

As Passed by the Senate

135th General Assembly

Regular Session

2023-2024

Sub. S. B. No. 49

Senator Reynolds

**Cosponsors: Senators Cirino, Roegner, Lang, Romanchuk, Schaffer, Huffman, S.,
Brenner, Antani, Antonio, Craig, Gavarone, Johnson, McColley, O'Brien, Reineke,
Rulli**

A BILL

To amend sections 3314.03, 3326.11, and 3328.24 and 1
to enact section 3320.04 of the Revised Code to 2
enact the Religious Expression Days "R.E.D." Act 3
to require each kindergarten through 12 public 4
school to adopt a policy providing students with 5
religious accommodations. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3314.03, 3326.11, and 3328.24 be 7
amended and section 3320.04 of the Revised Code be enacted to 8
read as follows: 9

Sec. 3314.03. A copy of every contract entered into under 10
this section shall be filed with the superintendent of public 11
instruction. The department of education shall make available on 12
its web site a copy of every approved, executed contract filed 13
with the superintendent under this section. 14

(A) Each contract entered into between a sponsor and the 15
governing authority of a community school shall specify the 16

following:	17
(1) That the school shall be established as either of the	18
following:	19
(a) A nonprofit corporation established under Chapter	20
1702. of the Revised Code, if established prior to April 8,	21
2003;	22
(b) A public benefit corporation established under Chapter	23
1702. of the Revised Code, if established after April 8, 2003.	24
(2) The education program of the school, including the	25
school's mission, the characteristics of the students the school	26
is expected to attract, the ages and grades of students, and the	27
focus of the curriculum;	28
(3) The academic goals to be achieved and the method of	29
measurement that will be used to determine progress toward those	30
goals, which shall include the statewide achievement	31
assessments;	32
(4) Performance standards, including but not limited to	33
all applicable report card measures set forth in section 3302.03	34
or 3314.017 of the Revised Code, by which the success of the	35
school will be evaluated by the sponsor;	36
(5) The admission standards of section 3314.06 of the	37
Revised Code and, if applicable, section 3314.061 of the Revised	38
Code;	39
(6) (a) Dismissal procedures;	40
(b) A requirement that the governing authority adopt an	41
attendance policy that includes a procedure for automatically	42
withdrawing a student from the school if the student without a	43
legitimate excuse fails to participate in seventy-two	44

consecutive hours of the learning opportunities offered to the student. 45
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(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves; 47
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(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. 49
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(9) An addendum to the contract outlining the facilities to be used that contains at least the following information: 55
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(a) A detailed description of each facility used for instructional purposes; 57
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(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school; 59
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(c) The annual mortgage principal and interest payments that are paid by the school; 61
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(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any. 63
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(10) Qualifications of teachers, including 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. 66
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(11) That the school will comply with the following 72

requirements:	73
(a) The school will provide learning opportunities to a	74
minimum of twenty-five students for a minimum of nine hundred	75
twenty hours per school year.	76
(b) The governing authority will purchase liability	77
insurance, or otherwise provide for the potential liability of	78
the school.	79
(c) The school will be nonsectarian in its programs,	80
admission policies, employment practices, and all other	81
operations, and will not be operated by a sectarian school or	82
religious institution.	83
(d) The school will comply with sections 9.90, 9.91,	84
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710,	85
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037,	86
3313.472, 3313.50, 3313.539, 3313.5310, 3313.608, 3313.609,	87
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020,	88
3313.6024, 3313.6025, 3313.6026, 3313.643, 3313.648, 3313.6411,	89
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668,	90
3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673,	91
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112,	92
3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818,	93
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078,	94
3319.238, 3319.318, 3319.321, 3319.39, 3319.391, 3319.393,	95
3319.41, 3319.46, 3320.01, 3320.02, 3320.03, <u>3320.04</u> , 3321.01,	96
3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19,	97
3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and	98
5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112.,	99
4123., 4141., and 4167. of the Revised Code as if it were a	100
school district and will comply with section 3301.0714 of the	101
Revised Code in the manner specified in section 3314.17 of the	102

Revised Code.	103
(e) The school shall comply with Chapter 102. and section 2921.42 of the Revised Code.	104 105
(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 XXXVIII of the Revised Code or any rules of the state board of education. 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 state board of education 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,	106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133

internships, or cooperative education developed by the 134
department under division (J) (3) of section 3313.603 of the 135
Revised Code. 136

(g) The school governing authority will submit within four 137
months after the end of each school year a report of its 138
activities and progress in meeting the goals and standards of 139
divisions (A) (3) and (4) of this section and its financial 140
status to the sponsor and the parents of all students enrolled 141
in the school. 142

(h) The school, unless it is an internet- or computer- 143
based community school, will comply with section 3313.801 of the 144
Revised Code as if it were a school district. 145

(i) If the school is the recipient of moneys from a grant 146
awarded under the federal race to the top program, Division (A), 147
Title XIV, Sections 14005 and 14006 of the "American Recovery 148
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 149
the school will pay teachers based upon performance in 150
accordance with section 3317.141 and will comply with section 151
3319.111 of the Revised Code as if it were a school district. 152

(j) If the school operates a preschool program that is 153
licensed by the department of education under sections 3301.52 154
to 3301.59 of the Revised Code, the school shall comply with 155
sections 3301.50 to 3301.59 of the Revised Code and the minimum 156
standards for preschool programs prescribed in rules adopted by 157
the state board under section 3301.53 of the Revised Code. 158

(k) The school will comply with sections 3313.6021 and 159
3313.6023 of the Revised Code as if it were a school district 160
unless it is either of the following: 161

(i) An internet- or computer-based community school; 162

(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.	163 164 165
(1) 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.	166 167 168 169
(12) Arrangements for providing health and other benefits to employees;	170 171
(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.	172 173 174 175
(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;	176 177
(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.	178 179 180
(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;	181 182 183 184
(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	185 186 187 188 189 190 191

delegating to the governing authority of the community school 192
with respect to all or any specified group of employees provided 193
the delegation is not prohibited by a collective bargaining 194
agreement applicable to such employees; 195

(18) Provisions establishing procedures for resolving 196
disputes or differences of opinion between the sponsor and the 197
governing authority of the community school; 198

(19) A provision requiring the governing authority to 199
adopt a policy regarding the admission of students who reside 200
outside the district in which the school is located. That policy 201
shall comply with the admissions procedures specified in 202
sections 3314.06 and 3314.061 of the Revised Code and, at the 203
sole discretion of the authority, shall do one of the following: 204

(a) Prohibit the enrollment of students who reside outside 205
the district in which the school is located; 206

(b) Permit the enrollment of students who reside in 207
districts adjacent to the district in which the school is 208
located; 209

(c) Permit the enrollment of students who reside in any 210
other district in the state. 211

(20) A provision recognizing the authority of the 212
department of education to take over the sponsorship of the 213
school in accordance with the provisions of division (C) of 214
section 3314.015 of the Revised Code; 215

(21) A provision recognizing the sponsor's authority to 216
assume the operation of a school under the conditions specified 217
in division (B) of section 3314.073 of the Revised Code; 218

(22) A provision recognizing both of the following: 219

(a) The authority of public health and safety officials to 220
inspect the facilities of the school and to order the facilities 221
closed if those officials find that the facilities are not in 222
compliance with health and safety laws and regulations; 223

(b) The authority of the department of education as the 224
community school oversight body to suspend the operation of the 225
school under section 3314.072 of the Revised Code if the 226
department has evidence of conditions or violations of law at 227
the school that pose an imminent danger to the health and safety 228
of the school's students and employees and the sponsor refuses 229
to take such action. 230

(23) A description of the learning opportunities that will 231
be offered to students including both classroom-based and non- 232
classroom-based learning opportunities that is in compliance 233
with criteria for student participation established by the 234
department under division (H) (2) of section 3314.08 of the 235
Revised Code; 236

(24) The school will comply with sections 3302.04 and 237
3302.041 of the Revised Code, except that any action required to 238
be taken by a school district pursuant to those sections shall 239
be taken by the sponsor of the school. However, the sponsor 240
shall not be required to take any action described in division 241
(F) of section 3302.04 of the Revised Code. 242

(25) Beginning in the 2006-2007 school year, the school 243
will open for operation not later than the thirtieth day of 244
September each school year, unless the mission of the school as 245
specified under division (A) (2) of this section is solely to 246
serve dropouts. In its initial year of operation, if the school 247
fails to open by the thirtieth day of September, or within one 248
year after the adoption of the contract pursuant to division (D) 249

of section 3314.02 of the Revised Code if the mission of the	250
school is solely to serve dropouts, the contract shall be void.	251
(26) Whether the school's governing authority is planning	252
to seek designation for the school as a STEM school equivalent	253
under section 3326.032 of the Revised Code;	254
(27) That the school's attendance and participation	255
policies will be available for public inspection;	256
(28) That the school's attendance and participation	257
records shall be made available to the department of education,	258
auditor of state, and school's sponsor to the extent permitted	259
under and in accordance with the "Family Educational Rights and	260
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended,	261
and any regulations promulgated under that act, and section	262
3319.321 of the Revised Code;	263
(29) If a school operates using the blended learning	264
model, as defined in section 3301.079 of the Revised Code, all	265
of the following information:	266
(a) An indication of what blended learning model or models	267
will be used;	268
(b) A description of how student instructional needs will	269
be determined and documented;	270
(c) The method to be used for determining competency,	271
granting credit, and promoting students to a higher grade level;	272
(d) The school's attendance requirements, including how	273
the school will document participation in learning	274
opportunities;	275
(e) A statement describing how student progress will be	276
monitored;	277

(f) A statement describing how private student data will be protected;	278 279
(g) A description of the professional development activities that will be offered to teachers.	280 281
(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;	282 283 284 285
(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.	286 287 288 289 290
(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.	291 292 293 294 295
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	296 297 298
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:	299 300 301
(1) The process by which the governing authority of the school will be selected in the future;	302 303
(2) The management and administration of the school;	304
(3) If the community school is a currently existing public	305

school or educational service center building, alternative 306
arrangements for current public school students who choose not 307
to attend the converted school and for teachers who choose not 308
to teach in the school or building after conversion; 309

(4) The instructional program and educational philosophy 310
of the school; 311

(5) Internal financial controls. 312

When submitting the plan under this division, the school 313
shall also submit copies of all policies and procedures 314
regarding internal financial controls adopted by the governing 315
authority of the school. 316

(C) A contract entered into under section 3314.02 of the 317
Revised Code between a sponsor and the governing authority of a 318
community school may provide for the community school governing 319
authority to make payments to the sponsor, which is hereby 320
authorized to receive such payments as set forth in the contract 321
between the governing authority and the sponsor. The total 322
amount of such payments for monitoring, oversight, and technical 323
assistance of the school shall not exceed three per cent of the 324
total amount of payments for operating expenses that the school 325
receives from the state. 326

(D) The contract shall specify the duties of the sponsor 327
which shall be in accordance with the written agreement entered 328
into with the department of education under division (B) of 329
section 3314.015 of the Revised Code and shall include the 330
following: 331

(1) Monitor the community school's compliance with all 332
laws applicable to the school and with the terms of the 333
contract; 334

(2) Monitor and evaluate the academic and fiscal 335
performance and the organization and operation of the community 336
school on at least an annual basis; 337

(3) Report on an annual basis the results of the 338
evaluation conducted under division (D)(2) of this section to 339
the department of education and to the parents of students 340
enrolled in the community school; 341

(4) Provide technical assistance to the community school 342
in complying with laws applicable to the school and terms of the 343
contract; 344

(5) Take steps to intervene in the school's operation to 345
correct problems in the school's overall performance, declare 346
the school to be on probationary status pursuant to section 347
3314.073 of the Revised Code, suspend the operation of the 348
school pursuant to section 3314.072 of the Revised Code, or 349
terminate the contract of the school pursuant to section 3314.07 350
of the Revised Code as determined necessary by the sponsor; 351

(6) Have in place a plan of action to be undertaken in the 352
event the community school experiences financial difficulties or 353
closes prior to the end of a school year. 354

(E) Upon the expiration of a contract entered into under 355
this section, the sponsor of a community school may, with the 356
approval of the governing authority of the school, renew that 357
contract for a period of time determined by the sponsor, but not 358
ending earlier than the end of any school year, if the sponsor 359
finds that the school's compliance with applicable laws and 360
terms of the contract and the school's progress in meeting the 361
academic goals prescribed in the contract have been 362
satisfactory. Any contract that is renewed under this division 363

remains subject to the provisions of sections 3314.07, 3314.072, 364
and 3314.073 of the Revised Code. 365

(F) If a community school fails to open for operation 366
within one year after the contract entered into under this 367
section is adopted pursuant to division (D) of section 3314.02 368
of the Revised Code or permanently closes prior to the 369
expiration of the contract, the contract shall be void and the 370
school shall not enter into a contract with any other sponsor. A 371
school shall not be considered permanently closed because the 372
operations of the school have been suspended pursuant to section 373
3314.072 of the Revised Code. 374

Sec. 3320.04. Each school district board of education 375
shall adopt a policy that reasonably accommodates the sincerely 376
held religious beliefs and practices of individual students with 377
regard to all examinations or other academic requirements and 378
absences for reasons of faith or religious or spiritual belief 379
system. The policy shall satisfy all of the following 380
conditions: 381

(A) The policy shall permit a student in any of grades 382
kindergarten through twelve to be absent for up to three 383
religious expression days each school year to take holidays for 384
reasons of faith or religious or spiritual belief system or 385
participate in organized activities conducted under the auspices 386
of a religious denomination, church, or other religious or 387
spiritual organization. The district shall not impose an 388
academic penalty as a result of a student being absent as 389
permitted in the policy. The policy shall also permit students 390
to participate in interscholastic athletics or other 391
extracurricular activities on days in which the student was 392
otherwise absent for a religious expression day. 393

(B) (1) The policy shall require that students be provided 394
with alternative accommodations with regard to examinations and 395
other academic requirements missed due to an absence described 396
in division (A) of this section if not later than fourteen 397
school days after the first day of school, or fourteen school 398
days after the date of enrollment for a student who transfers to 399
or enrolls in the district after the first day of school, the 400
parent or guardian of a student provides the school principal 401
with written notice of up to three specific dates for which 402
alternative accommodations are requested, if an absence approved 403
under division (B) (2) of this section conflicts with an 404
examination or other academic requirement on that date. 405

(2) The school principal shall approve not more than three 406
written requests per school year from a student's parent or 407
guardian for an excused absence under division (A) of this 408
section. The school principal shall approve such requests 409
without inquiry into the sincerity of a student's religious or 410
spiritual belief system. However, the school principal may 411
verify a request received under division (A) of this section by 412
contacting the parent or guardian whose signature appears on the 413
request. If a parent or guardian disputes having signed such a 414
request, the school principal may deny the request. Upon 415
approval of a request that satisfies division (B) (1) of this 416
section, a school principal shall require the appropriate 417
classroom teacher or teachers to schedule a time and date for an 418
alternative examination or other academic requirement if the 419
approved student absence creates a conflict, which may be before 420
or after the time and date the examination or other academic 421
requirement was originally scheduled. 422

(C) The policy shall require the district board to post 423
both of the following in a prominent location on the district's 424

web site: 425

(1) A copy of the policy adopted under this section, which shall include the contact information of an individual who can provide further information about the policy; 426
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(2) A nonexhaustive list of major religious holidays, festivals, and religious observations, which may include, Eid, Good Friday, Rosh Hashanah, Yom Kippur, and Passover, for which an excused absence under this section shall not be unreasonably withheld or denied. 429
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The state superintendent shall provide each district with a nonexhaustive list of major religious holidays or festivals for the next two school years, including Eid, Good Friday, Rosh Hashanah, Yom Kippur, and Passover, at the beginning of each school year. Each district may adopt the state superintendent's list in its entirety or choose which holidays to include on its list. 434
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Each time a district's policy is posted, printed, or published, including as described in divisions (C) and (D) of this section, the district shall include a statement that the list is nonexhaustive, and the list may not be used to deny accommodation to a student for a holiday or festival of the student's faith or religious or spiritual belief system that does not appear on the list. 441
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Nothing in this section, and no inclusion or exclusion of a religious holiday or festival on the list posted by a district, shall preclude a student from full and reasonable accommodations for any sincerely held religious beliefs and practices with regard to all examinations or other academic requirements and absences for reasons of faith or religious or 448
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spiritual belief system provided under this section. 454

(D) The policy shall require school districts annually to convey to parents and guardians the policy adopted under this section, including a description of the general procedure for requesting accommodations. The manner in which the school district conveys the information shall be determined at the discretion of the district. 455
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(E) The policy shall include a procedure under which a student, parent, or guardian may notify the district of any grievance with regard to the implementation of the policy required under this section. 461
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(F) Any days excused under this section shall not be considered in determining absence hours for the purposes of parental notification under division (C) (1) of section 3321.191 of the Revised Code. 465
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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, 3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.6021, 3313.6024, 3313.6025, 3313.6026, 3313.61, 3313.611, 3313.614, 3313.615, 3313.617, 3313.618, 3313.6114, 3313.643, 3313.648, 3313.6411, 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, 3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 3313.818, 3313.86, 3313.89, 3313.96, 469
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3319.073, 3319.077, 3319.078, 3319.21, 3319.238, 3319.318, 484
3319.32, 3319.321, 3319.35, 3319.39, 3319.391, 3319.393, 485
3319.41, 3319.45, 3319.46, 3320.01, 3320.02, 3320.03, 3320.04, 486
3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 487
3321.18, 3321.19, 3321.191, 3323.251, 3327.10, 4111.17, 4113.52, 488
5502.262, 5502.703, and 5705.391 and Chapters 102., 117., 1347., 489
2744., 3307., 3309., 3365., 3742., 4112., 4123., 4141., and 490
4167. of the Revised Code as if it were a school district. 491

Sec. 3328.24. A college-preparatory boarding school 492
established under this chapter and its board of trustees shall 493
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 494
3301.0714, 3301.0729, 3301.948, 3302.037, 3313.6013, 3313.6021, 495
3313.6024, 3313.6025, 3313.6026, 3313.617, 3313.618, 3313.6114, 496
3313.6411, 3313.668, 3313.669, 3313.6610, 3313.7112, 3313.721, 497
3313.89, 3319.073, 3319.077, 3319.078, 3319.318, 3319.39, 498
3319.391, 3319.393, 3319.46, 3320.01, 3320.02, 3320.03, 3320.04, 499
3323.251, and 5502.262, and Chapter 3365. of the Revised Code as 500
if the school were a school district and the school's board of 501
trustees were a district board of education. 502

Section 2. That existing sections 3314.03, 3326.11, and 503
3328.24 of the Revised Code are hereby repealed. 504

Section 3. This act shall be known as the Religious 505
Expression Days or "R.E.D." Act. 506

Section 4. Section 3328.24 of the Revised Code is 507
presented in this act as a composite of the section as amended 508
by both H.B. 82 and H.B. 110 of the 134th General Assembly. The 509
General Assembly, applying the principle stated in division (B) 510
of section 1.52 of the Revised Code that amendments are to be 511
harmonized if reasonably capable of simultaneous operation, 512
finds that the composite is the resulting version of the section 513

in effect prior to the effective date of the section as
presented in this act.

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