OHIO

SENATE

JOURNAL

WEDNESDAY, FEBRUARY 28, 2024

ONE HUNDRED TWENTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, February 28, 2024, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Bishop Timothy J. Clarke, First Church "The City" in Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

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

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

Senator Roegner recognized members of the Junior Leadership Hudson on their visit to the Statehouse and Supreme Court.

Senator Schaffer recognized Roger Morgan and Adam Hayes on their visit to the Statehouse.

Senator Sykes recognized Ronald Spears II as the top-ranked senator at the 2023 Boys Nation and B. Ethan Young also representing Ohio at American Legion Boys Nation.

Senator Blessing requested a moment of silence in honor of former Ohio Senate President, Stanley J. Aronoff, who passed away on January 31, 2024. President Aronoff represented the 8th District in the Ohio Senate from 1967-1996. He was the Senate President from 1989-1996.

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 and resolution, standing in order for second consideration, be referred to committee as recommended:

H. B. No. 226-Representatives Robb Blasdel, Jarrells, et al.
To amend sections 4909.05 and 4909.15 and to enact sections 4909.173 and 4909.174 of the Revised Code to permit water-works companies to bear the costs for replacing certain customer-owned water service lines.

To the Committee on Energy and Public Utilities.

Sub. H. B. No. 238-Representatives Fowler Arthur, Klopfenstein, et al.
To amend sections 101.62, 103.27, 926.12, 926.19, 3703.21, 3769.03, 3772.13, 4104.07, 4104.08, 4104.18, 4517.02, 4517.04, 4517.10, 4517.14, 4517.15, 4517.20, 4517.33, 4517.43, 4549.50, 4703.16, 4735.01, 4735.07, 4735.09, 4738.05, 4749.03, 4763.05, 4763.06, 4763.07, 4763.08, 4763.09,

4781.08, 4781.17, and 5120.10; to enact new section 926.30 and sections 3769.031 and 4743.06; and to repeal sections 926.30 and 4517.09 of the Revised Code to revise and streamline the state's occupational regulations.

To the Committee on Government Oversight.

Am. H. B. No. 324-Representatives McClain, Klopfenstein, et al.
To amend sections 5747.98 and 5751.98 and to enact sections 122.078, 5747.74, and 5751.56 of the Revised Code to temporarily authorize a nonrefundable tax credit for the retail sale of high-ethanol blend motor fuel.

To the Committee on Ways and Means.

S. R. No. 273-Senator Wilkin, et al.
To commend the state of Texas for the state's policies and actions to secure the national border.

To the Committee on Veterans and Public Safety.

S. B. No. 217-Senators Blessing, Johnson, et al.
To amend sections 1345.51, 2907.321, and 2913.49 and to enact sections 1349.10 and 2907.324 of the Revised Code to require AI-generated products have a watermark, to prohibit simulated child pornography, and to prohibit identity fraud using a replica of a person.

To the Committee on Judiciary.

S. B. No. 218-Senator Schaffer
To enact section 4508.041 of the Revised Code to authorize an eligible adult to act in lieu of a driver training instructor while using an authorized electronic device or application.

To the Committee on Transportation.

S. B. No. 219-Senator Ingram, et al.
To amend section 3319.22 of the Revised Code regarding educator license grade bands.

To the Committee on Education.

S. B. No. 220-Senator Huffman, S., et al.
To enact section 5.54 of the Revised Code to designate January 22 as the

"Day of Tears."

To the Committee on General Government.

S. B. No. 221-Senator DeMora

To enact section 3345.87 of the Revised Code regarding broadcasts of intercollegiate athletic competitions.

To the Committee on Workforce and Higher Education.

S. B. No. 222-Senator DeMora

To enact section 5.54 of the Revised Code to designate January 22 as "Reproductive Freedom Day."

To the Committee on General Government.

S. B. No. 223-Senators Lang, Rulli, et al.

To amend sections 177.011, 177.02, 2909.07, 2913.01, 2913.02, 2913.30, 2923.31, 2923.32, and 5739.17 and to enact sections 109.831 and 2913.08 of the Revised Code to enact the Fight Organized Retail Crime and Empower Law Enforcement (FORCE) Act to create the Organized Retail Theft Advisory Council and an investigative task force, to modify theft offenses and penalties related to retail property, and to make an appropriation.

To the Committee on Judiciary.

S. B. No. 224-Senator Schaffer

To amend sections 5739.01 and 5741.01 and to enact section 5741.072 of the Revised Code to modify the sales and use taxation of delivery network services.

To the Committee on Ways and Means.

S. B. No. 225-Senator Roegner

To amend section 5.481 of the Revised Code to designate September 22 as Veterans Suicide Awareness and Prevention Day.

To the Committee on Veterans and Public Safety.

S. B. No. 226-Senator Johnson, et al.

To amend sections 319.202, 5301.256, and 5323.02 of the Revised Code to extend the law that prohibits certain governments, businesses, and individuals

from acquiring agricultural land to certain other property and to name this act the Ohio Property Protection Act.

To the Committee on Veterans and Public Safety.

S. B. No. 227-Senator Smith

To enact section 4933.30 of the Revised Code to enact "The Consumer Utility Billing Transparency Act" requiring the itemization of all riders, taxes, and other costs on certain utility bills.

To the Committee on Energy and Public Utilities.

S. B. No. 228-Senator Smith

To enact section 4903.191 of the Revised Code to require refunds for utility customers when a utility charge was determined to be unlawful.

To the Committee on Energy and Public Utilities.

S. B. No. 229-Senators DeMora, Hicks-Hudson

To amend sections 4901.02 and 4901.021 and to enact section 4901.022 of the Revised Code to make various changes to the Public Utilities Commission nominating council and nomination process.

To the Committee on Energy and Public Utilities.

S. B. No. 230-Senator Antani

To amend sections 9.63 and 5747.502 and to enact sections 9.631, 9.632, 9.633, and 9.634 of the Revised Code to require state and local authorities to cooperate with the federal government in the enforcement of immigration laws, to sanction those that fail to do so, and to declare an emergency.

To the Committee on Veterans and Public Safety.

S. B. No. 231-Senators Smith, Hicks-Hudson, et al.

To enact section 4112.041 of the Revised Code to require the Ohio Civil Rights Commission to establish a system for individuals to anonymously report wage discrimination.

To the Committee on Small Business and Economic Opportunity.

S. B. No. 232-Senators Smith, Hicks-Hudson, et al.

To enact sections 4145.01, 4145.02, 4145.03, 4145.04, 4145.05, and

4145.06 of the Revised Code to create the fair paycheck workplace certificate.

To the Committee on Small Business and Economic Opportunity.

YES - 13: 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, KENT SMITH

NO - 0.

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

The report of the committee was accepted.

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

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Johnson submitted the following report:

The standing committee on Veterans and Public Safety, to which was referred **S. B. No. 148-**Senator Johnson, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 3: TERRY JOHNSON, BRIAN M. CHAVEZ, SHANE WILKIN

NO - 1: HEARCEL F. CRAIG

Senator Johnson submitted the following report:

The standing committee on Veterans and Public Safety, to which was referred **S. B. No. 154-**Senator Roegner having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Johnson.

YES - 4: TERRY JOHNSON, BRIAN M. CHAVEZ, SHANE WILKIN, HEARCEL F. CRAIG

NO - 0.

Senator Rulli submitted the following report:

The standing committee on General Government, to which was referred **S. B. No. 215-**Senators Gavarone, McColley having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 4: MICHAEL A. RULLI, BILL REINEKE, ROB MCCOLLEY, THERESA GAVARONE

NO - 1: WILLIAM P. DEMORA

Senator Kunze submitted the following report:

The standing committee on Transportation, to which was referred **S. R. No. 196-**Senator Reineke having had the same under consideration, reports it back with the following amendment and recommends its adoption when so amended.

In line 3 of the title, delete "carriers" and insert "shippers"

In line 12, delete "carriers" and insert "shippers"

In line 29, delete "carriers" and insert "shippers"

YES - 11: 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, MICHAEL A. RULLI, TIM SCHAFFER

NO - 0.

Senator Kunze submitted the following report:

The standing committee on Transportation, to which was referred **H. B. No. 269-**Representative Holmes, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Hackett, Brenner.

YES - 11: 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, MICHAEL A. RULLI, TIM SCHAFFER

NO - 0.

Senator Kunze submitted the following report:

The standing committee on Transportation, to which was referred **S. B. No. 45-**Senator O'Brien having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Hackett.

YES - 11: 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, MICHAEL A. RULLI, TIM SCHAFFER

NO - 0.

Senator Kunze submitted the following report:

The standing committee on Transportation, to which was referred **S. B. No. 163-**Senator Kunze, et al., having had the same under consideration, reports it back and recommends its passage.

YES - 11: 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, MICHAEL A. RULLI, TIM SCHAFFER

NO - 0.

Senator Cirino submitted the following report:

The standing committee on Workforce and Higher Education, to which was referred **Sub. H. B. No. 27-**Representatives Mathews, Thomas, J., et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 4: JERRY C. CIRINO, MICHAEL A. RULLI, BILL REINEKE, MICHELE REYNOLDS

NO - 1: CATHERINE D. INGRAM

Senator Cirino submitted the following report:

The standing committee on Workforce and Higher Education, to which was referred **S. B. No. 104-**Senators Cirino, Brenner, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

YES - 5: JERRY C. CIRINO, MICHAEL A. RULLI, CATHERINE D. INGRAM, BILL REINEKE, MICHELE REYNOLDS

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:

Bennett, Michael, from Zanesville, Muskingum County, Ohio, as a Member of the Zane State College Board of Trustees for a term beginning October 27, 2023, ending at the close of business July 31, 2026, replacing Michael R. Young, whose term expired.

Bridenbaker, Michael, from Monclova, Lucas County, Ohio, as a Member of the Owens State Community College Board of Trustees for a term beginning October 27, 2023, ending at the close of business September 21, 2028, replacing Jason Wesley Johnson, whose term expired.

Budzik, Michael, from Logan, Hocking County, Ohio, as a Member of the Hocking Technical College Board of Trustees for a term beginning October 27, 2023, ending at the close of business August 26, 2026, replacing J. Michael Brooks, whose term expired.

Cameneti, Joseph, from Vienna, Trumbull County, Ohio, as a Member of the Eastern Gateway Community College Board of Trustees for a term beginning October 27, 2023, ending at the close of business October 16, 2027, replacing Lois Elaine Thornton, who resigned.

Carter, Tracy, from Akron, Summit County, Ohio, as a Member of the Stark State College of Technology Board of Trustees for a term beginning October 27, 2023, ending at the close of business August 1, 2026, replacing Tracy L. Carter, whose term expired.

Crates, Amanda, from Dunkirk, Hancock County, Ohio, as a Member of the Board of Embalmers and Funeral Directors for a term beginning July 1, 2023, ending at the close of business June 30, 2028, replacing Amanda E. Crates, whose term expired.

Ebersole, Lidia, from Perrysburg, Wood County, Ohio, as a Member of the

University of Toledo Board of Trustees for a term beginning October 27, 2023, ending at the close of business July 1, 2032, replacing Mary Ellen Pisanelli, whose term expired.

Flanigan, Kevin, from Grafton, Lorain County, Ohio, as a Member of the Lorain County Community College Board of Trustees for a term beginning October 27, 2023, ending at the close of business August 30, 2028, replacing Kevin J. Flanigan, whose term expired.

Hurst, Mitchell, from Springfield, Clark County, Ohio, as a Member of the Clark State Community College Board of Trustees for a term beginning October 27, 2023, ending at the close of business November 30, 2026, replacing Maurice McDonald, who resigned.

Jones, Peter, from Shaker Heights, Cuyahoga County, Ohio, as a Member of the Ohio Arts Council for a term beginning January 6, 2023, ending at the close of business July 1, 2026, replacing Gary L. Hanson, whose term expired.

Lerner, Mark, from Akron, Summit County, Ohio, as a Member of the University of Akron Board of Trustees for a term beginning October 27, 2023, ending at the close of business July 1, 2032, replacing Joseph M. Gingo, who resigned.

Macon, Larry, from Sagamore Hills, Summit County, Ohio, as a Member of the Kent State University Board of Trustees for a term beginning October 27, 2023, ending at the close of business May 16, 2027, replacing Johnathan M. Holifield, who resigned.

Montagnese, Robert, from Pataskala, Licking County, Ohio, as a Member of the Central Ohio Technical College Board of Trustees for a term beginning October 27, 2023, ending at the close of business September 30, 2026, replacing Robert A. Montagnese, whose term expired.

Mucher, Christopher, from Yellow Springs, Greene County, Ohio, as a Member of the Ohio Cemetery Dispute Resolution Commission for a term beginning September 1, 2023, ending at the close of business July 1, 2027, replacing Christopher D. Mucher, whose term expired.

Myser, Richard, from St. Clairsville, Belmont County, Ohio, as a Member of the Belmont College Board of Trustees for a term beginning October 27, 2023, ending at the close of business May 12, 2026, replacing Edward D. Eberhart, whose term expired.

Reiff, Travis, from Bowling Green, Wood County, Ohio, as a Member of the Owens State Community College Board of Trustees for a term beginning October 27, 2023, ending at the close of business September 21, 2024, replacing Karil M. Morrissey, who resigned.

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 32, 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	McColley
O'Brien	Reineke	Reynolds	Roegner
Romanchuk	Rulli	Schaffer	Schuring
Smith	Sykes	Wilkin	Huffman, M.-32

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 Miami University for the Academic Council of the Miami University Center for Civics, Culture, and Society:

Ryan J. Barilleaux, Professor of Political Science, Miami University.

Thomas J. Cleveland, Executive Director of the American Political Tradition Project at the Jack Miller Center.

Donald A. Crain, Practicing Attorney at Frost, Brown, & Todd, LLC.

Gary L. Gregg, II, Director of the McConnell Center, a nonpartisan program at the University of Louisville.

Dennis A. Lieberman, Managing Partner at Flanagan, Lieberman & Rambo.

Jeffrey Sikkenga, Executive Director for the Ashbrook Center and professor of political science at Ashland University.

Bradley Smith, Josiah H. Blackmore II/Shirley M. Nault, Designated Professor of Law at Capital University Law School.

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

YES – 11: NICKIE J. ANTONIO, ANDREW O. BRENNER, HEARCEL F. CRAIG, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, MATT HUFFMAN, STEPHANIE KUNZE, ROB MCCOLLEY, MICHELE REYNOLDS, TIM SCHAFFER

NO – 1: CATHERINE D. INGRAM

The question being, "Shall the Senate advise and consent to the appointments by the Miami University Board of Trustees?"

The yeas and nays were taken and resulted – yeas 25, nays 7, as follows:

Those who voted in the affirmative were: Senators

Antani	Blessing	Brenner	Chavez
Cirino	Dolan	Gavarone	Hackett
Huffman, S.	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Schuring	Wilkin
			Huffman, M.-25

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

So the Senate advised and consented to said appointments.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Am. S. B. No. 17-Senator Wilson.
Cosponsors: Senators Brenner, Cirino, Dolan, Gavarone, Hackett, Hoagland, Johnson, Kunze, Lang, McColley, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Schaffer, Schuring. Representatives Click, Lipps, Merrin, Williams, Bird, Carruthers, Creech, Cutrona, Dobos, Edwards, Ferguson, Gross, Hall, Hillyer, Holmes, John, Jones, Kick, Loychik, Mathews, McClain, Miller, M., Peterson, Santucci, Schmidt, Seitz, Swearingen, Willis.

To amend sections 3301.079, 3313.603, and 3319.238 of the Revised Code to incorporate free market capitalism content into the high school financial literacy and entrepreneurship standards and model curriculum and with regard to financial literacy course credit and license validation, were taken up.

The question being, “Shall the Senate concur in the amendments of the House of Representatives?”

The yeas and nays were taken and resulted – yeas 32, 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	McColley
O'Brien	Reineke	Reynolds	Roegner
Romanchuk	Rulli	Schaffer	Schuring
Smith	Sykes	Wilkin	Huffman, M.-32

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

The amendments of the House of Representatives to:

Am. Sub. S. B. No. 106-Senator Schaffer.

Cosponsors: Senators Hackett, Antonio, Cirino, Craig, DeMora, Gavarone, Hicks-Hudson, Johnson, Kunze, Landis, O'Brien, Reineke, Reynolds, Romanchuk, Rulli, Schuring, Smith, Sykes, Wilkin, Wilson. Representatives Abdullahi, Abrams, Baker, Barhorst, Blackshear, Brennan, Brewer, Brown, Carruthers, Dell'Aquila, Denson, Dobos, Forhan, Ghanbari, Grim, Humphrey, Isaacsohn, Jarrells, Jones, Kick, Klopfenstein, Lampton, Liston, Mathews, Miller, K., Miranda, Mohamed, Oelslager, Patton, Pavliga, Piccolantonio, Richardson, Rogers, Russo, Schmidt, Sims, Skindell, Somani, Sweeney, Thomas, C., Upchurch, Williams, Willis.

To amend sections 2929.14, 2941.1414, 4123.026, and 4123.651 of the Revised Code regarding workers' compensation coverage for testing when certain medical professionals are exposed to chemical substances or bodily fluids in the course of employment and regarding medical release forms for workers' compensation claims, were taken up.

The question being, “Shall the Senate concur in the amendments of the House of Representatives?”

The yeas and nays were taken and resulted – yeas 32, 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	McColley
O'Brien	Reineke	Reynolds	Roegner
Romanchuk	Rulli	Schaffer	Schuring
Smith	Sykes	Wilkin	Huffman, M.-32

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

RESOLUTIONS REPORTED BY COMMITTEE

Am. S. R. No. 196-Senator Reineke.

To urge the United States Congress to amend the Railway Safety Act of 2023 to require rail shippers to secure all rail cars carrying solid waste to prevent littering and to create a study committee to analyze the benefits of securing rail cars carrying solid waste.

WHEREAS, On March 1, 2023, U.S. Senators Sherrod Brown and J.D. Vance from Ohio introduced the Railway Safety Act of 2023, which creates new safety requirements and procedures for trains carrying hazardous materials; and

WHEREAS, The Railway Safety Act does not specifically require rail shippers to secure loads consisting of solid waste; and

WHEREAS, Unsecured solid waste emitted from trains causes pollution and other threats to public health and safety in communities throughout Ohio, which is of considerable concern in light of the events that unfolded on February 3, 2023, in East Palestine, Ohio; and

WHEREAS, Costs to cleanup solid waste along and in the vicinity of rail lines are borne by local governments and individual property owners in Ohio; and

WHEREAS, Solid waste materials that are emitted from trains create great uncertainty among Ohio residents living in the vicinity of rail lines and affects their health, safety, and overall quality of life; now therefore be it

RESOLVED, That we, the members of the Senate of the 135th General Assembly of the State of Ohio, urge the United States Congress to amend the Railway Safety Act of 2023 to require rail shippers to secure all rail cars carrying solid waste to ensure that such waste is not deposited on the lands over which trains travel; and be it further

RESOLVED, That we, the members of the Senate of the 135th General Assembly of the State of Ohio, urge the United States Congress to create a study committee to analyze the benefits of securing rail cars carrying solid waste; and be it further

RESOLVED, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the President Pro Tempore and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Ohio Congressional delegation, and the news media of Ohio.

The question being, "Shall the resolution, **Am. S. R. No. 196**, be adopted?

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

Those who voted in the affirmative were: Senators

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

So the resolution was adopted.

The title was amended as follows:

Add the names: "Senators Antonio, Brenner, Chavez, Cirino, Craig, DeMora, Dolan, Gavarone, Hackett, Hicks-Hudson, Ingram, Johnson, Kunze, Landis, Lang, Manning, O'Brien, Reynolds, Roegner, Romanchuk, Rulli, Schaffer, Schuring, Smith, Sykes."

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

The motion was agreed to and the title so amended.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 27-Representatives Mathews, Thomas, J.
Cosponsors: Representatives Barhorst, Carruthers, Claggett, Click, Cutrona, Dean, Demetriou, Dobos, Ferguson, King, Klopfenstein, LaRe, Merrin, Peterson, Richardson, Williams, Willis, Miller, J., Abdullahi, Bird, Abrams, Blackshear, Brennan, Brewer, Cross, Dell'Aquila, Galonski, Grim, Hillyer, Holmes, Hoops, Humphrey, Isaacsohn, Jones, Lorenz, Miller, K., Miller, M., Patton, Pavliga, Pizzulli, Ray, Robinson, Rogers, Schmidt, Seitz, Somani, Stein, Stewart, Swearingen, Thomas, C., White, Wiggam.

To enact section 3345.026 of the Revised Code to require state institutions of higher education to provide financial cost and aid disclosure forms, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 27**, pass?"

Senator McColley moved to amend as follows:

In line 1 of the title, after "To" insert "amend sections 5101.192, 5101.193, 5101.194, and to"; after "Code" insert "and to amend Sections 307.10 and 307.140 of H.B. 33 of the 135th General Assembly"; after "to" insert "amend the versions of sections 5101.193 and 5101.194 of the Revised Code that are scheduled to take effect on January 1, 2025, to continue the changes on and after that date, to"

In line 4 of the title, after "forms" insert ", to make an appropriation for the Adoption Grant Program, and to make certain capital appropriations

and reappropriations for the biennium ending June 30, 2026"

In line 5, after "That" insert "sections 5101.192, 5101.193, and 5101.194 be amended and"

After line 92, insert:

"**Sec. 5101.192.** (A) To receive a grant payment under division (B) of section 5101.191 of the Revised Code, all of the following must be satisfied:

(1) The adoptive parent has not previously received a grant payment from the Ohio adoption grant program for the adopted child for whom the parent is seeking payment.

(2) The adoptive parent does not also currently claim an adoption tax credit pursuant to former section 5747.37 of the Revised Code for the adopted child for whom the parent is seeking payment.

(3) The adoptive parent applies for the grant not later than one year after the final adoption order, interlocutory order of adoption, or recognition of the adoption by this state under section 3107.18 of the Revised Code for the adopted child for whom the grant payment is sought.

(4) The adoption was not by a parent whose spouse is a biological or adoptive parent of the child prior to the adoption for which the payment is sought.

(5) The adoption is finalized on or after January 1, 2023.

(6) The adoptive parent was a resident of Ohio at the time the adoption was finalized.

(B) To receive a grant payment under division (C) of section 5101.191 of the Revised Code, both of the following must be satisfied:

(1) The requirements of division (A) of this section must be satisfied.

(2) A qualified professional who does not provide casework services to the adopted child diagnoses the child with one or more special needs in the professional's area of expertise prior to the final order of adoption, interlocutory order of adoption, or recognition of the adoption by this state under section 3107.18 of the Revised Code.

Sec. 5101.193. (A) The director of job and family services shall adopt rules to administer and implement the Ohio adoption grant program. The director, in consultation with the tax commissioner, shall also adopt rules authorizing the department to withhold and remit to the Internal Revenue Service federal income tax from grant payments under division (B) of section 5101.191 of the Revised Code, provided such withholding is authorized under federal law or approved by the Internal Revenue Service.

(B) No application fee shall be charged for the grant program.

(C) Notwithstanding any law to the contrary, the director may require, as necessary to administer the Ohio adoption grant program, either or both of the following:

(1) ~~The submission~~ Certified copies of any court or legal document necessary to prove a final order of adoption, an interlocutory order of adoption, or recognition of the adoption under section 3107.18 of the Revised Code;

(2) Any department, agency, court, or division of the state, including the department of health, to provide any document related to the adoption.

(D) Notwithstanding any provision of section 121.95 of the Revised Code to the contrary, a regulatory restriction contained in a rule adopted under section 5101.193 of the Revised Code is not subject to sections 121.95 to 121.953 of the Revised Code.

Sec. 5101.194. Any document provided to the department of job and family services under division (C) of section 5101.193 of the Revised Code remains ~~a~~ :

(A) A public record under section 149.43 of the Revised Code if it was a public record under that section before being provided to the department;

(B) Confidential if it was confidential under any state or federal law before being provided to the department.

Section 2. That existing sections 5101.192, 5101.193, and 5101.194 of the Revised Code are hereby repealed.

Section 3. That the versions of sections 5101.193 and 5101.194 of the Revised Code that are scheduled to take effect January 1, 2025, be amended to read as follows:

Sec. 5101.193. (A) The director of children and youth shall adopt rules to administer and implement the Ohio adoption grant program. The director, in consultation with the tax commissioner, shall also adopt rules authorizing the department to withhold and remit to the Internal Revenue Service federal income tax from grant payments under division (B) of section 5101.191 of the Revised Code, provided such withholding is authorized under federal law or approved by the Internal Revenue Service.

(B) No application fee shall be charged for the grant program.

(C) Notwithstanding any law to the contrary, the director may require, as necessary to administer the Ohio adoption grant program, either or both of the following:

(1) ~~The submission~~ Certified copies of any court or legal document necessary to prove a final order of adoption, an interlocutory order of adoption, or recognition of the adoption under section 3107.18 of the Revised

Code;

(2) Any department, agency, court, or division of the state, including the department of health, to provide any document related to the adoption.

(D) Notwithstanding any provision of section 121.95 of the Revised Code to the contrary, a regulatory restriction contained in a rule adopted under section 5101.193 of the Revised Code is not subject to sections 121.95 to 121.953 of the Revised Code.

Sec. 5101.194. Any document provided to the department of children and youth under division (C) of section 5101.193 of the Revised Code remains ~~a~~ :

(A) A public record under section 149.43 of the Revised Code if it was a public record under that section before being provided to the department;

(B) Confidential if it was confidential under any state or federal law before being provided to the department.

Section 4. That the existing versions of sections 5101.193 and 5101.194 of the Revised Code that are scheduled to take effect January 1, 2025, are hereby repealed.

Section 5. Sections 3 and 4 of this act take effect January 1, 2025.

Section 6. All appropriation items in this act are appropriated as designated out of any moneys in the state treasury to the credit of the designated fund. All capital appropriations made in this act are for the biennium ending June 30, 2026.

Section 7.

1	2	3
A	EXP EXPOSITIONS COMMISSION	
B	Administrative Building Fund (Fund 7026)	
C	C72324 Expo2050	$196,350,000
D	TOTAL Administrative Building Fund	$196,350,000
E	TOTAL ALL FUNDS	$196,350,000

Section 8.

	1	2	3
A		FCC FACILITIES CONSTRUCTION COMMISSION	
B	School Building Program Assistance Fund (Fund 7032)		
C	C23002	School Building Program Assistance	$600,000,000
D	TOTAL School Building Program Assistance Fund		$600,000,000
E	TOTAL ALL FUNDS		$600,000,000

SCHOOL BUILDING PROGRAM ASSISTANCE

Capital appropriations in this section made from appropriation item C23002, School Building Program Assistance, shall be used by the Facilities Construction Commission to provide funding to school districts that receive conditional approval from the Commission pursuant to Chapter 3318. of the Revised Code.

Section 9.

	1	2	3
A		PWC PUBLIC WORKS COMMISSION	
B	State Capital Improvements Fund (Fund 7038)		

C	C15000	Local Public Infrastructure/State CIP	$400,000,000
D	TOTAL State Capital Improvements Fund		$400,000,000
E	State Capital Improvements Revolving Loan Fund (Fund 7040)		
F	C15030	Revolving Loan	$100,000,000
G	TOTAL State Capital Improvements Revolving Loan Fund		$100,000,000
H	Clean Ohio Conservation Fund (Fund 7056)		
I	C15060	Clean Ohio Conservation Program	$75,000,000
J	TOTAL Clean Ohio Conservation Fund		$75,000,000
K	TOTAL ALL FUNDS		$575,000,000

LOCAL PUBLIC INFRASTRUCTURE/STATE CIP

Capital appropriations in this section made from the State Capital Improvements Fund (Fund 7038) shall be used in accordance with sections 164.01 to 164.12 of the Revised Code. The Director of the Public Works Commission may certify to the Director of Budget and Management that a need exists to appropriate investment earnings to be used in accordance with sections 164.01 to 164.12 of the Revised Code. If the Director of Budget and Management determines pursuant to division (D) of section 164.08 and section 164.12 of the Revised Code that investment earnings are available to support additional appropriations, such amounts are hereby appropriated.

If the Public Works Commission receives refunds due to project overpayments that are discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing appropriations. If the project refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15000, Local Public

Infrastructure/State CIP.

REVOLVING LOAN

Capital appropriations in this section made from the State Capital Improvements Revolving Loan Fund (Fund 7040) shall be used in accordance with sections 164.01 to 164.12 of the Revised Code.

If the Public Works Commission receives refunds due to project overpayments that are discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing appropriations. If the project refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15030, Revolving Loan.

CLEAN OHIO CONSERVATION GRANT REPAYMENTS

Capital appropriations in this section made from the Clean Ohio Conservation Fund (Fund 7056) shall be used in accordance with sections 164.20 to 164.27 of the Revised Code. Any amount in grant repayments received by the Public Works Commission and deposited into the Clean Ohio Conservation Fund pursuant to section 164.261 of the Revised Code is hereby appropriated to the foregoing appropriation item C15060, Clean Ohio Conservation Program.

Section 10. BOND ISSUANCE AUTHORIZATIONS

(A) The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, Chapter 154. of the Revised Code, and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed $196,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Administrative Building Fund (Fund 7026) to pay costs associated with previously authorized capital facilities for the housing of branches and agencies of state government or their functions.

(B) The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 2n of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.03 of

the Revised Code, original obligations in an aggregate principal amount not to exceed $600,000,000, in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the School Building Program Assistance Fund (Fund 7032) to pay the state share of the costs of constructing classroom facilities pursuant to Chapter 3318. of the Revised Code.

(C) The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 2s of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.08 of the Revised Code, original obligations, in an aggregate principal amount not to exceed $400,000,000, in addition to the original obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the State Capital Improvements Fund (Fund 7038) to pay costs of capital improvement projects of local subdivisions.

(D) The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Sections 2o and 2q of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.09 of the Revised Code, original obligations of the state in an aggregate principal amount not to exceed $75,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Clean Ohio Conservation Fund (Fund 7056), the Clean Ohio Agricultural Easement Fund (Fund 7057), and the Clean Ohio Trail Fund (Fund 7061) to pay costs of conservation projects.

Section 11. REAPPROPRIATION OF UNENCUMBERED BALANCES OF CAPITAL APPROPRIATIONS

Notwithstanding the original year of appropriation, if the Director of Budget and Management determines that such balances are needed to complete the projects for which they were reappropriated or appropriated, the unencumbered balance of a capital appropriation or reappropriation that a state agency has available on June 30, 2024, is hereby reappropriated for the capital biennium ending June 30, 2026, for the same purpose and from the same fund from which it was originally appropriated or reappropriated. Any provision of law that applied to these appropriations or reappropriations when they went into effect shall continue to apply to the appropriations or reappropriations for the duration of the capital biennium ending June 30, 2026, including those appropriations approved by the Controlling Board.

The appropriation items and amounts that are reappropriated by this act shall be reported to the Controlling Board within thirty days after the effective date of this section.

Section 12. REAPPROPRIATION OF UNEXPENDED ENCUMBERED BALANCES OF CAPITAL APPROPRIATIONS

(A)(1) Notwithstanding the original year of appropriation or encumbrance, the unexpended balance of a capital appropriation or reappropriation that a state agency has encumbered prior to the close of the capital biennium ending June 30, 2024, is hereby reappropriated for the capital biennium ending June 30, 2026, from the fund from which it was originally appropriated or reappropriated. Each reappropriation authorized under this division shall be used only for the purpose of discharging the encumbrance. For those encumbered appropriations or reappropriations, any Controlling Board approval previously granted and referenced by the encumbering document remains in effect until the encumbrance is discharged or until the encumbrance expires at the end of the capital biennium ending June 30, 2026.

(2) During the capital biennium ending June 30, 2026, the Director of Budget and Management may cancel an encumbrance that is reappropriated pursuant to division (A)(1) of this section if the Director determines that the encumbrance is no longer needed to complete the project for which it was appropriated or reappropriated.

(B) If, during the capital biennium ending June 30, 2026, pursuant to section 126.22 of the Revised Code, in order to correct an accounting error, the Director of Budget and Management reestablishes an encumbrance that was reappropriated pursuant to division (A) of this section, the amount representing the encumbrance canceled in error is reappropriated in accordance with division (A) of this section.

Section 13. The requirements of Chapters 123. and 153. of the Revised Code, with respect to the powers and duties of the Executive Director of the Ohio Facilities Construction Commission as they relate to the procedure and awarding of contracts for capital improvement projects, and the requirements of section 127.16 of the Revised Code, with respect to the Controlling Board, do not apply to projects of community college districts and technical college districts.

Section 14. Those institutions locally administering capital improvement projects pursuant to sections 3345.50 and 3345.51 of the Revised Code may:

(A) Establish charges for recovering costs directly related to project administration as defined by the Executive Director of the Ohio Facilities Construction Commission. The Ohio Facilities Construction Commission, in consultation with the Office of Budget and Management, shall review and

approve these administrative charges when the charges are in excess of 1.5 per cent of the total construction budget, provided that total administrative charges paid by the state do not exceed four per cent of the state's contribution to the total construction budget.

(B) Seek reimbursement from state capital appropriations to the institution for the in-house design services performed by the institution for the capital projects. Acceptable charges are limited to design document preparation work that is done by the institution. These reimbursable design costs shall be shown as "A/E fees" within the project's budget that is submitted to the Controlling Board or the Director of Budget and Management as part of a request for release of funds. The reimbursement for in-house design shall not exceed seven per cent of the estimated construction cost.

Section 15. TRANSFERS OF HIGHER EDUCATION CAPITAL APPROPRIATIONS

The Director of Budget and Management may, as necessary to maintain the exclusion from the calculation of gross income for federal income taxation purposes under the "Internal Revenue Code of 1986," 26 U.S.C. 1 et seq., with respect to obligations issued to fund projects appropriated from the Higher Education Improvement Fund:

(A) Transfer appropriations between the Higher Education Improvement Fund and the Higher Education Improvement Taxable Fund;

(B) Create new appropriation items within the Higher Education Improvement Taxable Fund and make transfers of appropriations to them for projects originally funded from appropriations made from the Higher Education Improvement Fund.

The projects that are funded under new appropriation items created in this manner shall automatically be designated as specific for purposes of section 126.14 of the Revised Code.

Section 16. CERTIFICATION OF AVAILABILITY OF MONEYS

Moneys that require release shall not be expended from any appropriation contained in this act without certification of the Director of Budget and Management that there are sufficient moneys in the state treasury in the fund from which the appropriation is made. Such certification made by the Office of Budget and Management shall be based on estimates of revenue, receipts, and expenses. Nothing in this section limits the authority of the Director of Budget and Management granted in section 126.07 of the Revised Code.

Section 17. LIMITATION ON USE OF CAPITAL APPROPRIATIONS - The appropriations made in this act, excluding those made from the State Capital Improvement Fund (Fund 7038) and the

State Capital Improvements Revolving Loan Fund (Fund 7040) for buildings or structures, including remodeling and renovations, are limited to:

(A) Acquisition of real property or interests in real property;

(B) Buildings and structures, which includes construction, demolition, complete heating and cooling, lighting, and lighting fixtures, and all necessary utilities, ventilating, plumbing, sprinkling, water and sewer systems, when such systems are authorized or necessary;

(C) Architectural, engineering, and professional services expenses directly related to the projects;

(D) Machinery that is necessary to the operation or function of the building or structure at the time of initial acquisition or construction;

(E) Acquisition, development, and deployment of new computer systems, including the integration of existing and new computer systems, but excluding regular or ongoing maintenance or support agreements;

(F) Furniture, fixtures, or equipment that meets all the following criteria:

(1) Is essential in bringing the facility up to its intended use or is necessary for the functioning of the particular facility or project;

(2) Has a unit cost of about $100 or more; and

(3) Has a useful life of five years or more.

Furniture, fixtures, or equipment that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated shall not be paid for from these appropriations. This paragraph does not apply to appropriation line items specifically for furniture, fixtures, or equipment.

Section 18. CONTINGENCY RESERVE REQUIREMENT

Any request for release of capital appropriations by the Director of Budget and Management or the Controlling Board for projects, the contracts for which are awarded by the Ohio Facilities Construction Commission, shall contain a contingency reserve, the amount of which shall be determined by the Ohio Facilities Construction Commission, for payment of unanticipated project expenses. Any amount deducted from the encumbrance for a contractor's contract as an assessment for liquidated damages shall be added to the encumbrance for the contingency reserve. Contingency reserve funds shall be used to pay costs resulting from unanticipated job conditions, to comply with rulings regarding building and other codes, to pay costs related to errors or omissions in contract documents, to pay costs associated with changes in the scope of work, and to pay the cost of settlements and judgments related to the project. Any funds remaining upon completion of a project, may, upon approval of the Controlling Board, be released for the use

of the institution to which the appropriation was made for another capital facilities project or projects.

Section 19. SATISFACTION OF JUDGMENTS AND SETTLEMENTS AGAINST THE STATE

Except as otherwise provided in this section, an appropriation contained in this act or in any other act may be used for the purpose of satisfying judgments, settlements, or administrative awards ordered or approved by the Court of Claims or by any other court of competent jurisdiction in connection with civil actions against the state. This authorization does not apply to appropriations that are to be applied to or used for payment of guarantees by or on behalf of the state or for payments under lease agreements relating to or debt service on bonds, notes, or other obligations of the state. Notwithstanding any other section of law to the contrary, this authorization includes appropriations from funds into which proceeds or direct obligations of the state are deposited only to the extent that the judgment, settlement, or administrative award is for or represents capital costs for which the appropriation may otherwise be used and is consistent with the purpose for which any related obligations were issued or entered into. Nothing contained in this section is intended to subject the state to suit in any forum in which it is not otherwise subject to suit, nor is it intended to waive or compromise any defense or right available to the state in any suit against it.

Section 20. CAPITAL RELEASES BY THE DIRECTOR OF BUDGET AND MANAGEMENT

Notwithstanding section 126.14 of the Revised Code, appropriations for appropriation items C50100, Local Jails, and C50101, Community-Based Correctional Facilities, appropriated from the Adult Correctional Building Fund (Fund 7027) to the Department of Rehabilitation and Correction, and any projects specifically identified for C58001, Community Assistance Projects, shall be released upon the written approval of the Director of Budget and Management. The appropriations from the Public School Building Fund (Fund 7021) and the School Building Program Assistance Fund (Fund 7032) to the Facilities Construction Commission, from the Transportation Building Fund (Fund 7029) to the Department of Transportation, from the Clean Ohio Conservation Fund (Fund 7056), the State Capital Improvement Fund (Fund 7038), and the State Capital Improvements Revolving Loan Fund (Fund 7040) to the Public Works Commission, and from the Underground Parking Garage Operating Fund (Fund 2080) to the Capitol Square Review and Advisory Board shall be released upon presentation of a request to release the funds, by the agency to which the appropriation has been made, to the Director of Budget and Management.

Section 21. PREVIOUSLY RELEASED REAPPROPRIATIONS

Capital reappropriations in this act that have been released by the Controlling Board or the Director of Budget and Management between July 1, 2022, and June 30, 2024, do not require further approval or release prior to being encumbered. Funds reappropriated in excess of such prior releases shall be released in accordance with applicable provisions of this act.

Section 22. PREVAILING WAGE REQUIREMENT

Except as provided in section 4115.04 of the Revised Code, moneys appropriated or reappropriated by the 135th General Assembly shall not be used for the construction of public improvements, as defined in section 4115.03 of the Revised Code, unless the mechanics, laborers, or workers engaged therein are paid the prevailing rate of wages prescribed in section 4115.04 of the Revised Code. Nothing in this section affects the wages and salaries established for state employees under Chapter 124. of the Revised Code, or collective bargaining agreements entered into by the state under Chapter 4117. of the Revised Code, while engaged on force account work, nor does this section interfere with the use of inmate and patient labor by the state.

Section 23. AUTHORIZATION OF THE DIRECTOR OF BUDGET AND MANAGEMENT

The Director of Budget and Management shall authorize both of the following:

(A) The initial release of moneys for projects from the funds into which proceeds of direct obligations of the state are deposited; and

(B) The expenditure or encumbrance of moneys from funds into which proceeds of direct obligations are deposited, only after determining to the Director's satisfaction that either of the following applies:

(1) The application of such moneys to the particular project will not negatively affect any exclusion of the interest or interest equivalent on obligations issued to provide moneys to the particular fund from the calculation of gross income for federal income tax purposes under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended.

(2) Moneys for the project will come from the proceeds of federally taxable obligations, the interest on which is not so excluded from the calculation of gross income for federal income tax purposes and which have been authorized and issued on that basis by their issuing authority.

In the event the Director determines that the condition set forth in division (B)(1) of this section does not apply, and that there is no existing fund in the state treasury to enable compliance with the condition set forth in division (B)(2) of this section, the Director may create a fund in the state treasury for the purpose of receiving proceeds of federally taxable

obligations. The Director may establish capital appropriation items in that taxable bond fund that correspond to the preexisting capital appropriation items in the associated tax-exempt bond fund. The Director also may transfer capital appropriations in whole or in part between the taxable and tax-exempt bond funds within a particular purpose for which the bonds have been authorized.

Section 24. REQUIREMENTS RELATING TO NON-STATE OWNERSHIP OF CERTAIN FINANCED PROJECTS

(A) No capital improvement appropriations or reappropriations made in this act shall be released for planning or for improvement, renovation, or construction or acquisition of capital facilities if a state agency, as defined in section 154.01 of the Revised Code, does not own the real property that constitutes the capital facilities or on which the capital facilities are or will be located, unless provided for elsewhere in this act. This restriction does not apply in any of the following circumstances:

(1) The state agency has a long-term (at least as long as the obligations that financed the project) lease of, or other interest (such as an easement) in, the real property.

(2) In the case of an appropriation or reappropriation for capital facilities that, because of their unique nature or location, will be owned or be part of facilities owned by a separate nonprofit organization and made available to the state agency for its use or benefit, the nonprofit organization either owns or has a long-term (at least as long as the obligations that financed the project) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement with and approved by the state agency that meets the requirements of division (B) of this section.

(B) In the case of capital facilities referred to in division (A)(2) of this section, the joint or cooperative use agreement shall include, at a minimum, provisions that:

(1) Specify the extent and nature of that joint or cooperative use, extending for not shorter than the length of the obligations that financed the project, with the value of such use or right to use to be, as determined by the parties and approved by the approving department, reasonably related to the amount of the appropriation;

(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use by a state agency be terminated; and

(3) Provide that procedures to be followed during the capital improvement process comply with applicable state statutes and rules, including the provisions of this act.

(C) This section does not apply to appropriations or reappropriations

from the State Capital Improvements Fund (Fund 7038), State Capital Improvements Revolving Loan Fund (Fund 7040), Clean Ohio Conservation Fund (Fund 7056), Clean Ohio Revitalization Fund (Fund 7003), the Service Station Cleanup Fund (Fund 7100), or the School Building Program Assistance Fund (Fund 7032).

Section 25. OBLIGATIONS ISSUED UNDER CHAPTER 151. OF THE REVISED CODE

The capital improvements for which appropriations or reappropriations are made in this act from the Higher Education Improvement Taxable Fund (Fund 7024), the Ohio Parks and Natural Resources Fund (Fund 7031), the School Building Program Assistance Fund (Fund 7032), the Higher Education Improvement Fund (Fund 7034), the State Capital Improvements Fund (Fund 7038), the State Capital Improvements Revolving Loan Fund (Fund 7040), the Coal Research and Development Fund (Fund 7046), the Clean Ohio Conservation Fund (Fund 7056), the Clean Ohio Agricultural Easement Fund (Fund 7057), and the Clean Ohio Trail Fund (Fund 7061) are determined to be capital improvements and capital facilities for natural resources, a statewide system of common schools, state-supported and state-assisted institutions of higher education, local subdivision capital improvement projects, coal research and development projects, and conservation purposes (under the Clean Ohio Program) and are designated as capital facilities to which proceeds of obligations issued under Chapter 151. of the Revised Code are to be applied.

Section 26. OBLIGATIONS ISSUED UNDER CHAPTER 154. OF THE REVISED CODE

The capital improvements for which appropriations or reappropriations are made in this act from the Administrative Building Taxable Bond Fund (Fund 7016), the Administrative Building Fund (Fund 7026), the Adult Correctional Building Fund (Fund 7027), the Juvenile Correctional Building Fund (Fund 7028), the Transportation Building Fund (Fund 7029), the Cultural and Sports Facilities Building Fund (Fund 7030), the Mental Health Facilities Improvement Fund (Fund 7033), and the Parks and Recreation Improvement Fund (Fund 7035) are determined to be capital improvements and capital facilities for housing state agencies and branches of government, mental health and developmental disabilities, and parks and recreation, and are designated as capital facilities to which proceeds of obligations issued under Chapter 154. of the Revised Code are to be applied.

Section 27. TRANSFER OF OPEN ENCUMBRANCES

Upon the request of the agency to which a capital project appropriation item is appropriated, the Director of Budget and Management may transfer open encumbrance amounts between separate encumbrances for the project appropriation item to the extent that any reductions in

encumbrances are agreed to by the contracting vendor and the agency.

Section 28. LITIGATION PROCEEDS TO THE ADMINISTRATIVE BUILDING FUND

Any proceeds received by the state as the result of litigation or a settlement agreement related to any liability for the planning, design, engineering, construction, or constructed management of facilities operated by the Department of Administrative Services shall be deposited into the General Revenue Fund or the Building Improvement Fund (Fund 5KZ0).

Section 29. That Sections 307.10 and 307.140 of H.B. 33 of the 135th General Assembly be amended to read as follows:

Sec. 307.10.

	1	2	3	4	5
A	JFS DEPARTMENT OF JOB AND FAMILY SERVICES				
B	General Revenue Fund				
C	GRF	600410	TANF State Maintenance of Effort	$149,268,000	$149,268,000
D	GRF	600450	Program Operations	$197,705,000	$199,975,000
E	GRF	600502	Child Support- Local	$26,400,000	$26,400,000
F	GRF	600521	Family Assistance - Local	$53,248,000	$53,248,000
G	GRF	600533	Child, Family, and Community Protection Services	$13,500,000	$13,500,000
H	GRF	600534	Adult Protective Services	$9,720,000	$9,720,000

I	GRF	600551	Job and Family Services Program Support	$750,000	$750,000
J	GRF	600561	Parenting and Pregnancy Program	$7,000,000	$7,000,000
K	GRF	600562	Adoption Grant Program	~~$15,000,000~~ $34,000,000	~~$15,000,000~~ $34,000,000
L	GRF	655425	Medicaid Program Support	$15,605,000	$15,673,000
M	GRF	655522	Medicaid Program Support - Local	$44,000,000	$49,000,000
N	GRF	655523	Medicaid Program Support - Local Transportation	$43,530,000	$43,530,000
O	TOTAL GRF General Revenue Fund			~~$575,726,000~~ $594,726,000	~~$583,064,000~~ $602,064,000
P	Dedicated Purpose Fund Group				
Q	4A80	600658	Public Assistance Activities	$19,900,000	$19,900,000
R	4A90	600607	Unemployment Compensation Administration Fund	$11,400,000	$11,400,000
S	4E70	600604	Family and Children Services Collections	$650,000	$650,000

T	5AJ1	6006A8	Foodbanks	$7,500,000	$7,500,000
U	5CV3	6006A5	Foodbank Assistance ARPA	$10,000,000	$0
V	5DM0	600633	Audit Settlements and Contingency	$1,000,000	$1,000,000
W	5DM0	6006A9	Benefit Bridge	$3,000,000	$5,000,000
X	5DM0	6006B1	Employment Incentive Program	$1,500,000	$1,500,000
Y	5ES0	600630	Food Bank Assistance	$500,000	$500,000
Z	5RX0	600699	Workforce Development Projects	$500,000	$500,000
AA	5TZ0	600674	Childrens Crisis Care	$985,000	$1,235,000
AB	5U60	600663	Family and Children Support	$6,932,065	$7,787,465
AC	TOTAL DPF Dedicated Purpose Fund Group			$63,867,065	$56,972,465
AD	Internal Service Activity Fund Group				
AE	5HL0	600602	State and County Shared Services	$2,000,000	$2,000,000
AF	TOTAL ISA Internal Service Activity Fund Group			$2,000,000	$2,000,000
AG	Fiduciary Fund Group				

AH	1920	600646	Child Support Intercept - Federal	$100,000,000	$100,000,000
AI	5830	600642	Child Support Intercept - State	$13,000,000	$13,000,000
AJ	5B60	600601	Food Assistance Intercept	$4,000,000	$4,000,000
AK	TOTAL FID Fiduciary Fund Group			$117,000,000	$117,000,000
AL	Holding Account Fund Group				
AM	R012	600643	Refunds and Audit Settlements	$500,000	$500,000
AN	TOTAL HLD Holding Account Fund Group			$500,000	$500,000
AO	Federal Fund Group				
AP	3310	600615	Veterans Programs	$11,872,779	$11,893,147
AQ	3310	600624	Employment Services	$30,454,022	$30,882,752
AR	3310	600686	Workforce Programs	$3,926,746	$3,980,332
AS	3840	600610	Food Assistance Programs	$245,396,656	$236,482,931
AT	3850	600614	Refugee Services	$23,157,277	$12,375,030
AU	3950	600616	Federal Discretionary Grants	$8,367,273	$5,047,878
AV	3960	600620	Social Services Block Grant	$38,191,659	$38,280,049

A W	3970	600626	Child Support - Federal	$205,929,146	$205,192,248
AX	3F01	655624	Medicaid Program Support - Federal	$220,005,026	$220,103,397
AY	3S50	600622	Child Support Projects	$534,050	$534,050
AZ	3V00	600688	Workforce Innovation and Opportunity Act Programs	$165,190,735	$165,578,756
BA	3V40	600632	Trade Programs	$29,560,798	$29,727,681
BB	3V40	600678	Federal Unemployment Programs	$132,198,612	$131,184,431
BC	3V40	600679	Unemployment Compensation Review Commission - Federal	$6,830,615	$6,948,482
BD	3V60	600689	TANF Block Grant	$814,044,607	$818,722,142
BE	TOTAL FED Federal Fund Group			$1,935,660,001	$1,916,933,306
BF	TOTAL ALL BUDGET FUND GROUPS			~~$2,694,753,066~~ $2,713,753,066	~~$2,676,469,771~~ $2,695,469,771

Sec. 307.140. ADOPTION GRANT PROGRAM

The foregoing appropriation item 600562, Adoption Grant Program, shall be used, in consultation with the Department of Children and Youth, to administer grants to adoptive parents through the Adoption Grant Program, in accordance with sections 5101.191 and 5101.192 of the Revised Code.

On July 1, 2024, or as soon as possible thereafter, the Director of Job and Family Services may certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of the foregoing appropriation item 600562, Adoption Grant Program, 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 the same purpose for fiscal year 2025.

Section 30. That existing Sections 307.10 and 307.140 of H.B. 33 of the 135th General Assembly are hereby repealed.

Section 31. The items of law contained in this act, and their applications, are severable. If an item of law contained in this act, or if an application of an item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be given effect without the invalid item or application."

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

The motion to amend was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 27**, pass?"

The yeas and nays were taken and resulted – yeas 30, nays 2, as follows:

Those who voted in the affirmative were: Senators

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

Senators Antani and Hicks-Hudson voted in the negative-2.

So the bill passed.

The title was amended as follows:

Add the names: "Cirino, Gavarone, Johnson, Lang, Reineke, Reynolds, Romanchuk, Schuring."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 148-Senator Johnson.
Cosponsors: Senators Cirino, Gavarone, Huffman, S., O'Brien, Schaffer, Wilkin.

To enact sections 1349.84, 1349.85, and 1349.86 of the Revised Code relating to payment card transactions involving firearms and ammunition retailers and to name this act the Second Amendment Financial Privacy Act, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 148**, pass?"

The yeas and nays were taken and resulted – yeas 25, nays 7, as follows:

Those who voted in the affirmative were: Senators

Antani	Blessing	Brenner	Chavez
Cirino	Dolan	Gavarone	Hackett
Huffman, S.	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Schuring	Wilkin
			Huffman, M.-25

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

So the bill passed.

The title was amended as follows:

Add the names: "Antani, Brenner, Chavez, Hackett, Landis, Lang, McColley, Reineke, Rulli, Schuring."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 215-Senators Gavarone, McColley.

To amend sections 3517.01, 3517.10, 3517.12, 3517.13, 3517.155, and 3517.992 and to enact section 3517.121 of the Revised Code to prohibit foreign nationals from making contributions or expenditures regarding ballot issue campaigns, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 215**, pass?"

The yeas and nays were taken and resulted – yeas 25, nays 7, as follows:

Those who voted in the affirmative were: Senators

Antani	Blessing	Brenner	Chavez
Cirino	Dolan	Gavarone	Hackett
Huffman, S.	Johnson	Kunze	Landis
Lang	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Schuring	Wilkin
			Huffman, M.-25

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

So the bill passed.

The title was amended as follows:

Add the names: "Senators Brenner, Chavez, Cirino, Hackett, Huffman, S., Johnson, Landis, Lang, O'Brien, Reynolds, Roegner, Romanchuk, Rulli, Schaffer, Wilkin."

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

The motion was agreed to and the title so amended.

Sub. H. B. No. 269-Representative Holmes.

Cosponsors: Representatives McClain, Dobos, Brent, Carruthers, John, Johnson, Miller, K., Abrams, Barhorst, Blackshear, Brennan, Claggett, Click, Creech, Cross, Cutrona, Dell'Aquila, Demetriou, Forhan, Fowler Arthur, Galonski, Grim, Gross, Hall, Hillyer, Hoops, Humphrey, Isaacsohn, Jarrells, Jones, LaRe, Lightbody, Liston, Lorenz, Loychik, Manning, Mathews, Miller, J., Miranda, Mohamed, Patton, Pavliga, Peterson, Richardson, Robb Blasdel, Rogers, Russo, Schmidt, Sweeney, Thomas, C., White, Wiggam, Willis, Young, T. Senators Hackett, Brenner.

To amend sections 4501.21 and 4503.725 and to enact section 5534.847 of the Revised Code to update the name of one organization receiving contributions for the "ALS Awareness" license plate and designate a portion of State Route 60 in Muskingum County as the "Sgt Bradley J. Harper USMC Memorial Highway", was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 269**, pass?"

The yeas and nays were taken and resulted – yeas 32, 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	McColley
O'Brien	Reineke	Reynolds	Roegner
Romanchuk	Rulli	Schaffer	Schuring
Smith	Sykes	Wilkin	Huffman, M.-32

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Craig, DeMora, Gavarone, Johnson, Kunze, Landis, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Schaffer, Schuring."

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

The motion was agreed to and the title so amended.

S. B. No. 45-Senator O'Brien.
Cosponsor: Senator Hackett.

To enact section 5534.612 of the Revised Code to designate a bridge spanning the Mahoning River in Trumbull County as the "Veterans Memorial Bridge", was considered the third time.

The question being, "Shall the bill, **S. B. No. 45**, pass?"

The yeas and nays were taken and resulted – yeas 32, 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	McColley
O'Brien	Reineke	Reynolds	Roegner
Romanchuk	Rulli	Schaffer	Schuring
Smith	Sykes	Wilkin	Huffman, M.-32

So the bill passed.

The title was amended as follows:

Add the names: "Brenner, Cirino, Dolan, Gavarone, Johnson, Kunze, Landis, Reineke, Reynolds, Roegner, Romanchuk, Rulli, Schaffer, Schuring, Smith, Wilkin."

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

The motion was agreed to and the title so amended.

Sub. S. B. No. 104-Senators Cirino, Brenner.
Cosponsors: Senators Lang, Reynolds.

To amend sections 3302.03, 3365.03, 3365.04, 3365.05, 3365.11, and 3365.15 and to enact section 3365.14 of the Revised Code regarding the College Credit Plus Program, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 104**, pass?"

The yeas and nays were taken and resulted – yeas 32, 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	McColley
O'Brien	Reineke	Reynolds	Roegner
Romanchuk	Rulli	Schaffer	Schuring
Smith	Sykes	Wilkin	Huffman, M.-32

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Chavez, Craig, DeMora, Gavarone, Hackett, Hicks-Hudson, Ingram, Johnson, Landis, Manning, O'Brien, Reineke, Roegner, Romanchuk, Schaffer, Schuring, 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. 154-Senator Roegner.
Cosponsor: Senator Johnson.

To amend sections 122.925, 124.23, 145.30, 742.52, 742.521, 2151.4210, 3307.75, 3309.02, 3313.471, 3319.085, 3511.01, 4731.36, 4743.041, 5505.16, 5747.01, 5903.01, 5903.02, 5907.01, 5907.04, and 5910.01 of the Revised

Code to include Space Force in the definition of the armed forces, armed services, and uniformed services of the United States, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 154**, 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	DeMora
Dolan	Gavarone	Hackett	Hicks-Hudson
Huffman, S.	Ingram	Johnson	Kunze
Landis	Manning	McColley	O'Brien
Reineke	Reynolds	Roegner	Romanchuk
Rulli	Schaffer	Schuring	Smith
Sykes	Wilkin		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Brenner, Chavez, Cirino, Craig, DeMora, Dolan, Gavarone, Hackett, Hicks-Hudson, Kunze, Landis, O'Brien, Reineke, Romanchuk, Schaffer, Schuring, Smith, Sykes, Wilkin."

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, February 25, 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.

OFFERING OF RESOLUTIONS

Senator Huffman, M. offered the following resolution:

S. R. No. 283-Senator Huffman, M.

Authorizing Ohio YMCA Youth and Government to use the Ohio Senate Chamber and committee rooms on February 29-March 1, 2024, and March 21-22, 2024.

WHEREAS, The members of the Senate of the 135th General Assembly of Ohio have learned that Ohio YMCA Youth and Government has requested permission to use the Ohio Senate Chamber and committee rooms for its High School State Assemblies Program, February 29-March 1, 2024,

and March 21-22, 2024; and

WHEREAS, Since its inception, Ohio YMCA Youth and Government has provided students with the opportunity to better appreciate and understand government and its components, and the knowledge gained through this event will certainly be of value to participants in the years to come; and

WHEREAS, By utilizing the facilities that accommodate those involved in the state legislative process, Ohio YMCA Youth and Government will offer students an accurate depiction of state government and the manner in which legislation is created and processed; and

WHEREAS, Through participation in the High School State Assemblies Program, students will be better prepared to become productive members of our complex and ever-changing society. The maturity and experience participants will gain as a result of their involvement with Ohio YMCA Youth and Government will not only enrich their total educational experience but also enable them to make better-informed decisions as they assume the responsibilities of adult citizenship; therefore be it

RESOLVED, That we, the members of the Senate of the 135th General Assembly of Ohio, in adopting this Resolution, permit Ohio YMCA Youth and Government to use the Ohio Senate Chamber, contingent upon the availability of those facilities, and salute the participants as some of Ohio's finest young citizens; and be it further

RESOLVED, That the Clerk of the Senate transmit a duly authenticated copy of this Resolution to Ohio YMCA Youth and Government.

The question being, "Shall the resolution, **S. R. No. 283**, be adopted?

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

So the resolution was adopted.

The title was amended as follows:

Add the names: "Senators Brenner, Cirino, Craig, DeMora, Gavarone, Hackett, Hicks-Hudson, Ingram, Johnson, Kunze, Landis, McColley, Reineke,

Reynolds, Roegner, Schaffer, Wilkin."

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. 284 - Senator O'Brien.
Honoring the Geneva Rotary Club on its One Hundredth Anniversary.

S. R. No. 285 - Senator Blessing.
Cosponsors: Senators Antani, Antonio, Brenner, Chavez, Cirino, Craig, DeMora, Dolan, Gavarone, Hackett, Hicks-Hudson, Huffman, M., Huffman, S., Ingram, Johnson, Kunze, Landis, Lang, Manning, McColley, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Rulli, Schaffer, Schuring, Smith, Sykes, Wilkin, Wilson.
In memory of Stanley J. Aronoff.

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

MESSAGE FROM THE PRESIDENT

Pursuant to Section 335.20 (B)(5) of Am. H.B. 33, the President of the Senate appoints the following public member to serve on the Legacy Pain Management Study Commission for the 135th General Assembly:

Aaron Adams, D.O. (Scioto County)

MESSAGE FROM THE PRESIDENT

Pursuant to Rules No. 19 and 20, the President of the Senate removes Senator Kirk Schuring and temporarily appoints Senator Bill Reineke as a vice chair of the General Government Committee for the purposes of the February 28, 2024 meeting.

On the motion of Senator McColley, the Senate adjourned until Tuesday, March 5, 2024 at 9:30 a.m.

Attest: VINCENT L. KEERAN,
Clerk.