OHIO

SENATE

JOURNAL

WEDNESDAY, NOVEMBER 13, 2024

ONE HUNDRED NINETY-SIXTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, November 13, 2024, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Senator Kristina D. Roegner, followed by the Pledge of Allegiance to the Flag.

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

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

Senator Hicks-Hudson requested a moment of silence in memory of former Senator, Marigene Valliquette who passed away on August 6, 2024 at the age of 99. She was the longest serving woman legislator in Ohio, serving 24 consecutive years beginning in the Ohio House in 1963 and then in the Ohio Senate from 1969 through 1986.

Senator Hackett requested a moment of silence in memory of former Congressman and Ohio Senate President Pro Tempore, Dave Hobson who passed away on October 6, 2024. He served in the Ohio Senate from 1982-1990.

Senator Reynolds requested a moment of silence in memory of former Speaker of the House, Jo Ann Davidson.

President Huffman recognized Jo Ann Davidson's daughter, Jen Enslen and granddaughter, Emily on their visit to the Statehouse.

Senator Reineke recognized the Plain City Christian Homeschool Co-op on their visit to the Statehouse.

REPORTS OF REFERENCE AND BILLS FOR SECOND CONSIDERATION

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

S. B. No. 328-Senator Blessing
To amend sections 1331.01, 1331.04, and 1331.16 and to enact sections 1331.05 and 1331.50 of the Revised Code to regulate the use of pricing algorithms.

To the Committee on Small Business and Economic Opportunity.

S. B. No. 329-Senator Gavarone

To amend sections 4503.10, 4503.102, 4503.12, 4511.75, 4511.751, and 4511.76; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 4511.751 (4511.752); and to enact new section 4511.751 and sections 5.501, 3327.18, 3327.19, 4511.753, 4511.754, 4511.755, 4511.756, and 4511.757 of the Revised Code to authorize a civil penalty system related to drivers who illegally pass a school bus but cannot be identified, to designate the month of August as "School Bus Safety Awareness Month," and to designate this act as the School Bus Safety Act.

To the Committee on Veterans and Public Safety.

S. B. No. 330-Senator Gavarone

To amend section 109.87 of the Revised Code to make changes to the telemarketing law.

To the Committee on General Government.

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

NO - 0.

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

The report of the committee was accepted.

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

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Wilkin submitted the following report:

The standing committee on General Government, to which was referred **S. B. No. 323**-Senator Reynolds, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 5: SHANE WILKIN, BILL REINEKE, WILLIAM P. DEMORA, THERESA GAVARONE, ROB MCCOLLEY

NO - 0.

Senator Manning submitted the following report:

The standing committee on Judiciary, to which was referred **Am. H. B. No. 338-**Representatives White, Sweeney, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Manning.

YES - 7: NATHAN H. MANNING, MICHELE REYNOLDS, PAULA HICKS-HUDSON, MATT DOLAN, THERESA GAVARONE, ROB MCCOLLEY, KENT SMITH

NO - 0.

Senator Manning submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 32-** Senator Schaffer, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Manning.

YES - 7: NATHAN H. MANNING, MICHELE REYNOLDS, PAULA HICKS-HUDSON, MATT DOLAN, THERESA GAVARONE, ROB MCCOLLEY, KENT SMITH

NO - 0.

Senator Manning submitted the following report:

The standing committee on Judiciary, to which was re-referred **S. B. No. 233-**Senators DeMora, Kunze, et al., having had the same under consideration, re-reports it back with the following amendment and recommends its passage when so amended.

Co-Sponsor: Manning.

In line 1 of the title, after "4511.63," insert "and"; delete ", and"

In line 2 of the title, delete "4511.712"

In line 6, after "4511.63," insert "and"; delete ", and"

In line 7, delete "4511.712"

In line 22, reinsert "or"

In line 23, delete "or other on-track equipment,"

In line 25, delete "or other on-track equipment"

After line 29, insert:

"(g) There is insufficient space on the other side of the railroad grade crossing to accommodate the vehicle or trackless trolley the person is operating without obstructing the passage of other on-track equipment.

(h) Approaching on-track equipment is emitting an audible signal or is plainly visible and is in hazardous proximity to the crossing."

In line 30, strike through "(2)" and insert "(2)(a)"

After line 33, insert:

"(b) A person who is driving a vehicle or trackless trolley and who approaches a railroad grade crossing shall not recklessly proceed as long as any of the circumstances described in division (A)(1)(g) or (h) of this section exist at the crossing."

Delete lines 53 through 58

Delete lines 126 through 131

Delete lines 178 through 213

In line 214, after "4511.63," insert "and"

In line 215, delete ", and 4511.712"

YES - 7: NATHAN H. MANNING, MICHELE REYNOLDS, PAULA HICKS-HUDSON, MATT DOLAN, THERESA GAVARONE, ROB MCCOLLEY, KENT SMITH

NO - 0.

Senator Kunze submitted the following report:

The standing committee on Transportation, to which was referred **H. B. No. 81-**Representatives Robb Blasdel, Jones, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Brenner, Schaffer.

YES - 11: STEPHANIE KUNZE, BILL REINEKE, NICKIE J. ANTONIO, ANDREW O. BRENNER, BOB D. HACKETT, BRIAN M. CHAVEZ, SANDRA O'BRIEN, KRISTINA D. ROEGNER, TIM SCHAFFER, KENT SMITH, AL CUTRONA

NO - 1: WILLIAM P. DEMORA

Senator Kunze submitted the following report:

The standing committee on Transportation, to which was referred **S. B. No. 125-**Senator Sykes, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 12: STEPHANIE KUNZE, BILL REINEKE, NICKIE J. ANTONIO, ANDREW O. BRENNER, WILLIAM P. DEMORA, BOB D. HACKETT, BRIAN M. CHAVEZ, SANDRA O'BRIEN, KRISTINA D. ROEGNER, TIM SCHAFFER, KENT SMITH, AL CUTRONA

NO - 0.

Senator Kunze submitted the following report:

The standing committee on Transportation, to which was referred **S. B. No. 248-**Senator Hackett, having had the same under consideration, reports it back and recommends its passage.

YES - 12: STEPHANIE KUNZE, BILL REINEKE, NICKIE J. ANTONIO, ANDREW O. BRENNER, WILLIAM P. DEMORA, BOB D. HACKETT, BRIAN M. CHAVEZ, SANDRA O'BRIEN, KRISTINA D. ROEGNER, TIM SCHAFFER, KENT SMITH, AL CUTRONA

NO - 0.

Senator Kunze submitted the following report:

The standing committee on Transportation, to which was referred **S. B. No. 290-**Senator Antonio, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 12: STEPHANIE KUNZE, BILL REINEKE, NICKIE J. ANTONIO, ANDREW O. BRENNER, WILLIAM P. DEMORA, BOB D. HACKETT, BRIAN M. CHAVEZ, SANDRA O'BRIEN, KRISTINA D. ROEGNER, TIM SCHAFFER, KENT SMITH, AL CUTRONA

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:

Boley, Nathan, from Celina, Mercer County, Ohio, as a Student Member of the University of Toledo Board of Trustees for a term beginning August 2, 2024, ending at the close of business July 1, 2026, replacing Madeline M. Vining, whose term expired.

Bozich, Kimberly, from Richmond, Jefferson County, Ohio, as a Member of the Eastern Gateway Community College Governance Authority for a term beginning August 30, 2024, and continuing at the pleasure of the Governor.

Brown, Asia, from Dayton, Montgomery County, Ohio, as a Student Member of the Central State University Board of Trustees for a term beginning August 2, 2024, ending at the close of business June 30, 2026, replacing Faith Bondurant, whose term expired.

D'Anniballe, Thomas, from Steubenville, Jefferson County, Ohio, as a Member of the Eastern Gateway Community College Governance Authority for a term beginning August 30, 2024, and continuing at the pleasure of the Governor.

Deemer, Abygail, from Warren, Trumbull County, Ohio, as a Student Member of the Kent State University Board of Trustees for a term beginning September 27, 2024, ending at the close of business May 16, 2026, replacing Haley L. Dees, whose term expired.

Halleck, Michael, from Salem, Columbiana County, Ohio, as a Member of the Eastern Gateway Community College Governance Authority for a term beginning August 30, 2024, and continuing at the pleasure of the Governor.

Holt, Nicole, from Grove City, Franklin County, Ohio, as a Student Member of the Central State University Board of Trustees for a term beginning August 2, 2024, ending at the close of business June 30, 2025, replacing Keith D. Harris, whose term expired.

Johnson, Lauren, from Troy, Miami County, Ohio, as a Student Member of the Wright State University Board of Trustees for a term beginning August 2, 2024, ending at the close of business June 30, 2026, replacing Christopher M. Jenkins, whose term expired.

Karna, Pankaj, from Athens, Athens County, Ohio, as a Student Member of the Ohio University Board of Trustees for a term beginning August 2, 2024, ending at the close of business May 13, 2026, replacing Mia Citino, whose term expired.

Lampton, Joseph, from Cincinnati, Hamilton County, Ohio, as a Student Member of the University of Cincinnati Board of Trustees for a term

beginning September 27, 2024, ending at the close of business May 13, 2026, replacing Logan A. Johnson, who resigned.

Murnieks, Kimberly, from Westerville, Delaware County, Ohio, as a Member of the Eastern Gateway Community College Governance Authority for a term beginning August 30, 2024, and continuing at the pleasure of the Governor.

Pastoria, Maxwell, from Akron, Summit County, Ohio, as a Student Member of the University of Akron Board of Trustees for a term beginning August 2, 2024, ending at the close of business July 1, 2026, replacing Luke D. Smith, whose term expired.

White, Gregory, from Concord, Lake County, Ohio, as a Member of the Eastern Gateway Community College Governance Authority for a term beginning August 30, 2024, and continuing at the pleasure of the Governor.

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

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

NO – 0.

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

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

Those who voted in the affirmative were: Senators

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

So the Senate advised and consented to said appointments.

Senator Huffman, M. submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Central Ohio Technical College Board of Trustees Selection Committee of:

Burt, Brady, from Licking County, Ohio, as a Member of the Central Ohio Technical College Board of Trustees for a term beginning October 1, 2024, ending at the close of business September 30, 2027.

Sutton, Marion, from Coshocton County, Ohio, as a Member of the Central Ohio Technical College Board of Trustees for a term beginning October 1, 2024, ending at the close of business September 30, 2027.

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

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

NO – 0.

The question being, "Shall the Senate advise and consent to the appointments by the Central Ohio Technical College Trustees?"

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
Chavez	Cirino	Craig	Cutrona
DeMora	Dolan	Gavarone	Hackett
Hicks-Hudson	Huffman, S.	Ingram	Johnson
Kunze	Landis	Lang	Manning
McColley	O'Brien	Reineke	Reynolds
Roegner	Romanchuk	Schaffer	Smith
Sykes	Wilkin		Huffman, M.-31

So the Senate advised and consented to said appointments.

Senator Huffman, M. submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Marion Technical College Trustee Selection Committee of:

Fogle, Kit, from Marion County, Ohio, as a Member of the Marion Technical College Board of Trustees for a term beginning May 1, 2024, ending at the close of business April 30, 2027.

Iyengar, Vidya, from Marion County, Ohio, as a Member of the Marion Technical College Board of Trustees for a term beginning May 1, 2024, ending at the close of business April 30, 2027.

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

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

NO – 0.

The question being, "Shall the Senate advise and consent to the appointments by the Marion Technical College Board of Trustees?"

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
Chavez	Cirino	Craig	Cutrona
DeMora	Dolan	Gavarone	Hackett
Hicks-Hudson	Huffman, S.	Ingram	Johnson
Kunze	Landis	Lang	Manning
McColley	O'Brien	Reineke	Reynolds
Roegner	Romanchuk	Schaffer	Smith
Sykes	Wilkin		Huffman, M.-31

So the Senate advised and consented to said appointments.

Senator Huffman, M. submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Stark State College Trustee Selection Committee of:

Wackerly, Patricia, from Stark County, Ohio, as a Member of the Stark State College Board of Trustees for a term beginning August 2, 2024, ending at the close of business August 1, 2027.

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

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

NO – 0.

The question being, "Shall the Senate advise and consent to the appointment by the Stark State College Trustee Selection Committee?"

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
Chavez	Cirino	Craig	Cutrona
DeMora	Dolan	Gavarone	Hackett
Hicks-Hudson	Huffman, S.	Ingram	Johnson
Kunze	Landis	Lang	Manning
McColley	O'Brien	Reineke	Reynolds
Roegner	Romanchuk	Schaffer	Smith
Sykes	Wilkin		Huffman, M.-31

So the Senate advised and consented to said appointment.

BILLS FOR THIRD CONSIDERATION

S. B. No. 323-Senator Reynolds.
Cosponsors: Senators Blessing, Brenner, Chavez, Cirino, Gavarone, Hackett, Huffman, S., Johnson, Kunze, Lang, Manning, O'Brien, McColley, Reineke, Romanchuk, Schaffer, Schuring, Wilkin, Wilson, Antonio, Craig, Hicks-Hudson, Sykes.

To enact section 5.56 of the Revised Code to designate September 28 as "Speaker Jo Ann Davidson Day", was considered the third time.

The question being, "Shall the bill, **S. B. No. 323**, 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
Chavez	Cirino	Craig	Cutrona
DeMora	Dolan	Gavarone	Hackett
Hicks-Hudson	Huffman, S.	Ingram	Johnson
Kunze	Landis	Lang	Manning
McColley	O'Brien	Reineke	Reynolds
Roegner	Romanchuk	Schaffer	Smith
Sykes	Wilkin		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Antani, Cutrona, DeMora, Dolan, Huffman, M., Ingram, Landis, Roegner, Smith."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 81-Representatives Robb Blasdel, Jones.
Cosponsors: Representatives McClain, Abrams, Brennan, Carruthers, Cross, Cutrona, Dell'Aquila, Dobos, Forhan, Grim, Hillyer, Hoops, Liston, Loychik, Mathews, Miller, J., Miller, K., Patton, Pavliga, Peterson, Plummer, Stoltzfus, Thomas, C. Senators Brenner, Schaffer.

To enact sections 5534.105, 5534.131, 5534.154, 5534.162, 5534.301, 5534.424, 5534.425, 5534.426, 5534.441, 5534.452, 5534.453, 5534.485, 5534.486, 5534.497, 5534.499, 5534.503, 5534.512, 5534.612, 5534.614, 5534.615, 5534.616, 5534.618, 5534.642, 5534.648, 5534.649, 5534.651, 5534.653, 5534.655, 5534.656, 5534.658, 5534.659, 5534.661, 5534.662, 5534.663, 5534.664, 5534.665, 5534.667, 5534.669, 5534.671, 5534.672, 5534.674, 5534.701, 5534.703, 5534.761, 5534.813, 5534.835, 5534.848, 5534.849, 5534.873, 5534.874, 5534.875, 5534.876, 5534.877, 5534.878, 5534.879, 5534.925, and 5534.963 of the Revised Code to make multiple memorial designations, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 81**, 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
Chavez	Cirino	Craig	Cutrona
DeMora	Dolan	Gavarone	Hackett
Hicks-Hudson	Huffman, S.	Ingram	Johnson
Kunze	Landis	Lang	Manning
McColley	O'Brien	Reineke	Reynolds
Roegner	Romanchuk	Schaffer	Smith
Sykes	Wilkin		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Blessing, Chavez, Cirino, Craig, Dolan, Gavarone, Hackett, Hicks-Hudson, Ingram, Johnson, Kunze, Landis, Lang, Manning, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Smith, Sykes, Wilkin."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 338-Representatives White, Sweeney.
Cosponsors: Representatives Plummer, Hillyer, Baker, Liston, Brennan, Miller, A., Dell'Aquila, Dobos, Forhan, Grim, Isaacsohn, Jarrells, Miller, J., Mohamed, Oelslager, Patton, Piccolantonio, Russo, Somani, Thomas, C., Upchurch, Young, T. Senator Manning.

To amend sections 1901.08, 1901.261, 1907.261, 2303.201, 3119.01, 3119.66, 3119.86, and 3119.88 and to enact sections 3109.20, 3119.10, 3119.11, 3119.12, 3119.861, 3119.862, and 3119.863 of the Revised Code to allow child support orders to be issued, modified, or extended for children over 18 with a disability, to change the status of the judge of the Lebanon Municipal Court from part-time to full-time, and to clarify disbursement of funds related to computerization fees, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 338**, 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
Chavez	Cirino	Craig	Cutrona
DeMora	Dolan	Gavarone	Hackett
Hicks-Hudson	Huffman, S.	Ingram	Johnson
Kunze	Landis	Lang	Manning
McColley	O'Brien	Reineke	Reynolds
Roegner	Romanchuk	Schaffer	Smith
Sykes	Wilkin		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Brenner, Cirino, Craig, DeMora, Dolan, Hackett, Hicks-Hudson, Johnson, Kunze, Reineke, Romanchuk, Sykes, Wilkin."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 32-Senator Schaffer.
Cosponsors: Senators Cirino, Johnson, Manning.

To amend section 2923.126 and to enact section 2307.221 of the Revised Code to generally grant civil immunity for certain injuries to a person who acts in self-defense or defense of another during the commission, or imminent commission, of an offense of violence to protect the members or guests of a nonprofit corporation under certain circumstances, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 32**, pass?"

Senator Hicks-Hudson moved that she be excused from voting under Senate Rule No. 59.

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

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. S. B. No. 32**, pass?"

The yeas and nays were taken and resulted – yeas 30, nays 0, as follows:

Those who voted in the affirmative were: Senators

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

So the bill passed.

The title was amended as follows:

Add the names: "Antani, Antonio, Brenner, Chavez, Craig, Cutrona, Gavarone, Hackett, Hicks-Hudson, Huffman, S., Kunze, Landis, Lang, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Wilkin."

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

The motion was agreed to and the title so amended.

Am. S. B. No. 233-Senators DeMora, Kunze.
Cosponsors: Senators Antonio, Craig, Smith, Sykes, Brenner, Manning.

To amend sections 4511.62, 4511.63, and 4511.64 of the Revised Code to require vehicle operators to watch, listen, and stop for on-track equipment that may be approaching a railroad crossing, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 233**, 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
Chavez	Cirino	Craig	Cutrona
DeMora	Dolan	Gavarone	Hackett
Hicks-Hudson	Huffman, S.	Ingram	Johnson
Kunze	Landis	Lang	Manning
McColley	O'Brien	Reineke	Reynolds
Roegner	Romanchuk	Schaffer	Smith
Sykes	Wilkin		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Cirino, Gavarone, Hackett, Hicks-Hudson, Ingram, Johnson, Reineke, Roegner."

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

The motion was agreed to and the title so amended.

MOTIONS

Senator Gavarone moved that Senators absent the week of Sunday, November 10, 2024, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

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

The motion was agreed to.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered for the first time:

S. B. No. 331 - Senator Blessing.

To amend sections 3123.67, 4123.78, 4141.23, 5301.071, 5301.255, 5719.04, 5739.13, 5747.13, and 5749.07 of the Revised Code to require certain liens filed with the county recorder to set forth the last known address of the lien debtor and to require a memorandum of trust or other qualifying instrument concerning real property to be recorded.

OFFERING OF RESOLUTIONS

Senator Gavarone offered the following resolution:

S. R. No. 472-Senator Gavarone.

Cosponsors: Senators Cirino, Craig, DeMora, Reineke.

Relative to mileage reimbursement.

RESOLVED, Pursuant to section 101.27 of the Revised Code and S.R. No. 2--Senator Schuring, Relative to mileage reimbursement, adopted January 3, 2023, the Clerk of the Senate is authorized to add the mileage for Al Cutrona of 352 miles round trip, Rob McColley of 294 miles round trip, and Shane Wilkin of 148 miles round trip

The question being, “Shall the resolution, **S. R. No. 472**, be adopted?

The yeas and nays were taken and resulted – yeas 28, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Chavez	Cirino	Craig	DeMora
Dolan	Gavarone	Hackett	Hicks-Hudson
Huffman, S.	Ingram	Johnson	Kunze
Landis	Lang	Manning	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Schaffer	Smith	Sykes	Huffman, M.-28

So the resolution was adopted.

The title was amended as follows:

Add the names: "Senators Cirino, Craig, DeMora, Reineke."

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

The motion was agreed to and the title so amended.

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

S. R. No. 473 - Senator Schaffer.

Honoring Andrew Walton as the 2024 Division II State Boys Cross Country Champion.

S. R. No. 474 - Senator Schaffer.

Honoring the Fairfield Union High School boys cross country team on winning the 2024 Division II State Championship.

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

So the resolutions were adopted.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has concurred in the passage of the following bill:

Am. Sub. S. B. No. 104 -Senators Cirino, Brenner

Cosponsors: Senators Lang, Reynolds, Antonio, Chavez, Craig, DeMora, Gavarone, Hackett, Hicks-Hudson, Ingram, Johnson, Landis, Manning, O'Brien, Reineke, Roegner, Romanchuk, Schaffer, Schuring, Sykes, Wilkin

Representatives Williams, Bird, Click, Creech, Daniels, Dean, Dobos, Fowler Arthur, Gross, Hall, John, Johnson, Lipps, McClain, Merrin, Miller, M., Peterson, Powell, Robb Blasdel, Santucci, Stein, Stewart, Stoltzfus, Wiggam, Willis

To amend sections 3302.03, 3314.03, 3326.11, 3365.03, 3365.04, 3365.05, 3365.11, and 3365.15 and to enact sections 3319.90, 3345.90, and 3365.14 of the Revised Code regarding the College Credit Plus Program and to enact the Protect All Students Act regarding single-sex bathroom access in primary and secondary schools and institutions of higher education.

With the following additional amendments, in which the concurrence of the Senate is requested.

In line 1 of the title, after "3302.03" insert ", 3314.03, 3326.11"

In line 3 of the title, delete "section" and insert "sections 3319.90, 3345.90, and"

In line 4 of the title, after "Program" insert "and to enact the Protect All Students Act regarding single-sex bathroom access in primary and secondary schools and institutions of higher education"

In line 5, after "3302.03" insert ", 3314.03, 3326.11"

In line 6, delete "section" and insert "sections 3319.90, 3345.90, and"

After line 1146, insert:

"**Sec. 3314.03.** A copy of every contract entered into under this section shall be filed with the director of education and workforce. The department of education and workforce shall make available on its web site a copy of every approved, executed contract filed with the director under this section.

(A) Each contract entered into between a sponsor and the governing authority of a community school shall specify the following:

(1) That the school shall be established as either of the following:

(a) A nonprofit corporation established under Chapter 1702. of the Revised Code, if established prior to April 8, 2003;

(b) A public benefit corporation established under Chapter 1702. of the Revised Code, if established after April 8, 2003.

(2) The education program of the school, including the school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum;

(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals,

which shall include the statewide achievement assessments;

(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;

(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;

(6)(a) Dismissal procedures;

(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.

(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;

(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.

(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:

(a) A detailed description of each facility used for instructional purposes;

(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;

(c) The annual mortgage principal and interest payments that are paid by the school;

(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.

(10) Qualifications of employees, including both of the following:

(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;

(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.

(11) That the school will comply with the following requirements:

(a) The school will provide learning opportunities to a minimum of

twenty-five students for a minimum of nine hundred twenty hours per school year.

(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.

(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.

(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3319.90, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it were a school district and will comply with section 3301.0714 of the Revised Code in the manner specified in section 3314.17 of the Revised Code.

(e) The school shall comply with Chapter 102. and section 2921.42 of the Revised Code.

(f) The school will comply with sections 3313.61, 3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the Revised Code, except that for students who enter ninth grade for the first time before July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum in any high school prior to receiving a high school diploma may be met by completing the curriculum adopted by the governing authority of the community school rather than the curriculum specified in Title XXXIII of the Revised Code or any rules of the department. Beginning with students who enter ninth grade for the first time on or after July 1, 2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum of a high school prior to receiving a high school diploma shall be met by completing the requirements prescribed in section 3313.6027 and division (C) of section 3313.603 of the Revised Code, unless the person qualifies

under division (D) or (F) of that section. Each school shall comply with the plan for awarding high school credit based on demonstration of subject area competency, and beginning with the 2017-2018 school year, with the updated plan that permits students enrolled in seventh and eighth grade to meet curriculum requirements based on subject area competency adopted by the department under divisions (J)(1) and (2) of section 3313.603 of the Revised Code. Beginning with the 2018-2019 school year, the school shall comply with the framework for granting units of high school credit to students who demonstrate subject area competency through work-based learning experiences, internships, or cooperative education developed by the department under division (J)(3) of section 3313.603 of the Revised Code.

(g) The school governing authority will submit within four months after the end of each school year a report of its activities and progress in meeting the goals and standards of divisions (A)(3) and (4) of this section and its financial status to the sponsor and the parents of all students enrolled in the school.

(h) The school, unless it is an internet- or computer-based community school, will comply with section 3313.801 of the Revised Code as if it were a school district.

(i) If the school is the recipient of moneys from a grant awarded under the federal race to the top program, Division (A), Title XIV, Sections 14005 and 14006 of the "American Recovery and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, the school will pay teachers based upon performance in accordance with section 3317.141 and will comply with section 3319.111 of the Revised Code as if it were a school district.

(j) If the school operates a preschool program that is licensed by the department under sections 3301.52 to 3301.59 of the Revised Code, the school shall comply with sections 3301.50 to 3301.59 of the Revised Code and the minimum standards for preschool programs prescribed in rules adopted by the department of children and youth under section 3301.53 of the Revised Code.

(k) The school will comply with sections 3313.6021 and 3313.6023 of the Revised Code as if it were a school district unless it is either of the following:

(i) An internet- or computer-based community school;

(ii) A community school in which a majority of the enrolled students are children with disabilities as described in division (A)(4)(b) of section 3314.35 of the Revised Code.

(l) The school will comply with section 3321.191 of the Revised Code, unless it is an internet- or computer-based community school that is subject to section 3314.261 of the Revised Code.

(12) Arrangements for providing health and other benefits to employees;

(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (E) of this section.

(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;

(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.

(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;

(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;

(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;

(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in sections 3314.06 and 3314.061 of the Revised Code and, at the sole discretion of the authority, shall do one of the following:

(a) Prohibit the enrollment of students who reside outside the district in which the school is located;

(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;

(c) Permit the enrollment of students who reside in any other district in the state.

(20) A provision recognizing the authority of the department to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;

(21) A provision recognizing the sponsor's authority to assume the

operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code;

(22) A provision recognizing both of the following:

(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities closed if those officials find that the facilities are not in compliance with health and safety laws and regulations;

(b) The authority of the department as the community school oversight body to suspend the operation of the school under section 3314.072 of the Revised Code if the department has evidence of conditions or violations of law at the school that pose an imminent danger to the health and safety of the school's students and employees and the sponsor refuses to take such action.

(23) A description of the learning opportunities that will be offered to students including both classroom-based and non-classroom-based learning opportunities that is in compliance with criteria for student participation established by the department under division (H)(2) of section 3314.08 of the Revised Code;

(24) The school will comply with sections 3302.04 and 3302.041 of the Revised Code, except that any action required to be taken by a school district pursuant to those sections shall be taken by the sponsor of the school.

(25) Beginning in the 2006-2007 school year, the school will open for operation not later than the thirtieth day of September each school year, unless the mission of the school as specified under division (A)(2) of this section is solely to serve dropouts. In its initial year of operation, if the school fails to open by the thirtieth day of September, or within one year after the adoption of the contract pursuant to division (D) of section 3314.02 of the Revised Code if the mission of the school is solely to serve dropouts, the contract shall be void.

(26) Whether the school's governing authority is planning to seek designation for the school as a STEM school equivalent under section 3326.032 of the Revised Code;

(27) That the school's attendance and participation policies will be available for public inspection;

(28) That the school's attendance and participation records shall be made available to the department, auditor of state, and school's sponsor to the extent permitted under and in accordance with the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any regulations promulgated under that act, and section 3319.321 of the Revised Code;

(29) If a school operates using the blended learning model, as defined

in section 3301.079 of the Revised Code, all of the following information:

(a) An indication of what blended learning model or models will be used;

(b) A description of how student instructional needs will be determined and documented;

(c) The method to be used for determining competency, granting credit, and promoting students to a higher grade level;

(d) The school's attendance requirements, including how the school will document participation in learning opportunities;

(e) A statement describing how student progress will be monitored;

(f) A statement describing how private student data will be protected;

(g) A description of the professional development activities that will be offered to teachers.

(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;

(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.

(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.

(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.

(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:

(1) The process by which the governing authority of the school will be selected in the future;

(2) The management and administration of the school;

(3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion;

(4) The instructional program and educational philosophy of the school;

(5) Internal financial controls.

When submitting the plan under this division, the school shall also submit copies of all policies and procedures regarding internal financial controls adopted by the governing authority of the school.

(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.

(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department under division (B) of section 3314.015 of the Revised Code and shall include the following:

(1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the contract;

(2) Monitor and evaluate the academic and fiscal performance and the organization and operation of the community school on at least an annual basis;

(3) Report on an annual basis the results of the evaluation conducted under division (D)(2) of this section to the department and to the parents of students enrolled in the community school;

(4) Provide technical assistance to the community school in complying with laws applicable to the school and terms of the contract;

(5) Take steps to intervene in the school's operation to correct problems in the school's overall performance, declare the school to be on probationary status pursuant to section 3314.073 of the Revised Code, suspend the operation of the school pursuant to section 3314.072 of the Revised Code, or terminate the contract of the school pursuant to section 3314.07 of the Revised Code as determined necessary by the sponsor;

(6) Have in place a plan of action to be undertaken in the event the community school experiences financial difficulties or closes prior to the end of a school year.

(E) Upon the expiration of a contract entered into under this section, the sponsor of a community school may, with the approval of the governing authority of the school, renew that contract for a period of time determined by the sponsor, but not ending earlier than the end of any school year, if the sponsor finds that the school's compliance with applicable laws and terms of the contract and the school's progress in meeting the academic goals

prescribed in the contract have been satisfactory. Any contract that is renewed under this division remains subject to the provisions of sections 3314.07, 3314.072, and 3314.073 of the Revised Code.

(F) If a community school fails to open for operation within one year after the contract entered into under this section is adopted pursuant to division (D) of section 3314.02 of the Revised Code or permanently closes prior to the expiration of the contract, the contract shall be void and the school shall not enter into a contract with any other sponsor. A school shall not be considered permanently closed because the operations of the school have been suspended pursuant to section 3314.072 of the Revised Code.

Sec. 3319.90. (A) As used in this section:

(1) "Biological sex" means the biological indication of male and female, including sex chromosomes, naturally occurring sex hormones, gonads, and nonambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen, or subjective experience of gender. An individual may use the individual's official birth record, as defined in section 3705.01 of the Revised Code, to prove biological sex if the birth record was issued at or near the time of the individual's birth.

(2) "Family facility" means a family restroom or shower room that does not have more than one toilet or shower.

(3) "Multi-occupancy facility" means a restroom, locker room, changing room, or shower room that is accessible to multiple individuals at the same time. "Multi-occupancy facility" does not include a family facility.

(4) "School" includes the following:

(a) A school district or school district building;

(b) A community school established under Chapter 3314. of the Revised Code;

(c) A science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code;

(d) A chartered nonpublic school;

(e) An educational service center.

(B)(1) A school shall designate each student restroom, locker room, changing room, or shower room that is accessible by multiple students at the same time, whether located in a school building or located in a facility used by the school for a school-sponsored activity, for the exclusive use by students of the male biological sex only or by students of the female biological sex only.

(2) No school shall permit a member of the female biological sex to use a student restroom, locker room, changing room, or shower room that has

been designated by the school for the exclusive use of the male biological sex. No school shall permit a member of the male biological sex to use a student restroom, locker room, changing room, or shower room that has been designated by the school for the exclusive use of the female biological sex.

(3) No school shall construct, establish, or maintain a multi-occupancy facility that is designated as nongendered, multigendered, or open to all genders.

Nothing in division (B)(3) of this section shall be construed to prohibit a school from constructing, establishing, or maintaining a family facility.

(C) No school shall permit a member of the female biological sex to share overnight accommodations with a member of the male biological sex. No school shall permit a member of the male biological sex to share overnight accommodations with a member of the female biological sex.

(D) Nothing in this section shall be construed to prohibit a school from establishing a policy providing accommodation such as single-occupancy facilities or controlled use of faculty facilities at the request of a student due to special circumstances.

(E) The prohibitions described in divisions (B) and (C) of this section do not apply to any of the following:

(1) A child under the age of ten who is being assisted by a parent, guardian, or family member, as well as the parent, guardian, or family member who is assisting the child;

(2) A person with a disability who is being assisted by another person, as well as the person providing assistance to the person with a disability;

(3) A school employee whose job duties require the employee to enter a restroom, locker room, changing room, or shower room that is designated for a biological sex that is different than the employee's biological sex;

(4) A person who enters a restroom, locker room, changing room, or shower room that is designated for a biological sex that is different than the person's biological sex because the person reasonably believes the person is responding to a legitimate emergency.

Sec. 3326.11. Each science, technology, engineering, and mathematics school established under this chapter and its governing body shall comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 3301.0714, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.14, 3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 3313.482, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.6012, 3313.6013,

3313.6014, 3313.6015, 3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.61, 3313.611, 3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.21, 3319.238, 3319.318, 3319.32, 3319.321, 3319.324, 3319.35, 3319.39, 3319.391, 3319.393, 3319.41, 3319.45, 3319.46, 3319.90, 3320.01, 3320.02, 3320.03, 3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code as if it were a school district.

Sec. 3345.90. (A) As used in this section:

(1) "Biological sex," "family facility," and "multi-occupancy facility" have the same meanings as in section 3319.90 of the Revised Code.

(2) "Institution of higher education" has the same meaning as in section 3345.19 of the Revised Code.

(B)(1) Each institution of higher education shall designate with clear signage each student restroom, locker room, changing room, or shower room accessible by multiple students at the same time for the exclusive use by students of the male biological sex only or by students of the female biological sex only.

(2) No institution of higher education shall knowingly permit a member of the female biological sex to use a student restroom, locker room, changing room, or shower room that has been designated by the school for the exclusive use of the male biological sex. No institution of higher education shall knowingly permit a member of the male biological sex to use a student restroom, locker room, changing room, or shower room that has been designated by the school for the exclusive use of the female biological sex.

(3) No institution of higher education shall construct, establish, or maintain a multi-occupancy facility that is designated as nongendered, multigendered, or open to all genders.

Nothing in division (B)(3) of this section shall be construed to prohibit an institution of higher education from constructing, establishing, or maintaining a family facility.

(C) Nothing in this section shall be construed to prohibit an institution of higher education from establishing and enforcing a policy on

the use of a multi-occupancy facility. Any policy adopted by an institution of higher education in accordance with this section shall provide an option for alternative accommodations, including, but not limited to, the use of single-occupancy facilities or faculty facilities.

(D) The prohibition described in division (B) of this section does not apply to any of the following:

(1) A child under the age of ten who is being assisted by a parent, guardian, or family member, as well as the parent, guardian, or family member who is assisting the child;

(2) A person with a disability who is being assisted by another person, as well as the person providing assistance to the person with a disability;

(3) An employee of the institution of higher education whose job duties require the employee to enter a restroom, locker room, changing room, or shower room that is designated for a biological sex that is different than the employee's biological sex;

(4) A person who enters a restroom, locker room, changing room, or shower room that is designated for a biological sex that is different than the person's biological sex because the person reasonably believes the person is responding to a legitimate emergency. "

In line 1592, after "3302.03" insert ", 3314.03, 3326.11"

After line 1594, insert:

"Section 3. Section 3314.03 of the Revised Code as presented in this act takes effect on the later of January 1, 2025, or the effective date of this section. January 1, 2025, is the effective date of an earlier amendment to that section by H.B. 33 of the 135th General Assembly.

Section 4. The amendment or enactment of sections 3314.03, 3319.90, 3326.11, and 3345.90 of the Revised Code by this act shall be known as the Protect All Students Act."

Attest: Bradley J. Young,
Clerk.

Senator McColley moved that the amendments of the House of Representatives to **Am. Sub. S. B. No. 104**-Senators Cirino, Brenner, be brought up for consideration.

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

The motion was agreed to.

The question being, “Shall the Senate concur in the amendments of the

House of Representatives?"

The yeas and nays were taken and resulted – yeas 24, nays 7, as follows:

Those who voted in the affirmative were: Senators

Antani	Blessing	Brenner	Chavez
Cirino	Cutrona	Dolan	Gavarone
Hackett	Huffman, S.	Johnson	Kunze
Landis	Lang	Manning	McColley
O'Brien	Reineke	Reynolds	Roegner
Romanchuk	Schaffer	Wilkin	Huffman, M.-24

Senators Antonio, Craig, DeMora, Hicks-Hudson, Ingram, Smith, and Sykes voted in the negative-7.

So the Senate concurred in the amendments of the House of Representatives.

Senator Antonio moved to amend the title as follows:

Remove the names: "Senators Antonio, Craig, DeMora, Hicks-Hudson, Ingram, Sykes"

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

The motion was agreed to and the title so amended.

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, Shon P. Anderson, from Sugarcreek Twp, Greene County, Ohio, as a Member of the Central State University Board of Trustees for a term beginning August 2, 2024 and ending at the close of business June 30, 2032, replacing Sherri Richardson, 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 2nd day of August in the year of our Lord, Two Thousand and Twenty-Four.

[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, Manuel Chavez, III, from Cincinnati, Hamilton County, Ohio, as a Member of the Cincinnati State Technical and Community College Board of Trustees for a term beginning September 27, 2024 and ending at the close of business August 31, 2030, replacing Manuel Chavez III, 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 September in the year of our Lord, Two Thousand and Twenty-Four.

[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, Rachel D. Cummings, from Seaman, Adams County, Ohio, as a Member of the Southern State Community College Board of Trustees for a term beginning September 27, 2024 and ending at the close of business May 11, 2030, replacing Rachel D. Cummings, 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 September in the year of our Lord, Two Thousand and Twenty-Four.

[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, Richard D. Dickerson, from West Jefferson, Madison County, Ohio, as a Member of the Ohio University Board of Trustees for a term beginning August 2, 2024 and ending at the close of business May 13, 2033, replacing Peggy J. Viehweger, 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 2nd day of August in the year of our Lord, Two Thousand and Twenty-Four.

[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, Richard C. Fedorovich, from Hudson, Summit County, Ohio, as a Member of the University of Akron Board of Trustees for a term beginning July 11, 2024 and ending at the close of business July 1, 2033, replacing William A. Scala, 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 11th day of July in the year of our Lord, Two Thousand and Twenty-Four.

[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, Adam M. Levine, from Toledo, Lucas County, Ohio, as a Member of the University of Toledo Board of Trustees for a term beginning August 2, 2024 and ending at the close of business July 1, 2033, replacing Will Lucas, 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 2nd day of August in the year of our Lord, Two Thousand and Twenty-Four.

[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, Ellen B. Miller, from Dayton, Montgomery County, Ohio, as a Member of the Wright State University Board of Trustees for a term beginning August 2, 2024 and ending at the close of business June 30, 2033, replacing Martin J. Grunder, 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 2nd day of August in the year of our Lord, Two Thousand and Twenty-Four.

[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, Rajbir S. Minhas, from Cincinnati, Hamilton County, Ohio, as a Member of the Cincinnati State Technical and Community College Board of Trustees for a term beginning September 27, 2024 and ending at the close of business August 31, 2030, replacing Rajbir S. Minhas, 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 September in the year of our Lord, Two Thousand and Twenty-Four.

[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, Jeffrey D. Newman, from West Union, Adams County, Ohio, as a Member of the Southern State Community College Board of Trustees for a term beginning September 27, 2024 and ending at the close of business May 11, 2030, replacing Jeffrey D. Newman, 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 September in the year of our Lord, Two Thousand and Twenty-Four.

[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, Ricky L. Peters, from Brookville, Montgomery County, Ohio, as a Member of the Wright State University Board of Trustees for a term beginning August 2, 2024 and ending at the close of business June 30, 2027, replacing Bruce A. Langos, who resigned.

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 2nd day of August in the year of our Lord, Two Thousand and Twenty-Four.

[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, Kathryn H. Rinehart, from Jackson, Jackson County, Ohio, as a Member of the Rio Grande Community College Board of Trustees for a term beginning August 2, 2024 and ending at the close of business October 10, 2025, replacing Sarah M. Munn, who resigned.

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 2nd day of August in the year of our Lord, Two Thousand and Twenty-Four.

[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, Theodore M. Scherpenberg, from Cincinnati, Hamilton County, Ohio, as a Member of the Cincinnati State Technical and Community College Board of Trustees for a term beginning September 27, 2024 and ending at the close of business August 31, 2026, replacing Catherine L. Evans, 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 September in the year of our Lord, Two Thousand and Twenty-Four.

[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, George H. Vincent, from Cincinnati, Hamilton County, Ohio, as a Member of the Cincinnati State Technical and Community College Board of Trustees for a term beginning September 27, 2024 and ending at the close of business August 31, 2030, replacing George H. Vincent, 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 September in the year of our Lord, Two Thousand and Twenty-Four.

[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, Gregory A. White, from Concord, Lake County, Ohio, as a Member of the Cincinnati State Technical and Community College Board of Trustees for a term beginning September 27, 2024 and ending at the close of business May 16, 2033, replacing Robin M. Kilbride, 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 September in the year of our Lord, Two Thousand and Twenty-Four.

[Seal]

Mike DeWine,
Governor.

On the motion of Senator McColley, the Senate adjourned until Tuesday, November 19, 2024 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.