000,000"

In line 266 of the title, delete "4934.01, 4934.03, 4934.05,"

In line 267 of the title, delete "4934.08, 4934.11,"

In line 956, delete "4934.01, 4934.03,"

In line 957, delete "4934.05, 4934.08, 4934.11,"

Delete lines 96516 through 96584

In line 54 of the title, after "1761.16," insert "1901.01, 1901.02, 1901.021, 1901.041, 1901.07, 1901.08,"

In line 55 of the title, after "1901.261," insert "1901.31, 1907.11,"

In line 58 of the title, after "2152.26," insert "2301.03,"

In line 802, after "1761.16," insert "1901.01, 1901.02, 1901.021, 1901.041, 1901.07, 1901.08,"; after "1901.261," insert "1901.31, 1907.11,"

In line 805, after "2152.26," insert "2301.03,"

After line 34249, insert:

"Sec. 1901.01.(A) There is hereby established a municipal court in each of the following municipal corporations:

Akron, Alliance, Ashland, Ashtabula, Athens, Avon Lake, Barberton, Bedford, Bellefontaine, Bellevue, Berea, Bowling Green, Bryan, Bucyrus, Cambridge, Campbell, Canton, Carrollton, Celina, Chardon, Chesapeake, Chillicothe, Cincinnati, Circleville, Cleveland, Cleveland Heights, Columbus, Conneaut, Coshocton, Cuyahoga Falls, Dayton, Defiance, Delaware, East Cleveland, Eaton, Elyria, Euclid, Fairborn, Fairfield, Findlay, Franklin, Fremont, Gallipolis, Garfield Heights, Georgetown, Girard, Greenville, Hamilton, Hillsboro, Huron, Ironton, Jackson, Kenton, Kettering, Lakewood, Lancaster, Lebanon, Lima, Logan, London, Lorain, Lyndhurst, Mansfield, Marietta, Marion, Marysville, Mason, Massillon, Maumee, Medina, Mentor, Miamisburg, Middletown, Millersburg, Mount Gilead, Mount Vernon, Napoleon, Newark, New Lexington, New Philadelphia, Newton Falls, Niles, Norwalk, Oakwood, Oberlin, Oregon, Ottawa, Painesville, Parma, Paulding, Perrysburg, Port Clinton, Portsmouth, Ravenna, Rocky River, Sandusky, Shaker Heights, Shelby, Sidney, South Euclid, Springfield, Steubenville, Struthers, Sylvania, Tiffin, Toledo, Troy, Upper Sandusky, Urbana, Vandalia, Van Wert, Vermilion, Wadsworth, Wapakoneta, Warren, City of Washington in Fayette county, to be known as Washington Court House, Wauseon, Willoughby, Wilmington, Wooster, Xenia, Youngstown, and Zanesville.

(B) There is hereby established a municipal court within Clermont county in Batavia or in any other municipal corporation or unincorporated territory within Clermont county that is selected by the legislative authority of the Clermont county municipal court. The municipal court established by this division is a continuation of the municipal court previously established in Batavia by this section before the enactment of this division.

(C) There is hereby established a municipal court within Columbiana

(D) Effective January 1, 2008, there is hereby established a municipal court within Erie county in Milan or in any other municipal corporation or unincorporated territory within Erie county that is within the territorial jurisdiction of the Erie county municipal court and is selected by the legislative authority of that court.

(F) Effective January 1, 2009, there is hereby established a municipal court in the municipal corporation of Stow.

~~(H) Effective January 1, 2013, there is hereby established a municipal court within Sandusky county in any municipal corporation or unincorporated territory within Sandusky county, except the municipal corporations of Bellevue and Fremont and Ballville, Sandusky, and York townships, that is selected by the legislative authority of that court.~~

(1) The municipal court established in Chesapeake that shall be styled and known as the "Lawrence county municipal court";

(2) The municipal court established in Cincinnati that shall be styled and known as the "Hamilton county municipal court";

(3) The municipal court established in Ravenna that shall be styled and known as the "Portage county municipal court";

(4) The municipal court established in Athens that shall be styled and known as the "Athens county municipal court";

(5) The municipal court established in Columbus that shall be styled and known as the "Franklin county municipal court";

(6) The municipal court established in London that shall be styled and known as the "Madison county municipal court";

(7) The municipal court established in Newark that shall be styled and known as the "Licking county municipal court";

(8) The municipal court established in Wooster that shall be styled and known as the "Wayne county municipal court";

(9) The municipal court established in Wapakoneta that shall be styled and known as the "Auglaize county municipal court";

(10) The municipal court established in Troy that shall be styled and known as the "Miami county municipal court";

(11) The municipal court established in Bucyrus that shall be styled and known as the "Crawford county municipal court";

(12) The municipal court established in Logan that shall be styled and known as the "Hocking county municipal court";

(13) The municipal court established in Urbana that shall be styled and known as the "Champaign county municipal court";

(14) The municipal court established in Jackson that shall be styled and known as the "Jackson county municipal court";

(15) The municipal court established in Springfield that shall be styled and known as the "Clark county municipal court";

(16) The municipal court established in Kenton that shall be styled and known as the "Hardin county municipal court";

(17) The municipal court established within Clermont county in Batavia or in any other municipal corporation or unincorporated territory within Clermont county that is selected by the legislative authority of that court that shall be styled and known as the "Clermont county municipal court";

(18) The municipal court established in Wilmington that, beginning July 1, 1992, shall be styled and known as the "Clinton county municipal court";

(19) The municipal court established in Port Clinton that shall be styled and known as the "Ottawa county municipal court";

(20) The municipal court established in Lancaster that, beginning January 2, 2000, shall be styled and known as the "Fairfield county municipal court";

(21) The municipal court established within Columbiana county in Lisbon or in any other municipal corporation or unincorporated territory selected pursuant to division (I) of section 1901.021 of the Revised Code, that shall be styled and known as the "Columbiana county municipal court";

(22) The municipal court established in Georgetown that, beginning February 9, 2003, shall be styled and known as the "Brown county municipal court";

(23) The municipal court established in Mount Gilead that, beginning January 1, 2003, shall be styled and known as the "Morrow county municipal court";

(24) The municipal court established in Greenville that, beginning January 1, 2005, shall be styled and known as the "Darke county municipal court";

(25) The municipal court established in Millersburg that, beginning January 1, 2007, shall be styled and known as the "Holmes county municipal court";

(26) The municipal court established in Carrollton that, beginning January 1, 2007, shall be styled and known as the "Carroll county municipal court";

(27) The municipal court established within Erie county in Milan or established in any other municipal corporation or unincorporated territory that is within Erie county, is within the territorial jurisdiction of that court, and is selected by the legislative authority of that court that, beginning January 1, 2008, shall be styled and known as the "Erie county municipal court";

(28) The municipal court established in Ottawa that, beginning January 1, 2011, shall be styled and known as the "Putnam county municipal court";

(29) The municipal court established within Montgomery county in any municipal corporation or unincorporated territory within Montgomery county, except the municipal corporations of Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, Union, Vandalia, and West Carrollton and Butler, German, Harrison, Miami, and Washington townships, that is selected by the legislative authority of that court and that, beginning July 1, 2010, shall be styled and known as the "Montgomery county municipal court";

(30) ~~The municipal court established within Sandusky county in any municipal corporation or unincorporated territory within Sandusky county, except the municipal corporations of Bellevue and Fremont and Ballville, Sandusky, and York townships, that is selected by the legislative authority of that court and that, beginning January 1, 2013, shall be styled and known as the "Sandusky county municipal court";~~

(34) The municipal court established in Tiffin that, beginning January 1, 2014, shall be styled and known as the "Tiffin-Fostoria municipal court";

(32)(31) The municipal court established in New Lexington that, beginning January 1, 2018, shall be styled and known as the "Perry county municipal court";

(33)(32) The municipal court established in Paulding that, beginning January 1, 2020, shall be styled and known as the "Paulding county municipal court";

(34)(33) The municipal court established in Wauseon that, beginning January 1, 2024, shall be styled and known as the "Fulton county municipal court."

(B) In addition to the jurisdiction set forth in division (A) of this section, the municipal courts established by section 1901.01 of the Revised Code have jurisdiction as follows:

The Akron municipal court has jurisdiction within Bath, Richfield, and Springfield townships, and within the municipal corporations of Fairlawn, Lakemore, and Mogadore, in Summit county.

The Alliance municipal court has jurisdiction within Lexington, Marlboro, Paris, and Washington townships in Stark county.

The Ashland municipal court has jurisdiction within Ashland county.

The Ashtabula municipal court has jurisdiction within Ashtabula, Plymouth, and Saybrook townships in Ashtabula county.

The Athens county municipal court has jurisdiction within Athens county.

The Auglaize county municipal court has jurisdiction within Auglaize county.

The Avon Lake municipal court has jurisdiction within the municipal corporations of Avon and Sheffield in Lorain county.

The Barberton municipal court has jurisdiction within Coventry, Franklin, and Green townships, within all of Copley township except within the municipal corporation of Fairlawn, and within the municipal corporations of Clinton and Norton, in Summit county.

The Bedford municipal court has jurisdiction within the municipal corporations of Bedford Heights, Oakwood, Glenwillow, Solon, Bentleyville, Chagrin Falls, Moreland Hills, Orange, Warrensville Heights, North Randall, and Woodmere, and within Warrensville and Chagrin Falls townships, in Cuyahoga county.

The Bellefontaine municipal court has jurisdiction within Logan county.

The Bellevue municipal court has jurisdiction within Lyme and Sherman townships in Huron county and within York township in Sandusky county.

The Berea municipal court has jurisdiction within the municipal corporations of Strongsville, Middleburgh Heights, Brook Park, Westview, and Olmsted Falls, and within Olmsted township, in Cuyahoga county.

The Bowling Green municipal court has jurisdiction within the municipal corporations of Bairdstown, Bloomdale, Bradner, Custar, Cygnet, Grand Rapids, Haskins, Hoytville, Jerry City, Milton Center, North Baltimore, Pemberville, Portage, Rising Sun, Tontogany, Wayne, West Millgrove, and Weston, ~~and~~; within Bloom, Center, Freedom, Grand Rapids, Henry, Jackson, Liberty, Middleton, Milton, Montgomery, Plain, Portage, Washington, Webster, and Weston townships in Wood county; and on and after January 2, 2024, within Perry township in Wood county.

Beginning February 9, 2003, the Brown county municipal court has jurisdiction within Brown county.

The Bryan municipal court has jurisdiction within Williams county.

The Cambridge municipal court has jurisdiction within Guernsey county.

The Campbell municipal court has jurisdiction within Coitsville township in Mahoning county.

The Canton municipal court has jurisdiction within Canton, Lake, Nimishillen, Osnaburg, Pike, Plain, and Sandy townships in Stark county.

The Carroll county municipal court has jurisdiction within Carroll county.

The Celina municipal court has jurisdiction within Mercer county.

The Champaign county municipal court has jurisdiction within Champaign county.

The Chardon municipal court has jurisdiction within Geauga county.

The Chillicothe municipal court has jurisdiction within Ross county.

The Circleville municipal court has jurisdiction within Pickaway county.

The Clark county municipal court has jurisdiction within Clark county.

The Clermont county municipal court has jurisdiction within Clermont county.

The Cleveland municipal court has jurisdiction within the municipal corporation of Bratenahl in Cuyahoga county.

Beginning July 1, 1992, the Clinton county municipal court has jurisdiction within Clinton county.

The Columbiana county municipal court has jurisdiction within Columbiana county.

The Coshocton municipal court has jurisdiction within Coshocton county.

The Crawford county municipal court has jurisdiction within Crawford county.

Until December 31, 2008, the Cuyahoga Falls municipal court has jurisdiction within Boston, Hudson, Northfield Center, Sagamore Hills, and Twinsburg townships, and within the municipal corporations of Boston Heights, Hudson, Munroe Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow, Tallmadge, Twinsburg, and Macedonia, in Summit county.

Beginning January 1, 2005, the Darke county municipal court has jurisdiction within Darke county except within the municipal corporation of Bradford.

The Defiance municipal court has jurisdiction within Defiance county.

The Delaware municipal court has jurisdiction within Delaware county.

The Eaton municipal court has jurisdiction within Preble county.

The Elyria municipal court has jurisdiction within the municipal corporations of Grafton, LaGrange, and North Ridgeville, and within Elyria, Carlisle, Eaton, Columbia, Grafton, and LaGrange townships, in Lorain county.

Beginning January 1, 2008, the Erie county municipal court has jurisdiction within Erie county except within the townships of Florence, Huron, Perkins, and Vermilion and the municipal corporations of Bay View, Castalia, Huron, Sandusky, and Vermilion.

The Fairborn municipal court has jurisdiction within the municipal corporation of Beavercreek and within Bath and Beavercreek townships in Greene county.

Beginning January 2, 2000, the Fairfield county municipal court has jurisdiction within Fairfield county.

The Findlay municipal court has jurisdiction, until January 2, 2024, within all of Hancock county except within Washington township, and on and after January 2, 2024, within all of Hancock county.

The Franklin municipal court has jurisdiction within Franklin township in Warren county.

The Franklin county municipal court has jurisdiction within Franklin county.

The Fremont municipal court has jurisdiction within Ballville and Sandusky townships in Sandusky county.

Beginning January 1, 2024, the Fulton county municipal court has jurisdiction within Fulton county.

The Gallipolis municipal court has jurisdiction within Gallia county.

The Garfield Heights municipal court has jurisdiction within the municipal corporations of Maple Heights, Walton Hills, Valley View, Cuyahoga Heights, Newburgh Heights, Independence, and Brecksville in Cuyahoga county.

The Girard municipal court has jurisdiction within Liberty, Vienna, and Hubbard townships in Trumbull county.

The Hamilton municipal court has jurisdiction within Ross and St. Clair townships in Butler county.

The Hamilton county municipal court has jurisdiction within Hamilton county.

The Hardin county municipal court has jurisdiction within Hardin county.

The Hillsboro municipal court has jurisdiction within all of Highland county except within Madison township.

The Hocking county municipal court has jurisdiction within Hocking county.

The Holmes county municipal court has jurisdiction within Holmes county.

The Huron municipal court has jurisdiction within all of Huron township in Erie county except within the municipal corporation of Sandusky.

The Ironton municipal court has jurisdiction within Aid, Decatur, Elizabeth, Hamilton, Lawrence, Upper, and Washington townships in Lawrence county.

The Jackson county municipal court has jurisdiction within Jackson county.

The Kettering municipal court has jurisdiction within the municipal corporations of Centerville and Moraine, and within Washington township, in Montgomery county.

Until January 2, 2000, the Lancaster municipal court has jurisdiction within Fairfield county.

The Lawrence county municipal court has jurisdiction within the townships of Fayette, Mason, Perry, Rome, Symmes, Union, and Windsor in Lawrence county.

The Lebanon municipal court has jurisdiction within Turtlecreek township in Warren county.

The Licking county municipal court has jurisdiction within Licking county.

The Lima municipal court has jurisdiction within Allen county.

The Lorain municipal court has jurisdiction within the municipal corporation of Sheffield Lake, and within Sheffield township, in Lorain county.

The Lyndhurst municipal court has jurisdiction within the municipal corporations of Mayfield Heights, Gates Mills, Mayfield, Highland Heights, and Richmond Heights in Cuyahoga county.

The Madison county municipal court has jurisdiction within Madison county.

The Mansfield municipal court has jurisdiction within Madison, Springfield, Sandusky, Franklin, Weller, Mifflin, Troy, Washington, Monroe, Perry, Jefferson, and Worthington townships, and within sections 35-36-31 and 32 of Butler township, in Richland county.

The Marietta municipal court has jurisdiction within Washington county.

The Marion municipal court has jurisdiction within Marion county.

The Marysville municipal court has jurisdiction within Union county.

The Mason municipal court has jurisdiction within Deerfield township in Warren county.

The Massillon municipal court has jurisdiction within Bethlehem, Perry, Sugar Creek, Tuscarawas, Lawrence, and Jackson townships in Stark county.

The Maumee municipal court has jurisdiction within the municipal corporations of Waterville and Whitehouse, within Waterville and Providence townships, and within those portions of Springfield, Monclova, and Swanton townships lying south of the northerly boundary line of the Ohio turnpike, in Lucas county.

The Medina municipal court has jurisdiction within the municipal corporations of Briarwood Beach, Brunswick, Chippewa-on-the-Lake, and Spencer and within the townships of Brunswick Hills, Chatham, Granger, Hinckley, Lafayette, Litchfield, Liverpool, Medina, Montville, Spencer, and York townships, in Medina county.

The Mentor municipal court has jurisdiction within the municipal corporation of Mentor-on-the-Lake in Lake county.

The Miami county municipal court has jurisdiction within Miami county and within the part of the municipal corporation of Bradford that is located in Darke county.

The Miamisburg municipal court has jurisdiction within the municipal corporations of Germantown and West Carrollton, and within German and Miami townships in Montgomery county.

The Middletown municipal court has jurisdiction within Madison township, and within all of Lemon township, except within the municipal corporation of Monroe, in Butler county.

Beginning July 1, 2010, the Montgomery county municipal court has jurisdiction within all of Montgomery county except for the municipal corporations of Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, Union, Vandalia, and West Carrollton and Butler, German, Harrison, Miami, and Washington townships.

Beginning January 1, 2003, the Morrow county municipal court has jurisdiction within Morrow county.

The Mount Vernon municipal court has jurisdiction within Knox county.

The Napoleon municipal court has jurisdiction within Henry county.

The New Philadelphia municipal court has jurisdiction within the municipal corporation of Dover, and within Auburn, Bucks, Fairfield, Goshen, Jefferson, Warren, York, Dover, Franklin, Lawrence, Sandy, Sugarcreek, and Wayne townships in Tuscarawas county.

The Newton Falls municipal court has jurisdiction within Bristol, Bloomfield, Lordstown, Newton, Braceville, Southington, Farmington, and Mesopotamia townships in Trumbull county.

The Niles municipal court has jurisdiction within the municipal corporation of McDonald, and within Weathersfield township in Trumbull county.

The Norwalk municipal court has jurisdiction within all of Huron county except within the municipal corporation of Bellevue and except within Lyme and Sherman townships.

The Oberlin municipal court has jurisdiction within the municipal corporations of Amherst, Kipton, Rochester, South Amherst, and Wellington, and within Henrietta, Russia, Camden, Pittsfield, Brighton, Wellington, Penfield, Rochester, and Huntington townships, and within all of Amherst township except within the municipal corporation of Lorain, in Lorain county.

The Oregon municipal court has jurisdiction within the municipal corporation of Harbor View, and within Jerusalem township, in Lucas county, and north within Maumee Bay and Lake Erie to the boundary line between Ohio and Michigan between the easterly boundary of the court and the easterly boundary of the Toledo municipal court.

The Ottawa county municipal court has jurisdiction within Ottawa county.

The Painesville municipal court has jurisdiction within Painesville, Perry, Leroy, Concord, and Madison townships in Lake county.

The Parma municipal court has jurisdiction within the municipal corporations of Parma Heights, Brooklyn, Linndale, North Royalton, Broadview Heights, Seven Hills, and Brooklyn Heights in Cuyahoga county.

Beginning January 1, 2018, the Perry county municipal court has jurisdiction within Perry county.

Beginning January 1, 2020, the Paulding county municipal court has jurisdiction within Paulding county.

The Perrysburg municipal court has jurisdiction within the municipal corporations of Luckey, Millbury, Northwood, Rossford, and Walbridge, and within Perrysburg, Lake, and Troy townships, in Wood county.

The Portage county municipal court has jurisdiction within Portage county.

The Portsmouth municipal court has jurisdiction within Scioto county.

The Putnam county municipal court has jurisdiction within Putnam county.

The Rocky River municipal court has jurisdiction within the municipal corporations of Bay Village, Westlake, Fairview Park, and North Olmsted, and within Riveredge township, in Cuyahoga county.

The Sandusky municipal court has jurisdiction within the municipal corporations of Castalia and Bay View, and within Perkins township, in Erie county.

~~Beginning January 1, 2013, the Sandusky county municipal court has jurisdiction within all of Sandusky county except within the municipal corporations of Bellevue and Fremont and Ballville, Sandusky, and York townships.~~

The Shaker Heights municipal court has jurisdiction within the municipal corporations of University Heights, Beachwood, Pepper Pike, and Hunting Valley in Cuyahoga county.

The Shelby municipal court has jurisdiction within Sharon, Jackson, Cass, Plymouth, and Blooming Grove townships, and within all of Butler township except sections 35-36-31 and 32, in Richland county.

The Sidney municipal court has jurisdiction within Shelby county.

Beginning January 1, 2009, the Stow municipal court has jurisdiction within Boston, Hudson, Northfield Center, Sagamore Hills, and Twinsburg townships, and within the municipal corporations of Boston Heights, Cuyahoga Falls, Hudson, Munroe Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow, Tallmadge, Twinsburg, and Macedonia, in Summit county.

The Struthers municipal court has jurisdiction within the municipal corporations of Lowellville, New Middleton, and Poland, and within Poland and Springfield townships in Mahoning county.

The Sylvania municipal court has jurisdiction within the municipal corporations of Berkey and Holland, and within Sylvania, Richfield, Spencer, and Harding townships, and within those portions of Swanton, Monclova, and Springfield townships lying north of the northerly boundary line of the Ohio turnpike, in Lucas county.

Beginning January 1, 2014, the Tiffin-Fostoria municipal court has jurisdiction within Adams, Big Spring, Bloom, Clinton, Eden, Hopewell, Jackson, Liberty, Loudon, Pleasant, Reed, Scipio, Seneca, Thompson, and Venice townships in Seneca county, and beginning on January 1, 2014, and until January 2, 2024, has jurisdiction within Washington township in Hancock county, and within Perry township, except within the municipal corporation of West Millgrove, in Wood county.

The Toledo municipal court has jurisdiction within Washington township, and within the municipal corporation of Ottawa Hills, in Lucas county.

The Upper Sandusky municipal court has jurisdiction within Wyandot county.

The Vandalia municipal court has jurisdiction within the municipal corporations of Clayton, Englewood, and Union, and within Butler, Harrison, and Randolph townships, in Montgomery county.

The Van Wert municipal court has jurisdiction within Van Wert county.

The Vermilion municipal court has jurisdiction within the townships of Vermilion and Florence in Erie county and within all of Brownhelm township except within the municipal corporation of Lorain, in Lorain county.

The Wadsworth municipal court has jurisdiction within the municipal corporations of Gloria Glens Park, Lodi, Seville, and Westfield Center, and within Guilford, Harrisville, Homer, Sharon, Wadsworth, and Westfield townships in Medina county.

The Warren municipal court has jurisdiction within Warren and Champion townships, and within all of Howland township except within the municipal corporation of Niles, in Trumbull county.

The Washington Court House municipal court has jurisdiction within Fayette county.

The Wayne county municipal court has jurisdiction within Wayne county.

The Willoughby municipal court has jurisdiction within the municipal corporations of Eastlake, Wickliffe, Willowick, Willoughby Hills, Kirtland,

Kirtland Hills, Waite Hill, Timberlake, and Lakeline, and within Kirtland township, in Lake county.

Through June 30, 1992, the Wilmington municipal court has jurisdiction within Clinton county.

The Xenia municipal court has jurisdiction within Caesarcreek, Cedarville, Jefferson, Miami, New Jasper, Ross, Silvercreek, Spring Valley, Sugarcreek, and Xenia townships in Greene county.

(C) As used in this section:

(1) "Within a township" includes all land, including, but not limited to, any part of any municipal corporation, that is physically located within the territorial boundaries of that township, whether or not that land or municipal corporation is governmentally a part of the township.

(2) "Within a municipal corporation" includes all land within the territorial boundaries of the municipal corporation and any townships that are coextensive with the municipal corporation.

Sec. 1901.021.(A) Except as otherwise provided in division (M) of this section, the judge or judges of any municipal court established under division (A) of section 1901.01 of the Revised Code having territorial jurisdiction outside the corporate limits of the municipal corporation in which it is located may sit outside the corporate limits of the municipal corporation within the area of its territorial jurisdiction.

(B) Two or more of the judges of the Hamilton county municipal court may be assigned by the presiding judge of the court to sit outside the municipal corporation of Cincinnati.

(C) Two of the judges of the Portage county municipal court shall sit within the municipal corporation of Ravenna, and one of the judges shall sit within the municipal corporation of Kent. The judges may sit in other incorporated areas of Portage county.

(D) The judges of the Wayne county municipal court shall sit within the municipal corporation of Wooster and may sit in other incorporated areas of Wayne county.

(E) The judge of the Auglaize county municipal court shall sit within the municipal corporations of Wapakoneta and St. Marys and may sit in other incorporated areas in Auglaize county.

(F) At least one of the judges of the Miami county municipal court shall sit within the municipal corporations of Troy, Piqua, and Tipp City, and the judges may sit in other incorporated areas of Miami county.

(G) The judge of the Crawford county municipal court shall sit within the

municipal corporations of Bucyrus and Galion and may sit in other incorporated areas in Crawford county.

(H) The judge of the Jackson county municipal court shall sit within the municipal corporations of Jackson and Wellston and may sit in other incorporated areas in Jackson county.

(I) Each judge of the Columbiana county municipal court may sit within the municipal corporation of Lisbon, Salem, or East Palestine until the judges jointly select a central location within the territorial jurisdiction of the court. When the judges select a central location, the judges shall sit at that location.

(J) In any municipal court, other than the Hamilton county municipal court and the Montgomery county municipal court, that has more than one judge, the decision for one or more judges to sit outside the corporate limits of the municipal corporation shall be made by rule of the court as provided in division (C) of sections 1901.14 and 1901.16 of the Revised Code.

(K) The assignment of a judge to sit in a municipal corporation other than that in which the court is located does not affect the jurisdiction of the mayor except as provided in section 1905.01 of the Revised Code.

(L) The judges of the Clermont county municipal court may sit in any municipal corporation or unincorporated territory within Clermont county.

(M) Beginning July 1, 2010, the judges of the Montgomery county municipal court shall sit in the same locations as the judges of the Montgomery county county court sat before the county court was abolished on that date. The legislative authority of the Montgomery county municipal court may determine after that date that the judges of the Montgomery county municipal court shall sit in any municipal corporation or unincorporated territory within Montgomery county.

(N) The judge of the Tiffin-Fostoria municipal court shall sit within each of the municipal corporations of Tiffin and Fostoria on a weekly basis. Cases that arise within the municipal corporation of Tiffin and within Adams, Big Spring, Bloom, Clinton, Eden, Hopewell, Liberty, Pleasant, Reed, Scioto, Seneca, Thompson, and Venice townships in Seneca county shall be filed in the office of the clerk of the court located in the municipal corporation of Tiffin. Cases that arise in the municipal corporation of Fostoria and within Loudon and Jackson townships in Seneca county, ~~within Washington township in Hancock county, and within Perry township, except within the municipal corporation of West Millgrove, in Wood county,~~ shall be filed in the office of the special deputy clerk located in the municipal corporation of Fostoria. Until January 2, 2024, cases that arise within Washington township in Hancock county, and within Perry township, except within the municipal corporation of West Millgrove, in Wood county, shall be filed in the office of

the special deputy clerk located in the municipal corporation of Fostoria.

(O) The judge of the Fulton county municipal court shall sit within each of the municipal corporations of Wauseon and Swanton on a weekly basis. Cases that arise within the municipal corporation of Wauseon and within Chesterfield, Clinton, Dover, Franklin, German, and Gorham townships in Fulton county shall be filed in the office of the clerk of the court located in the municipal corporation of Wauseon. Cases that arise in the municipal corporation of Swanton and within Amboy, Fulton, Pike, Swan Creek, Royalton, and York townships shall be filed in the office of the special deputy clerk located in the municipal corporation of Swanton.

Sec. 1901.041. (A) Except as authorized by or provided in division (B) of section 1901.181 of the Revised Code, all cases filed after the institution of a housing or environmental division of a municipal court and over which the division has jurisdiction shall be assigned by the administrative judge of the municipal court to the judge of the division. Any cases pending in the municipal court at the time the division is instituted and over which the division has jurisdiction shall be reassigned to the judge of the division, if the administrative judge determines that reassignment will not delay the trial of the case and that reassignment is in the best interests of the parties.

(B) The Hamilton county municipal court may refer a case ~~of the type described in division (B)(3) of section 2301.03 of the Revised Code~~ to the drug court judge of the court of common pleas of Hamilton county ~~pursuant to that division~~ if the case is of a type that is eligible for admission into the drug court under the local rule adopted by the court of common pleas under division (B)(3) of section 2301.03 of the Revised Code.

Sec. 1901.07. (A) All municipal court judges shall be elected on the nonpartisan ballot for terms of six years. In a municipal court in which only one judge is to be elected in any one year, that judge's term commences on the first day of January after the election. In a municipal court in which two or more judges are to be elected in any one year, their terms commence on successive days beginning the first day of January, following the election, unless otherwise provided by section 1901.08 of the Revised Code.

(B) All candidates for municipal court judge may be nominated either by nominating petition or by primary election, except that if the jurisdiction of a municipal court extends only to the corporate limits of the municipal corporation in which the court is located and that municipal corporation operates under a charter, all candidates shall be nominated in the same manner provided in the charter for the office of municipal court judge or, if no specific provisions are made in the charter for the office of municipal court judge, in the same manner as the charter prescribes for the nomination and election of the legislative authority of the municipal corporation.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, all candidates for party nomination to the office of municipal court judge shall file a declaration of candidacy and petition not later than four p.m. of the ninetieth day before the day of the primary election in the form prescribed by section 3513.07 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.05 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court. If no valid declaration of candidacy is filed for nomination as a candidate of a political party for election to the office of municipal court judge, or if the number of persons filing the declarations of candidacy for nominations as candidates of one political party for election to the office does not exceed the number of candidates that that party is entitled to nominate as its candidates for election to the office, no primary election shall be held for the purpose of nominating candidates of that party for election to the office, and the candidates shall be issued certificates of nomination in the manner set forth in section 3513.02 of the Revised Code.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, nonpartisan candidates for the office of municipal court judge shall file nominating petitions not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.257 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court.

The nominating petition or declaration of candidacy for a municipal court judge shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, the candidacies of the judges nominated shall be submitted to the electors of the territory on a nonpartisan, judicial ballot in the same manner as provided for judges of the court of common pleas, except that, in a municipal corporation operating under a charter, all candidates for municipal court judge shall be elected in conformity with the charter if provisions are made in the charter for the election of municipal court judges.

(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

- (1) In the Cleveland municipal court, the judges shall be nominated only by

petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(2) In the Toledo municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Toledo for filing nominating petitions for city council. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(3) In the Akron municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Akron for filing nominating petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(4) In the Hamilton county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least one hundred electors of the judicial district of the county from which the candidate seeks election, which petitions shall be signed and filed not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. Unless otherwise provided in this section, the petition shall conform to the requirements provided for nominating petitions in section 3513.257 of the Revised Code. The judges shall be elected by the electors of the relative judicial district of the county at the regular municipal election and in the manner provided by law for the election of judges of the court of common pleas.

(5) In the Franklin county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. The petition shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Columbus for filing petitions of candidates for municipal offices. The judges shall be elected by the electors of the territory of the court in the manner

provided by law for the election of judges of the court of common pleas.

(6) In the Auglaize, Brown, Carroll, Clermont, Crawford, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, Perry, Putnam, ~~Sandusky~~, and Wayne county municipal courts, the judges shall be nominated only by petition. The petitions shall be signed by at least fifty electors of the territory of the court and shall conform to the provisions of this section.

(D) In the Portage county municipal court, the judges shall be nominated either by nominating petition or by primary election, as provided in division (B) of this section.

(E) As used in this section, as to an election for either a full or an unexpired term, "the territory within the jurisdiction of the court" means that territory as it will be on the first day of January after the election.

Sec. 1901.08. The number of, and the time for election of, judges of the following municipal courts and the beginning of their terms shall be as follows:

In the Akron municipal court, two full-time judges shall be elected in 1951, two full-time judges shall be elected in 1953, one full-time judge shall be elected in 1967, and one full-time judge shall be elected in 1975.

In the Alliance municipal court, one full-time judge shall be elected in 1953.

In the Ashland municipal court, one full-time judge shall be elected in 1951.

In the Ashtabula municipal court, one full-time judge shall be elected in 1953.

In the Athens county municipal court, one full-time judge shall be elected in 1967.

In the Auglaize county municipal court, one full-time judge shall be elected in 1975.

In the Avon Lake municipal court, one full-time judge shall be elected in 2017. On and after September 15, 2014, the part-time judge of the Avon Lake municipal court who was elected in 2011 shall serve as a full-time judge of the court until the end of that judge's term on December 31, 2017.

In the Barberton municipal court, one full-time judge shall be elected in 1969, and one full-time judge shall be elected in 1971.

In the Bedford municipal court, one full-time judge shall be elected in 1975, and one full-time judge shall be elected in 1979.

In the Bellefontaine municipal court, one full-time judge shall be elected in

1993.

In the Bellevue municipal court, one part-time judge shall be elected in 1951.

In the Berea municipal court, one full-time judge shall be elected in 2005.

In the Bowling Green municipal court, one full-time judge shall be elected in 1983.

In the Brown county municipal court, one full-time judge shall be elected in 2005. Beginning February 9, 2003, the part-time judge of the Brown county county court that existed prior to that date whose term commenced on January 2, 2001, shall serve as the full-time judge of the Brown county municipal court until December 31, 2005.

In the Bryan municipal court, one full-time judge shall be elected in 1965.

In the Cambridge municipal court, one full-time judge shall be elected in 1951.

In the Campbell municipal court, one part-time judge shall be elected in 1963.

In the Canton municipal court, one full-time judge shall be elected in 1951, one full-time judge shall be elected in 1969, and two full-time judges shall be elected in 1977.

In the Carroll county municipal court, one full-time judge shall be elected in 2009. Beginning January 1, 2007, the judge elected in 2006 to the part-time judgeship of the Carroll county county court that existed prior to that date shall serve as the full-time judge of the Carroll county municipal court until December 31, 2009.

In the Celina municipal court, one full-time judge shall be elected in 1957.

In the Champaign county municipal court, one full-time judge shall be elected in 2001.

In the Chardon municipal court, one full-time judge shall be elected in 1963.

In the Chillicothe municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1977.

In the Circleville municipal court, one full-time judge shall be elected in 1953.

In the Clark county municipal court, one full-time judge shall be elected in 1989, and two full-time judges shall be elected in 1991. The full-time judges of the Springfield municipal court who were elected in 1983 and 1985 shall

serve as the judges of the Clark county municipal court from January 1, 1988, until the end of their respective terms.

In the Clermont county municipal court, two full-time judges shall be elected in 1991, and one full-time judge shall be elected in 1999.

In the Cleveland municipal court, six full-time judges shall be elected in 1975, three full-time judges shall be elected in 1953, and four full-time judges shall be elected in 1955.

In the Cleveland Heights municipal court, one full-time judge shall be elected in 1957.

In the Clinton county municipal court, one full-time judge shall be elected in 1997. The full-time judge of the Wilmington municipal court who was elected in 1991 shall serve as the judge of the Clinton county municipal court from July 1, 1992, until the end of that judge's term on December 31, 1997.

In the Columbiana county municipal court, two full-time judges shall be elected in 2001.

In the Conneaut municipal court, one full-time judge shall be elected in 1953.

In the Coshocton municipal court, one full-time judge shall be elected in 1951.

In the Crawford county municipal court, one full-time judge shall be elected in 1977.

In the Cuyahoga Falls municipal court, one full-time judge shall be elected in 1953, and one full-time judge shall be elected in 1967. Effective December 31, 2008, the Cuyahoga Falls municipal court shall cease to exist; however, the judges of the Cuyahoga Falls municipal court who were elected pursuant to this section in 2003 and 2007 for terms beginning on January 1, 2004, and January 1, 2008, respectively, shall serve as full-time judges of the Stow municipal court until December 31, 2009, and December 31, 2013, respectively.

In the Darke county municipal court, one full-time judge shall be elected in 2005. Beginning January 1, 2005, the part-time judge of the Darke county court that existed prior to that date whose term began on January 1, 2001, shall serve as the full-time judge of the Darke county municipal court until December 31, 2005.

In the Dayton municipal court, three full-time judges shall be elected in 1987, their terms to commence on successive days beginning on the first day of January next after their election, and two full-time judges shall be elected in 1955, their terms to commence on successive days beginning on the second

day of January next after their election.

In the Defiance municipal court, one full-time judge shall be elected in 1957.

In the Delaware municipal court, one full-time judge shall be elected in 1953, and one full-time judge shall be elected in 2007.

In the East Cleveland municipal court, one full-time judge shall be elected in 1957.

In the Eaton municipal court, one full-time judge shall be elected in 1973.

In the Elyria municipal court, one full-time judge shall be elected in 1955, and one full-time judge shall be elected in 1973.

In the Erie county municipal court, one full-time judge shall be elected in 2007.

In the Euclid municipal court, one full-time judge shall be elected in 1951.

In the Fairborn municipal court, one full-time judge shall be elected in 1977, and one full-time judge shall be elected in 2023.

In the Fairfield county municipal court, one full-time judge shall be elected in 2003, and one full-time judge shall be elected in 2005.

In the Fairfield municipal court, one full-time judge shall be elected in 1989.

In the Findlay municipal court, one full-time judge shall be elected in 1955, and one full-time judge shall be elected in 1993.

In the Franklin municipal court, one part-time judge shall be elected in 1951.

In the Franklin county municipal court, two full-time judges shall be elected in 1969, three full-time judges shall be elected in 1971, seven full-time judges shall be elected in 1967, one full-time judge shall be elected in 1975, one full-time judge shall be elected in 1991, and one full-time judge shall be elected in 1997.

In the Fremont municipal court, one full-time judge shall be elected in 1975.

In the Fulton county municipal court to be established on January 1, 2024, one full-time judge shall be elected in 2023.

In the Gallipolis municipal court, one full-time judge shall be elected in 1981.

In the Garfield Heights municipal court, one full-time judge shall be elected

in 1951, and one full-time judge shall be elected in 1981.

In the Girard municipal court, one full-time judge shall be elected in 1963.

In the Hamilton municipal court, one full-time judge shall be elected in 1953.

In the Hamilton county municipal court, five full-time judges shall be elected in 1967, five full-time judges shall be elected in 1971, two full-time judges shall be elected in 1981, and two full-time judges shall be elected in 1983. All terms of judges of the Hamilton county municipal court shall commence on the first day of January next after their election, except that the terms of the additional judges to be elected in 1981 shall commence on January 2, 1982, and January 3, 1982, and that the terms of the additional judges to be elected in 1983 shall commence on January 4, 1984, and January 5, 1984.

In the Hardin county municipal court, one part-time judge shall be elected in 1989.

In the Hillsboro municipal court, one full-time judge shall be elected in 2011. On and after December 30, 2008, the part-time judge of the Hillsboro municipal court who was elected in 2005 shall serve as a full-time judge of the court until the end of that judge's term on December 31, 2011.

In the Hocking county municipal court, one full-time judge shall be elected in 1977.

In the Holmes county municipal court, one full-time judge shall be elected in 2007. Beginning January 1, 2007, the part-time judge of the Holmes county court that existed prior to that date whose term commenced on January 1, 2007, shall serve as the full-time judge of the Holmes county municipal court until December 31, 2007.

In the Huron municipal court, one part-time judge shall be elected in 1967.

In the Irononton municipal court, one full-time judge shall be elected in 1951.

In the Jackson county municipal court, one full-time judge shall be elected in 2001. On and after March 31, 1997, the part-time judge of the Jackson county municipal court who was elected in 1995 shall serve as a full-time judge of the court until the end of that judge's term on December 31, 2001.

In the Kettering municipal court, one full-time judge shall be elected in 1971, and one full-time judge shall be elected in 1975.

In the Lakewood municipal court, one full-time judge shall be elected in 1955.

In the Lancaster municipal court, one full-time judge shall be elected in

1951, and one full-time judge shall be elected in 1979. Beginning January 2, 2000, the full-time judges of the Lancaster municipal court who were elected in 1997 and 1999 shall serve as judges of the Fairfield county municipal court until the end of those judges' terms.

In the Lawrence county municipal court, one part-time judge shall be elected in 1981.

In the Lebanon municipal court, one part-time judge shall be elected in 1955.

In the Licking county municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1971.

In the Lima municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1967.

In the Lorain municipal court, one full-time judge shall be elected in 1953, and one full-time judge shall be elected in 1973.

In the Lyndhurst municipal court, one full-time judge shall be elected in 1957.

In the Madison county municipal court, one full-time judge shall be elected in 1981.

In the Mansfield municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1969.

In the Marietta municipal court, one full-time judge shall be elected in 1957.

In the Marion municipal court, one full-time judge shall be elected in 1951.

In the Marysville municipal court, one full-time judge shall be elected in 2011. On and after January 18, 2007, the part-time judge of the Marysville municipal court who was elected in 2005 shall serve as a full-time judge of the court until the end of that judge's term on December 31, 2011.

In the Mason municipal court, one part-time judge shall be elected in 1965.

In the Massillon municipal court, one full-time judge shall be elected in 1953, and one full-time judge shall be elected in 1971.

In the Maumee municipal court, one full-time judge shall be elected in 1963.

In the Medina municipal court, one full-time judge shall be elected in 1957.

In the Mentor municipal court, one full-time judge shall be elected in 1971.

In the Miami county municipal court, one full-time judge shall be elected in

1975, and one full-time judge shall be elected in 1979.

In the Miamisburg municipal court, one full-time judge shall be elected in 1951.

In the Middletown municipal court, one full-time judge shall be elected in 1953.

In the Montgomery county municipal court:

One judge shall be elected in 2011 to a part-time judgeship for a term to begin on January 1, 2012. If any one of the other judgeships of the court becomes vacant and is abolished after July 1, 2010, this judgeship shall become a full-time judgeship on that date. If only one other judgeship of the court becomes vacant and is abolished as of December 31, 2021, this judgeship shall be abolished as of that date. Beginning July 1, 2010, the part-time judge of the Montgomery county county court that existed before that date whose term commenced on January 1, 2005, shall serve as a part-time judge of the Montgomery county municipal court until December 31, 2011.

One judge shall be elected in 2011 to a full-time judgeship for a term to begin on January 2, 2012, and this judgeship shall be abolished on January 1, 2016. Beginning July 1, 2010, the part-time judge of the Montgomery county county court that existed before that date whose term commenced on January 2, 2005, shall serve as a full-time judge of the Montgomery county municipal court until January 1, 2012.

One judge shall be elected in 2013 to a full-time judgeship for a term to begin on January 2, 2014. Beginning July 1, 2010, the part-time judge of the Montgomery county county court that existed before that date whose term commenced on January 2, 2007, shall serve as a full-time judge of the Montgomery county municipal court until January 1, 2014.

One judge shall be elected in 2013 to a judgeship for a term to begin on January 1, 2014. If no other judgeship of the court becomes vacant and is abolished by January 1, 2014, this judgeship shall be a part-time judgeship. When one or more of the other judgeships of the court becomes vacant and is abolished after July 1, 2010, this judgeship shall become a full-time judgeship. Beginning July 1, 2010, the part-time judge of the Montgomery county county court that existed before that date whose term commenced on January 1, 2007, shall serve as this judge of the Montgomery county municipal court until December 31, 2013.

If any one of the judgeships of the court becomes vacant before December 31, 2021, that judgeship is abolished on the date that it becomes vacant, and the other judges of the court shall be or serve as full-time judges. The abolishment of judgeships for the Montgomery county municipal court shall cease when the court has two full-time judgeships.

In the Morrow county municipal court, one full-time judge shall be elected in 2005. Beginning January 1, 2003, the part-time judge of the Morrow county court that existed prior to that date shall serve as the full-time judge of the Morrow county municipal court until December 31, 2005.

In the Mount Vernon municipal court, one full-time judge shall be elected in 1951.

In the Napoleon municipal court, one full-time judge shall be elected in 2005.

In the New Philadelphia municipal court, one full-time judge shall be elected in 1975.

In the Newton Falls municipal court, one full-time judge shall be elected in 1963.

In the Niles municipal court, one full-time judge shall be elected in 1951.

In the Norwalk municipal court, one full-time judge shall be elected in 1975.

In the Oakwood municipal court, one part-time judge shall be elected in 1953.

In the Oberlin municipal court, one full-time judge shall be elected in 1989.

In the Oregon municipal court, one full-time judge shall be elected in 1963.

In the Ottawa county municipal court, one full-time judge shall be elected in 1995, and the full-time judge of the Port Clinton municipal court who is elected in 1989 shall serve as the judge of the Ottawa county municipal court from February 4, 1994, until the end of that judge's term.

In the Painesville municipal court, one full-time judge shall be elected in 1951.

In the Parma municipal court, one full-time judge shall be elected in 1951, one full-time judge shall be elected in 1967, and one full-time judge shall be elected in 1971.

In the Paulding county municipal court to be established on January 1, 2020, one full-time judge shall be elected in 2019.

In the Perry county municipal court to be established on January 1, 2018, one full-time judge shall be elected in 2017.

In the Perrysburg municipal court, one full-time judge shall be elected in 1977.

In the Portage county municipal court, two full-time judges shall be elected in 1979, and one full-time judge shall be elected in 1971.

In the Port Clinton municipal court, one full-time judge shall be elected in 1953. The full-time judge of the Port Clinton municipal court who is elected in 1989 shall serve as the judge of the Ottawa county municipal court from February 4, 1994, until the end of that judge's term.

In the Portsmouth municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1985.

In the Putnam county municipal court, one full-time judge shall be elected in 2011. Beginning January 1, 2011, the part-time judge of the Putnam county court that existed prior to that date whose term commenced on January 1, 2007, shall serve as the full-time judge of the Putnam county municipal court until December 31, 2011.

In the Rocky River municipal court, one full-time judge shall be elected in 1957, and one full-time judge shall be elected in 1971.

In the Sandusky municipal court, one full-time judge shall be elected in 1953.

~~In the Sandusky county municipal court, one full-time judge shall be elected in 2013. Beginning on January 1, 2013, the two part-time judges of the Sandusky county court that existed prior to that date shall serve as part-time judges of the Sandusky county municipal court until December 31, 2013. If either judgeship becomes vacant before January 1, 2014, that judgeship is abolished on the date it becomes vacant, and the person who holds the other judgeship shall serve as the full-time judge of the Sandusky county municipal court until December 31, 2013.~~

In the Shaker Heights municipal court, one full-time judge shall be elected in 1957.

In the Shelby municipal court, one part-time judge shall be elected in 1957.

In the Sidney municipal court, one full-time judge shall be elected in 1995.

In the South Euclid municipal court, one full-time judge shall be elected in 1999. The part-time judge elected in 1993, whose term commenced on January 1, 1994, shall serve until December 31, 1999, and the office of that judge is abolished on January 1, 2000.

In the Springfield municipal court, two full-time judges shall be elected in 1985, and one full-time judge shall be elected in 1983, all of whom shall serve as the judges of the Springfield municipal court through December 31, 1987, and as the judges of the Clark county municipal court from January 1, 1988, until the end of their respective terms.

In the Steubenville municipal court, one full-time judge shall be elected in 1953.

In the Stow municipal court, one full-time judge shall be elected in 2009, and one full-time judge shall be elected in 2013. Beginning January 1, 2009, the judge of the Cuyahoga Falls municipal court that existed prior to that date whose term commenced on January 1, 2008, shall serve as a full-time judge of the Stow municipal court until December 31, 2013. Beginning January 1, 2009, the judge of the Cuyahoga Falls municipal court that existed prior to that date whose term commenced on January 1, 2004, shall serve as a full-time judge of the Stow municipal court until December 31, 2009.

In the Struthers municipal court, one part-time judge shall be elected in 1963.

In the Sylvania municipal court, one full-time judge shall be elected in 1963.

In the Tiffin-Fostoria municipal court, one full-time judge shall be elected in 2013.

In the Toledo municipal court, two full-time judges shall be elected in 1971, four full-time judges shall be elected in 1975, and one full-time judge shall be elected in 1973.

In the Upper Sandusky municipal court, one full-time judge shall be elected in 2011. The part-time judge elected in 2005, whose term commenced on January 1, 2006, shall serve as a full-time judge on and after January 1, 2008, until the expiration of that judge's term on December 31, 2011, and the office of that judge is abolished on January 1, 2012.

In the Vandalia municipal court, one full-time judge shall be elected in 1959.

In the Van Wert municipal court, one full-time judge shall be elected in 1957.

In the Vermilion municipal court, one part-time judge shall be elected in 1965.

In the Wadsworth municipal court, one full-time judge shall be elected in 1981.

In the Warren municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 1971.

In the Washington Court House municipal court, one full-time judge shall be elected in 1999. The part-time judge elected in 1993, whose term commenced on January 1, 1994, shall serve until December 31, 1999, and the office of that judge is abolished on January 1, 2000.

In the Wayne county municipal court, one full-time judge shall be elected in 1975, and one full-time judge shall be elected in 1979.

In the Willoughby municipal court, one full-time judge shall be elected in 1951.

In the Wilmington municipal court, one full-time judge shall be elected in 1991, who shall serve as the judge of the Wilmington municipal court through June 30, 1992, and as the judge of the Clinton county municipal court from July 1, 1992, until the end of that judge's term on December 31, 1997.

In the Xenia municipal court, one full-time judge shall be elected in 1977.

In the Youngstown municipal court, one full-time judge shall be elected in 1951, and one full-time judge shall be elected in 2013.

In the Zanesville municipal court, one full-time judge shall be elected in 1953."

After line 34339, insert:

"Sec. 1901.31. The clerk and deputy clerks of a municipal court shall be selected, be compensated, give bond, and have powers and duties as follows:

(A) There shall be a clerk of the court who is appointed or elected as follows:

(1)(a) Except in the Akron, Barberton, Toledo, Columbiana county, Hamilton county, Miami county, Montgomery county, Portage county, and Wayne county municipal courts and through December 31, 2008, the Cuyahoga Falls municipal court, if the population of the territory equals or exceeds one hundred thousand at the regular municipal election immediately preceding the expiration of the term of the present clerk, the clerk shall be nominated and elected by the qualified electors of the territory in the manner that is provided for the nomination and election of judges in section 1901.07 of the Revised Code.

The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(b) In the Hamilton county municipal court, the clerk of courts of Hamilton county shall be the clerk of the municipal court and may appoint an assistant clerk who shall receive the compensation, payable out of the treasury of Hamilton county in semimonthly installments, that the board of county commissioners prescribes. The clerk of courts of Hamilton county, acting as the clerk of the Hamilton county municipal court and assuming the duties of that office, shall receive compensation at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code. This compensation shall be paid from the county treasury in semimonthly installments and is in addition to the annual

compensation that is received for the performance of the duties of the clerk of courts of Hamilton county, as provided in sections 325.08 and 325.18 of the Revised Code.

(c) In the Portage county and Wayne county municipal courts, the clerks of courts of Portage county and Wayne county shall be the clerks, respectively, of the Portage county and Wayne county municipal courts and may appoint a chief deputy clerk for each branch that is established pursuant to section 1901.311 of the Revised Code and assistant clerks as the judges of the municipal court determine are necessary, all of whom shall receive the compensation that the legislative authority prescribes. The clerks of courts of Portage county and Wayne county, acting as the clerks of the Portage county and Wayne county municipal courts and assuming the duties of these offices, shall receive compensation payable from the county treasury in semimonthly installments at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code.

(d) In the Montgomery county and Miami county municipal courts, the clerks of courts of Montgomery county and Miami county shall be the clerks, respectively, of the Montgomery county and Miami county municipal courts. The clerks of courts of Montgomery county and Miami county, acting as the clerks of the Montgomery county and Miami county municipal courts and assuming the duties of these offices, shall receive compensation at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code. This compensation shall be paid from the county treasury in semimonthly installments and is in addition to the annual compensation that is received for the performance of the duties of the clerks of courts of Montgomery county and Miami county, as provided in sections 325.08 and 325.18 of the Revised Code.

(e) Except as otherwise provided in division (A)(1)(e) of this section, in the Akron municipal court, candidates for election to the office of clerk of the court shall be nominated by primary election. The primary election shall be held on the day specified in the charter of the city of Akron for the nomination of municipal officers. Notwithstanding any contrary provision of section 3513.05 or 3513.257 of the Revised Code, the declarations of candidacy and petitions of partisan candidates and the nominating petitions of independent candidates for the office of clerk of the Akron municipal court shall be signed by at least fifty qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the ninetieth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of

candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Akron municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Akron municipal court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(f) Except as otherwise provided in division (A)(1)(f) of this section, in the Barberton municipal court, candidates for election to the office of clerk of the court shall be nominated by primary election. The primary election shall be held on the day specified in the charter of the city of Barberton for the nomination of municipal officers. Notwithstanding any contrary provision of section 3513.05 or 3513.257 of the Revised Code, the declarations of candidacy and petitions of partisan candidates and the nominating petitions of independent candidates for the office of clerk of the Barberton municipal court shall be signed by at least fifty qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the ninetieth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Barberton municipal court, a primary election shall not

be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Barberton municipal court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(g)(i) Through December 31, 2008, except as otherwise provided in division (A)(1)(g)(i) of this section, in the Cuyahoga Falls municipal court, candidates for election to the office of clerk of the court shall be nominated by primary election. The primary election shall be held on the day specified in the charter of the city of Cuyahoga Falls for the nomination of municipal officers. Notwithstanding any contrary provision of section 3513.05 or 3513.257 of the Revised Code, the declarations of candidacy and petitions of partisan candidates and the nominating petitions of independent candidates for the office of clerk of the Cuyahoga Falls municipal court shall be signed by at least fifty qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the ninetieth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Cuyahoga Falls municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in

section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Cuyahoga Falls municipal court shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(ii) Division (A)(1)(g)(i) of this section shall have no effect after December 31, 2008.

(h) Except as otherwise provided in division (A)(1)(h) of this section, in the Toledo municipal court, candidates for election to the office of clerk of the court shall be nominated by primary election. The primary election shall be held on the day specified in the charter of the city of Toledo for the nomination of municipal officers. Notwithstanding any contrary provision of section 3513.05 or 3513.257 of the Revised Code, the declarations of candidacy and petitions of partisan candidates and the nominating petitions of independent candidates for the office of clerk of the Toledo municipal court shall be signed by at least fifty qualified electors of the territory of the court.

The candidates shall file a declaration of candidacy and petition, or a nominating petition, whichever is applicable, not later than four p.m. of the ninetieth day before the day of the primary election, in the form prescribed by section 3513.07 or 3513.261 of the Revised Code. The declaration of candidacy and petition, or the nominating petition, shall conform to the applicable requirements of section 3513.05 or 3513.257 of the Revised Code.

If no valid declaration of candidacy and petition is filed by any person for nomination as a candidate of a particular political party for election to the office of clerk of the Toledo municipal court, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office. If only one person files a valid declaration of candidacy and petition for nomination as a candidate of a particular political party for election to that office, a primary election shall not be held for the purpose of nominating a candidate of that party for election to that office, and the candidate shall be issued a certificate of nomination in the manner set forth in section 3513.02 of the Revised Code.

Declarations of candidacy and petitions, nominating petitions, and certificates of nomination for the office of clerk of the Toledo municipal court shall contain a designation of the term for which the candidate seeks election.

At the following regular municipal election, all candidates for the office shall be submitted to the qualified electors of the territory of the court in the manner that is provided in section 1901.07 of the Revised Code for the election of the judges of the court. The clerk so elected shall hold office for a term of six years, which term shall commence on the first day of January following the clerk's election and continue until the clerk's successor is elected and qualified.

(i) In the Columbiana county municipal court, the clerk of courts of Columbiana county shall be the clerk of the municipal court, may appoint a chief deputy clerk for each branch office that is established pursuant to section 1901.311 of the Revised Code, and may appoint any assistant clerks that the judges of the court determine are necessary. All of the chief deputy clerks and assistant clerks shall receive the compensation that the legislative authority prescribes. The clerk of courts of Columbiana county, acting as the clerk of the Columbiana county municipal court and assuming the duties of that office, shall receive in either biweekly installments or semimonthly installments, as determined by the payroll administrator, compensation payable from the county treasury at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code.

(2)(a) Except for the Alliance, Auglaize county, Brown county, Holmes county, Perry county, Putnam county, ~~Sandusky county~~, Lima, Lorain, Massillon, and Youngstown municipal courts, in a municipal court for which the population of the territory is less than one hundred thousand, the clerk shall be appointed by the court, and the clerk shall hold office until the clerk's successor is appointed and qualified.

(b) In the Alliance, Lima, Lorain, Massillon, and Youngstown municipal courts, the clerk shall be elected for a term of office as described in division (A)(1)(a) of this section.

(c) In the Auglaize county, Brown county, Holmes county, Perry county, and Putnam county, ~~and Sandusky county~~ municipal courts, the clerks of courts of Auglaize county, Brown county, Holmes county, Perry county, and Putnam county, ~~and Sandusky county~~ shall be the clerks, respectively, of the Auglaize county, Brown county, Holmes county, Perry county, and Putnam county, ~~and Sandusky county~~ municipal courts and may appoint a chief deputy clerk for each branch office that is established pursuant to section 1901.311 of the Revised Code, and assistant clerks as the judge of the court determines are necessary, all of whom shall receive the compensation that the legislative authority prescribes. The clerks of courts of Auglaize county, Brown county, Holmes county, Perry county, and Putnam county, ~~and Sandusky county~~, acting as the clerks of the Auglaize county, Brown county,

Holmes county, Perry county, and Putnam county, ~~and Sandusky county~~ municipal courts and assuming the duties of these offices, shall receive compensation payable from the county treasury in semimonthly installments at one-fourth the rate that is prescribed for the clerks of courts of common pleas as determined in accordance with the population of the county and the rates set forth in sections 325.08 and 325.18 of the Revised Code.

(3) During the temporary absence of the clerk due to illness, vacation, or other proper cause, the court may appoint a temporary clerk, who shall be paid the same compensation, have the same authority, and perform the same duties as the clerk.

(B) Except in the Hamilton county, Montgomery county, Miami county, Portage county, and Wayne county municipal courts, if a vacancy occurs in the office of the clerk of the Alliance, Lima, Lorain, Massillon, or Youngstown municipal court or occurs in the office of the clerk of a municipal court for which the population of the territory equals or exceeds one hundred thousand because the clerk ceases to hold the office before the end of the clerk's term or because a clerk-elect fails to take office, the vacancy shall be filled, until a successor is elected and qualified, by a person chosen by the residents of the territory of the court who are members of the county central committee of the political party by which the last occupant of that office or the clerk-elect was nominated. Not less than five nor more than fifteen days after a vacancy occurs, those members of that county central committee shall meet to make an appointment to fill the vacancy. At least four days before the date of the meeting, the chairperson or a secretary of the county central committee shall notify each such member of that county central committee by first class mail of the date, time, and place of the meeting and its purpose. A majority of all such members of that county central committee constitutes a quorum, and a majority of the quorum is required to make the appointment. If the office so vacated was occupied or was to be occupied by a person not nominated at a primary election, or if the appointment was not made by the committee members in accordance with this division, the court shall make an appointment to fill the vacancy. A successor shall be elected to fill the office for the unexpired term at the first municipal election that is held more than one hundred thirty-five days after the vacancy occurred.

(C)(1) In a municipal court, other than the Auglaize county, the Brown county, the Holmes county, the Perry county, the Putnam county, ~~the Sandusky county~~, and the Lorain municipal courts, for which the population of the territory is less than one hundred thousand, the clerk of the municipal court shall receive the annual compensation that the presiding judge of the court prescribes, if the revenue of the court for the preceding calendar year, as certified by the auditor or chief fiscal officer of the municipal corporation in which the court is located or, in the case of a county-operated municipal court,

the county auditor, is equal to or greater than the expenditures, including any debt charges, for the operation of the court payable under this chapter from the city treasury or, in the case of a county-operated municipal court, the county treasury for that calendar year, as also certified by the auditor or chief fiscal officer. If the revenue of a municipal court, other than the Auglaize county, the Brown county, the Columbiana county, the Perry county, the Putnam county, ~~the Sandusky county~~, and the Lorain municipal courts, for which the population of the territory is less than one hundred thousand for the preceding calendar year as so certified is not equal to or greater than those expenditures for the operation of the court for that calendar year as so certified, the clerk of a municipal court shall receive the annual compensation that the legislative authority prescribes. As used in this division, "revenue" means the total of all costs and fees that are collected and paid to the city treasury or, in a county-operated municipal court, the county treasury by the clerk of the municipal court under division (F) of this section and all interest received and paid to the city treasury or, in a county-operated municipal court, the county treasury in relation to the costs and fees under division (G) of this section.

(2) In a municipal court, other than the Columbiana county, Hamilton county, Montgomery county, Miami county, Portage county, and Wayne county municipal courts, for which the population of the territory is one hundred thousand or more, and in the Lorain municipal court, the clerk of the municipal court shall receive annual compensation in a sum equal to eighty-five per cent of the salary of a judge of the court.

(3) The compensation of a clerk described in division (C)(1) or (2) of this section and of the clerk of the Columbiana county municipal court is payable in either semimonthly installments or biweekly installments, as determined by the payroll administrator, from the same sources and in the same manner as provided in section 1901.11 of the Revised Code, except that the compensation of the clerk of the Carroll county municipal court is payable in biweekly installments.

(D) Before entering upon the duties of the clerk's office, the clerk of a municipal court shall give bond of not less than six thousand dollars to be determined by the judges of the court, conditioned upon the faithful performance of the clerk's duties.

(E) The clerk of a municipal court may do all of the following: administer oaths, take affidavits, and issue executions upon any judgment rendered in the court, including a judgment for unpaid costs; issue, sign, and attach the seal of the court to all writs, process, subpoenas, and papers issuing out of the court; and approve all bonds, sureties, recognizances, and undertakings fixed by any judge of the court or by law. The clerk may refuse to accept for filing any pleading or paper submitted for filing by a person who has been found to be a

vexatious litigator under section 2323.52 of the Revised Code and who has failed to obtain leave to proceed under that section. The clerk shall do all of the following: file and safely keep all journals, records, books, and papers belonging or appertaining to the court; record the proceedings of the court; perform all other duties that the judges of the court may prescribe; and keep a book showing all receipts and disbursements, which book shall be open for public inspection at all times.

The clerk shall prepare and maintain a general index, a docket, and other records that the court, by rule, requires, all of which shall be the public records of the court. In the docket, the clerk shall enter, at the time of the commencement of an action, the names of the parties in full, the names of the counsel, and the nature of the proceedings. Under proper dates, the clerk shall note the filing of the complaint, issuing of summons or other process, returns, and any subsequent pleadings. The clerk also shall enter all reports, verdicts, orders, judgments, and proceedings of the court, clearly specifying the relief granted or orders made in each action. The court may order an extended record of any of the above to be made and entered, under the proper action heading, upon the docket at the request of any party to the case, the expense of which record may be taxed as costs in the case or may be required to be prepaid by the party demanding the record, upon order of the court.

(F) The clerk of a municipal court shall receive, collect, and issue receipts for all costs, fees, fines, bail, and other moneys payable to the office or to any officer of the court. The clerk shall on or before the twentieth day of the month following the month in which they are collected disburse to the proper persons or officers, and take receipts for, all costs, fees, fines, bail, and other moneys that the clerk collects. Subject to sections 307.515 and 4511.193 of the Revised Code and to any other section of the Revised Code that requires a specific manner of disbursement of any moneys received by a municipal court and except for the Hamilton county, Lawrence county, and Ottawa county municipal courts, the clerk shall pay all fines received for violation of municipal ordinances into the treasury of the municipal corporation the ordinance of which was violated and shall pay all fines received for violation of township resolutions adopted pursuant to section 503.52 or 503.53 or Chapter 504. of the Revised Code into the treasury of the township the resolution of which was violated. Subject to sections 1901.024 and 4511.193 of the Revised Code, in the Hamilton county, Lawrence county, and Ottawa county municipal courts, the clerk shall pay fifty per cent of the fines received for violation of municipal ordinances and fifty per cent of the fines received for violation of township resolutions adopted pursuant to section 503.52 or 503.53 or Chapter 504. of the Revised Code into the treasury of the county. Subject to sections 307.515, 4511.19, and 5503.04 of the Revised Code and to any other section of the Revised Code that requires a specific manner of disbursement of any moneys received by a municipal court, the clerk shall pay

all fines collected for the violation of state laws into the county treasury. Except in a county-operated municipal court, the clerk shall pay all costs and fees the disbursement of which is not otherwise provided for in the Revised Code into the city treasury. The clerk of a county-operated municipal court shall pay the costs and fees the disbursement of which is not otherwise provided for in the Revised Code into the county treasury. Moneys deposited as security for costs shall be retained pending the litigation. The clerk shall keep a separate account of all receipts and disbursements in civil and criminal cases, which shall be a permanent public record of the office. On the expiration of the term of the clerk, the clerk shall deliver the records to the clerk's successor. The clerk shall have other powers and duties as are prescribed by rule or order of the court.

(G) All moneys paid into a municipal court shall be noted on the record of the case in which they are paid and shall be deposited in a state or national bank, as defined in section 1101.01 of the Revised Code, that is selected by the clerk. Any interest received upon the deposits shall be paid into the city treasury, except that, in a county-operated municipal court, the interest shall be paid into the treasury of the county in which the court is located.

On the first Monday in January of each year, the clerk shall make a list of the titles of all cases in the court that were finally determined more than one year past in which there remains unclaimed in the possession of the clerk any funds, or any part of a deposit for security of costs not consumed by the costs in the case. The clerk shall give notice of the moneys to the parties who are entitled to the moneys or to their attorneys of record. All the moneys remaining unclaimed that are for restitution payments for crime victims shall be sent to the reparations fund created under section 2743.191 of the Revised Code, with a list from the clerk or other officer responsible for the collection and distribution of restitution payments specifying the amounts and individual identifying information of the funds. All other moneys remaining unclaimed on the first day of April of each year shall be paid by the clerk to the city treasurer, except that, in a county-operated municipal court, the moneys shall be paid to the treasurer of the county in which the court is located. The treasurer shall pay any part of the moneys at any time to the person who has the right to the moneys upon proper certification of the clerk.

(H) Deputy clerks of a municipal court other than the Carroll county municipal court may be appointed by the clerk and shall receive the compensation, payable in either biweekly installments or semimonthly installments, as determined by the payroll administrator, out of the city treasury, that the clerk may prescribe, except that the compensation of any deputy clerk of a county-operated municipal court shall be paid out of the treasury of the county in which the court is located. The judge of the Carroll county municipal court may appoint deputy clerks for the court, and the

deputy clerks shall receive the compensation, payable in biweekly installments out of the county treasury, that the judge may prescribe. Each deputy clerk shall take an oath of office before entering upon the duties of the deputy clerk's office and, when so qualified, may perform the duties appertaining to the office of the clerk. The clerk may require any of the deputy clerks to give bond of not less than three thousand dollars, conditioned for the faithful performance of the deputy clerk's duties.

(I) For the purposes of this section, whenever the population of the territory of a municipal court falls below one hundred thousand but not below ninety thousand, and the population of the territory prior to the most recent regular federal census exceeded one hundred thousand, the legislative authority of the municipal corporation may declare, by resolution, that the territory shall be considered to have a population of at least one hundred thousand.

(J) The clerk or a deputy clerk shall be in attendance at all sessions of the municipal court, although not necessarily in the courtroom, and may administer oaths to witnesses and jurors and receive verdicts."

After line 34362, insert:

"Sec. 1907.11. (A) Each county court district shall have the following county court judges, to be elected as follows:

In the Adams county county court, one part-time judge shall be elected in 1982.

In the Ashtabula county county court, one part-time judge shall be elected in 1980, and one part-time judge shall be elected in 1982.

In the Belmont county county court, one part-time judge shall be elected in 1992, term to commence on January 1, 1993, and two part-time judges shall be elected in 1994, terms to commence on January 1, 1995, and January 2, 1995, respectively.

In the Butler county county court, one part-time judge shall be elected in 1992, term to commence on January 1, 1993, and two part-time judges shall be elected in 1994, terms to commence on January 1, 1995, and January 2, 1995, respectively.

Until December 31, 2007, in the Erie county county court, one part-time judge shall be elected in 1982. Effective January 1, 2008, the Erie county county court shall cease to exist.

In the Harrison county county court, one part-time judge shall be elected in 1982.

In the Highland county county court, one part-time judge shall be elected in 1982.

In the Jefferson county county court, one part-time judge shall be elected in 1992, term to commence on January 1, 1993, and two part-time judges shall be elected in 1994, terms to commence on January 1, 1995, and January 2, 1995, respectively.

In the Mahoning county county court, one part-time judge shall be elected in 1992, term to commence on January 1, 1993, and three part-time judges shall be elected in 1994, terms to commence on January 1, 1995, January 2, 1995, and January 3, 1995, respectively.

In the Meigs county county court, one part-time judge shall be elected in 1982.

In the Monroe county county court, one part-time judge shall be elected in 1982.

In the Morgan county county court, one part-time judge shall be elected in 1982.

In the Muskingum county county court, one part-time judge shall be elected in 1980, and one part-time judge shall be elected in 1982.

In the Noble county county court, one part-time judge shall be elected in 1982.

In the Pike county county court, one part-time judge shall be elected in 1982.

~~Until December 31, 2006, in the Sandusky county county court, two part-time judges shall be elected in 1994, terms to commence on January 1, 1995, and January 2, 1995, respectively. The judges elected in 2006 shall serve until December 31, 2012. The Sandusky county county court shall cease to exist on January 1, 2013.~~

In the Sandusky county county court, one full-time judge shall be elected in 2024, term to commence on January 2, 2025. Effective January 2, 2025, notwithstanding division (A)(6) of section 141.04 of the Revised Code and division (A) of section 1907.16 of the Revised Code, the full-time judge of the Sandusky county county court under this section shall receive the compensation set forth in division (A)(5) of section 141.04 of the Revised Code.

In the Trumbull county county court, one part-time judge shall be elected in 1992, and one part-time judge shall be elected in 1994.

In the Tuscarawas county county court, one part-time judge shall be elected in 1982.

In the Vinton county county court, one part-time judge shall be elected in 1982.

In the Warren county county court, one part-time judge shall be elected in 1980, and one part-time judge shall be elected in 1982.

(B)(1) Additional judges shall be elected at the next regular election for a county court judge as provided in section 1907.13 of the Revised Code.

(2) Vacancies caused by the death or the resignation from, forfeiture of, or removal from office of a judge shall be filled in accordance with section 107.08 of the Revised Code, except as provided in section 1907.15 of the Revised Code."

After line 36018, insert:

"Sec. 2301.03. (A) In Franklin county, the judges of the court of common pleas whose terms begin on January 1, 1953, January 2, 1953, January 5, 1969, January 5, 1977, January 2, 1997, January 9, 2019, and January 3, 2021, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Franklin county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. They shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all parentage proceedings under Chapter 3111. of the Revised Code over which the juvenile court has jurisdiction, and all divorce, dissolution of marriage, legal separation, and annulment cases shall be assigned to them. In addition to the judge's regular duties, the judge who is senior in point of service shall serve on the children services board and the county advisory board and shall be the administrator of the domestic relations division and its subdivisions and departments.

(B) In Hamilton county:

(1) The judge of the court of common pleas, whose term begins on January 1, 1957, and successors, and the judge of the court of common pleas, whose term begins on February 14, 1967, and successors, shall be the juvenile judges as provided in Chapters 2151. and 2152. of the Revised Code, with the powers and jurisdiction conferred by those chapters.

(2) The judges of the court of common pleas whose terms begin on January 5, 1957, January 16, 1981, and July 1, 1991, and successors, shall be elected and designated as judges of the court of common pleas, division of domestic relations, and shall have assigned to them all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court. On or after the first day of July and before the first day of August of 1991 and each year thereafter, a majority of the judges of the division of domestic relations shall elect one of the judges of the division as administrative judge of that division. If a majority of the judges of the division of domestic relations are unable for any reason to elect an administrative judge for the division before the first day

of August, a majority of the judges of the Hamilton county court of common pleas, as soon as possible after that date, shall elect one of the judges of the division of domestic relations as administrative judge of that division. The term of the administrative judge shall begin on the earlier of the first day of August of the year in which the administrative judge is elected or the date on which the administrative judge is elected by a majority of the judges of the Hamilton county court of common pleas and shall terminate on the date on which the administrative judge's successor is elected in the following year.

In addition to the judge's regular duties, the administrative judge of the division of domestic relations shall be the administrator of the domestic relations division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the division engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases, including any referees considered necessary by the judges in the discharge of their various duties.

The administrative judge of the division of domestic relations also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division, and shall fix the duties of its personnel. The duties of the personnel, in addition to those provided for in other sections of the Revised Code, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and counseling and conciliation services that may be made available to persons requesting them, whether or not the persons are parties to an action pending in the division.

The board of county commissioners shall appropriate the sum of money each year as will meet all the administrative expenses of the division of domestic relations, including reasonable expenses of the domestic relations judges and the division counselors and other employees designated to conduct the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, conciliation and counseling, and all matters relating to those cases and counseling, and the expenses involved in the attendance of division personnel at domestic relations and welfare conferences designated by the division, and the further sum each year as will provide for the adequate operation of the division of domestic relations.

The compensation and expenses of all employees and the salary and expenses of the judges shall be paid by the county treasurer from the money appropriated for the operation of the division, upon the warrant of the county auditor, certified to by the administrative judge of the division of domestic relations.

The summonses, warrants, citations, subpoenas, and other writs of the division may issue to a bailiff, constable, or staff investigator of the division

or to the sheriff of any county or any marshal, constable, or police officer, and the provisions of law relating to the subpoenaing of witnesses in other cases shall apply insofar as they are applicable. When a summons, warrant, citation, subpoena, or other writ is issued to an officer, other than a bailiff, constable, or staff investigator of the division, the expense of serving it shall be assessed as a part of the costs in the case involved.

(3) The judge of the court of common pleas of Hamilton county whose term begins on January 3, 1997, and the successors to that judge shall each be elected and designated as the drug court judge of the court of common pleas of Hamilton county. The drug court judge may accept or reject any case referred to the drug court judge under division (B)(3) of this section. After the drug court judge accepts a referred case, the drug court judge has full authority over the case, including the authority to conduct arraignment, accept pleas, enter findings and dispositions, conduct trials, order treatment, and if treatment is not successfully completed pronounce and enter sentence.

A judge of the general division of the court of common pleas of Hamilton county and a judge of the Hamilton county municipal court may refer to the drug court judge any case, and any companion cases, the judge determines meet the criteria described under divisions (B)(3)(a) and (b) of this section. If the drug court judge accepts referral of a referred case, the case, and any companion cases, shall be transferred to the drug court judge. A judge may refer a case meeting the criteria described in divisions (B)(3)(a) and (b) of this section that involves a violation of a condition of a community control sanction to the drug court judge, and, if the drug court judge accepts the referral, the referring judge and the drug court judge have concurrent jurisdiction over the case.

A judge of the general division of the court of common pleas of Hamilton county and a judge of the Hamilton county municipal court may refer a case to the drug court judge under division (B)(3) of this section if the judge determines that both of the following apply:

(a) One of the following applies:

(i) The case involves a drug abuse offense, as defined in section 2925.01 of the Revised Code, that is a felony of the third or fourth degree if the offense is committed prior to July 1, 1996, a felony of the third, fourth, or fifth degree if the offense is committed on or after July 1, 1996, or a misdemeanor.

(ii) The case involves a theft offense, as defined in section 2913.01 of the Revised Code, that is a felony of the third or fourth degree if the offense is committed prior to July 1, 1996, a felony of the third, fourth, or fifth degree if the offense is committed on or after July 1, 1996, or a misdemeanor, and the defendant is drug or alcohol dependent or in danger of becoming drug or alcohol dependent and would benefit from treatment.

(b) All of the following apply:

(i) ~~The case involves an offense for which a community control sanction may be imposed or is a case in which a mandatory prison term or a mandatory jail term is not required to be imposed.~~

(ii) ~~The defendant has no history of violent behavior.~~

(iii) ~~The defendant has no history of mental illness.~~

(iv) ~~The defendant's current or past behavior, or both, is drug or alcohol-driven.~~

(v) ~~The defendant demonstrates a sincere willingness to participate in a fifteen-month treatment process.~~

(vi) ~~The defendant has no acute health condition.~~

(vii) ~~If the defendant is incarcerated, the county prosecutor approves of the referral~~ Eligibility for admission of a case into the drug court shall be set forth in a local rule adopted by the court of common pleas of Hamilton county. The local rule specifying eligibility shall not permit referral to the drug court of a case that involves a felony of the first or second degree, a violation of any prohibition contained in Chapter 2907. of the Revised Code that is a felony of the third degree, or a violation of section 2903.01 or 2903.02 of the Revised Code.

(4) If the administrative judge of the court of common pleas of Hamilton county determines that the volume of cases pending before the drug court judge does not constitute a sufficient caseload for the drug court judge, the administrative judge, in accordance with the Rules of Superintendence for Courts of Common Pleas, shall assign individual cases to the drug court judge from the general docket of the court. If the assignments so occur, the administrative judge shall cease the assignments when the administrative judge determines that the volume of cases pending before the drug court judge constitutes a sufficient caseload for the drug court judge.

~~(5) As used in division (B) of this section, "community control sanction," "mandatory prison term," and "mandatory jail term" have the same meanings as in section 2929.01 of the Revised Code.~~

(C)(1) In Lorain county:

(a) The judges of the court of common pleas whose terms begin on January 3, 1959, January 4, 1989, and January 2, 1999, and successors, and the judge of the court of common pleas whose term begins on February 9, 2009, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Lorain county and shall be elected and designated as the judges of the

court of common pleas, division of domestic relations. The judges of the court of common pleas whose terms begin on January 3, 1959, January 4, 1989, and January 2, 1999, and successors, shall have all of the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all parentage proceedings over which the juvenile court has jurisdiction, and all divorce, dissolution of marriage, legal separation, and annulment cases shall be assigned to them, except cases that for some special reason are assigned to some other judge of the court of common pleas. From February 9, 2009, through September 28, 2009, the judge of the court of common pleas whose term begins on February 9, 2009, shall have all the powers relating to juvenile courts, and cases under Chapters 2151. and 2152. of the Revised Code, parentage proceedings over which the juvenile court has jurisdiction, and divorce, dissolution of marriage, legal separation, and annulment cases shall be assigned to that judge, except cases that for some special reason are assigned to some other judge of the court of common pleas.

(b) From January 1, 2006, through September 28, 2009, the judges of the court of common pleas, division of domestic relations, in addition to the powers and jurisdiction set forth in division (C)(1)(a) of this section, shall have jurisdiction over matters that are within the jurisdiction of the probate court under Chapter 2101. and other provisions of the Revised Code.

(c) The judge of the court of common pleas, division of domestic relations, whose term begins on February 9, 2009, is the successor to the probate judge who was elected in 2002 for a term that began on February 9, 2003. After September 28, 2009, the judge of the court of common pleas, division of domestic relations, whose term begins on February 9, 2009, shall be the probate judge.

(2)(a) From February 9, 2009, through September 28, 2009, with respect to Lorain county, all references in law to the probate court shall be construed as references to the court of common pleas, division of domestic relations, and all references to the probate judge shall be construed as references to the judges of the court of common pleas, division of domestic relations.

(b) From February 9, 2009, through September 28, 2009, with respect to Lorain county, all references in law to the clerk of the probate court shall be construed as references to the judge who is serving pursuant to Rule 4 of the Rules of Superintendence for the Courts of Ohio as the administrative judge of the court of common pleas, division of domestic relations.

(D) In Lucas county:

(1) The judges of the court of common pleas whose terms begin on January 1, 1955, and January 3, 1965, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Lucas

county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. All divorce, dissolution of marriage, legal separation, and annulment cases shall be assigned to them.

The judge of the division of domestic relations, senior in point of service, shall be considered as the presiding judge of the court of common pleas, division of domestic relations, and shall be charged exclusively with the assignment and division of the work of the division and the employment and supervision of all other personnel of the domestic relations division.

(2) The judges of the court of common pleas whose terms begin on January 5, 1977, and January 2, 1991, and successors shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Lucas county, shall be elected and designated as judges of the court of common pleas, juvenile division, and shall be the juvenile judges as provided in Chapters 2151. and 2152. of the Revised Code with the powers and jurisdictions conferred by those chapters. In addition to the judge's regular duties, the judge of the court of common pleas, juvenile division, senior in point of service, shall be the administrator of the juvenile division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the division engaged in handling, servicing, or investigating juvenile cases, including any referees considered necessary by the judges of the division in the discharge of their various duties.

The judge of the court of common pleas, juvenile division, senior in point of service, also shall designate the title, compensation, expense allowance, hours, leaves of absence, and vacation of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel, in addition to other statutory duties include the handling, servicing, and investigation of juvenile cases and counseling and conciliation services that may be made available to persons requesting them, whether or not the persons are parties to an action pending in the division.

(3) If one of the judges of the court of common pleas, division of domestic relations, or one of the judges of the juvenile division is sick, absent, or unable to perform that judge's judicial duties or the volume of cases pending in that judge's division necessitates it, the duties shall be performed by the judges of the other of those divisions.

(E) In Mahoning county:

(1) The judge of the court of common pleas whose term began on January 1, 1955, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Mahoning county, shall be elected and

designated as judge of the court of common pleas, division of domestic relations, and shall be assigned all the divorce, dissolution of marriage, legal separation, and annulment cases coming before the court. In addition to the judge's regular duties, the judge of the court of common pleas, division of domestic relations, shall be the administrator of the domestic relations division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the division engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases, including any referees considered necessary in the discharge of the various duties of the judge's office.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and counseling and conciliation services that may be made available to persons requesting them, whether or not the persons are parties to an action pending in the division.

(2) The judge of the court of common pleas whose term began on January 2, 1969, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Mahoning county, shall be elected and designated as judge of the court of common pleas, juvenile division, and shall be the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code, with the powers and jurisdictions conferred by those chapters. In addition to the judge's regular duties, the judge of the court of common pleas, juvenile division, shall be the administrator of the juvenile division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the division engaged in handling, servicing, or investigating juvenile cases, including any referees considered necessary by the judge in the discharge of the judge's various duties.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of juvenile cases and counseling and conciliation services that may be made available to persons requesting them, whether or not the persons are parties to an action pending in the division.

(3) If a judge of the court of common pleas, division of domestic relations or juvenile division, is sick, absent, or unable to perform that judge's judicial

duties, or the volume of cases pending in that judge's division necessitates it, that judge's duties shall be performed by another judge of the court of common pleas.

(F) In Montgomery county:

(1) The judges of the court of common pleas whose terms begin on January 2, 1953, and January 4, 1977, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Montgomery county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. These judges shall have assigned to them all divorce, dissolution of marriage, legal separation, and annulment cases.

The judge of the division of domestic relations, senior in point of service, shall be charged exclusively with the assignment and division of the work of the division and shall have charge of the employment and supervision of the personnel of the division engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases, including any necessary referees, except those employees who may be appointed by the judge, junior in point of service, under this section and sections 2301.12 and 2301.18 of the Revised Code. The judge of the division of domestic relations, senior in point of service, also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties.

(2) The judges of the court of common pleas whose terms begin on January 1, 1953, and January 1, 1993, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Montgomery county, shall be elected and designated as judges of the court of common pleas, juvenile division, and shall be, and have the powers and jurisdiction of, the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code.

In addition to the judge's regular duties, the judge of the court of common pleas, juvenile division, senior in point of service, shall be the administrator of the juvenile division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division, including any necessary referees, who are engaged in handling, servicing, or investigating juvenile cases. The judge, senior in point of service, also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of juvenile

cases and of any counseling and conciliation services that are available upon request to persons, whether or not they are parties to an action pending in the division.

If one of the judges of the court of common pleas, division of domestic relations, or one of the judges of the court of common pleas, juvenile division, is sick, absent, or unable to perform that judge's duties or the volume of cases pending in that judge's division necessitates it, the duties of that judge may be performed by the judge or judges of the other of those divisions.

(G) In Richland county:

(1) The judge of the court of common pleas whose term begins on January 1, 1957, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Richland county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. That judge shall be assigned and hear all divorce, dissolution of marriage, legal separation, and annulment cases, all domestic violence cases arising under section 3113.31 of the Revised Code, and all post-decree proceedings arising from any case pertaining to any of those matters. The division of domestic relations has concurrent jurisdiction with the juvenile division of the court of common pleas of Richland county to determine the care, custody, or control of any child not a ward of another court of this state, and to hear and determine a request for an order for the support of any child if the request is not ancillary to an action for divorce, dissolution of marriage, annulment, or legal separation, a criminal or civil action involving an allegation of domestic violence, or an action for support brought under Chapter 3115. of the Revised Code. Except in cases that are subject to the exclusive original jurisdiction of the juvenile court, the judge of the division of domestic relations shall be assigned and hear all cases pertaining to paternity or parentage, the care, custody, or control of children, parenting time or visitation, child support, or the allocation of parental rights and responsibilities for the care of children, all proceedings arising under Chapter 3111. of the Revised Code, all proceedings arising under the uniform interstate family support act contained in Chapter 3115. of the Revised Code, and all post-decree proceedings arising from any case pertaining to any of those matters.

In addition to the judge's regular duties, the judge of the court of common pleas, division of domestic relations, shall be the administrator of the domestic relations division and its subdivisions and departments. The judge shall have charge of the employment, assignment, and supervision of the personnel of the domestic relations division, including any magistrates the judge considers necessary for the discharge of the judge's duties. The judge shall also designate the title, compensation, expense allowances, hours, leaves

of absence, vacation, and other employment-related matters of the personnel of the division and shall fix their duties.

(2) The judge of the court of common pleas whose term begins on January 3, 2005, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Richland county, shall be elected and designated as judge of the court of common pleas, juvenile division, and shall be, and have the powers and jurisdiction of, the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code. Except in cases that are subject to the exclusive original jurisdiction of the juvenile court, the judge of the juvenile division shall not have jurisdiction or the power to hear, and shall not be assigned, any case pertaining to paternity or parentage, the care, custody, or control of children, parenting time or visitation, child support, or the allocation of parental rights and responsibilities for the care of children or any post-decree proceeding arising from any case pertaining to any of those matters. The judge of the juvenile division shall not have jurisdiction or the power to hear, and shall not be assigned, any proceeding under the uniform interstate family support act contained in Chapter 3115. of the Revised Code.

In addition to the judge's regular duties, the judge of the juvenile division shall be the administrator of the juvenile division and its subdivisions and departments. The judge shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division who are engaged in handling, servicing, or investigating juvenile cases, including any magistrates whom the judge considers necessary for the discharge of the judge's various duties.

The judge of the juvenile division also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of juvenile cases and providing any counseling, conciliation, and mediation services that the court makes available to persons, whether or not the persons are parties to an action pending in the court, who request the services.

(H)(1) In Stark county, the judges of the court of common pleas whose terms begin on January 1, 1953, January 2, 1959, and January 1, 1993, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Stark county and shall be elected and designated as judges of the court of common pleas, family court division. They shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all parentage proceedings over which the juvenile court has jurisdiction, and all divorce, dissolution of marriage, legal

separation, and annulment cases, except cases that are assigned to some other judge of the court of common pleas for some special reason, shall be assigned to the judges.

(2) The judge of the family court division, second most senior in point of service, shall have charge of the employment and supervision of the personnel of the division engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases, and necessary referees required for the judge's respective court.

(3) The judge of the family court division, senior in point of service, shall be charged exclusively with the administration of sections 2151.13, 2151.16, 2151.17, and 2152.71 of the Revised Code and with the assignment and division of the work of the division and the employment and supervision of all other personnel of the division, including, but not limited to, that judge's necessary referees, but excepting those employees who may be appointed by the judge second most senior in point of service. The senior judge further shall serve in every other position in which the statutes permit or require a juvenile judge to serve.

(4) On and after September 29, 2015, all references in law to "the division of domestic relations," "the domestic relations division," "the domestic relations court," "the judge of the division of domestic relations," or "the judge of the domestic relations division" shall be construed, with respect to Stark county, as being references to "the family court division" or "the judge of the family court division."

(I) In Summit county:

(1) The judges of the court of common pleas whose terms begin on January 4, 1967, and January 6, 1993, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Summit county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. The judges of the division of domestic relations shall have assigned to them and hear all divorce, dissolution of marriage, legal separation, and annulment cases that come before the court. Except in cases that are subject to the exclusive original jurisdiction of the juvenile court, the judges of the division of domestic relations shall have assigned to them and hear all cases pertaining to paternity, custody, visitation, child support, or the allocation of parental rights and responsibilities for the care of children and all post-decree proceedings arising from any case pertaining to any of those matters. The judges of the division of domestic relations shall have assigned to them and hear all proceedings under the uniform interstate family support act contained in Chapter 3115. of the Revised Code.

The judge of the division of domestic relations, senior in point of service, shall be the administrator of the domestic relations division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the division, including any necessary referees, who are engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases. That judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and of any counseling and conciliation services that are available upon request to all persons, whether or not they are parties to an action pending in the division.

(2) The judge of the court of common pleas whose term begins on January 1, 1955, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Summit county, shall be elected and designated as judge of the court of common pleas, juvenile division, and shall be, and have the powers and jurisdiction of, the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code. Except in cases that are subject to the exclusive original jurisdiction of the juvenile court, the judge of the juvenile division shall not have jurisdiction or the power to hear, and shall not be assigned, any case pertaining to paternity, custody, visitation, child support, or the allocation of parental rights and responsibilities for the care of children or any post-decree proceeding arising from any case pertaining to any of those matters. The judge of the juvenile division shall not have jurisdiction or the power to hear, and shall not be assigned, any proceeding under the uniform interstate family support act contained in Chapter 3115. of the Revised Code.

The juvenile judge shall be the administrator of the juvenile division and its subdivisions and departments and shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division, including any necessary referees, who are engaged in handling, servicing, or investigating juvenile cases. The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of juvenile cases and of any counseling and conciliation services that are available upon request to persons, whether or not they are parties to an action pending in the division.

(J) In Trumbull county, the judges of the court of common pleas whose terms begin on January 1, 1953, and January 2, 1977, and successors, shall

have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Trumbull county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. They shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all parentage proceedings over which the juvenile court has jurisdiction, and all divorce, dissolution of marriage, legal separation, and annulment cases shall be assigned to them, except cases that for some special reason are assigned to some other judge of the court of common pleas.

(K) In Butler county:

(1) The judges of the court of common pleas whose terms begin on January 1, 1957, and January 4, 1993, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Butler county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. The judges of the division of domestic relations shall have assigned to them all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, except in cases that for some special reason are assigned to some other judge of the court of common pleas. The judges of the division of domestic relations also have concurrent jurisdiction with judges of the juvenile division of the court of common pleas of Butler county with respect to and may hear cases to determine the custody, support, or custody and support of a child who is born of issue of a marriage and who is not the ward of another court of this state, cases commenced by a party of the marriage to obtain an order requiring support of any child when the request for that order is not ancillary to an action for divorce, dissolution of marriage, annulment, or legal separation, a criminal or civil action involving an allegation of domestic violence, an action for support under Chapter 3115. of the Revised Code, or an action that is within the exclusive original jurisdiction of the juvenile division of the court of common pleas of Butler county and that involves an allegation that the child is an abused, neglected, or dependent child, and post-decree proceedings and matters arising from those types of cases. The judge senior in point of service shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the domestic relations division.

The judge senior in point of service also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal

separation, and annulment cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(2) The judges of the court of common pleas whose terms begin on January 3, 1987, and January 2, 2003, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Butler county, shall be elected and designated as judges of the court of common pleas, juvenile division, and shall be the juvenile judges as provided in Chapters 2151. and 2152. of the Revised Code, with the powers and jurisdictions conferred by those chapters. Except in cases that are subject to the exclusive original jurisdiction of the juvenile court, the judges of the juvenile division shall not have jurisdiction or the power to hear and shall not be assigned, but shall have the limited ability and authority to certify, any case commenced by a party of a marriage to determine the custody, support, or custody and support of a child who is born of issue of the marriage and who is not the ward of another court of this state when the request for the order in the case is not ancillary to an action for divorce, dissolution of marriage, annulment, or legal separation. The judge of the court of common pleas, juvenile division, who is senior in point of service, shall be the administrator of the juvenile division and its subdivisions and departments. The judge, senior in point of service, shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division who are engaged in handling, servicing, or investigating juvenile cases, including any referees whom the judge considers necessary for the discharge of the judge's various duties.

The judge, senior in point of service, also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of juvenile cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(3) If a judge of the court of common pleas, division of domestic relations or juvenile division, is sick, absent, or unable to perform that judge's judicial duties or the volume of cases pending in the judge's division necessitates it, the duties of that judge shall be performed by the other judges of the domestic relations and juvenile divisions.

(L)(1) In Cuyahoga county, the judges of the court of common pleas whose terms begin on January 8, 1961, January 9, 1961, January 18, 1975, January

19, 1975, and January 13, 1987, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Cuyahoga county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. They shall have all the powers relating to all divorce, dissolution of marriage, legal separation, and annulment cases, except in cases that are assigned to some other judge of the court of common pleas for some special reason.

(2) The administrative judge is administrator of the domestic relations division and its subdivisions and departments and has the following powers concerning division personnel:

(a) Full charge of the employment, assignment, and supervision;

(b) Sole determination of compensation, duties, expenses, allowances, hours, leaves, and vacations.

(3) "Division personnel" include persons employed or referees engaged in hearing, servicing, investigating, counseling, or conciliating divorce, dissolution of marriage, legal separation and annulment matters.

(M) In Lake county:

(1) The judge of the court of common pleas whose term begins on January 2, 1961, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Lake county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all the divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, except in cases that for some special reason are assigned to some other judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the domestic relations division.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(2) The judge of the court of common pleas whose term begins on January 4, 1979, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of

the court of common pleas of Lake county, shall be elected and designated as judge of the court of common pleas, juvenile division, and shall be the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code, with the powers and jurisdictions conferred by those chapters. The judge of the court of common pleas, juvenile division, shall be the administrator of the juvenile division and its subdivisions and departments. The judge shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division who are engaged in handling, servicing, or investigating juvenile cases, including any referees whom the judge considers necessary for the discharge of the judge's various duties.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of juvenile cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(3) If a judge of the court of common pleas, division of domestic relations or juvenile division, is sick, absent, or unable to perform that judge's judicial duties or the volume of cases pending in the judge's division necessitates it, the duties of that judge shall be performed by the other judges of the domestic relations and juvenile divisions.

(N) In Erie county:

(1) The judge of the court of common pleas whose term begins on January 2, 1971, and the successors to that judge whose terms begin before January 2, 2007, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judge of the court of common pleas of Erie county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall have all the powers relating to juvenile courts, and shall be assigned all cases under Chapters 2151. and 2152. of the Revised Code, parentage proceedings over which the juvenile court has jurisdiction, and divorce, dissolution of marriage, legal separation, and annulment cases, except cases that for some special reason are assigned to some other judge.

On or after January 2, 2007, the judge of the court of common pleas who is elected in 2006 shall be the successor to the judge of the domestic relations division whose term expires on January 1, 2007, shall be designated as judge of the court of common pleas, juvenile division, and shall be the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code with the powers and jurisdictions conferred by those chapters.

(2) The judge of the court of common pleas, general division, whose term

begins on January 1, 2005, and successors, the judge of the court of common pleas, general division whose term begins on January 2, 2005, and successors, and the judge of the court of common pleas, general division, whose term begins February 9, 2009, and successors, shall have assigned to them, in addition to all matters that are within the jurisdiction of the general division of the court of common pleas, all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, and all matters that are within the jurisdiction of the probate court under Chapter 2101., and other provisions, of the Revised Code.

(O) In Greene county:

(1) The judge of the court of common pleas whose term begins on January 1, 1961, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Greene county and shall be elected and designated as the judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, annulment, uniform reciprocal support enforcement, and domestic violence cases and all other cases related to domestic relations, except cases that for some special reason are assigned to some other judge of the court of common pleas.

The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the division. The judge also shall designate the title, compensation, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel of the division, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and the provision of counseling and conciliation services that the division considers necessary and makes available to persons who request the services, whether or not the persons are parties in an action pending in the division. The compensation for the personnel shall be paid from the overall court budget and shall be included in the appropriations for the existing judges of the general division of the court of common pleas.

(2) The judge of the court of common pleas whose term begins on January 1, 1995, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Greene county, shall be elected and designated as judge of the court of common pleas, juvenile division, and, on or after January 1, 1995, shall be the juvenile judge as provided in Chapters 2151. and 2152. of the Revised Code with the powers and jurisdiction conferred by those chapters. The judge of the court of common pleas, juvenile division, shall be the administrator of the juvenile division and its

subdivisions and departments. The judge shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division who are engaged in handling, servicing, or investigating juvenile cases, including any referees whom the judge considers necessary for the discharge of the judge's various duties.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of juvenile cases and providing any counseling and conciliation services that the court makes available to persons, whether or not the persons are parties to an action pending in the court, who request the services.

(3) If one of the judges of the court of common pleas, general division, is sick, absent, or unable to perform that judge's judicial duties or the volume of cases pending in the general division necessitates it, the duties of that judge of the general division shall be performed by the judge of the division of domestic relations and the judge of the juvenile division.

(P) In Portage county, the judge of the court of common pleas, whose term begins January 2, 1987, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Portage county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, except in cases that for some special reason are assigned to some other judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the domestic relations division.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(Q) In Clermont county, the judge of the court of common pleas, whose term begins January 2, 1987, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Clermont county and shall be elected and designated as judge of the court of

common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, except in cases that for some special reason are assigned to some other judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the domestic relations division.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(R) In Warren county, the judge of the court of common pleas, whose term begins January 1, 1987, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Warren county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, except in cases that for some special reason are assigned to some other judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the domestic relations division.

The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(S) In Licking county, the judges of the court of common pleas, whose terms begin on January 1, 1991, and January 1, 2005, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Licking county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. The judges shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all

proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The administrative judge of the division of domestic relations shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The administrative judge of the division of domestic relations shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel of the division, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, cases arising under Chapter 3111. of the Revised Code, and proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(T) In Allen county, the judge of the court of common pleas, whose term begins January 1, 1993, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Allen county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The judge shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel of the division, in addition to other statutory duties, shall include

the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, cases arising under Chapter 3111. of the Revised Code, and proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(U) In Medina county, the judge of the court of common pleas whose term begins January 1, 1995, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Medina county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The judge shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, cases arising under Chapter 3111. of the Revised Code, and proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and providing counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(V) In Fairfield county, the judge of the court of common pleas whose term begins January 2, 1995, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Fairfield county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of

marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The judge also has concurrent jurisdiction with the probate-juvenile division of the court of common pleas of Fairfield county with respect to and may hear cases to determine the custody of a child, as defined in section 2151.011 of the Revised Code, who is not the ward of another court of this state, cases that are commenced by a parent, guardian, or custodian of a child, as defined in section 2151.011 of the Revised Code, to obtain an order requiring a parent of the child to pay child support for that child when the request for that order is not ancillary to an action for divorce, dissolution of marriage, annulment, or legal separation, a criminal or civil action involving an allegation of domestic violence, an action for support under Chapter 3115. of the Revised Code, or an action that is within the exclusive original jurisdiction of the probate-juvenile division of the court of common pleas of Fairfield county and that involves an allegation that the child is an abused, neglected, or dependent child, and post-decree proceedings and matters arising from those types of cases.

The judge of the domestic relations division shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The judge shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel of the division, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, cases arising under Chapter 3111. of the Revised Code, and proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and providing any counseling and conciliation services that the division makes available to persons, regardless of whether the persons are parties to an action pending in the division, who request the services. When the judge hears a case to determine the custody of a child, as defined in section 2151.011 of the Revised Code, who is not the ward of another court of this state or a case that is commenced by a parent, guardian, or custodian of a child, as defined in section 2151.011 of the Revised Code, to obtain an order requiring a parent of the child to pay child support for that child when the request for that order is not ancillary to an action for divorce, dissolution of

marriage, annulment, or legal separation, a criminal or civil action involving an allegation of domestic violence, an action for support under Chapter 3115. of the Revised Code, or an action that is within the exclusive original jurisdiction of the probate-juvenile division of the court of common pleas of Fairfield county and that involves an allegation that the child is an abused, neglected, or dependent child, the duties of the personnel of the domestic relations division also include the handling, servicing, and investigation of those types of cases.

(W)(1) In Clark county, the judge of the court of common pleas whose term begins on January 2, 1995, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Clark county and shall be elected and designated as judge of the court of common pleas, domestic relations division. The judge shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code and all parentage proceedings under Chapter 3111. of the Revised Code over which the juvenile court has jurisdiction shall be assigned to the judge of the division of domestic relations. All divorce, dissolution of marriage, legal separation, annulment, uniform reciprocal support enforcement, and other cases related to domestic relations shall be assigned to the domestic relations division, and the presiding judge of the court of common pleas shall assign the cases to the judge of the domestic relations division and the judges of the general division.

(2) In addition to the judge's regular duties, the judge of the division of domestic relations shall serve on the children services board and the county advisory board.

(3) If the judge of the court of common pleas of Clark county, division of domestic relations, is sick, absent, or unable to perform that judge's judicial duties or if the presiding judge of the court of common pleas of Clark county determines that the volume of cases pending in the division of domestic relations necessitates it, the duties of the judge of the division of domestic relations shall be performed by the judges of the general division or probate division of the court of common pleas of Clark county, as assigned for that purpose by the presiding judge of that court, and the judges so assigned shall act in conjunction with the judge of the division of domestic relations of that court.

(X) In Scioto county, the judge of the court of common pleas whose term begins January 2, 1995, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Scioto county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of

marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The judge shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, cases arising under Chapter 3111. of the Revised Code, and proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and providing counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(Y) In Auglaize county, the judge of the probate and juvenile divisions of the Auglaize county court of common pleas also shall be the administrative judge of the domestic relations division of the court and shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases coming before the court. The judge shall have all powers as administrator of the domestic relations division and shall have charge of the personnel engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases, including any referees considered necessary for the discharge of the judge's various duties.

(Z)(1) In Marion county, the judge of the court of common pleas whose term begins on February 9, 1999, and the successors to that judge, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Marion county and shall be elected and designated as judge of the court of common pleas, domestic relations-juvenile-probate division. Except as otherwise specified in this division, that judge, and the successors to that judge, shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all cases arising under Chapter 3111. of the Revised Code, all divorce, dissolution of marriage, legal separation, and annulment cases, all proceedings involving child support, the

allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings shall be assigned to that judge and the successors to that judge. Except as provided in division (Z)(2) of this section and notwithstanding any other provision of any section of the Revised Code, on and after February 9, 2003, the judge of the court of common pleas of Marion county whose term begins on February 9, 1999, and the successors to that judge, shall have all the powers relating to the probate division of the court of common pleas of Marion county in addition to the powers previously specified in this division, and shall exercise concurrent jurisdiction with the judge of the probate division of that court over all matters that are within the jurisdiction of the probate division of that court under Chapter 2101., and other provisions, of the Revised Code in addition to the jurisdiction of the domestic relations-juvenile-probate division of that court otherwise specified in division (Z)(1) of this section.

(2) The judge of the domestic relations-juvenile-probate division of the court of common pleas of Marion county or the judge of the probate division of the court of common pleas of Marion county, whichever of those judges is senior in total length of service on the court of common pleas of Marion county, regardless of the division or divisions of service, shall serve as the clerk of the probate division of the court of common pleas of Marion county.

(3) On and after February 9, 2003, all references in law to "the probate court," "the probate judge," "the juvenile court," or "the judge of the juvenile court" shall be construed, with respect to Marion county, as being references to both "the probate division" and "the domestic relations-juvenile-probate division" and as being references to both "the judge of the probate division" and "the judge of the domestic relations- juvenile-probate division." On and after February 9, 2003, all references in law to "the clerk of the probate court" shall be construed, with respect to Marion county, as being references to the judge who is serving pursuant to division (Z)(2) of this section as the clerk of the probate division of the court of common pleas of Marion county.

(AA) In Muskingum county, the judge of the court of common pleas whose term begins on January 2, 2003, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Muskingum county and shall be elected and designated as the judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of

a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The judge shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix the duties of the personnel of the division. The duties of the personnel of the division, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases, cases arising under Chapter 3111. of the Revised Code, and proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation and providing any counseling and conciliation services that the division makes available to persons, whether or not the persons are parties to an action pending in the division, who request the services.

(BB) In Henry county, the judge of the court of common pleas whose term begins on January 1, 2005, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judge of the court of common pleas of Henry county and shall be elected and designated as the judge of the court of common pleas, division of domestic relations. The judge shall have all of the powers relating to juvenile courts, and all cases under Chapter 2151. or 2152. of the Revised Code, all parentage proceedings arising under Chapter 3111. of the Revised Code over which the juvenile court has jurisdiction, all divorce, dissolution of marriage, legal separation, and annulment cases, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings shall be assigned to that judge, except in cases that for some special reason are assigned to the other judge of the court of common pleas.

(CC)(1) In Logan county, the judge of the court of common pleas whose term begins January 2, 2005, and the successors to that judge, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Logan county and shall be elected and designated as judge of the court of common pleas, family court division. Except as otherwise specified in this division, that judge, and the successors to that judge, shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the

Revised Code, all cases arising under Chapter 3111. of the Revised Code, all divorce, dissolution of marriage, legal separation, and annulment cases, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings shall be assigned to that judge and the successors to that judge.

Notwithstanding any other provision of any section of the Revised Code, on and after January 2, 2005, the judge of the court of common pleas of Logan county whose term begins on January 2, 2005, and the successors to that judge, shall have all the powers relating to the probate division of the court of common pleas of Logan county in addition to the powers previously specified in this division and shall exercise concurrent jurisdiction with the judge of the probate division of that court over all matters that are within the jurisdiction of the probate division of that court under Chapter 2101., and other provisions, of the Revised Code in addition to the jurisdiction of the family court division of that court otherwise specified in division (CC)(1) of this section.

(2) The judge of the family court division of the court of common pleas of Logan county or the probate judge of the court of common pleas of Logan county who is elected as the administrative judge of the family court division of the court of common pleas of Logan county pursuant to Rule 4 of the Rules of Superintendence shall be the clerk of the family court division of the court of common pleas of Logan county.

(3) On and after April 5, 2019, all references in law to "the probate court," "the probate judge," "the juvenile court," or "the judge of the juvenile court" shall be construed, with respect to Logan county, as being references to both "the probate division" and the "family court division" and as being references to both "the judge of the probate division" and the "judge of the family court division." On and after April 5, 2019, all references in law to "the clerk of the probate court" shall be construed, with respect to Logan county, as being references to the judge who is serving pursuant to division (CC)(2) of this section as the clerk of the family court division of the court of common pleas of Logan county.

(DD)(1) In Champaign county, the judge of the court of common pleas whose term begins February 9, 2003, and the judge of the court of common pleas whose term begins February 10, 2009, and the successors to those judges, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Champaign county and shall be elected and designated as judges of the court of common pleas, domestic relations-juvenile-probate division. Except as otherwise specified in this division, those

judges, and the successors to those judges, shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all cases arising under Chapter 3111. of the Revised Code, all divorce, dissolution of marriage, legal separation, and annulment cases, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings shall be assigned to those judges and the successors to those judges. Notwithstanding any other provision of any section of the Revised Code, on and after February 9, 2009, the judges designated by this division as judges of the court of common pleas of Champaign county, domestic relations-juvenile-probate division, and the successors to those judges, shall have all the powers relating to probate courts in addition to the powers previously specified in this division and shall exercise jurisdiction over all matters that are within the jurisdiction of probate courts under Chapter 2101., and other provisions, of the Revised Code in addition to the jurisdiction of the domestic relations-juvenile-probate division otherwise specified in division (DD)(1) of this section.

(2) On and after February 9, 2009, all references in law to "the probate court," "the probate judge," "the juvenile court," or "the judge of the juvenile court" shall be construed with respect to Champaign county as being references to the "domestic relations-juvenile-probate division" and as being references to the "judge of the domestic relations-juvenile-probate division." On and after February 9, 2009, all references in law to "the clerk of the probate court" shall be construed with respect to Champaign county as being references to the judge who is serving pursuant to Rule 4 of the Rules of Superintendence for the Courts of Ohio as the administrative judge of the court of common pleas, domestic relations-juvenile-probate division.

(EE) In Delaware county, the judge of the court of common pleas whose term begins on January 1, 2017, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Delaware county and shall be elected and designated as the judge of the court of common pleas, division of domestic relations. Divorce, dissolution of marriage, legal separation, and annulment cases, including any post-decree proceedings, and cases involving questions of paternity, custody, visitation, child support, and the allocation of parental rights and responsibilities for the care of children, regardless of whether those matters arise in post-decree proceedings or involve children born between unmarried persons, shall be assigned to that judge, except cases that for some special reason are assigned to another judge of the court of common pleas.

(FF) In Hardin county:

(1) The judge of the court of common pleas whose term begins on January 1, 2023, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judge of the court of common pleas of Hardin county and shall be elected and designated as the judge of the court of common pleas, division of domestic relations. The judge shall have all of the powers relating to juvenile courts, and all cases under Chapter 2151. or 2152. of the Revised Code, all parentage proceedings arising under Chapter 3111. of the Revised Code over which the juvenile court has jurisdiction, all divorce, dissolution of marriage, legal separation, and annulment cases, civil protection orders issued under sections 2903.214 and 3113.31 of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings shall be assigned to that judge, except in cases that for some special reason are assigned to the other judge of the court of common pleas.

(2) The judge of the court of common pleas, general division, whose term begins on February 9, 2027, and successors, shall have assigned to the judge, in addition to all matters that are within the jurisdiction of the general division of the court of common pleas, all matters that are within the jurisdiction of the probate court under Chapter 2101., and other provisions, of the Revised Code.

(GG) If a judge of the court of common pleas, division of domestic relations, or juvenile judge, of any of the counties mentioned in this section is sick, absent, or unable to perform that judge's judicial duties or the volume of cases pending in the judge's division necessitates it, the duties of that judge shall be performed by another judge of the court of common pleas of that county, assigned for that purpose by the presiding judge of the court of common pleas of that county to act in place of or in conjunction with that judge, as the case may require."

In line 124625, after "1761.16," insert "1901.01, 1901.02, 1901.021, 1901.041, 1901.07, 1901.08,"; after "1901.261," insert "1901.31, 1907.11,"

In line 124628, after "2152.26," insert "2301.03,"

After line 281012, insert:

"Section 701. __. (A) All cases arising in Perry Township in Wood County that are pending in the Fostoria branch of the TiffinFostoria Municipal Court on January 2, 2024, shall be adjudicated by the Fostoria branch of the Tiffin-Fostoria Municipal Court. All cases arising in Perry Township in Wood County on or after January 2, 2024, shall be brought before the Bowling

Green Municipal Court.

(B) All cases arising in Washington Township in Hancock County that are pending in the Fostoria branch of the TiffinFostoria Municipal Court on January 2, 2024, shall be adjudicated by the Fostoria branch of the Tiffin-Fostoria Municipal Court. All cases arising in Washington Township in Hancock County on or after January 2, 2024, shall be brought before the Findlay Municipal Court."

In line 274747, delete "\$2,000,000" and insert "\$2,250,000"

In line 274756, add \$250,000 to fiscal year 2024

In line 274822, add \$250,000 to fiscal year 2024

After line 274865, insert:

"Of the foregoing appropriation item 763511, Local Disaster Assistance, \$250,000 in fiscal year 2024 shall be distributed to the City of Columbiana for a mobile command post."

In line 273574, delete "\$17,500,000 \$17,500,000" and insert "\$19,000,000 \$19,000,000"

In line 273584, add \$1,500,000 to each fiscal year

In line 273602, add \$1,500,000 to each fiscal year

After line 274187, insert:

"Section 337.137. BEHAVIORAL HEALTH CARE

Of the foregoing appropriation item 336615, Behavioral Health Care, \$1,000,000 in each fiscal year shall be distributed to The Centers in Cuyahoga County and used to offer continuing comprehensive behavioral health services.

Of the foregoing appropriation item 336615, Behavioral Health Care, \$500,000 in each fiscal year shall be distributed to the Nord Center in Lorain County and used to offer continuing comprehensive behavioral health services."

After line 279068, insert:

"BEHAVIORAL HEALTH CARE-CHILDREN

On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$1,500,000 cash from the General Revenue Fund to the Behavioral Health Care-Children Fund (Fund 5AU0)."

In line 273571, delete "\$10,000,000" and insert "\$30,000,000"

In line 273584, add \$20,000,000 to fiscal year 2024

In line 273602, add \$20,000,000 to fiscal year 2024

In line 279115, delete "\$10,000,000" and insert "\$30,000,000"

In line 273565, delete "\$1,250,000 \$1,250,000" and insert "\$2,500,000 \$2,500,000"

In line 273568, add \$1,250,000 to each fiscal year

In line 273602, add \$1,250,000 to each fiscal year

In line 274085, delete "\$500,000" and insert "\$1,000,000"

In line 274089, delete "\$500,000" and insert "\$1,000,000"

In line 274095, delete "\$125,000" and insert "\$250,000"

In line 274099, delete "\$125,000" and insert "\$250,000"

In line 243 of the title, after "2152.261," insert "2307.781,"

In line 940, after "2152.261," insert "2307.781,"

After line 36408, insert:

"Sec. 2307.781. (A) As used in this section:

(1) "Liquefied petroleum gas" means a material with a vapor pressure not exceeding that of commercial propane composed predominately of the following hydrocarbons or mixtures:

(a) Propane;

(b) Propylene;

(c) Butane;

(d) Butylene.

(2) "Liquefied petroleum gas equipment" means a liquefied petroleum gas appliance, or any equipment, tank, pipe, regulator, control, valve, fitting, or other equipment or device intended to be used in connection with or to supply liquefied petroleum gas to one or more liquefied petroleum gas appliances.

(3) "Liquefied petroleum gas supplier" means either of the following:

(a) A person that, in the course of a business conducted for that purpose, sells, distributes leases, prepares, blends, packages, labels, or otherwise participates in the placing of liquefied petroleum gas in the stream of commerce at retail;

(b) A person that, in the course of a business conducted for that purpose, installs, repairs, or maintains any aspect of liquefied petroleum gas equipment that allegedly causes harm.

(4) "Use of liquefied petroleum gas" means the distribution, delivery, sale, or use of liquefied petroleum gas, as well as the distribution, sale, installation, modification, inspection, or repair of liquefied petroleum gas equipment.

(B) A liquefied petroleum gas supplier is not subject to liability for compensatory damages or punitive or exemplary damages based on a product liability claim that results from the installation, modification, repair, or servicing of liquefied petroleum gas equipment by a person other than the liquefied petroleum gas supplier, unless the liquefied petroleum gas supplier had received written notification or other actual knowledge of such installation, modification, repair, or servicing at least thirty days before the installation, modification, repair, or servicing occurred.

(C) A liquefied petroleum gas supplier is not subject to liability for compensatory damages or punitive or exemplary damages based on a product liability claim that results from the use or operation of liquefied petroleum gas equipment in a manner or for a purpose other than that for which it was intended.

(D) A liquefied petroleum gas supplier is not subject to liability for compensatory damages or punitive or exemplary damages based on a product liability claim that results from the installation, modification, repair, or servicing of liquefied petroleum gas equipment by a person, other than the liquefied petroleum gas supplier, who is not certified or licensed to install, modify, repair, or service that equipment.

(E) A liquefied petroleum gas supplier is not subject to liability for compensatory damages or punitive or exemplary damages based on a product liability claim that results from the installation, modification, repair, or servicing of liquefied petroleum gas equipment by a person, other than the liquefied petroleum gas supplier, that did not conform to the warning or instruction of the manufacturer of the liquefied petroleum gas equipment.

(F) A liquefied petroleum gas supplier is not subject to liability for compensatory damages or punitive or exemplary damages based on a product liability claim that results from the use of liquefied petroleum gas if the actions of the liquefied petroleum gas supplier in connection with that use complied with requirements set forth in the Chapters 4101. and 3737. of the Revised Code and Chapters 901:4-3 and 901:6-2, and rules 1301:7-7-01, 1301:7-7-02, 1301:7-7-09, 1301:7-7-23, 1301:7-7-31, 1301:7-7-33, 1301:7-7-39, 1301:7-7-57, 1301:7-7-58, 1301:7-7-61, 1301:7-7-80, 4101:1-4-01, 4101:1-35-01, 4101:2-2-01, 4101:1-2-15-01, 4101:8-2-01, 4101:8-24-01, 4101:8-44-01, 4123:1-3-16, 4123:1-5-13, and 4501:52-03 of the Administrative Code.

(G) Divisions (B), (C), (D), (E), and (F) of this section do not apply if the product liability claim was caused in whole or in part by intentional

misconduct by the liquefied petroleum gas supplier.

(H) A user of liquefied petroleum gas is presumed to be aware of the inherent dangerous characteristics of liquefied petroleum gas. A liquefied petroleum gas supplier is not required to provide a warning regarding liquefied petroleum gas except as specified in the Revised Code or Administrative Code.

(I) As a matter of public policy, the general assembly finds that liquefied petroleum gas, without modification, is not a defective product."

After line 275408a, insert:

"GRF 235585 Educator Preparation Programs \$500,000 \$500,000"

In line 275415, add \$500,000 to each fiscal year

In line 275441, add \$500,000 to each fiscal year

After line 276722, insert:

"Section 381.525. EDUCATOR PREPARATION PROGRAMS

(A)(1) Of the foregoing appropriation item 235585, Educator Preparation Programs, \$250,000 in each fiscal year shall be used by the Chancellor of Higher Education to award competitive grants of up to \$10,000 to institutions of higher education to promote student teacher placement with teachers who:

(a) Received instruction in evidenced-based strategies aligned to the science of reading;

(b) Use high quality instructional materials aligned to the science of reading; and

(c) Implement a structured literacy approach in their classrooms.

(2) The Chancellor shall establish procedures and criteria for awarding the grants under this division.

(B) Of the foregoing appropriation item 235585, Educator Preparation Programs, \$175,000 in each fiscal year shall be used by the Chancellor to award competitive grants of up to \$20,000 to institutions of higher education to assist with aligning their teacher preparation programs with the science of reading. The Chancellor shall establish procedures and criteria for awarding grants under this division.

(C) The remainder of the foregoing appropriation item 235585, Educator Preparation Programs, shall be used by the Chancellor pursuant to section 3333.048 of the Revised Code."

In line 264 of the title, after "4112.34," insert "4141.02,"

In line 955, after "4112.34," insert "4141.02,"

After line 73836, insert:

"Sec. 4141.02. A nonprofit organization that does not meet the definition of employer for purposes of this chapter pursuant to division (A)(1)(a) of section 4141.01 of the Revised Code, and that does not elect to become an employer subject to this chapter pursuant to division (A)(4) of section 4141.01 of the Revised Code, shall notify the organization's employees upon hiring that the organization, and the employee's employment with the organization, are exempt from this chapter."

In line 276183, delete the first comma and insert "and"; delete ", and any other"

In line 276184, delete "mandatory"

After line 271068, insert:

"5AE1 440697 Hospital Relief \$49,528,000 \$0"

In line 271085, add \$49,528,000 to fiscal year 2024

In line 271113, add \$49,528,000 to fiscal year 2024

After line 271310, insert:

"HOSPITAL RELIEF

The foregoing appropriation item 440697, Hospital Relief, shall be used in fiscal year 2024 to distribute funds as follows: \$30,000,000 for the Memorial Health System Belpre Medical Campus, \$10,000,000 for East Ohio Regional Hospital, \$4,000,000 for the University of Cincinnati Medical Center Emergency Department Critical Care Pavilion expansion, \$3,028,000 for the Timothy Freeman, MD, Center for Intellectual and Developmental Disabilities, and \$2,500,000 for Coleman Health Services."

In line 279132, delete "and"

In line 279134, delete the period and insert a semicolon

In line 279136, before the period insert "; and

(AC) \$49,528,000 cash to the Hospital Relief Fund (Fund 5AE1), which is hereby created in the state treasury."

In line 36978, delete "or retailer"

In line 119880, reinsert "(A)(1)"; delete "(A)"; reinsert "distributor or vapor distributor"

In line 119881, delete "person"; delete "or selling"

Reinsert lines 119885 through 119894

In line 119895, reinsert "described by division"

In line 119896, reinsert "(A)(1) of this section" and delete the balance of the line

Delete line 119897

In line 119898, delete "products"

In line 119938, reinsert "(C)" and delete the balance of the line

Delete lines 119939 through 119986

In line 119987, delete "(D)"; reinsert "tobacco or vapor products"; delete "issued"

In line 119988, delete "under division (B) or (C) of this section"

In line 119993, reinsert "(D)"; delete "(E)"

In line 119998, delete "division (B) of"

In line 120013, reinsert "(E)(1)"; delete "(F)(1)"

In line 120015, delete "or selling at retail"

In line 120016, delete "Any"

Delete lines 120017 and 120018

In line 120019, delete "or"

In line 120020, delete "selling at retail"

In line 120022, delete ", or divisions (C)(1) and (2)"; delete ", as"

In line 120023, delete "applicable,"

In line 120024, reinsert "(E)(2)"; delete "(F)(2)"

Delete lines 120027 through 120040

In line 36743, delete everything after "(4)"

Delete lines 36744 through 36747

In line 36748, delete "(5)"

In line 36753, reinsert "(5)"; delete "(6)"

In line 36764, reinsert "(6)"; delete "(7)"

In line 36769, reinsert "(7)"; delete "(8)"

Delete lines 36772 and 36773

In line 36774, delete "(10)" and insert "(9)"

In line 36788, delete "(11)" and insert "(10)"

In line 36801, delete "(12)" and insert "(11)"

In line 36812, reinsert "to"; delete the underlined colon

In line 36813, delete "(a) To"; strike through the second "to" and insert "(a) To"

In line 36852, delete the underlined period

Delete lines 36853 through 36856

In line 36857, delete "administration under 21 U.S.C. 387j"

In line 36928, after the second underlined comma insert "or"; delete "or (9)."

After line 271646a, insert:

"5AJ1 6006A8 Foodbanks \$7,500,000 \$7,500,000"

In line 271655, add \$7,500,000 to each fiscal year

In line 271684, add \$7,500,000 to each fiscal year

In line 271720, after "items" insert "600410, TANF State Maintenance of Effort,"

In line 271722, after "year" insert ", and also the foregoing appropriation item 6006A8, Foodbanks,"

In line 271731, delete "up to \$24,550,000" and insert "not less than \$32,050,000"

In line 279132, delete "and"

In line 279134, delete the period and insert ";

In line 279136 delete the period and insert ";

(AC) Up to \$15,000,000 cash to the Foodbanks Fund (Fund 5AJ1), which is hereby created in the state treasury."

Delete lines 270318 through 270322

In line 280851, delete "or a full-time employee of the Department of"

Delete line 280852

In line 280853, delete "act"

In line 268610, delete "\$737,500 \$737,500" and insert "\$2,237,500

\$2,237,500"

In line 268612, add \$1,500,000 to each fiscal year

In line 268663, add \$1,500,000 to each fiscal year

After line 269866, insert:

"Of the foregoing appropriation item 200597, Program and Project Support, up to \$1,500,000 in each fiscal year shall be used for purposes of the section of this act entitled "FINANCIAL LITERACY AND WORKFORCE READINESS PROGRAMMING INITIATIVE.""

After line 270515, insert:

"Section 265. __. FINANCIAL LITERACY AND WORKFORCE READINESS PROGRAMMING INITIATIVE

(A) The Financial Literacy and Workforce Readiness Programming Initiative is hereby established within the Department of Education and Workforce. The Programming Initiative shall operate in fiscal years 2024 and 2025. The purpose of the Programming Initiative is to ensure the next generation's preparedness in financial literacy, workforce or career readiness, entrepreneurship, and other relevant skills to enter and be competitive in Ohio's future workforce economy.

(B)(1) The Department shall distribute appropriated funds to the following organizations as part of the Programming Initiative:

- (a) Junior Achievement of North Central Ohio;
- (b) Junior Achievement of Greater Cleveland;
- (c) Junior Achievement of Mahoning Valley.

(2) The participating organizations listed under division (B)(1) of this section shall collaborate with local schools, institutions of higher education, local, regional, and statewide employers and businesses, subject matter experts, community-based organizations, and other public-private entities or agencies to implement the Programming Initiative.

(C) The Programming Initiative shall do all of the following:

(1) Place specific emphasis on engagement with students, teachers, and schools primarily located in underserved communities, under-resourced urban and rural areas, or those with populations considered economically disadvantaged;

(2) Increase capacity and resources that expand each of the participating organizations collective ability to offer more financial literacy, workforce readiness and entrepreneurship, or related programming such as work-based

learning experiences designed to engage more students in the geographic areas to which the participating organizations provide services;

(3) Increase the number of students measurably impacted by the participating organizations' services to up to one hundred ten thousand students in any of grades kindergarten through twelve in fiscal years 2024 and 2025;

(4) Assist students enrolled in any of grades nine through twelve with direct entry into the workforce, access to higher education, or in-demand job training;

(5) Increase each participating organization's ability to provide teacher-focused programming and support to assist in the greater integration of the organization's programming into up to three hundred schools located within its service area;

(6) Strengthen each participating organization's capacity and resources to collectively provide up to ten student-focused engagement events involving students and teachers from multiple schools and communities in northeast and central portions of the state. The engagement events shall do both of the following:

(a) Enhance and deepen participating students' ability to demonstrate mastery of financial literacy, workforce or career readiness, entrepreneurship, or related skills and knowledge vital to equipping and preparing students with the requisite skills, competencies, and knowledge to be competitive for in-demand jobs within the state and global workforce economy, particularly those that are considered high-growth jobs in the state of Ohio;

(b) Be offered to all partnering schools and respective students, however the emphasis shall remain on the engagement of students and schools that meet the conditions prescribed under division (C)(1) of this section."

After line 266373a, insert:

"GRF 490510 Community Projects \$250,000 \$250,000"

In line 266375, add \$250,000 to each fiscal year

In line 266393, add \$250,000 to each fiscal year

After line 266444, insert:

"COMMUNITY PROJECTS

The foregoing appropriation item 490510, Community Projects, shall be distributed to the Benjamin Rose Institute on Aging to provide mental health services."

After line 281738, insert:

"Section 803. . The enactment by this act of section 1349.09 of the Revised Code applies on and after January 15, 2024."

In line 279607, after "organization" insert ".

(3) Two members of the House of Representatives appointed by the Speaker of the House of Representatives, one from the majority party and one from the minority party;

(4) Two members of the Senate appointed by the President of the Senate, one from the majority party and one from the minority party"

Delete lines 280846 through 280865

In line 195 of the title, after "5321.01," insert "5322.01,"

In line 274 of the title, after "5301.94," insert "5322.06,"

In line 904, after "5321.01," insert "5322.01,"

In line 962, after "5301.94," insert "5322.06,"

After line 108607, insert:

"Sec. 5322.01.~~As used in sections 5322.01 to 5322.05 of the Revised Code~~
this chapter:

(A) "Self-service storage facility" means any real property that is designed and used only for the purpose of renting or leasing individual storage space in the facility under the following conditions:

(1) The occupants have access to the storage space only for the purpose of storing and removing personal property.

(2) The owner does not issue a warehouse receipt, bill of lading, or other document of title, as defined in section 1301.201 of the Revised Code, for the personal property stored in the storage space.

"Self-service storage facility" does not include any garage used principally for parking motor vehicles, any garage or storage area in a private residence, an establishment licensed pursuant to sections 915.14 to 915.24 of the Revised Code, or any property of a bank or savings and loan association that contains vaults, safe deposit boxes, or other receptacles for the uses, purposes, and benefits of the bank's or savings and loan association's customers.

(B) "Owner" means a person that is the owner or operator of a self-service storage facility, the lessor or sublessor of an entire self-service storage facility, the agent of any of the foregoing, or any other person authorized by any of the foregoing to manage the facility or to receive rent from an occupant pursuant to a rental agreement.

(C) "Occupant" means a person that rents storage space at a self-service

storage facility pursuant to a rental agreement that the person enters into with the owner.

(D) "Rental agreement" means any written agreement that is entered into by the owner and the occupant and that establishes the terms and conditions of the occupant's use of storage space at a self-service storage facility.

(E) "Personal property" means money and every animate or inanimate tangible thing that is the subject of ownership, except anything forming part of a parcel of real estate, as defined in section 5701.02 of the Revised Code, and except anything that is an agricultural commodity, as defined in division (A) of section 926.01 of the Revised Code.

(F) "Late fee" means any fee or charge assessed for an occupant's failure to pay rent when due. "Late fee" does not include interest on a debt, reasonable expenses incurred in the collection of unpaid rent, or costs associated with the enforcement of any other remedy provided by statute or contract.

(G) "Last known address" means either of the following:

(1) The mailing address provided by the occupant in the most recent rental agreement or the mailing address provided by the occupant in a subsequent written notice of a change of address;

(2) The mailing address of any of the persons described in division (A) of section 5322.03 of the Revised Code that is provided by any of those persons to the owner of a self-service storage facility or that is discovered by the owner of a self-service storage facility.

Sec. 5322.06.(A) Except as otherwise provided in this section, if the rental agreement entered into between the owner and the occupant contains a provision placing a limit on the value of personal property that may be stored in the occupant's storage space, that limit is the maximum value of the stored property, provided that the provision is printed in bold type or underlined in the rental agreement.

(B) A limit on the value of personal property under division (A) of this section shall not be less than one thousand dollars.

(C) The rental agreement may provide that the occupant may increase the limit on the value of property with the written permission of the owner.

(D) Nothing in a rental agreement shall limit an occupant's claim for damages based on the loss or destruction of personal property stored in the occupant's storage space, when those damages are the result of negligence by, or on behalf of the owner."

In line 124728, after "5321.01," insert "5322.01,"

After line 277155, insert:

"ANCHORED TO HOPE PILOT PROGRAM

Of the foregoing appropriation item 503321, Parole and Community Operations, \$500,000 in fiscal year 2024 shall be distributed directly to Anchored to Hope to fund a pilot program that will test the effectiveness of providing a full range of treatment services in reducing the recidivism of offenders in community-based correctional facilities and halfway houses. The services shall include medically assisted treatment, cognitive behavioral therapy, and behavioral intervention technologies. Anchored to Hope shall submit a report of its findings from the pilot program to the General Assembly by June 30, 2025."

In line 279079, delete "\$917,000,000" and insert "\$667,000,000"

In line 17 of the title, delete "122.941,"

In line 23 of the title, delete "135.143,"

In line 28 of the title, delete "154.20,"; delete "169.05,"

In line 31 of the title, delete "174.01, 174.03, 174.05, 174.06,"

Delete lines 32 through 34 of the title

In line 35 of the title, delete "175.32,"

In line 107 of the title, delete "3701.68,"

In line 116 of the title, delete "3742.32,"

In line 127 of the title, delete "3951.01,"

In line 194 of the title, delete "5315.02,"

In line 284 of the title, delete "175.03,"

In line 327 of the title, delete "to repeal section 175.051 of the"

In line 328 of the title, delete "Revised Code on January 1, 2024;"

In line 774, delete "122.941,"

In line 779, delete "135.143,"

In line 782, delete "154.20,"

In line 783, delete "169.05,"

In line 785, delete "174.01, 174.03, 174.05, 174.06, 174.07, 175.01, 175.02,"

Delete lines 786 and 787

In line 841, delete "3701.68,"

In line 848, delete "3742.32,"

In line 855, delete "3951.01,"

In line 904, delete "5315.02,"

In line 7307, reinsert "four"; delete "six"

In line 7311, delete "each of the following:

(i)"

In line 7312, delete ", (ii) a member with experience in"

Delete lines 7313 through 7315

In line 7316, delete "financing of multifamily housing"

In line 7328, reinsert "Three"; delete "Four"

Delete lines 10648 through 10670

Delete lines 13913 through 14183

In line 17006, reinsert "Ohio"; delete "governor's office of"; reinsert "finance agency"

In line 17007, delete "transformation"

In line 17009, reinsert "agency"; delete "office"

In line 17011, reinsert "agency"; delete "office"

Delete lines 18864 through 18991

Delete lines 19294 through 19398

Delete lines 20253 through 21297 and insert:

"Sec. 175.12.(A) This chapter, being necessary for the welfare of the state and its inhabitants, shall be liberally construed to effect its purposes and the purposes of Section 14, of Article VIII and Section 16, Article VIII, Ohio Constitution.

(B) The following are not public records subject to section 149.43 of the Revised Code:

(1) Financial statements and data submitted for any purpose to the Ohio housing finance agency or the controlling board by any person in connection with applying for, receiving, or accounting for financial assistance the agency provides;

(2) Information that identifies any individual who benefits directly or indirectly from financial assistance the agency provides.

(3) Information provided to the tax commissioner under section 175.16 or 175.17 of the Revised Code, information provided under divisions (I)(1)(a) and (b) of section 175.16 of the Revised Code, and information provided under divisions (H)(1) and (2) of section 175.17 of the Revised Code.

(C)(1) The agencies of this state shall cooperate fully with the Ohio housing finance agency and shall provide information the Ohio housing finance agency determines is necessary or helpful for its operation.

(2) The Ohio housing finance agency may arrange with and enter into contracts with other entities to perform functions this chapter authorizes the agency to perform and compensate those entities for performing those functions.

(3) The agency may enter into contracts with state entities as described in this chapter.

(D) Any state agency that provides supplies, equipment, or services directly related to the mission of the Ohio housing finance agency as described in section 175.02 of the Revised Code may enter into an agreement with the Ohio housing finance agency to furnish those supplies, equipment, or services pursuant to terms both agencies agree upon for remuneration to the state agency.

(E) The Ohio housing finance agency is exempt from the requirements of Chapters 123. and 125. and sections 127.16 and 5147.07 of the Revised Code."

In line 21330, delete "governor's office of housing transformation" and insert "Ohio housing finance agency"

In line 21339, after the first "the" insert "executive"; delete "governor's office"

In line 21340, delete "of housing transformation" and insert "Ohio housing finance agency"

In line 21343, delete "governor's"

In line 21344, delete "office of housing transformation's" and insert "Ohio housing finance agency's"

In line 21485, delete "of development"

In line 21486, delete the first underlined comma and insert "and"; delete "and the director of the"

In line 21487, delete "governor's office of housing transformation"

In line 21549, after the first "the" insert "executive" delete "governor's office"

In line 21550, delete "of housing transformation" and insert "Ohio housing finance agency"

In line 21715, delete "of development"

In line 21716, delete the first underlined comma and insert "and"; delete "and the director of"

In line 21717, delete "the governor's office of housing transformation"

In line 21750, delete "governor's office of housing transformation" and insert "Ohio housing finance agency"

In line 21766, delete "office" and insert "agency"

In line 21768, delete the first "office" and insert "agency"; delete the second "office" and insert "agency"

In line 21774, delete "office" and insert "agency"

Delete lines 21783 through 21855

Delete lines 63539 through 63621

Delete lines 68112 through 68147

Delete lines 72504 through 72561

Delete lines 108487 through 108499

In line 113384, after "the" insert "executive"

In line 113385, delete "governor's office of housing transformation" and insert "Ohio housing finance agency"

In line 113406, after "the" insert "executive"

In line 113407, delete "governor's office of housing transformation" and insert "Ohio housing finance agency"

After line 113824, insert:

"Sec. 5726.58. (A) Terms used in this section have the same meanings as in section 175.16 of the Revised Code.

(B) A taxpayer may claim a nonrefundable tax credit against the tax imposed under section 5736.02 of the Revised Code for each person included in the annual report of the taxpayer that is allocated a credit issued by the executive director of the Ohio housing finance agency under section 175.16 of the Revised Code. The credit equals the amount allocated to such person for the taxable year and reported by the designated reporter on the form prescribed by division (I) of section 175.16 of the Revised Code.

The credit authorized in this section shall be claimed in the order required

under section 5726.98 of the Revised Code. If the amount of a credit exceeds the tax otherwise due under section 5726.02 of the Revised Code after deducting all other credits preceding the credit in the order prescribed in section 5726.98 of the Revised Code, the excess may be carried forward for not more than five ensuing tax years. The amount of the excess credit claimed in any such year shall be deducted from the balance carried forward to the next tax year."

In line 113846, after the first "the" insert "executive"; delete "governor's office of housing transformation" and insert "Ohio housing finance agency"

In line 114657, after the first "the" insert "executive"; delete "governor's office of housing transformation" and insert "Ohio housing finance agency"

In line 114682, after the first "the" insert "executive"; delete "governor's office of housing transformation" and insert "Ohio housing finance agency"

In line 122600, after the first "the" insert "executive"; delete "governor's office of housing transformation" and insert "Ohio housing finance agency"

In line 122623, after the first "the" insert "executive"; delete "governor's office of housing transformation" and insert "Ohio housing finance agency"

In line 124597, delete "122.941,"

In line 124602, delete "135.143,"

In line 124605, delete "154.20,"

In line 124606, delete "169.05,"

In line 124608, delete "174.01, 174.03, 174.05, 174.06, 174.07, 175.01,"

Delete lines 124609 and 124610

In line 124611, delete "175.32,"

In line 124664, delete "3701.68,"

In line 124671, delete "3742.32,"

In line 124678, delete "3951.01,"

In line 124727, delete "5315.02,"

In line 124752, delete "175.03,"

Delete lines 124767 and 124768

In line 248767, reinsert "the Ohio housing finance agency,"

Delete lines 279357 through 279545

In line 271636, delete "\$250,000 \$250,000" and insert "\$750,000

\$750,000"

In line 271642, add \$500,000 to each fiscal year

In line 271684, add \$500,000 to each fiscal year

After line 272053, insert:

"Of the foregoing appropriation item 600551, Job and Family Services Program Support, \$500,000 in each fiscal year shall be provided to Child Focus, Inc., to support programs that provide early learning and behavioral health services for at-risk youth."

In line 13172, delete ", sewer, and water"

In line 55685, after "~~from~~" insert "notify a school district that it is out of compliance. The first time a district receives notification of noncompliance, it shall create a corrective action plan and submit that plan to the department within one week of receiving notification of the department's determination.

If a district is subsequently found to be out of compliance, the department shall"; after "withhold" insert "twenty-five per cent of"

In line 55686, after "district's" insert "daily"

In line 55689, delete "including the initial"

In line 55690, delete everything before the period and insert "beginning with the first day after the district has submitted the corrective action plan. A district may be found out of compliance two more times within the same school year, with twenty-five per cent of its daily state transportation funding withheld for each day it is determined to be out of compliance.

If a district is determined to be out of compliance for a fifth time in the course of a school year, the department shall withhold one hundred per cent of its daily state transportation aid until the department determines that a district is no longer out of compliance.

The department shall reset the calculation of a district's noncompliance to zero at the beginning of each school year"

After line 277681, insert:

"5QT0 776670 Ohio Maritime Assistance Program \$5,000,000 \$5,000,000"

In line 277683, add \$5,000,000 to each fiscal year

In line 277684, add \$5,000,000 to each fiscal year

After line 277698, insert:

"Section 411.15.OHIO MARITIME ASSISTANCE PROGRAM

The foregoing appropriation item 776670, Ohio Maritime Assistance Program, shall be used to provide grants under the Ohio Maritime Assistance Program established under section 5501.91 of the Revised Code.

On July 1 in each fiscal year or as soon as possible thereafter, the Director of Budget and Management shall transfer \$5,000,000 cash from the General Revenue Fund to the Ohio Maritime Assistance Fund (Fund 5QT0)."

In line 21750, delete "governor's office of housing transformation" and insert "Ohio housing finance agency"

In line 21766, delete "office" and insert "agency"

In line 21768, delete the first "office" and insert "agency"; delete the second "office" and insert "agency"

In line 21774, delete "office" and insert "agency"

In line 272722, delete "\$5,267,359,400 \$6,004,894,000" and insert "\$5,268,459,400 \$6,007,094,000"

In line 272723, delete "\$13,997,454,600 \$15,249,073,000" and insert "\$14,000,354,600 \$15,254,673,000"

In line 272724, delete "\$19,264,814,000 \$21,253,967,000" and insert "19,268,814,000 \$21,261,767,000"

In line 272727, add \$1,100,000 to fiscal year 2024 and \$2,200,000 to fiscal year 2025

In line 272728, add \$2,900,000 to fiscal year 2024 and \$5,600,000 to fiscal year 2025

In line 272729, add \$4,000,000 to fiscal year 2024 and \$7,800,000 to fiscal year 2025

In line 272755, add \$4,000,000 to fiscal year 2024 and \$7,800,000 to fiscal year 2025

In line 273005, delete "\$50,575,000" and insert "\$54,575,000"; delete "\$96,400,000" and insert \$104,200,000"

In line 168 of the title, delete "4929.16, 4929.161, 4929.162,"

In line 169 of the title, delete "4929.163, 4929.165,"

In line 885, delete "4929.16, 4929.161, 4929.162, 4929.163, 4929.165,"

Delete lines 96274 through 96488

In line 124708, delete "4929.16, 4929.161, 4929.162, 4929.163,"

In line 124709, delete "4929.165,"

After line 267529a, insert: "GRF 195503 Local Development Projects \$62,615,000 \$3,500,000"

In line 267535, add \$62,615,000 to fiscal year 2024 and \$3,500,000 to fiscal year 2025

In line 267611, add \$62,615,000 to fiscal year 2024 and \$3,500,000 to fiscal year 2025

After line 267750, insert:

"Of the foregoing appropriation item 195503, Local Development Projects, \$1,000,000 in fiscal year 2024 shall be allocated to Ashtabula County to support a sewer project located in Kingsville Township at the interchange of State Route 193 and Interstate Route 90.

Of the foregoing appropriation item 195503, Local Development Projects, \$5,000,000 in fiscal year 2024 shall be used to support the Bacon Road Pump Station construction project in Lake County.

Of the foregoing appropriation item 195503, Local Development Projects, \$2,000,000 in fiscal year 2024 shall be allocated to Kelleys Island for the design and planning of its public sewer system.

Of the foregoing appropriation item 195503, Local Development Projects, \$3,500,000 in fiscal year 2024 shall be allocated to the Dayton Dragons to support stadium improvements.

Of the foregoing appropriation item 195503, Local Development Projects, \$250,000 in fiscal year 2024 shall be provided to the City of Nelsonville for community development; \$100,000 in fiscal year 2024 shall be provided to the City of Belpre for community development; and \$850,000 in fiscal year 2024 shall be used to support the Chesapeake River Front Development Project.

Of the foregoing appropriation item 195503, Local Development Projects, \$175,000 in fiscal year 2024 shall be used to provide for the construction of a sidewalk along U.S. 250 in the City of Ashland, Ashland County.

Of the foregoing appropriation item 195503, Local Development Projects, \$250,000 in fiscal year 2024 shall be provided to Scipio Township in Meigs County for community development and \$55,000 in fiscal year 2024 shall be provided to the Village of Racine Fire Department for building improvements for its firehouse.

Of the foregoing appropriation item 195503, Local Development Projects, \$650,000 in fiscal year 2024 shall be used to support the Chesapeake Community Center; \$250,000 in fiscal year 2024 shall be used to support the Dairy Barn in Athens for elevator and roof repairs; \$250,000 in fiscal year

2024 shall be used to support the Passion Works Studio in Athens; and \$110,000 in fiscal year 2024 shall be used to support Starmill Park.

Of the foregoing appropriation item 195503, Local Development Projects, \$600,000 in fiscal year 2024 shall be allocated to the Cleveland Institute of Music (CIM) to support the Academy at CIM.

Of the foregoing appropriation item 195503, Local Development Projects, \$500,000 in fiscal year 2024 shall be used for the Cleveland Museum of Art.

Of the foregoing appropriation item 195503, Local Development Projects, \$500,000 in fiscal year 2024 shall be allocated to the Cleveland Museum of Natural History to increase access to its STEM education programs for students in grades pre-kindergarten through 12 across Ohio with a focus on serving those attending Title I-served schools.

Of the foregoing appropriation item 195503, Local Development Projects, \$500,000 in fiscal year 2024 shall be used for the Cleveland Orchestra.

Of the foregoing appropriation item 195503, Local Development Projects, \$300,000 in fiscal year 2024 shall be used for the Nancy and David Wolf Holocaust and Humanity Center.

Of the foregoing appropriation item 195503, Local Development Projects, \$25,000 in fiscal year 2024 shall be allocated to Ashland Community Theatre to purchase equipment for those with hearing impairments.

Of the foregoing appropriation item 195503, Local Development Projects, \$1,500,000 in fiscal year 2024 shall be used to support the Gallia County Fair.

Of the foregoing appropriation item 195503, Local Development Projects, \$250,000 in fiscal year 2024 shall be distributed to 4-H Camp Palmer for new dining hall and storm shelter projects. 4-H Camp Palmer shall use all funds received under this division within four years of receiving them.

Of the foregoing appropriation item 195503, Local Development Projects, \$22,500,000 in fiscal year 2024 shall be allocated to the City of Mason to support the Western and Southern Open tennis tournament.

Of the foregoing appropriation item 195503, Local Development Projects, \$10,000,000 in fiscal year 2024 shall be allocated to Ohio State University for the Multispecies Animal Learning Center.

Of the foregoing appropriation item 195503, Local Development Projects, \$3,000,000 in fiscal year 2024 shall be allocated to Hamilton County to support the construction of the Hamilton County Regional Safety Complex.

Of the foregoing appropriation item 195503, Local Development Projects, \$5,000,000 in fiscal year 2024 shall be allocated to the Rock and Roll Hall of Fame and Museum.

Of the foregoing appropriation item 195503, Local Development Projects, \$2,500,000 in each fiscal year shall be allocated to the Ohio Life Sciences Foundation for workforce initiatives and operations.

Of the foregoing appropriation item 195503, Local Development Projects, \$1,000,000 in each fiscal year shall be allocated to Ohio University's Voinovich School of Leadership and Public Service to work on behalf of the Mayor's Partnership for Progress."

Delete lines 267751 through 267757

In line 266014, delete "\$2,500,000 \$2,500,000" and insert "\$10,500,000 \$10,500,000"

In line 266016, add \$8,000,000 to each fiscal year

In line 266052, add \$8,000,000 to each fiscal year

After line 270850a, insert:

"5ZN0 723605 EXPO 2050 \$95,000,000 \$95,000,000"

In line 270851, add \$95,000,000 to each fiscal year

In line 270852, add \$95,000,000 to each fiscal year

After line 279083, insert:

"(D) Up to \$190,000,000 cash to the EXPO 2050 Fund (Fund 5ZN0);"

Reletter divisions accordingly

In line 267562, delete "\$50,000,000" and insert "\$125,000,000"

In line 267565, add \$75,000,000 to fiscal year 2024

In line 267611, add \$75,000,000 to fiscal year 2024

In line 279087, delete "\$50,000,000" and insert "\$125,000,000"

In line 277911, delete "\$7,500,000 \$7,500,000" and insert "\$15,000,000 \$15,000,000"

In line 277914, add \$7,500,000 to each fiscal year

In line 277928, add \$7,500,000 to each fiscal year

In line 279095, delete "\$15,000,000" and insert "\$30,000,000"

In line 201 of the title, delete "5715.01,"

In line 909, delete "5715.01,"

Delete lines 112691 through 112847

In line 124732, delete "5715.01,"

Delete lines 281554 through 281559

In line 201 of the title, delete "5715.012,"

In line 909, delete "5715.012,"

Delete lines 112848 through 112888

In line 124732, delete "5715.012,"

Delete lines 281716 through 281738

In line 279084, delete "\$1,000,000,000" and insert "\$700,000,000"

In line 16949, delete "prior to the conclusion of all"

Delete line 16950

In line 16951, delete "time during which an appeal may be filed"

In line 17121, strike through the period and insert "¿"

In line 17125, strike through the semicolon

In line 17126, delete "(tt) Attorney work product record at any time"

In line 17145, reinsert "(2)" and delete "(2)(a)"

In line 17150, reinsert "(a)" and delete "(i)"

In line 17154, reinsert "(b)" and delete "(ii)"

In line 17158, reinsert "(c)" and delete "(iii)"

In line 17160, reinsert "(d)" and delete "(iv)"

Delete lines 17163 through 17174

In line 17180, delete "that is not a"

Delete line 17181

In line 17182, delete "product record and"; delete "factual"

In line 17184, reinsert ", including the"

Reinsert line 17185

In line 17186, reinsert "attorney"

Delete lines 17449 through 17455

In line 275 of the title, after "5709.56," insert "5713.031,"

In line 963, after "5709.56," insert "5713.031,"

In line 4165, delete "5713.03" and insert "5713.031"

In line 21749, delete "5713.03" and insert "5713.031"

In line 21762, delete "5713.03" and insert "5713.031"

Delete lines 112610 through 112690 and insert:

"Sec. 5713.03. (A) The county auditor, from the best sources of information available, shall determine, as nearly as practicable, the true value of the fee simple estate, as if unencumbered but subject to any effects from the exercise of police powers or from other governmental actions, of each separate tract, lot, or parcel of real property and of buildings, structures, and improvements located thereon and the current agricultural use value of land valued for tax purposes in accordance with section 5713.31 of the Revised Code, in every district, according to the rules prescribed by this chapter and section 5715.01 of the Revised Code, and in accordance with the uniform rules and methods of valuing and assessing real property as adopted, prescribed, and promulgated by the tax commissioner. The auditor shall determine the taxable value of all real property by reducing its true or current agricultural use value by the percentage ordered by the commissioner. In determining the true value of any tract, lot, or parcel of real estate under this section, if such tract, lot, or parcel has been the subject of an arm's length sale between a willing seller and a willing buyer within a reasonable length of time, either before or after the tax lien date, the auditor may consider the sale price of such tract, lot, or parcel to be the true value for taxation purposes. However, the sale price in an arm's length transaction between a willing seller and a willing buyer shall not be considered the true value of the property sold if subsequent to the sale:

~~(1)(A)~~ The tract, lot, or parcel of real estate loses value due to some casualty;

~~(2)(B)~~ An improvement is added to the property.

Nothing in this section or section 5713.01 of the Revised Code and no rule adopted under section 5715.01 of the Revised Code shall require the county auditor to change the true value in money of any property in any year except a year in which the tax commissioner is required to determine under section 5715.24 of the Revised Code whether the property has been assessed as required by law.

~~(B) Pursuant to division (A) of this section, the county auditor may determine the true value of real property that is part of a qualified low-income housing tax credit project through use of one or more of the market data approach, the income approach, or the cost approach.~~

~~As used in division (B) of this section, "low-income housing tax credit project" means a qualified low-income housing project during its compliance period, as those terms are defined by section 42 of the Internal Revenue Code.~~

(C) The county auditor shall adopt and use a real property record approved by the commissioner for each tract, lot, or parcel of real property, setting forth the true and taxable value of land and, in the case of land valued in accordance with section 5713.31 of the Revised Code, its current agricultural use value, the number of acres of arable land, permanent pasture land, woodland, and wasteland in each tract, lot, or parcel. The auditor shall record pertinent information and the true and taxable value of each building, structure, or improvement to land, which value shall be included as a separate part of the total value of each tract, lot, or parcel of real property.

Sec. 5713.031.(A) As used in this section, "federally subsidized residential rental property" means property to which one or more of the following apply:

(1) It is part of a qualified low-income housing project, through its compliance and extended use period, as those terms are defined in section 42 of the Internal Revenue Code, or any other period during which it is similarly restricted under section 42 of the Internal Revenue Code.

(2) It receives assistance pursuant to section 202 of the "Housing Act of 1959," 12 U.S.C. 1701q, and remains restricted pursuant to that section.

(3) Property that receives assistance pursuant to Section 811 of the "Cranston-Gonzalez National Affordable Housing Act," 42 U.S.C. 8013, and remains restricted pursuant to that section;

(4) Property that receives project-based assistance pursuant to section 8 of the "United States Housing Act of 1937," 42 U.S.C. 1437f, and remains restricted pursuant to that section;

(5) Property that receives assistance pursuant to section 515 of the "Housing Act of 1949," 42 U.S.C. 1485, and remains restricted pursuant to that section;

(6) Property that receives assistance pursuant to section 538 of the "Housing Act of 1949," 42 U.S.C. 1490p-2, and remains restricted pursuant to that section;

(7) Property that receives assistance pursuant to section 521 of the "Housing Act of 1949," 42 U.S.C. 1490a, and remains restricted pursuant to that section.

(B) An owner of federally subsidized residential rental property shall file with the county auditor of the county in which the property is located the following information from the preceding calendar year or up to three preceding calendar years, as applicable:

(1) The operating income of the property which shall include gross potential rent, any forgiveness of or allowance received for losses due to vacancy or unpaid rent, and any income derived from other sources;

(2) The operating expenses of the property including all non-capitalized expenses related to staffing, utilities, repairs, supplies, telecommunication, management fees, audits, legal and contract services, and any other expense a prospective buyer might consider in purchasing the property. Real property taxes, depreciation, and amortization expenses and replacement of short-term capitalized assets shall be excluded from operating expenses.

(3) The annual amount of contribution to replacement reserve funds or accounts related to the property.

(C)(1) The information required under division (B) of this section shall be filed by the owner both before the property is placed in service and after the commencement of the property's operations, and each following year to which section 5715.24 of the Revised Code applies in the county, on or before the first day of March. Each such filing in a reappraisal or update year shall report the information required under division (B) of this section for the preceding three calendar years or for the period of time the property has been in operation, if less than three years.

(2) Information filed under this section shall have first been audited by an independent public accountant or auditor or a certified public accountant prior to filing. If such an audit is not completed by the first day of March, the owner of the property shall file updated records within thirty days after the completion of such an audit.

(3) If a property owner fails to timely submit the information required under division (B) of this section, the county auditor is not required to value the property in accordance with division (A)(4) of section 5715.01 of the Revised Code for any applicable tax year to which that division would have applied and shall otherwise proceed under section 5713.01 of the Revised Code to value the property in compliance with Ohio Constitution, Article XII, Section 2 for that tax year.

(D) The county auditor shall use the information submitted under this section to determine the valuation of the property pursuant to rules adopted under division (A)(4) of section 5715.01 of the Revised Code.

(E) Any information submitted under this section is not a public record for purposes of section 149.43 of the Revised Code."

After line 112820, insert:

"(4) The uniform rules shall prescribe the method for determining the value of federally subsidized residential rental property through the use of a formula that accounts for the following factors:

(a) Up to three years of operating income of the property, which includes gross potential rent, and any income derived from other sources as reported by

the property owner to the county auditor under section 5713.031 of the Revised Code. Operating income shall include an allowance for vacancy losses, which shall be presumed to be four per cent of gross potential rent, and unpaid rent losses, which shall be presumed to be three per cent of gross potential rent. These presumptive amounts may be exceeded with evidence demonstrating the actual income of the property.

(b) Operating expenses of the property, which shall be presumed to be forty-eight per cent of operating income plus utility expenses as reported by the property owner to the county auditor under section 5713.031 of the Revised Code. Operating expenses shall also include replacement reserve fund or account contributions which shall be presumed to be five per cent of gross potential rent. These presumptive amounts may be exceeded with evidence demonstrating the actual expenses of the property. Real property taxes, depreciation, and amortization expenses and replacement of short-term capitalized assets shall be excluded from operating expenses.

(c) A market-appropriate, uniform capitalization rate plus a tax additur accounting for the real property tax rate of the property's location. For federally subsidized residential rental property described in division (A)(1) of section 5713.031 of the Revised Code, one percentage point shall be subtracted from the uniform capitalization rate.

The uniform rules shall also prescribe a minimum total value for federally subsidized residential rental property of five thousand dollars multiplied by the number of dwelling units comprising the property or one hundred fifty per cent of the property's unimproved land value, whichever is greater. The formula and other rules adopted by the commissioner pursuant to this division shall comply with Ohio Constitution, Article XII, Section 2.

As used in division (A)(4) of this section, "federally subsidized residential rental property" has the same meaning as in section 5713.031 of the Revised Code and "dwelling unit" has the same meaning as in section 5321.01 of the Revised Code."

In line 268610, delete "\$737,500 \$737,500" and insert "\$7,810,500 \$7,060,500"

In line 268612, add \$7,073,000 to fiscal year 2024 and \$6,323,000 to fiscal year 2025

In line 268663, add \$7,073,000 to fiscal year 2024 and \$6,323,000 to fiscal year 2025

After line 269866, insert:

"Of the foregoing appropriation item 200597, Program and Project Support, up to \$3,500,000 in each fiscal year shall be distributed to the Ohio Alliance

of Boys and Girls Clubs to support the establishment and expansion of Boys and Girls Clubs in Ohio communities not already served by Boys and Girls Clubs, which shall use these funds to support after-school and summer programming. These funds shall also be used to support academic programs to address learning loss.

Of the foregoing appropriation item 200597, Program and Project Support, up to \$1,800,000 in each fiscal year shall be used pursuant to the section of this act entitled "UNITED WAY COLLABORATIVE."

Of the foregoing appropriation item 200597, Program and Project Support, \$750,000 in fiscal year 2024 shall be used to support the J. Harrington & Marie E. Glidden Foundation to support the high school education of students with multiple disabilities, including Autism and Down Syndrome. An amount equal to the unexpended, unencumbered balance of this set aside at the end of fiscal year 2024, is hereby reappropriated for the same purpose in fiscal year 2025.

Of the foregoing appropriation item 200597, Program and Project Support, up to \$598,000 in each fiscal year shall be used to support instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator required for high school students pursuant to section 3313.6021 of the Revised Code, in a manner determined by the Department of Education and Workforce.

Of the foregoing appropriation item 200597, Program and Project Support, up to \$225,000 in each fiscal year shall be used to support the Stark Education Partnership.

Of the foregoing appropriation item 200597, Program and Project Support, \$100,000 in each fiscal year shall be distributed to the Ohio Valley Youth Network to support its Sycamore Youth Center Education Enrichment and Life Skills After Schools Program.

Of the foregoing appropriation item 200597, Program and Project Support, up to \$100,000 in each fiscal year shall be distributed to the Girl Scouts of North East Ohio to support the Community Connection Team Building Program."

After line 269886, insert:

"Section 265. __. UNITED WAY COLLABORATIVE

(A) The Department of Education and Workforce shall distribute the funds set aside in appropriation item 200597, Program and Project Support, for purposes of this section to the following six United Way partner agencies to serve vulnerable residents, families, and households in the counties within their jurisdictions:

- (1) United Way of Central Ohio;
- (2) United Way of Fairfield County;
- (3) United Way of Union County;
- (4) United Way of Delaware County;
- (5) United Way of Clark, Champaign and Madison Counties;
- (6) United Way of Muskingum, Perry and Morgan Counties.

(B) These partner agencies shall use these funds as follows:

(1) To expand implementation of the evidence-based Success By Third Grade Program and other related proven early childhood education initiatives that result in measurable and positive impacts on student achievements;

(2) To collaborate with schools, community organizations, and other entities to achieve a measurable impact on student achievement evidenced by improvements in academic performance, attendance, reduced discipline rates, and other relevant metrics;

(3) To implement programs that focus on enhanced case management for improved family stability, with an emphasis on programs that measurably impact academic and nonacademic outcomes for children and youth;

(4) To support capacity-building to enhance sustainability and to increase the ability of the United Way partner agencies and their community partners to respond to ongoing needs of residents to ensure consistent access to vital programming, resources, and services in their respective communities;

(5) To maximize and augment existing program funding, services, and resources to provide additional supports to families and households experiencing economic hardships and to assist them to reach economic security or viability."

In line 273566, delete "\$6,150,000 \$4,575,000" and insert "\$7,650,000 \$6,075,000"

In line 273568, add \$1,500,000 to each fiscal year

In line 273602, add \$1,500,000 to each fiscal year

After line 274115, insert:

"Of the foregoing appropriation item 336519, Community Projects, \$1,500,000 in each fiscal year shall be provided to the Ohio Alliance of Boys & Girls Clubs to support prevention and early intervention for underserved children, youth, and families in high-need and/or high-risk communities through the integration of evidence-based trauma-informed practices into Club programming and the provision of broader community partnerships for

care management, direct services, clinical interventions, as well as additional support for addiction prevention and youth mental health."

In line 273559, delete "\$106,539,000 \$106,539,000" and insert "\$107,489,000 \$107,489,000"

In line 273568, add \$950,000 to each fiscal year

In line 273602, add \$950,000 to each fiscal year

After line 273728, insert:

"(K) Of the foregoing appropriation item 336421, Continuum of Care Services, \$150,000 in each fiscal year shall be allocated to the "Save a Warrior" Foundation to be used to fund its program for first responders suffering from severe forms of PTSD.

(L) Of the foregoing appropriation item 336421, Continuum of Care Services, \$550,000 in each fiscal year shall be distributed to CHC Addiction Services, located in Akron, Ohio. Funds shall be used for its Rocco Antenucci Memorial Adult Residential Center (RAMAR).

(M) Of the foregoing appropriation item 336421, Continuum of Care Services, \$250,000 in each fiscal year shall be allocated to Flying Horse Farms."

In line 273566, delete "\$6,150,000 \$4,575,000" and insert "\$6,745,000 \$4,670,000"

In line 273568, add \$595,000 to fiscal year 2024 and \$95,000 to fiscal year 2025

In line 273602, add \$595,000 to fiscal year 2024 and \$95,000 to fiscal year 2025

After line 274137, insert:

"Of the foregoing appropriation item 336519, Community Projects, \$500,000 in fiscal year 2024 shall be allocated to St. Vincent Family Services.

Of the foregoing appropriation item 336519, Community Projects, \$20,000 in each fiscal year shall be allocated to Natural Freedom Wellness Centers and shall be used for workforce development, transportation costs, and facility upgrades.

Of the foregoing appropriation item 336519, Community Projects, \$75,000 in each fiscal year shall be allocated to Fringe Industries."

In line 271049, delete "\$2,525,000 \$2,525,000" and insert \$10,025,000 \$10,025,000"

In line 271056, add \$7,500,000 to each fiscal year

In line 271113, add \$7,500,000 to each fiscal year

After line 271190, insert:

"Of the forgoing appropriation item 440485, Health Program Support, \$7,500,000 in each fiscal year shall be used by the Department of Health, in consultation with the Department of Education, to support school-based health centers in high-need counties, as determined by the departments."

In line 275390, delete "\$10,550,000 \$8,600,000" and insert "\$11,550,000 \$9,100,000"

In line 275415, add \$1,000,000 to fiscal year 2024 and \$500,000 to fiscal year 2025

In line 275441, add \$1,000,000 to fiscal year 2024 and \$500,000 to fiscal year 2025

In line 276421, delete "\$500,000" and insert "\$1,000,000"

After line 276511, insert:

"(O) Of the foregoing appropriation item 235533, Program and Project Support, \$500,000 in fiscal year 2024 shall be distributed to the Ashland University Center for Addictions Project."

In line 274751, delete "\$19,766,000 \$19,777,000" and insert "\$21,266,000 \$21,277,000"

In line 274756, add \$1,500,000 to each fiscal year

In line 274822, add \$1,500,000 to each fiscal year

After line 275065, insert:

"Of the foregoing appropriation item 768425, Justice Program Services, up to \$1,500,000 in each fiscal year shall be used by the Office of Criminal Justice Services to competitively procure, directly from the manufacturer, a commercial off-the-shelf, completely in canal hearing protection product with a minimum noise reduction rating of 25 decibels and a maximum output of 80 decibels, to protect the hearing of law enforcement officers. The hearing protection shall be made available to any law enforcement agency in the state on a first-come, first-served basis as part of the Law Enforcement Hearing Protection Pilot Program which is hereby created."

In line 271840, delete "\$2,300,000" and insert "\$2,800,000"

In line 271846, delete "\$2,250,000" and insert "\$4,500,000"

In line 271862, delete "\$1,175,000" and insert "\$3,750,000"

In line 271875, delete "\$1,000,000" and insert "\$1,500,000"

In line 271880, delete "\$750,000" and insert "\$1,500,000"

In line 271896, delete "\$500,000" and insert "\$1,200,000"

In line 271908, delete "\$500,000" and insert "\$1,000,000"

After line 271918, insert:

"Of the foregoing appropriation item 600689, TANF Block Grant, \$250,000 in fiscal year 2024 shall be provided, in accordance with sections 5101.80 and 5101.801 of the Revised Code, to the United Way of Greater Cincinnati to support the Project Lift Program in Brown and Clermont counties to help families remove barriers to secure sustainable income and achieve financial stability through critical short-term assistance and support, coaching, workforce development, and other resources.

Of the foregoing appropriation item 600689, TANF Block Grant, \$200,000 in fiscal year 2024 shall be provided, in accordance with sections 5101.80 and 5101.801 of the Revised Code, to Bethany House Services."

In line 271931, delete "\$250,000" and insert "\$375,000"

In line 271944, delete "\$100,000" and insert "\$300,000"

In line 271955, delete "\$250,000" and insert "\$500,000"

In line 271993, delete "\$1,000,000" and insert "\$1,500,000"

After line 268615a, insert:

"5AD1 2006A2 Career-Technical Education Equipment \$50,000,000 \$50,000,000"

In line 268625, add \$50,000,000 to each fiscal year

In line 268663, add \$50,000,000 to each fiscal year

After line 269890, insert:

"Section 265. ____ .CAREER-TECHNICAL EDUCATION EQUIPMENT

The foregoing appropriation item 2006A2, Career-Technical Education Equipment, shall be used by the Department of Education and Workforce, in consultation with the Governor's Office of Workforce Transformation and the Ohio Facilities Construction Commission, to establish a program to assist city, local, exempted village, and joint vocational school districts, community schools, and STEM schools in establishing or expanding career-technical education programs, with priority for career-technical education programs that support careers on Ohio's Top Jobs List, and establishing or expanding credentialing programs that qualify for the Innovative Workforce Incentive Program.

An amount equal to the unexpended, unencumbered balance of the foregoing appropriation item 2006A2, Career-Technical Education Equipment, at the end of fiscal year 2024 is hereby reappropriated for the same purpose in fiscal year 2025.

Notwithstanding any provision of law to the contrary, the Department of Education and Workforce may extend the period of availability of awards made under this section up to two fiscal years according to guidelines established by the Department of Education and Workforce."

Delete lines 270899 through 270914

In line 270915, delete "(B)(1)" and insert "(A)"; delete "remainder of the"

In line 270931, delete "(2)" and insert "(B)"

In line 270932, delete "(B)(1)" and insert "(A)"

In line 270935, delete "(3)" and insert "(C)"; delete "(B)" and insert "(A)"

After line 279051, insert:

"CAREER-TECHNICAL EDUCATION EQUIPMENT FUND

On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$50,000,000 cash from the General Revenue Fund to the Career-Technical Education Equipment Fund (Fund 5AD1), which is hereby created in the State Treasury."

After line 279068, insert:

"BUDGET STABILIZATION FUND

On or before August 1, 2023, the Director of Budget and Management shall transfer \$150,000,000 cash from the General Revenue Fund to the Budget Stabilization Fund (Fund 7013)."

Managers on the Part of the
House of Representatives

/S/ JAY EDWARDS
JAY EDWARDS

/S/ JEFF LARE
JEFF LARE

/S/ BETH LISTON
BETH LISTON

Managers on the Part of the
Senate

/S/ MATT DOLAN
MATT DOLAN

/S/ JERRY CIRINO
JERRY CIRINO

/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. 33**-Representative Edwards, et al., be brought up for consideration.

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

The motion was agreed to.

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

The yeas and nays were taken and resulted – yeas 25, nays 6, as follows:

Those who voted in the affirmative were: Senators

Antani	Blessing	Brenner	Cirino
Dolan	Gavarone	Hackett	Hoagland
Huffman, S.	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Wilkin	Wilson
			Huffman, M.-25

Senators Antonio, Craig, DeMora, Hicks-Hudson, Ingram, and Smith voted in the negative-6.

So the report of committee of conference was agreed to.

BILLS FOR THIRD CONSIDERATION

Am. H. B. No. 31-Representative Edwards.

Cosponsors: Representatives Abdullahi, Barhorst, Blackshear, Brennan, Brent, Brewer, Carruthers, Cross, Dell'Aquila, Denson, Dobos, Galonski, Grim, Humphrey, Jarrells, John, Jones, Lampton, Lightbody, Liston, Mathews, Miller, A., Miller, J., Miranda, Mohamed, Oelslager, Ray, Robinson, Rogers, Russo, Schmidt, Williams.

To amend sections 4121.021, 4123.30, 4123.34, 4123.341, 4123.342, and 4123.36 of the Revised Code to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2023, and ending June 30, 2025, to provide authorization and conditions for the operation of the Bureau's programs, to make changes to the Workers' Compensation Law, and to enact a three-day interim budget, was considered the third time.

The question being, "Shall the bill, **Am. H. B. No. 31**, pass?"

Senator Dolan moved to amend as follows:

In line 440, delete "scheduled for payment during that period" and insert "for fiscal year 2024"

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

The motion to amend was agreed to.

The question recurred, "Shall the bill, **Am. H. B. No. 31**, 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	Hicks-Hudson	Hoagland
Huffman, S.	Ingram	Johnson	Kunze
Landis	Lang	Manning	McColley
O'Brien	Reineke	Reynolds	Roegner
Romanchuk	Rulli	Schaffer	Smith
Wilkin	Wilson		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Cirino, Craig, DeMora, Hackett, Hicks-Hudson, Ingram, Johnson, Landis, Lang, Reineke, Rulli, Schaffer, Smith, Wilkin."

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

The motion was agreed to and the title so amended.

H. B. No. 32-Representative Edwards.

Cosponsors: Representatives Barhorst, Brennan, Brent, Brewer, Brown, Carruthers, Cross, Dell'Aquila, Denson, Dobos, Galonski, Grim, Humphrey, Isaacsohn, Jarrells, Jones, Lampton, Lightbody, Liston, Mathews, Miller, A., Miller, J., Miranda, Mohamed, Oelslager, Ray, Robinson, Rogers, Russo, Schmidt, Somani, Thomas, C., Weinstein, Williams.

To make appropriations for the Industrial Commission for the biennium beginning July 1, 2023, and ending June 30, 2025, and to provide authorization and conditions for the operation of Commission programs, was considered the third time.

The question being, "Shall the bill, **H. B. No. 32**, 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	Hicks-Hudson	Hoagland
Huffman, S.	Ingram	Johnson	Kunze
Landis	Lang	Manning	McColley
O'Brien	Reineke	Reynolds	Roegner
Romanchuk	Rulli	Schaffer	Smith
Wilkin	Wilson		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Cirino, Craig, DeMora, Hackett, Hicks-Hudson, Ingram, Johnson, Landis, Reineke, Rulli, Schaffer, Smith, Wilkin."

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

The motion was agreed to and the title so amended.

OFFERING OF RESOLUTIONS

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

S. R. No. 168 - Senator Landis.

Honoring Post Boy Farm as the 2023 Ohio Forestry Association Tree Farm of the Year.

S. R. No. 169 - Senator Brenner.

Honoring the Hiland High School baseball team as the 2023 Division IV State Champion.

S. R. No. 170 - Senator Brenner.

Honoring Vinoda Thiyagarajan on receiving an Inclusion Award at the 2023 Raytheon Technologies Invention Convention U.S. Nationals.

S. R. No. 171 - Senator Manning.

Honoring Thomas Mihalís Memorial Veterans of Foreign Wars Post 1079 as it commemorates its One Hundredth Anniversary.

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

So the resolutions were adopted.

COMMUNICATIONS FROM THE GOVERNOR

The President handed down the following messages from the Governor which were read by the Clerk:

STATE OF OHIO EXECUTIVE DEPARTMENT OFFICE OF THE GOVERNOR COLUMBUS

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Jennifer Deann Brumby, from Dayton, Montgomery County, Ohio, as a Member of the State Medical Board for a term beginning August 1, 2023 and ending at the close of business July 31, 2028, replacing Robert P. Giacalone, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 27th day of April in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Chauncey A. Cochran, from Newark, Licking County, Ohio, as a Member of the Bureau of Workers' Compensation Board of Directors for a new term beginning June 12, 2023 and ending at the close of business June 11, 2026, replacing Chauncey A. Cochran, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 27th day of April in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, David W. Johnson, from Salem, Columbiana County, Ohio, as a Member of the Bureau of Workers' Compensation Board of Directors for a new term beginning June 12, 2023 and ending at the close of business June 11, 2026, replacing David W. Johnson, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 27th day of April in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Daniel McCarthy, Democrat, from Columbus, Franklin County, Ohio, as a Member of the State Racing Commission for a term beginning May 26, 2023 and ending at the close of business March 31, 2027, replacing William W. Patmon, Jr., whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 26th day of May in the year of our Lord, Two Thousand and Twenty-Three.

[Seal]

Mike DeWine,
Governor.

Said appointments were referred to the committee on Rules and Reference.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following bill:

Sub. S. B. No. 16-Senator Wilson – et al.

Attest:

Bradley J. Young,
Clerk.

The President signed said bill.

On the motion of Senator McColley, the Senate adjourned until Wednesday, July 5, 2023 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.