

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

CORRECTED VERSION  
WEDNESDAY, NOVEMBER 19, 2025

NINETY-SECOND DAY  
Hall of the House of Representatives, Columbus, Ohio  
**Wednesday, November 19, 2025, 9:00 o'clock a.m.**

The House met pursuant to adjournment.

Prayer was offered by Dr. David Forbes, Jr. of the Columbus Christian Center Church and Ever-Increasing Life Ministries in Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

The following guests of the House of Representatives were recognized prior to the commencement of business:

Bryce Brower, 10th grade student at Reynoldsburg High School, guest of Representative Lawson-Rowe - 5th district.

Brandon Pierce-Ruhland, guest of Representative Thomas, D. – 65th district.

Dallas Harris, senior class president at Sandusky High School, guest of Representative Brennan – 14th district.

Springfield Township Police Chief Jack Simone and Springfield Township Trustee Kellie Chapman, guests of Representative Daniels – 32nd district.

Pastor Tom Ellis and students from Calvary Academy, guests of Representative Brownlee - 28th district.

Brian and Karen Christman, guests of Representative Roemer– 31st district.

The journal of yesterday was read and approved.

### INTRODUCTION OF BILLS

The following bills were introduced:

**H. B. No. 607** - Representatives Brennan, Dovilla.

To enact section 5534.856 of the Revised Code to designate a portion of State Route 94 in Cuyahoga County as the "Specialist Fourth Class Frank A. Herda, Medal of Honor Recipient, Memorial Highway."

**H. B. No. 608** - Representatives Thomas, D., Glassburn.  
Cosponsors: Representatives Brewer, Hall, T., Johnson, Workman, Brennan.

To amend sections 323.12, 323.13, 325.31, 4503.06, 5709.56, and 5713.01 and to enact sections 323.123 and 5705.171 of the Revised Code to modify the law governing property taxes and other local taxes.

Said bills were considered the first time.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS  
FOR SECOND CONSIDERATION**

Representative Brent submitted the following report:

The standing committee on General Government to which was referred **Am. S. B. No. 17**-Senators Reynolds, Craig, et al., having had the same under consideration, reports it back and recommends its passage.

RE: DESIGNATE 6888TH CENTRAL POSTAL DIRECTORY  
BATTALION DAY

SHARON A. RAY  
JUANITA O. BRENT  
ASHLEY BRYANT BAILEY  
GAYLE MANNING  
KEVIN D. MILLER  
PHIL PLUMMER  
ERIC SYNENBERG

JEFF LARE  
ADAM C. BIRD  
MARILYN JOHN  
RIORDAN T. MCCLAIN  
SCOTT OELSLAGER  
C. ALLISON RUSSO

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Brewer submitted the following report:

The standing committee on Community Revitalization to which was referred **H. B. No. 393**-Representatives Click, Brewer, having had the same under consideration, reports it back and recommends its passage.

RE: REQUIRE CERTAIN FACILITIES ASSIST INMATES IN  
OBTAINING ID CARDS

Representative Click moved to amend the title as follows:

Add the name: "Newman"

GARY CLICK  
KAREN BROWNLEE  
JAMES M. HOOPS  
JOHNATHAN NEWMAN  
MICHELLE TESKA

DARNELL T. BREWER  
SARAH FOWLER ARTHUR  
MEREDITH R. LAWSON-ROWE  
JODI SALVO

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Synenberg submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 296**-Representative Miller, M., et al., having had the same under consideration, reports it back and recommends its passage.

RE: DELAY OFFENDER FINANCIAL SANCTIONS UNTIL 180 DAYS  
AFTER RELEASE

JIM THOMAS	D. J. SWEARINGEN
ERIC SYNENBERG	JAMIE CALLENDER
ADAM MATHEWS	ISMAIL MOHAMED
MIKE ODIOSO	SCOTT OELSLAGER
BERYL PICCOLANTONIO	DESIREE TIMS
JOSH WILLIAMS	

The following members voted "NO"

PHIL PLUMMER	BRIAN STEWART
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The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Baker submitted the following report:

The standing committee on Health to which was referred **H. B. No. 324-** Representatives Mathews, A., Craig, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ENACT THE PATIENT PROTECTION ACT

Representative Craig moved to amend the title as follows:

Add the names: "Schmidt, Gross, King, Miller, M., Stewart"

JEAN SCHMIDT	KELLIE DEETER
TIM BARHORST	MEREDITH CRAIG
JENNIFER GROSS	ANGELA N. KING
MELANIE MILLER	BRIAN STEWART
ANDREA WHITE	

The following members voted "NO"

RACHEL B. BAKER	KAREN BROWNLEE
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The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Synenberg submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 88-** Representatives Abrams, Plummer, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REGARDS DRUG TRAFFICKING, HUMAN TRAFFICKING,  
AND FENTANYL

Representative Swearingen moved to amend the title as follows:

Add the name: "Swearingen"

JIM THOMAS  
ADAM MATHEWS  
SCOTT OELSLAGER  
BRIAN STEWART

D. J. SWEARINGEN  
MIKE ODIOSO  
PHIL PLUMMER  
JOSH WILLIAMS

The following members voted "NO"

ERIC SYNENBERG  
ISMAIL MOHAMED  
DESIREE TIMS

JAMIE CALLENDER  
BERYL PICCOLANTONIO

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Lett submitted the following report:

The standing committee on Children and Human Services to which was referred **H. B. No. 472**-Representatives Cockley, Salvo, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: WAIVE ID, BIRTH CERTIFICATE FEES FOR HOMELESS INDIVIDUALS

Representative Salvo moved to amend the title as follows:

Add the names: "Click, Ray"

ANDREA WHITE  
CRYSTAL LETT  
KAREN BROWNLEE  
GARY CLICK  
SARAH FOWLER ARTHUR  
MIKE ODIOSO

JODI SALVO  
DARNELL T. BREWER  
ASHLEY BRYANT BAILEY  
KELLIE DEETER  
MELANIE MILLER  
SHARON A. RAY

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Synenberg submitted the following report:

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

RE: ENACT ANDY'S LAW

Representative Swearingen moved to amend the title as follows:

Add the names: "Swearingen, Mathews, A., Odioso, Stewart, Williams"

JIM THOMAS  
ERIC SYNENBERG  
ISMAIL MOHAMED  
SCOTT OELSLAGER  
PHIL PLUMMER  
JOSH WILLIAMS

D. J. SWEARINGEN  
ADAM MATHEWS  
MIKE ODIOSO  
BERYL PICCOLANTONIO  
BRIAN STEWART

The following member voted "NO"

DESIREE TIMS

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Synenberg submitted the following report:

The standing committee on Judiciary to which was referred **Am. S. B. No. 101**-Senator Blessing, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REGARDS RECORDING OF CERTAIN REAL PROPERTY DOCUMENTS

Representative Stewart moved to amend the title as follows:

Add the name: "Mathews, A."

JIM THOMAS  
ERIC SYNENBERG  
ADAM MATHEWS  
MIKE ODIOSO  
BERYL PICCOLANTONIO  
BRIAN STEWART  
JOSH WILLIAMS

D. J. SWEARINGEN  
JAMIE CALLENDER  
ISMAIL MOHAMED  
SCOTT OELSLAGER  
PHIL PLUMMER  
DESIREE TIMS

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Isaacsohn reported for the Rules and Reference committee recommending that the following House Bills and Senate Bills be considered for the second time and referred to the following committees for consideration:

**H. B. No. 587** - Representatives Odioso and Lorenz  
REGARDING SALES OF KRATOM PRODUCTS.  
To the committee on Agriculture

**H. B. No. 588** - Representative McNally  
TO APPLY THE EMPLOYMENT PORTIONS OF THE OHIO CIVIL RIGHTS LAW TO UNPAID INTERNS.  
To the committee on Commerce and Labor

**H. B. No. 589** - Representative Mathews, A.  
REGARDING MATERIAL AMENDMENTS TO CONTRACTS BETWEEN HEALTH INSURERS AND HEALTH CARE PROVIDERS.  
To the committee on Insurance

**H. B. No. 590** - Representatives Thomas, D. and Williams  
TO MODIFY THE LAW GOVERNING TAX APPEALS AND PROPERTY TAX COMPLAINTS.  
To the committee on Ways and Means

**H. B. No. 591** - Representatives Brewer and Creech  
TO AUTHORIZE THE USE OF NATURAL ORGANIC REDUCTION AS A FORM OF DISPOSITION.  
To the committee on General Government

**H. B. No. 592** - Representatives Thomas, D. and Mathews, A.  
REGARDING MUNICIPAL INCORPORATION.  
To the committee on Local Government

**H. B. No. 593** - Representative Deeter  
REGARDING PAID FAMILY LEAVE INSURANCE.  
To the committee on Insurance

**H. B. No. 594** - Representatives Odioso and Hall, T.  
TO REQUIRE SCHOOL DISTRICTS TO OFFER, AND STUDENTS TO COMPLETE, AT LEAST ONE HIGH SCHOOL COMPUTER SCIENCE COURSE.  
To the committee on Education

**H. B. No. 595** - Representatives Mohamed and Williams  
TO REQUIRE ALL MOTOR VEHICLE INSURANCE POLICIES TO INCLUDE UNINSURED MOTORIST COVERAGE.  
To the committee on Insurance

**H. B. No. 596** - Representatives Mohamed and Williams  
TO REQUIRE ALL MOTOR VEHICLE INSURANCE POLICIES TO INCLUDE UNINSURED MOTORIST COVERAGE AND TO INCREASE THE STATE'S MINIMUM AUTO LIABILITY INSURANCE REQUIREMENTS FOR BODILY INJURY OR DEATH TO ANOTHER PERSON OR PERSONS.  
To the committee on Insurance

**H. B. No. 597** - Representatives Sigrist and Mathews, T.  
TO PROHIBIT THE OPERATION OF UNMANNED AERIAL VEHICLES

OVER SCHOOLS.

To the committee on Transportation

**H. B. No. 598** - Representatives Sigrist and Hoops

TO AUTHORIZE LOCAL GOVERNMENTS TO CREATE RESIDENTIAL STABILITY ZONES WHERE HOMEOWNERS MAY QUALIFY FOR A PARTIAL PROPERTY TAX EXEMPTION.

To the committee on Ways and Means

**H. B. No. 599** - Representatives Salvo and Craig

TO DESIGNATE OCTOBER 14 AS "CHARLIE KIRK MEMORIAL DAY."

To the committee on General Government

**H. B. No. 600** - Representatives Willis and Barhorst

TO DESIGNATE A PORTION OF STATE ROUTE 41 IN CLARK COUNTY AS THE "PFC WETZEL ELDRIDGE USMC MEMORIAL HIGHWAY."

To the committee on Transportation

**H. B. No. 601** - Representatives Peterson and Willis

TO MODIFY THE LAW GOVERNING VOTER ROLL MAINTENANCE, PROVISIONAL VOTING, THE RETURN OF ABSENT VOTER'S BALLOTS, AND THE MEMBERSHIP OF THE OHIO ELECTION INTEGRITY COMMISSION.

To the committee on General Government

**H. B. No. 602** - Representatives Swearingen and Creech

TO FURTHER LIMIT THE TYPES OF FLAGS THAT A STATE AGENCY MAY DISPLAY ON ITS GROUNDS OR IN ITS BUILDINGS.

To the committee on General Government

**Sub. S. B. No. 174** - Senators Gavarone and Hicks-Hudson

REGARDING THE ALLOCATION OF PARENTING RESPONSIBILITIES IN A PARENTING PLAN.

To the committee on Judiciary

**S. B. No. 251** - Senator Brenner

TO DESIGNATE A PORTION OF STATE ROUTE 13 IN KNOX COUNTY AS THE "OHIO STATE HIGHWAY PATROL LT. VANCE M. ANDREWS MEMORIAL HIGHWAY."

To the committee on Transportation

**Am. S. B. No. 276** - Senator Roegner

TO RATIFY THE INTERSTATE COMPACT FOR SCHOOL PSYCHOLOGISTS.

To the committee on Education

**Am. S. B. No. 295** - Senators Manning and Patton

RELATIVE TO THE TIMELINE FOR RESTORATION OF COMPETENCY

IN CRIMINAL CASES AND TO DECLARE AN EMERGENCY.

To the committee on Judiciary

MATT HUFFMAN

DANI ISAACSOHN

MARILYN JOHN

BERYL PICCOLANTONIO

PHILLIP M. ROBINSON, JR.

DESIREE TIMS

GAYLE MANNING

ADAM C. BIRD

RIORDAN T. MCCLAIN

PHIL PLUMMER

NICK SANTUCCI

JOSH WILLIAMS

Representative Manning moved that the Rules and Reference committee report on referrals be agreed to and that the House Bills and Senate Bills contained therein be considered for the second time and referred as recommended.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills and Senate Bills were considered the second time and referred as recommended.

### **MOTIONS AND RESOLUTIONS**

Representative Isaacsohn reported for the Rules and Reference committee recommending that the following resolutions be read by title only and approved:

**H. R. No. 285 - Representative Lorenz**

Honoring Elena Aldrink as the 2025 Division I State Champion in girls cross country.

**H. R. No. 286 - Representative Grim**

Honoring The University of Toledo men's cross country team as the 2025 Mid-American Conference Champion.

**H. R. No. 287 - Representative John**

Honoring the Lexington High School boys cross country team as the 2025 Division II State Champion.

**H. R. No. 288 - Representative Newman**

Honoring Landon Kimmel as the 2025 Division II State Boys Cross Country Champion.

**H. R. No. 289 - Representative White, A.**

Honoring the Oakwood High School girls cross country team as the 2025 Division III State Champion.

**H. R. No. 290 - Representative Manning**

Honoring the Avon High School girls volleyball team on winning the 2025 Division II State Championship.

**H. R. No. 291 - Representative Manning**

Honoring the Avon High School boys soccer team on securing the 2025 Division II State Championship title.

**H. R. No. 292 - Representative Oelslager**

Honoring Irelyn Johnson as a 2025 Division III State Cross Country Champion.

**H. R. No. 293 - Representative Hall, T.**

Honoring the American Association of University Women Middletown Branch on its Centennial.

**H. R. No. 294 - Representative Deeter**

Honoring the St. Paul High School cheer team as the 2025 Division III OHSCCA State Champion.

**H. R. No. 295 - Representative Deeter**

Honoring the Norwalk High School cheer team as the 2025 OHSCCA Division III Best in the State Champion.

/s/MATT HUFFMAN

Matt Huffman, Chair

Representative Manning moved that the Rules and Reference committee report on resolutions be agreed to and that the resolutions contained therein be approved.

The motion was agreed to.

Representative McClain moved that majority party members asking leave to be absent or absent the week of Wednesday, November 19, 2025, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Piccolantonio moved that minority party members asking leave to be absent or absent the week of Wednesday, November 19, 2025, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

**BILLS FOR THIRD CONSIDERATION**

**Am. S. B. No. 17**-Senators Reynolds, Craig.

Cosponsors: Senators Patton, Schaffer, Weinstein, Antonio, Blackshear,

Blessing, Brenner, Chavez, Cirino, DeMora, Gavarone, Hicks-Hudson, Ingram, Johnson, Koehler, Landis, Liston, O'Brien, Reineke, Roegner, Romanchuk, Smith, Timken, Wilkin, Wilson.

To enact section 5.212 of the Revised Code to designate March 9th as "6888th Central Postal Directory Battalion Day," was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 90, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Daniels
Dean	Deeter	Dovilla	Ferguson
Fischer	Fowler Arthur	Ghanbari	Glassburn
Gross	Hall, D.	Hall, T.	Hiner
Holmes	Hoops	Humphrey	Isaacsohn
John	Johnson	King	Kishman
Klopfenstein	Lampton	LaRe	Lawson-Rowe
Lett	Lorenz	Manning	Mathews, A.
Mathews, T.	McClain	McNally	Miller, J.
Miller, K.	Miller, M.	Mohamed	Moore
Mullins	Newman	Odioso	Oelslager
Peterson	Piccolantonio	Pizzulli	Plummer
Ray	Richardson	Ritter	Robb Blasdel
Robinson	Roemer	Russo	Salvo
Santucci	Schmidt	Sigrist	Sims
Stephens	Stewart	Swearingen	Sweeney
Syenberg	Thomas, C.	Thomas, D.	Thomas, J.
Tims	Troy	Upchurch	White, A.
White, E.	Williams	Willis	Workman
Young			Huffman-90

The bill passed.

Representative Ray moved to amend the title as follows:

Add the names: "Abdullahi, Abrams, Baker, Barhorst, Brennan, Brent, Brewer, Brownlee, Bryant Bailey, Click, Daniels, Deeter, Dovilla, Ghanbari, Gross, Hall, D., Hall, T., Hiner, King, Klopfenstein, Lawson-Rowe, Lett, Manning, Mathews, T., McNally, Miller, J., Miller, M., Newman, Oelslager, Peterson, Piccolantonio, Ray, Robb Blasdel, Russo, Schmidt, Sigrist, Sims, Syenberg, Thomas, C., Tims, Upchurch, White, A., Williams, Willis, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. S. B. No. 103**-Senator Wilkin.

Cosponsors: Senators Brenner, Blackshear, Chavez, Cirino, Craig, Cutrona,

DeMora, Gavarone, Hicks-Hudson, Ingram, Johnson, Reineke, Smith, Timken, Weinstein Representatives Holmes, Mathews, A., Brennan, Dovilla, Fischer, Rogers.

To amend sections 4909.042, 4909.05, 4909.06, 4909.07, 4909.08, 4909.15, 4909.156, 4909.159, 4909.173, 4909.174, 4909.18, 4909.421, 4928.01, and 4928.05 and to enact sections 4909.157, 4909.182, 4929.052, 4929.053, 4929.054, 4929.055, 4929.056, 4929.057, and 4929.058 of the Revised Code to allow for alternative rate plans for natural gas companies to serve large load customers and to make changes to the process of valuating property for certain public utilities, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 91, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Daniels
Dean	Deeter	Dovilla	Ferguson
Fischer	Fowler Arthur	Ghanbari	Glassburn
Gross	Hall, D.	Hall, T.	Hiner
Holmes	Hoops	Humphrey	Isaacsohn
John	Johnson	King	Kishman
Klopfenstein	Lampton	LaRe	Lawson-Rowe
Lett	Lorenz	Manning	Mathews, A.
Mathews, T.	McClain	McNally	Miller, J.
Miller, K.	Miller, M.	Mohamed	Moore
Mullins	Newman	Odioso	Oelslager
Peterson	Piccolantonio	Pizzulli	Plummer
Ray	Richardson	Ritter	Robb Blasdel
Robinson	Roemer	Russo	Salvo
Santucci	Schmidt	Sigrist	Sims
Stephens	Stewart	Swearingen	Sweeney
Synerberg	Teska	Thomas, C.	Thomas, D.
Thomas, J.	Tims	Troy	Upchurch
White, A.	White, E.	Williams	Willis
Workman	Young		Huffman-91

The bill passed.

Representative Holmes moved to amend the title as follows:

Add the names: "Abdullahi, Barhorst, Bird, Brownlee, Bryant Bailey, Click, Deeter, Ghanbari, Glassburn, Hall, D., Hiner, King, Kishman, Klopfenstein, Lampton, Lorenz, Mathews, T., Miller, J., Mohamed, Newman, Peterson, Plummer, Ray, Ritter, Robb Blasdel, Roemer, Russo, Salvo, Schmidt, Sigrist, Swearingen, Upchurch, White, A., Williams, Willis, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. S. B. No. 217**-Senator Landis.

Cosponsors: Senators Blackshear, Cirino, DeMora, Hicks-Hudson, Ingram, Johnson, O'Brien, Reineke, Timken, Weinstein.

To authorize the conveyance of state-owned land, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Manning moved that **Sub. S. B. No. 217**-Senator Landis, et al., be informally passed and retain its place on the calendar.

The motion was agreed to without objection.

**Sub. S. B. No. 293**-Senators Gavarone, Brenner.

Cosponsors: Senators Cirino, Cutrona, O'Brien, Reynolds, Roegner, Timken, Wilkin, Wilson Representatives Bird, John.

To amend sections 3501.01, 3503.13, 3503.151, 3503.152, 3503.18, 3503.19, 3503.21, 3505.18, 3505.181, 3505.182, 3505.183, 3505.20, 3509.05, and 3517.14 and to enact section 3503.201 of the Revised Code to modify the law governing voter roll maintenance, provisional voting, the return of absent voter's ballots, and the membership of the Ohio Election Integrity Commission, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Brent moved to amend, amendment 1512, as follows:

In line 1 of the title, after "3501.01," insert "3501.11,"; after "3503.13," insert "3503.14,"

In line 2 of the title, after "3503.19," insert "3503.20,"; after "3503.21," insert "3503.28,"

In line 3 of the title, after "3505.20," insert "3509.03,"

In line 4 of the title, delete "section" and insert "sections"; after "3503.201" insert "and 3509.11"

In line 6 of the title, delete "return"

In line 7 of the title, delete "of"; delete "voter's ballots" and insert "voting"

In line 9, after "3501.01," insert "3501.11,"; after "3503.13," insert "3503.14,"

In line 10, after "3503.19," insert "3503.20,"; after "3503.21," insert "3503.28,"

In line 11, after "3505.20," insert "3509.03,"

In line 12, delete "section" and insert "sections"; after "3503.201" insert

"and 3509.11"

After line 274, insert:

**"Sec. 3501.11.** Each board of elections shall exercise by a majority vote all powers granted to the board by Title XXXV of the Revised Code, shall perform all the duties imposed by law, and shall do all of the following:

(A) Establish, define, provide, rearrange, and combine election precincts;

(B) Fix and provide the places for registration and for holding primaries and elections;

(C) Provide for the purchase, preservation, and maintenance of booths, ballot boxes, books, maps, flags, blanks, cards of instructions, and other forms, papers, and equipment used in registration, nominations, and elections;

(D) Appoint and remove its director, deputy director, and employees and all registrars, precinct election officials, and other officers of elections, fill vacancies, and designate the ward or district and precinct in which each shall serve;

(E) Make and issue rules and instructions, not inconsistent with law or the rules, directives, or advisories issued by the secretary of state, as it considers necessary for the guidance of election officers and voters;

(F) Advertise and contract for the printing of all ballots and other supplies used in registrations and elections;

(G) Provide for the issuance of all notices, advertisements, and publications concerning elections, except as otherwise provided in division (G) of section 3501.17 and divisions (F) and (G) of section 3505.062 of the Revised Code;

(H) Provide for the delivery of ballots, pollbooks, and other required papers and material to the polling places;

(I) Cause the polling places to be suitably provided with voting machines, marking devices, automatic tabulating equipment, stalls, and other required supplies. In fulfilling this duty, each board of a county that uses voting machines, marking devices, or automatic tabulating equipment shall conduct a full vote of the board during a public session of the board on the allocation and distribution of voting machines, marking devices, and automatic tabulating equipment for each precinct in the county.

(J) Investigate irregularities, nonperformance of duties, or violations of Title XXXV of the Revised Code by election officers and other persons; administer oaths, issue subpoenas, summon witnesses, and compel the production of books, papers, records, and other evidence in connection with any such investigation; and report the facts to the prosecuting attorney or the

secretary of state;

(K)(1) Review, examine, and certify the sufficiency and validity of petitions and nomination papers, and, after certification, return to the secretary of state all petitions and nomination papers that the secretary of state forwarded to the board;

(2) Examine each initiative petition, or a petition filed under section 307.94 or 307.95 of the Revised Code, received by the board to determine whether the petition falls within the scope of authority to enact via initiative and whether the petition satisfies the statutory prerequisites to place the issue on the ballot, as described in division (M) of section 3501.38 of the Revised Code. The petition shall be invalid if any portion of the petition is not within the initiative power.

(L) Receive the returns of elections, canvass the returns, make abstracts of them, and transmit those abstracts to the proper authorities;

(M) Issue certificates of election on forms to be prescribed by the secretary of state;

(N) Make an annual report to the secretary of state, on the form prescribed by the secretary of state, containing a statement of the number of voters registered, elections held, votes cast, appropriations received, expenditures made, and other data required by the secretary of state;

(O) Prepare and submit to the proper appropriating officer a budget estimating the cost of elections for the ensuing fiscal year;

(P) Perform other duties as prescribed by law or the rules, directives, or advisories of the secretary of state;

(Q) Investigate and determine the residence qualifications of electors;

(R) Administer oaths in matters pertaining to the administration of the election laws;

(S) Prepare and submit to the secretary of state, whenever the secretary of state requires, a report containing the names and residence addresses of all incumbent county, municipal, township, and board of education officials serving in their respective counties;

(T) Establish and maintain a voter registration database of all qualified electors in the county who offer to register;

(U) Maintain voter registration records, make reports concerning voter registration as required by the secretary of state, and remove ineligible electors from voter registration lists in accordance with law and directives of the secretary of state;

(V) Give approval to ballot language for any local question or issue and transmit the language to the secretary of state for the secretary of state's final approval;

(W) Prepare and cause the following notice to be displayed in a prominent location in every polling place:

"NOTICE

Ohio law prohibits any person from voting or attempting to vote more than once at the same election.

Violators are guilty of a felony of the fourth degree and shall be imprisoned and additionally may be fined in accordance with law."

(X) In all cases of a tie vote or a disagreement in the board, if no decision can be arrived at, the director or chairperson shall submit the matter in controversy, not later than fourteen days after the tie vote or the disagreement, to the secretary of state, who shall summarily decide the question, and the secretary of state's decision shall be final.

(Y) Assist each designated agency, deputy registrar of motor vehicles, public high school and vocational school, public library, and office of a county treasurer in the implementation of a program for registering voters at all voter registration locations as prescribed by the secretary of state. Under this program, each board of elections shall direct to the appropriate board of elections any voter registration applications for persons residing outside the county where the board is located within five days after receiving the applications.

(Z) On any day on which an elector may vote in person at the office of the board or at another site designated by the board, consider the board or other designated site a polling place for that day. All requirements or prohibitions of law that apply to a polling place shall apply to the office of the board or other designated site on that day.

(AA) Perform any duties with respect to voter registration and voting by uniformed services and overseas voters that are delegated to the board by law or by the rules, directives, or advisories of the secretary of state.

(BB) Prepare an election administration plan and submit it to the secretary of state not later than seventy-five days before each presidential primary election and not later than one hundred twenty days before each general election held in an even-numbered year. The election administration plan shall be on a template prescribed by the secretary of state and shall include all of the following:

- (1) Precinct election official recruitment, training, and accountability;
- (2) Resource allocation;
- (3) Communication before and on the day of the election;
- (4) Materials;
- (5) Contingencies and continuity planning;
- (6) Security;

- (7) Voter registration;
- (8) Absent voting;
- (9) Polling places and accessibility;
- (10) Ballot preparation;
- (11) Pre-election testing;
- (12) Reconciliation and audits;
- (13) A master calendar;
- (14) Any other topic prescribed by the secretary of state.

(CC) Establish and maintain a permanent absent voter list of all registered electors in the county who have opted to be placed on the permanent absent voter list, including written applications to be removed from the permanent absent voter list."

After line 303, insert:

**"Sec. 3503.14.** (A) The secretary of state shall prescribe the form and content of the registration, change of residence, and change of name forms used in this state. The forms shall meet the requirements of the National Voter Registration Act of 1993 and shall include spaces for all of the following:

- (1) The voter's name;
- (2) The voter's address;
- (3) The current date;
- (4) The voter's date of birth;
- (5) The voter to provide at least one of the following forms of identification:

(a) The voter's Ohio driver's license or state identification card number;

(b) The last four digits of the voter's social security number.

(6) A box that the voter can mark in the affirmative to request to be placed on the permanent absent voter list under section 3509.11 of the Revised Code;

(7) The voter's signature.

The registration form shall include a space on which the person registering an applicant shall sign the person's name and provide the person's address and a space on which the person registering an applicant shall name the employer who is employing that person to register the applicant.

The forms shall include a box for the person filling out the form to check to indicate, if applicable, that the person has filled out all or part of the form on behalf of the applicant because the applicant declares that the

applicant requires such assistance by reason of blindness, disability, or illiteracy.

Except for forms prescribed by the secretary of state under section 3503.11 of the Revised Code, the secretary of state shall permit boards of elections to produce forms that have subdivided spaces for each individual alphanumeric character of the information provided by the voter so as to accommodate the electronic reading and conversion of the voter's information to data and the subsequent electronic transfer of that data to the statewide voter registration database established under section 3503.15 of the Revised Code.

(B) None of the following persons who are registering an applicant in the course of that official's or employee's normal duties shall sign the person's name, provide the person's address, or name the employer who is employing the person to register an applicant on a form prepared under this section:

- (1) An election official;
- (2) A county treasurer;
- (3) A deputy registrar of motor vehicles;
- (4) An employee of a designated agency;
- (5) An employee of a public high school;
- (6) An employee of a public vocational school;
- (7) An employee of a public library;
- (8) An employee of the office of a county treasurer;
- (9) An employee of the bureau of motor vehicles;
- (10) An employee of a deputy registrar of motor vehicles;
- (11) An employee of an election official.

(C) Except as provided in section 3501.382 of the Revised Code, any applicant who is unable to sign the applicant's own name shall make an "X," if possible, which shall be certified by the signing of the name of the applicant by the person filling out the form, who shall add the person's own signature. If an applicant is unable to make an "X," the applicant shall indicate in some manner that the applicant desires to register to vote or to change the applicant's name or residence. The person registering the applicant shall sign the form and attest that the applicant indicated that the applicant desired to register to vote or to change the applicant's name or residence.

(D) No registration, change of residence, or change of name form shall be rejected solely on the basis that a person registering an applicant failed to sign the person's name or failed to name the employer who is

employing that person to register the applicant as required under division (A) of this section.

(E) A voter registration application submitted electronically through the registrar of motor vehicles or a deputy registrar pursuant to section 3503.11 or submitted online through the internet pursuant to section 3503.20 of the Revised Code is not required to contain a signature to be considered valid. The signature obtained under division (A)(3) of section 3503.11 or under division (B) of section 3503.20 of the Revised Code, as applicable, shall be considered the applicant's signature for all election and signature-matching purposes.

(F)(1) Except as otherwise provided in division (C) of this section and in sections 3501.382 and 3505.24 of the Revised Code, no person shall preprint or fill out any portion of a voter registration, change of residence, or change of name form on behalf of an applicant.

(2) A completed voter registration, change of residence, or change of name form is not valid if any portion of it has been completed by any person other than the applicant in violation of division (F)(1) of this section.

(G) As used in this section, "registering an applicant" includes any effort, for compensation, to provide voter registration forms or to assist persons in completing or returning those forms."

After line 696, insert:

**"Sec. 3503.20.** (A) The secretary of state shall establish a secure online voter registration system. The system shall provide for all of the following:

(1) An applicant to submit a voter registration application to the secretary of state online through the internet;

(2) The online applicant to be registered to vote, if all of the following apply:

(a) The application contains all of the following information:

(i) The applicant's name;

(ii) The applicant's address;

(iii) The applicant's date of birth;

(iv) The last four digits of the applicant's social security number;

(v) The applicant's Ohio driver's license number or the number of the applicant's state identification card issued under section 4507.50 of the Revised Code.

(b) The applicant's name, address, and date of birth, the last four digits of the applicant's social security number, and the applicant's Ohio driver's license number or the number of the applicant's state identification

card as they are provided in the application are not inconsistent with the information on file with the bureau of motor vehicles;

(c) The applicant is a United States citizen, will have lived in this state for thirty days immediately preceding the next election, will be at least eighteen years of age on or before the day of the next general election, and is otherwise eligible to register to vote;

(d) The applicant attests to the truth and accuracy of the information submitted in the online application under penalty of election falsification.

(B) If an individual registers to vote or a registered elector updates the elector's name, address, or both under this section, the secretary of state shall obtain an electronic copy of the applicant's or elector's signature that is on file with the bureau of motor vehicles. That electronic signature shall be used as the applicant's or elector's signature on voter registration records, for all election and signature-matching purposes.

(C) The secretary of state shall employ whatever security measures the secretary of state considers necessary to ensure the integrity and accuracy of voter registration information submitted electronically pursuant to this section. Errors in processing voter registration applications in the online system shall not prevent an applicant from becoming registered or from voting.

(D) The online voter registration application under division (A) of this section shall include the following language:

"By clicking the box below, I request to be placed on the permanent absent voter list under section 3509.11 of the Revised Code."

In order to be placed on the permanent absent voter list under this section, an applicant or elector shall be required to mark the box in the online voter registration application that appears in conjunction with the previous statement.

(E) The online voter registration application established under division (A) of this section shall include the following language:

"By clicking the box below, I affirm all of the following under penalty of election falsification, which is a felony of the fifth degree:

(1) I am the person whose name and identifying information is provided on this form, and I desire to register to vote, or update my voter registration, in the State of Ohio.

(2) All of the information I have provided on this form is true and correct as of the date I am submitting this form.

(3) I am a United States citizen.

(4) I will have lived in Ohio for thirty days immediately preceding the next election.

(5) I will be at least eighteen years of age on or before the day of the next general election.

(6) I authorize the Bureau of Motor Vehicles to transmit to the Ohio Secretary of State my signature that is on file with the Bureau of Motor Vehicles, and I understand and agree that the signature transmitted by the Bureau of Motor Vehicles will be used by the Secretary of State to validate this electronic voter registration application as if I had signed this form personally."

In order to register to vote or update a voter registration under division (A) of this section, an applicant or elector shall be required to mark the box in the online voter registration application that appears in conjunction with the previous statement.

~~(E)~~(F) The online voter registration process established under division (A) of this section shall be in operation and available for use by individuals who wish to register to vote or update their voter registration information online not earlier than January 1, 2017. During the period beginning on the first day after the close of voter registration before an election and ending on the day of the election, the online voter registration system shall display a notice indicating that the applicant will not be registered to vote for the purposes of that election.

~~(E)~~(G) Notwithstanding section 1.50 of the Revised Code, if any provision of this section or of division (E) of section 3503.14 of the Revised Code is held invalid, or if the application of any provision of this section or of that division to any person or circumstance is held invalid, then this section and that division cease to operate."

After line 884, insert:

**"Sec. 3503.28.** (A) The secretary of state shall develop an information brochure regarding voter registration. The brochure shall include, but is not limited to, all of the following information:

(1) The applicable deadlines for registering to vote or for returning an applicant's completed registration form;

(2) The applicable deadline for returning an applicant's completed registration form if the person returning the form is being compensated for registering voters;

(3) The locations to which a person may return an applicant's completed registration form;

(4) The location to which a person who is compensated for registering voters may return an applicant's completed registration form;

(5) The registration and affirmation requirements applicable to persons who are compensated for registering voters under section 3503.29 of the Revised Code;

(6) A notice, which shall be written in bold type, stating as follows:

"Voters must bring photo identification to the polls in order to verify identity. Voters who do not provide photo identification will still be able to vote by casting a provisional ballot."

(7) The process to request to be placed on the permanent absent voter list when completing a voter registration form.

(B) Except as otherwise provided in division (D) of this section, a board of elections, designated agency, public high school, public vocational school, public library, office of a county treasurer, or deputy registrar of motor vehicles shall distribute a copy of the brochure developed under division (A) of this section to any person who requests more than two voter registration forms at one time.

(C)(1) The secretary of state shall provide the information required to be included in the brochure developed under division (A) of this section to any person who prints a voter registration form that is made available on a web site of the office of the secretary of state.

(2) If a board of elections operates and maintains a web site, the board shall provide the information required to be included in the brochure developed under division (A) of this section to any person who prints a voter registration form that is made available on that web site.

(D) A board of elections shall not be required to distribute a copy of a brochure under division (B) of this section to any of the following officials or employees who are requesting more than two voter registration forms at one time in the course of the official's or employee's normal duties:

- (1) An election official;
- (2) A county treasurer;
- (3) A deputy registrar of motor vehicles;
- (4) An employee of a designated agency;
- (5) An employee of a public high school;
- (6) An employee of a public vocational school;
- (7) An employee of a public library;
- (8) An employee of the office of a county treasurer;
- (9) An employee of the bureau of motor vehicles;
- (10) An employee of a deputy registrar of motor vehicles;
- (11) An employee of an election official.

(E) As used in this section, "registering voters" includes any effort, for compensation, to provide voter registration forms or to assist persons in completing or returning those forms."

After line 1653, insert:

**"Sec. 3509.03.** (A) Except as otherwise provided in sections 3509.051, 3511.02, and 3511.021 of the Revised Code, any qualified elector desiring to vote absent voter's ballots at an election shall deliver a written application for those ballots, either in person or by mail, to the board of elections of the county in which the elector's voting residence is located.

(B) Except as otherwise permitted under section 3511.02 of the Revised Code and under division (C) of this section, the application shall be on a form prescribed by the secretary of state and shall contain all of the following:

- (1) The elector's name;
- (2) The elector's signature;
- (3) The address at which the elector is registered to vote;
- (4) The elector's date of birth;
- (5) One of the following:
  - (a) The elector's Ohio driver's license or state identification card number;
  - (b) The last four digits of the elector's social security number;
  - (c) A copy of the elector's photo identification.
- (6) A statement identifying the election for which absent voter's ballots are requested;
- (7) A statement that the person requesting the ballots is a qualified elector;
- (8) A box that the voter can mark in the affirmative to request to be placed on the permanent absent voter list under section 3509.11 of the Revised Code;
- (9) If the request is for primary election ballots, the elector's party affiliation;
- ~~(9)~~(10) If the elector desires ballots to be mailed to the elector, the address to which those ballots shall be mailed.

(C) If the elector has a confidential voter registration record, as described in section 111.44 of the Revised Code, the elector may provide the elector's program participant identification number instead of the address at which the elector is registered to vote.

(D) Except as otherwise provided in division (A) of section 3509.051 and in division (B) of section 3509.08 of the Revised Code, an application to receive absent voter's ballots shall be delivered to the office of the board not earlier than the first day of January of the year of the elections for which the absent voter's ballots are requested or not earlier than ninety days before the

day of the election at which the ballots are to be voted, whichever is earlier, and not later than the close of business on the seventh day before the day of the election at which the ballots are to be voted.

(E) Except as permitted under section 111.31 of the Revised Code, no public office, and no public official or employee who is acting in an official capacity, shall do either of the following:

(1) Prepay the return postage for an application for absent voter's ballots;

(2) Mail or otherwise deliver an unsolicited application for absent voter's ballots to any person.

(F)(1) Except as otherwise provided in division (F)(2) of this section and in sections 3505.24 and 3509.08 of the Revised Code, no person shall preprint or fill out any portion of an application for absent voter's ballots on behalf of an applicant.

(2) The secretary of state or a board of elections may preprint only an applicant's name and address on an application for absent voter's ballots before mailing that application to the applicant, except that if the applicant has a confidential voter registration record, the secretary of state or a board of elections shall not preprint the applicant's address on the application.

(3) A completed application for absent voter's ballots is not valid if any portion of it has been completed by any person other than the applicant in violation of division (F) of this section."

After line 1771, insert:

"Sec. 3509.11. (A) An elector may request to be placed on the permanent absent voter list maintained by boards of elections in accordance with this section.

(B) A voter registration applicant or elector may request to be placed on the permanent absent voter list by doing any of the following:

(1) Completing a written application, prescribed by the secretary of state, to be placed on the permanent absent voter list and returning the completed application to the board of elections of the county in which the elector is registered to vote;

(2) Marking the box in the affirmative provided on a voter registration form or change of name or change of address form that indicates the applicant or elector wishes to be placed on the permanent absent voter list;

(3) Checking the box provided when registering to vote or updating the elector's voter registration on the online voter registration system that indicates the applicant or elector wishes to be placed on the permanent absent voter list;

(4) Marking the box provided on an application for an absent voter's ballot that indicates the voter wishes to be placed on the permanent absent voter list.

(C) An elector may be removed from the permanent absent voter list if either of the following occur:

(1) The elector submits in writing, on a form prescribed by the secretary of state, to the appropriate board of elections a request to be removed from the permanent absent voter list.

(2) The elector's voter registration is canceled under section 3503.21 of the Revised Code.

(D) Each board of elections shall mail an absent voter ballot application for an election to each elector listed on the board's permanent absent voter list not later than forty-five days before the close of voter registration for that election. An absent voter ballot application mailed under this section is not considered an unsolicited application for absent voter's ballots."

In line 1906, after "3501.01," insert "3501.11,"; after "3503.13," insert "3503.14,"

In line 1907, after "3503.19," insert "3503.20,"; after "3503.21," insert "3503.28,"

In line 1908, after "3505.20," insert "3509.03,"

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

Representative John moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 62, nays 28, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Callender
Claggett	Click	Craig	Creech
Daniels	Dean	Deeter	Dovilla
Ferguson	Fischer	Fowler Arthur	Ghanbari
Gross	Hall, T.	Hiner	Holmes
Hoops	John	Johnson	King
Kishman	Klopfenstein	Lampton	LaRe
Lorenz	Manning	Mathews, A.	Mathews, T.
McClain	Miller, K.	Miller, M.	Moore
Mullins	Newman	Odioso	Oelslager
Peterson	Pizzulli	Plummer	Ray
Richardson	Ritter	Robb Blasdel	Roemer
Salvo	Santucci	Schmidt	Stephens
Stewart	Swearingen	Teska	Thomas, D.
Thomas, J.	White, A.	Williams	Willis
Workman			Huffman-62

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brewer	Brownlee	Bryant Bailey	Glassburn
Hall, D.	Humphrey	Isaacsohn	Lawson-Rowe
Lett	McNally	Miller, J.	Mohamed
Piccolantonio	Robinson	Russo	Sigrist
Sims	Sweeney	Synenberg	Thomas, C.
Tims	Troy	Upchurch	White, E.-28

The motion to amend was laid on the table.

Representative Russo moved to amend, amendment 1525, as follows:

In line 3 of the title, after "3505.20" insert ", 3505.31"; after "3509.05" insert ", 3511.09, 3511.11"

In line 11, after "3505.20" insert ", 3505.31"; after "3509.05" insert ", 3511.09, 3511.11"

After line 944, insert:

"(C) When an elector or a person who is authorized under division (C)(1)(a) of section 3509.05 of the Revised Code to do so delivers the elector's marked absent voter's ballots in a return envelope to the precinct election officials during the time that the polls are open, the precinct election officials shall place the return envelope in a secure container designated solely for the purpose of collecting marked absent voter's ballots and shall deliver the container to the board of elections after the close of the polls along with the sealed pollbook, poll list, and tally sheet, as described in section 3505.31 of the Revised Code."

After line 1653, insert:

**"Sec. 3505.31.** When the results of the voting in a polling place on the day of an election have been determined and entered upon the proper forms and the certifications of those results have been signed by the precinct officials, those officials, before leaving the polling place, shall place all ballots that they have counted in containers provided for that purpose by the board of elections, and shall seal each container in a manner that it cannot be opened without breaking the seal or the material of which the container is made. They shall also seal the pollbook, poll list or signature pollbook, and tally sheet in a manner that the data contained in these items cannot be seen without breaking the seals. On the outside of these items shall be a plain indication that they are to be filed with the board. The voting location manager and an employee or appointee of the board of elections who has taken an oath to uphold the laws and constitution of this state, including an oath that the person will promptly and securely perform the duties required under this section and who is a member of a different political party than the voting location manager, shall then deliver to the board the containers of ballots and the sealed pollbook, poll list, and tally sheet, together with all other election reports, materials, and supplies required to be delivered to the board, including the container of marked absent voter's ballots described in

division (C) of section 3505.18 of the Revised Code.

The board shall carefully preserve all ballots prepared and provided by it for use in an election, whether used or unused, including any electronic images of ballots, for at least eighty-one days after the day of the election, except that, if an election includes the nomination or election of candidates for any of the offices of president, vice-president, presidential elector, member of the senate of the congress of the United States, or member of the house of representatives of the congress of the United States, the board shall carefully preserve all ballots prepared and provided by it for use in that election, whether used or unused, for twenty-two months after the day of the election. If an election is held within that eighty-one-day period, the board shall have authority to transfer those ballots to other containers to preserve them until the eighty-one-day period has expired. After that eighty-one-day period, the ballots shall be disposed of by the board in a manner that the board orders, or where voting machines have been used the counters may be turned back to zero; provided that the secretary of state, within that eighty-one-day period, may order the board to preserve the ballots or any part of the ballots for a longer period of time, in which event the board shall preserve those ballots for that longer period of time.

In counties where voting machines are used, if an election is to be held within the eighty-one days immediately following a primary, general, or special election or within any period of time within which the ballots have been ordered preserved by the secretary of state or a court of competent jurisdiction, the board, after giving notice to all interested parties and affording them an opportunity to have a representative present, shall open the compartments of the machines and, without unlocking the machines, shall recanvass the vote cast in them as if a recount were being held. The results shall be certified by the board, and this certification shall be filed in the board's office and retained for the remainder of the period for which ballots must be kept. After preparation of the certificate, the counters may be turned back to zero, and the machines may be used for the election.

The board shall carefully preserve the pollbook, poll list or signature pollbook, and tally sheet delivered to it from each polling place until it has completed the official canvass of the election returns from all precincts in which electors were entitled to vote at an election, and has prepared and certified the abstracts of election returns, as required by law. The board shall not break, or permit anyone to break, the seals upon the pollbook, poll list or signature pollbook, and tally sheet, or make, or permit any one to make, any changes or notations in these items, while they are in its custody, except as provided by section 3505.32 of the Revised Code.

Pollbooks and poll lists or signature pollbooks of a party primary election delivered to the board from polling places shall be carefully preserved by it for two years after the day of election in which they were

used, and shall then be disposed of by the board in a manner that the board orders.

Pollbooks, poll lists or signature pollbooks, tally sheets, summary statements, and other records and returns of an election delivered to it from polling places shall be carefully preserved by the board for two years after the day of the election in which they were used, and shall then be disposed of by the board in a manner that the board orders."

In line 1676, strike through "(C)(1)" and insert "(C)(1)(a)"; strike through "mail" and insert "return"

In line 1677, strike through "office of the"; after "envelope" insert "by one of the following methods:

(i) The elector may mail it to the office of the board"

In line 1678, strike through ", or the" and insert ".\_

(ii) The"

In line 1679, strike through the first ","; strike through the second "the" and insert ", on the day of the election, to the precinct election officials at a polling place located in the county in which the elector resides.

(iii) The"

In line 1684, after "board" insert "or, on the day of the election, to the precinct election officials at a polling place located in the county in which the elector resides.

(iv) If the elector requires assistance to vote by reason of a disability, any person of the elector's choice, other than the elector's employer, an agent of the elector's employer, or an officer or agent of the elector's union, may deliver it to the office of the board or, on the day of the election, to the precinct election officials at a polling place located in the county in which the elector resides"; strike through "The" and insert:

"(b) The"

In line 1686, after "in" insert "division (E) of this section and in"

In line 1744, reinsert "division"; after "~~(D)(2)~~" insert "(E)"

In line 1745, reinsert "of this"; after "section" insert "and in section"

In line 1747, after "board" insert "or to a polling place in the county"

In line 1749, after "board" insert "or to a polling place in the county"

After line 1771, insert:

"(E) Notwithstanding any contrary provision of this section, if by mistake an elector's marked absent voter's ballots are delivered by the close of the polls on the day of the election to the office of a board of elections of a county in this state other than the county in which the elector resides or, on

the day of the election, to the precinct election officials at a polling place in a county in this state other than the county in which the elector resides, both of the following apply:

(1) The board of elections that receives the ballots immediately shall deliver them to the board of elections of the county in which the elector resides.

(2) The ballots are not ineligible to be counted on the ground that they were delivered to a location in a county in which the elector does not reside.

**Sec. 3511.09.** (A) Upon receiving uniformed services or overseas absent voter's ballots, the elector shall cause the questions on the face of the identification envelope to be answered, and, by writing the elector's usual signature in the proper place on the identification envelope, the elector shall declare under penalty of election falsification that the answers to those questions are true and correct to the best of the elector's knowledge and belief. Then, the elector shall note whether there are any voting marks on the ballot. If there are any voting marks, the ballot shall be returned immediately to the board of elections; otherwise, the elector shall cause the ballot to be marked, folded separately so as to conceal the markings on it, deposited in the identification envelope, and securely sealed in the identification envelope. The elector shall sign the identification envelope not later than the close of the polls on the day of the election. The elector then shall cause the identification envelope to be placed within the return envelope, sealed in the return envelope, and mailed to the board of elections to which it is addressed.

(B) The elector shall provide one of the following:

(1) The elector's Ohio driver's license or state identification card number on the statement of voter on the identification envelope;

(2) The last four digits of the elector's social security number on the statement of voter on the identification envelope;

(3) A copy of the elector's photo identification in the return envelope with the identification envelope.

(C) Every uniformed services or overseas absent voter's ballot identification envelope shall be accompanied by the following statement in boldface capital letters: WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.

(D) The elector shall cause the uniformed services or overseas absent voter's ballots to be returned ~~to the office of the board of elections~~ in a manner described in division (C) of section 3509.05 of the Revised Code, provided that the elector shall not be required to prepay the postage on the return envelope if, under 39 U.S.C. 3406, no postage is required.

**Sec. 3511.11.** (A) Uniformed services or overseas absent voter's

ballots delivered to the office of the board of elections not later than the close of the polls on election day shall be processed and counted in the manner provided in section 3509.06 of the Revised Code.

(B) A return envelope is not required to be postmarked in order for a uniformed services or overseas absent voter's ballot contained in it to be valid. Except as otherwise provided in this division, whether or not the return envelope containing the ballot is postmarked, contains a late postmark, or contains an illegible postmark, a uniformed services or overseas absent voter's ballot that is received by mail after the close of the polls on election day through the fourth day after the election day shall be processed and counted on the fifth day after the election day at the office of the board of elections in the manner provided in section 3509.06 of the Revised Code if the voter signed the identification envelope by the close of the polls on election day. However, if a return envelope containing a uniformed services or overseas absent voter's ballot is so received, but the identification envelope in it is signed after the close of the polls on election day, the uniformed services or overseas absent voter's ballot shall not be counted.

(C) The following types of uniformed services or overseas absent voter's ballots shall not be counted:

(1) Uniformed services or overseas absent voter's ballots that are received by the board of elections by mail after the close of the polls on the day of the election, and that contain an identification envelope that is signed after the close of the polls on election day;

(2) Uniformed services or overseas absent voter's ballots that are received by mail after the fourth day following the election.

The uncounted ballots shall be preserved in their identification envelopes unopened until the time provided by section 3505.31 of the Revised Code for the destruction of all other ballots used at the election for which ballots were provided, at which time they shall be destroyed."

In line 1908, after "3505.20" insert ", 3505.31"; after "3509.05" insert ", 3511.09, 3511.11"

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

Representative John moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 63, nays 28, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Callender
Claggett	Click	Craig	Creech
Daniels	Dean	Deeter	Dovilla
Ferguson	Fischer	Fowler Arthur	Ghanbari
Gross	Hall, T.	Hiner	Holmes
Hoops	John	Johnson	King

Kishman	Klopfenstein	Lampton	LaRe
Lorenz	Manning	Mathews, A.	Mathews, T.
McClain	Miller, K.	Miller, M.	Moore
Mullins	Newman	Odioso	Oelslager
Peterson	Pizzulli	Plummer	Ray
Richardson	Ritter	Robb Blasdel	Roemer
Salvo	Santucci	Schmidt	Stephens
Stewart	Swearingen	Teska	Thomas, D.
Thomas, J.	White, A.	Williams	Willis
Workman	Young		Huffman-63

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brewer	Brownlee	Bryant Bailey	Glassburn
Hall, D.	Humphrey	Isaacsohn	Lawson-Rowe
Lett	McNally	Miller, J.	Mohamed
Piccolantonio	Robinson	Russo	Sigrist
Sims	Sweeney	Synenberg	Thomas, C.
Tims	Troy	Upchurch	White, E.-28

The motion to amend was laid on the table.

Representative Bryant Bailey moved to amend, amendment 1526, as follows:

In line 477, reinsert "The secretary of state shall not conduct the review"

Reinsert line 478

In line 479, reinsert "preceding"; after "~~general~~" insert "an"

In line 480, reinsert "election"; reinsert "." and insert:

"(C)"

In line 712, after "number." insert "The board shall not send an elector a confirmation notice or mark the elector's registration record, the official registration list, or the poll list or signature pollbook to indicate that the elector must vote by provisional ballot under this division during the ninety days immediately preceding an election."

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

Representative John moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 62, nays 28, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Callender
Claggett	Click	Craig	Creech
Daniels	Dean	Deeter	Dovilla
Ferguson	Fischer	Fowler Arthur	Ghanbari
Gross	Hall, T.	Hiner	Holmes
Hoops	John	Johnson	King
Kishman	Klopfenstein	Lampton	LaRe
Lorenz	Manning	Mathews, A.	Mathews, T.

McClain	Miller, K.	Miller, M.	Moore
Mullins	Newman	Odioso	Oelslager
Pizzulli	Plummer	Ray	Richardson
Ritter	Robb Blasdel	Roemer	Salvo
Santucci	Schmidt	Stephens	Stewart
Swearingen	Teska	Thomas, D.	Thomas, J.
White, A.	Williams	Willis	Workman
Young			Huffman-62

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brewer	Brownlee	Bryant Bailey	Glassburn
Hall, D.	Humphrey	Isaacsohn	Lawson-Rowe
Lett	McNally	Miller, J.	Mohamed
Picolantonio	Robinson	Russo	Sigrist
Sims	Sweeney	Synenberg	Thomas, C.
Tims	Troy	Upchurch	White, E.-28

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 61, nays 30, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Callender
Claggett	Click	Craig	Creech
Daniels	Dean	Deeter	Dovilla
Ferguson	Fischer	Fowler Arthur	Ghanbari
Gross	Hall, T.	Holmes	Hoops
John	Johnson	King	Kishman
Klopfenstein	Lampton	LaRe	Lorenz
Manning	Mathews, A.	Mathews, T.	McClain
Miller, K.	Miller, M.	Moore	Mullins
Newman	Odioso	Oelslager	Peterson
Pizzulli	Plummer	Ray	Richardson
Ritter	Robb Blasdel	Roemer	Salvo
Santucci	Schmidt	Stephens	Stewart
Swearingen	Teska	Thomas, D.	Thomas, J.
Williams	Willis	Workman	Young
			Huffman-61

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brewer	Brownlee	Bryant Bailey	Glassburn
Hall, D.	Hiner	Humphrey	Isaacsohn
Lawson-Rowe	Lett	McNally	Miller, J.
Mohamed	Picolantonio	Robinson	Russo
Sigrist	Sims	Sweeney	Synenberg
Thomas, C.	Tims	Troy	Upchurch
White, A.			White, E.-30

The bill passed.

Representative Ray moved to amend the title as follows:

Add the names: "Abrams, Click, Creech, Daniels, Deeter, Dovilla, Fischer,

Gross, Hall, T., Holmes, King, Mathews, A., Mathews, T., McClain, Miller, M., Newman, Odioso, Peterson, Plummer, Ray, Richardson, Robb Blasdel, Roemer, Stewart, Thomas, D., Williams, Willis, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 59**-Representatives Fowler Arthur, Hiner.

To amend sections 101.63, 103.27, 1531.40, 1533.631, 1533.72, 1561.11, 1561.13, 1561.15, 1561.23, 1561.26, 1563.24, 1565.04, 1565.05, 1565.06, 3319.2213, 3319.51, 3701.83, 3704.14, 3748.01, 3748.04, 3748.11, 3748.13, 3748.16, 3773.31, 3773.33, 3773.34, 3773.35, 3773.36, 3773.37, 3773.38, 3773.39, 3773.40, 3773.41, 3773.42, 3773.421, 3773.43, 3773.45, 3773.51, 3773.52, 3773.53, 3773.54, 3773.55, 3773.56, 3773.57, 3773.59, 3776.05, 4730.10, 4730.14, 4731.294, 4759.08, 4764.05, 4764.08, 4771.02, 4771.05, 4771.07, 4771.08, 4771.09, 4771.10, 4771.11, 4771.12, 4771.13, 4771.14, 4771.16, 4771.18, 4771.21, 4771.22, 4771.23, 4774.03, 4774.06, and 4774.11; to enact sections 3748.131 and 3773.341; and to repeal sections 1561.17, 3748.12, and 3748.121 of the Revised Code to revise and streamline the state's occupational regulations, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 91, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Daniels
Dean	Deeter	Dovilla	Ferguson
Fischer	Fowler Arthur	Ghanbari	Glassburn
Gross	Hall, D.	Hall, T.	Hiner
Holmes	Hoops	Humphrey	Isaacsohn
John	Johnson	King	Kishman
Klopfenstein	Lampton	LaRe	Lawson-Rowe
Lett	Lorenz	Manning	Mathews, A.
Mathews, T.	McClain	McNally	Miller, J.
Miller, K.	Miller, M.	Mohamed	Moore
Mullins	Newman	Odioso	Oelslager
Peterson	Piccolantonio	Pizzulli	Plummer
Ray	Richardson	Ritter	Robb Blasdel
Robinson	Roemer	Russo	Salvo
Santucci	Schmidt	Sigrist	Sims
Stephens	Stewart	Swearingen	Sweeney
Synerberg	Teska	Thomas, C.	Thomas, D.
Thomas, J.	Tims	Troy	Upchurch
White, A.	White, E.	Williams	Willis
Workman	Young		Huffman-91

The bill passed.

Representative Fowler Arthur moved to amend the title as follows:

Add the names: "Brent, Callender, Claggett, Click, Deeter, Ferguson, Ghanbari, Hall, D., Hall, T., Holmes, John, Johnson, Klopfenstein, Lorenz, Mathews, A., Miller, M., Newman, Peterson, Plummer, Ray, Roemer, Russo, Schmidt, Sims, Swearingen, Synenberg, Thomas, C., Upchurch, Williams, Willis, Workman, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 88**-Representatives Abrams, Plummer.

Cosponsor: Representative Swearingen.

To amend sections 2923.31, 2925.01, 2925.03, 2925.11, 2929.14, 3313.60, 3314.03, 3326.11, 3328.24, and 3705.08 and to enact sections 5.57, 2941.1427, 3313.6031, 3313.6032, and 3345.372 of the Revised Code to modify penalties for drug trafficking and possession, to require schools and institutions of higher education to incorporate instruction and policies on fentanyl awareness and abuse prevention, and to designate the month of August as "Fentanyl Poisoning Awareness Month," was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 71, nays 18, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Brennan
Claggett	Click	Craig	Creech
Daniels	Dean	Deeter	Dovilla
Ferguson	Fischer	Fowler Arthur	Ghanbari
Gross	Hall, D.	Hall, T.	Hiner
Holmes	Hoops	John	Johnson
King	Kishman	Klopfenstein	Lampton
LaRe	Lett	Lorenz	Manning
Mathews, A.	Mathews, T.	McClain	McNally
Miller, J.	Miller, K.	Miller, M.	Moore
Mullins	Newman	Odioso	Oelslager
Peterson	Pizzulli	Plummer	Ray
Richardson	Ritter	Robb Blasdel	Roemer
Russo	Salvo	Santucci	Schmidt
Sigrist	Stephens	Stewart	Swearingen
Teska	Thomas, C.	Thomas, D.	Thomas, J.
Troy	White, A.	Williams	Willis
Workman	Young		Huffman-71

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Humphrey
Isaacsohn	Lawson-Rowe	Mohamed	Piccolantonio

Robinson  
Upchurch

Sims

Synenberg

Tims  
White, E.-18

The bill passed.

Representative Abrams moved to amend the title as follows:

Add the names: "Barhorst, Bird, Brennan, Click, Daniels, Deeter, Dovilla, Fischer, Ghanbari, Gross, Hall, D., Hall, T., Hiner, Holmes, John, Johnson, Lampton, Mathews, A., Mathews, T., Miller, K., Miller, M., Newman, Odioso, Oelslager, Ray, Richardson, Ritter, Robb Blasdel, Salvo, Santucci, Schmidt, Sigrist, Stephens, Thomas, C., White, A., Williams, Willis, Workman, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 102**-Representatives Klopfenstein, Williams.

Cosponsors: Representatives Bird, Click, Miller, K., Claggett, Deeter, Johnson, Robb Blasdel, John, Newman, Daniels, Brennan, Richardson, Hiner, King, Schmidt, Miller, M., Santucci, Mathews, T., McClain, Abrams, Willis.

To amend sections 1923.02, 2950.99, 5321.03, and 5321.051; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 2950.035 (2950.036); and to enact section 2950.035 of the Revised Code to prohibit a sex offender or a child-victim offender from residing within 2,000 feet of the residence of the victim and from loitering within 1,000 feet of the residence of the victim, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 89, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brewer	Brownlee
Bryant Bailey	Callender	Claggett	Click
Craig	Creech	Daniels	Dean
Deeter	Dovilla	Ferguson	Fischer
Fowler Arthur	Ghanbari	Glassburn	Gross
Hall, D.	Hall, T.	Hiner	Holmes
Hoops	Humphrey	Isaacsohn	John
Johnson	King	Kishman	Klopfenstein
Lampton	LaRe	Lawson-Rowe	Lett
Lorenz	Manning	Mathews, A.	Mathews, T.
McClain	McNally	Miller, J.	Miller, K.
Miller, M.	Mohamed	Moore	Mullins
Newman	Odioso	Oelslager	Peterson
Piccolantonio	Pizzulli	Plummer	Ray
Richardson	Ritter	Robb Blasdel	Robinson
Roemer	Russo	Salvo	Santucci
Schmidt	Sigrist	Sims	Stephens
Stewart	Swearingen	Sweeney	Synenberg

Teska	Thomas, D.	Thomas, J.	Tims
Troy	Upchurch	White, A.	White, E.
Williams	Willis	Workman	Young
			Huffman-89

Representatives Brent and Thomas, C. voted in the negative-2.

The bill passed.

Representative Klopfenstein moved to amend the title as follows:

Add the names: "Barhorst, Creech, Dovilla, Ghanbari, Gross, Hall, D., Hall, T., Holmes, Hoops, Kishman, LaRe, Manning, Mathews, A., Odioso, Oelslager, Peterson, Richardson, Sigrist, Stephens, Stewart, Thomas, D., White, A., Workman, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 105**-Representatives Craig, Thomas, J.

Cosponsors: Representatives Lampton, Daniels, Thomas, D., Hall, D., Deeter, King, Lorenz.

To enact sections 1357.01, 1357.011, 1357.02, 1357.03, 1357.04, 1357.05, 1357.06, 1357.07, 1357.08, 1357.09, and 1357.10 and to repeal section 1349.55 of the Revised Code to revise and supplement state regulations concerning non-recourse litigation funding agreements, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 76, nays 14, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baker	Barhorst	Bird
Brennan	Brewer	Brownlee	Callender
Claggett	Click	Craig	Creech
Daniels	Dean	Deeter	Dovilla
Fischer	Fowler Arthur	Ghanbari	Glassburn
Gross	Hall, D.	Hall, T.	Hiner
Holmes	Hoops	John	Johnson
King	Kishman	Klopfenstein	Lampton
LaRe	Lorenz	Manning	Mathews, A.
Mathews, T.	McClain	McNally	Miller, J.
Miller, K.	Miller, M.	Mohamed	Moore
Mullins	Newman	Odioso	Peterson
Pizzulli	Plummer	Ray	Richardson
Ritter	Robb Blasdel	Roemer	Russo
Salvo	Santucci	Schmidt	Sigrist
Sims	Stephens	Stewart	Swearingen
Sweeney	Thomas, C.	Thomas, D.	Thomas, J.
Troy	White, A.	White, E.	Williams
Willis	Workman	Young	Huffman-76

Those who voted in the negative were: Representatives

Brent	Bryant Bailey	Ferguson	Humphrey
Isaacsohn	Lawson-Rowe	Lett	Oelslager
Piccolantonio	Robinson	Synenberg	Teska
Tims			Upchurch-14

The bill passed.

Representative Craig moved to amend the title as follows:

Add the names: "Barhorst, Brennan, Ghanbari, John, McClain, Odioso, Peterson, Ray, Roemer, Sigris, Williams, Willis."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 134-Representatives Gross, Humphrey.**

Cosponsors: Representatives Fischer, Brennan, Denson, Synenberg, Jarrells, McClain, Ferguson, Deeter, Barhorst, Swearingen, Workman, Dean, Mullins, Sims, McNally, Brewer, Klopfenstein, Newman, Schmidt.

To amend sections 3715.01, 3715.021, 3715.022, 3715.023, and 3717.22 and to enact sections 3715.026 and 3715.21 of the Revised Code to authorize the sale of certain homemade foods under a microenterprise home kitchen operation registration, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 88, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brewer	Brownlee
Bryant Bailey	Callender	Claggett	Click
Craig	Creech	Daniels	Dean
Deeter	Dovilla	Ferguson	Fischer
Fowler Arthur	Ghanbari	Glassburn	Gross
Hall, D.	Hall, T.	Hiner	Holmes
Hoops	Humphrey	Isaacsohn	John
Johnson	King	Kishman	Klopfenstein
Lampton	LaRe	Lawson-Rowe	Lett
Lorenz	Manning	Mathews, A.	Mathews, T.
McClain	McNally	Miller, J.	Miller, K.
Miller, M.	Mohamed	Moore	Mullins
Newman	Odioso	Oelslager	Peterson
Piccolantonio	Pizzulli	Plummer	Ray
Richardson	Ritter	Robb Blasdel	Roemer
Russo	Salvo	Santucci	Schmidt
Sigris	Sims	Stephens	Stewart
Swearingen	Sweeney	Synenberg	Teska
Thomas, C.	Thomas, D.	Thomas, J.	Tims
Troy	Upchurch	White, A.	White, E.
Willis	Workman	Young	Huffman-88

Representatives Brent and Robinson voted in the negative-2.

The bill passed.

Representative Gross moved to amend the title as follows:

Add the names: "Abdullahi, Abrams, Bryant Bailey, Callender, Claggett, Dovilla, Fowler Arthur, Ghanbari, Glassburn, Hall, D., Holmes, John, LaRe, Mathews, A., Miller, M., Mohamed, Peterson, Plummer, Ray, Robb Blasdel, Sigrist, Stephens, Upchurch, White, E., Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Am. H. B. No. 297**-Representatives Ritter, Newman.

Cosponsors: Representatives Richardson, Mathews, T., Lawson-Rowe, Dovilla, Ghanbari, Hall, D., Lampton, McNally.

To amend section 307.66 of the Revised Code to increase the amount a county may provide to military and veterans organizations, and civic organizations, for Memorial Day expenses, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 89, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Daniels
Dean	Deeter	Dovilla	Fischer
Fowler Arthur	Ghanbari	Glassburn	Gross
Hall, D.	Hall, T.	Hiner	Holmes
Hoops	Humphrey	Isaacsohn	John
Johnson	King	Kishman	Klopfenstein
Lampton	LaRe	Lawson-Rowe	Lett
Lorenz	Manning	Mathews, A.	Mathews, T.
McClain	McNally	Miller, J.	Miller, K.
Miller, M.	Mohamed	Moore	Mullins
Newman	Odioso	Oelslager	Peterson
Piccolantonio	Pizzulli	Plummer	Ray
Richardson	Ritter	Robb Blasdel	Robinson
Roemer	Russo	Salvo	Santucci
Schmidt	Sigrist	Sims	Stephens
Stewart	Swearingen	Sweeney	Synerberg
Teska	Thomas, C.	Thomas, D.	Thomas, J.
Tims	Troy	Upchurch	White, A.
White, E.	Williams	Workman	Young
			Huffman-89

The bill passed.

Representative Ritter moved to amend the title as follows:

Add the names: "Abrams, Barhorst, Bird, Brennan, Brent, Brewer, Bryant Bailey, Claggett, Click, Deeter, Glassburn, Gross, Hall, T., Hiner, Holmes, Hoops, Humphrey, Isaacsohn, John, Kishman, Klopfenstein, Lett, Miller, J., Miller, M., Odioso, Oelslager, Piccolantonio, Plummer, Ray, Richardson, Robb Blasdel, Roemer, Russo, Salvo, Schmidt, Sigrist, Sims, Stewart, Thomas, C., Tims, Troy, Upchurch, White, A., White, E., Workman, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 303**-Representatives Ray, Hoops.

Cosponsors: Representatives Rader, Brennan, Fischer, Glassburn, Hall, D., Thomas, D.

To amend section 4928.02 and to enact sections 1.66, 4934.01, 4934.011, 4934.04, 4934.05, 4934.06, 4934.07, 4934.071, 4934.072, 4934.08, 4934.10, 4934.11, 4934.12, 4934.13, 4934.14, 4934.17, 4934.19, 4934.20, 4934.21, 4934.22, 4934.25, 4934.26, 4934.27, 4934.28, 4934.35, 4934.36, 4934.37, and 4934.38 of the Revised Code to establish the community energy program and pilot program and to define electricity measurement in alternating current, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 77, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Bird
Brennan	Brent	Brewer	Brownlee
Bryant Bailey	Callender	Claggett	Click
Craig	Creech	Deeter	Dovilla
Fischer	Fowler Arthur	Ghanbari	Glassburn
Hall, D.	Hall, T.	Holmes	Hoops
Humphrey	Isaacsohn	John	Johnson
King	Kishman	Klopfenstein	Lampton
LaRe	Lawson-Rowe	Lett	Lorenz
Manning	Mathews, A.	Mathews, T.	McNally
Miller, J.	Miller, K.	Miller, M.	Mohamed
Moore	Mullins	Newman	Odioso
Oelslager	Peterson	Piccolantonio	Pizzulli
Plummer	Ray	Richardson	Ritter
Robb Blasdel	Robinson	Roemer	Russo
Salvo	Santucci	Schmidt	Sigrist
Sims	Sweeney	Synerberg	Thomas, C.
Thomas, D.	Thomas, J.	Tims	Troy
White, A.	White, E.	Williams	Young
			Huffman-77

Representatives Barhorst, Dean, Gross, Hiner, McClain, Stephens, Stewart, and Swearingen voted in the negative-8.

The bill passed.

Representative Ray moved to amend the title as follows:

Add the names: "Abrams, Baker, Brent, Brownlee, Bryant Bailey, Deeter, Dovilla, King, Kishman, Lampton, Miller, J., Newman, Odioso, Piccolantonio, Richardson, Roemer, Russo, Salvo, Schmidt, Sigrist, Sweeney, Troy, White, A., Williams, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 324**-Representatives Mathews, A., Craig.

Cosponsors: Representatives Schmidt, Gross, King, Miller, M., Stewart.

To enact section 3715.39 of the Revised Code to establish conditions on the prescribing of prescription drugs causing severe adverse effects and to name this act the Patient Protection Act, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Tims moved to amend, amendment 1561, as follows:

In line 1 of the title, after "To" insert "amend sections 109.572, 2305.11, 2317.02, 2919.10, 2919.12, 2953.25, 3701.341, 3701.792, 3702.30, 4112.01, 4112.02, 4729.291, 4731.22, 4731.223, 4731.281, 4731.293, and 4743.09; to"; delete "section" and insert "sections 2305.2312,"; after "3715.39" insert ", 3732.01, 3732.02, 3732.03, 3732.04, 3732.05, 3732.06, 3732.07, 3732.08, 3732.09, and 3732.11; and to repeal sections 2307.54, 2317.56, 2317.561, 2919.101, 2919.124, 2919.171, 2919.19, 2919.191, 2919.192, 2919.193, 2919.194, 2919.195, 2919.196, 2919.197, 2919.198, 2919.199, 2919.1910, 2919.1912, 2919.1913, 2919.20, 2919.201, 2919.202, 2919.203, 2919.204, 2919.205, 3701.79, 3701.791, 3702.302, 3702.303, 3702.304, 3702.305, 3702.306, 3702.307, 3702.308, 3702.309, 3702.3010, 3702.3011, 3726.01, 3726.02, 3726.03, 3726.04, 3726.041, 3726.042, 3726.05, 3726.09, 3726.10, 3726.11, 3726.12, 3726.13, 3726.14, 3726.15, 3726.16, 3726.95, 3726.99, 3727.60, 4717.271, 5101.57, and 5103.11"; after "to" insert "enact the Patient Protection Act to"

In line 4 of the title, delete "and to name this act the Patient"

In line 5 of the title, delete "Protection Act" and insert "and to enact the Reproductive Care Act regarding abortion, abortion-related laws, and reproductive health protections"

In line 6, delete "section" and insert "sections 109.572, 2305.11, 2317.02, 2919.10, 2919.12, 2953.25, 3701.341, 3701.792, 3702.30, 4112.01, 4112.02, 4729.291, 4731.22, 4731.223, 4731.281, 4731.293, and 4743.09 be amended and sections 2305.2312,"; after "3715.39" insert ", 3732.01, 3732.02, 3732.03, 3732.04, 3732.05, 3732.06, 3732.07, 3732.08, 3732.09, and 3732.11"

After line 7, insert:

**"Sec. 109.572.** (A)(1) Upon receipt of a request pursuant to section 121.08, 3301.32, 3301.541, or 3319.39 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.06, 2903.08, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2923.17, 2923.21, 2923.42, 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, 2925.37, or 3716.11 of the Revised Code, felonious sexual penetration in violation of former section 2907.12 of the Revised Code, a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, a violation of section 2919.23 of the Revised Code that would have been a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, had the violation been committed prior to that date, or a violation of section 2925.11 of the Revised Code that is not a minor drug possession offense;

(b) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A)(1)(a) of this section;

(c) If the request is made pursuant to section 3319.39 of the Revised Code for an applicant who is a teacher, any offense specified under section 9.79 of the Revised Code or in section 3319.31 of the Revised Code.

(2) On receipt of a request pursuant to section 3712.09 or 3721.121 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check with respect to any person who has applied for employment in a position for which a criminal records check is required by those sections. The superintendent shall conduct the criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the

request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code;

(b) An existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A)(2)(a) of this section.

(3) On receipt of a request pursuant to section 173.27, 173.38, 173.381, 3740.11, 5119.34, 5164.34, 5164.341, 5164.342, 5123.081, or 5123.169 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check of the person for whom the request is made. The superintendent shall conduct the criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of, has pleaded guilty to, or (except in the case of a request pursuant to section 5164.34, 5164.341, or 5164.342 of the Revised Code) has been found eligible for intervention in lieu of conviction for any of the following, regardless of the date of the conviction, the date of entry of the guilty plea, or (except in the case of a request pursuant to section 5164.34, 5164.341, or 5164.342 of the Revised Code) the date the person was found eligible for intervention in lieu of conviction:

(a) A violation of section 959.13, 959.131, 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.34, 2903.341, 2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2905.32, 2905.33, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2907.33, 2909.02, 2909.03, 2909.04, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.05, 2913.11, 2913.21, 2913.31, 2913.32, 2913.40, 2913.41, 2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 2913.49, 2913.51, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 2919.121, 2919.123, ~~2919.124,~~ 2919.22, 2919.23, 2919.24, 2919.25, 2921.03, 2921.11, 2921.12, 2921.13, 2921.21, 2921.24, 2921.32, 2921.321, 2921.34, 2921.35, 2921.36, 2921.51,

2923.12, 2923.122, 2923.123, 2923.13, 2923.161, 2923.162, 2923.21, 2923.32, 2923.42, 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.09, 2925.11, 2925.13, 2925.14, 2925.22, 2925.23, 2925.24, 2925.36, 2925.55, 2925.56, 2927.12, or 3716.11 of the Revised Code;

(b) Felonious sexual penetration in violation of former section 2907.12 of the Revised Code;

(c) A violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996;

(d) A violation of section 2923.01, 2923.02, or 2923.03 of the Revised Code when the underlying offense that is the object of the conspiracy, attempt, or complicity is one of the offenses listed in divisions (A)(3)(a) to (c) of this section;

(e) A violation of an existing or former municipal ordinance or law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in divisions (A)(3)(a) to (d) of this section.

(4) On receipt of a request pursuant to section 2151.86, 2151.904, or 5103.053 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 959.13, 2151.421, 2903.01, 2903.02, 2903.03, 2903.04, 2903.041, 2903.06, 2903.08, 2903.11, 2903.12, 2903.13, 2903.15, 2903.16, 2903.21, 2903.211, 2903.22, 2903.32, 2903.34, 2905.01, 2905.02, 2905.05, 2905.32, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.22, 2909.23, 2909.24, 2911.01, 2911.02, 2911.11, 2911.12, 2913.49, 2917.01, 2917.02, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2923.17, 2923.21, 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, 2925.37, 2927.12, or 3716.11 of the Revised Code, a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, a violation of section 2919.23 of the Revised Code that would have been a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, had the violation been committed prior to that date, a violation of section 2925.11 of the Revised Code that is not a minor drug possession offense, two or more OVI or OVUAC violations committed within the three years immediately preceding the submission of the application or petition that is the basis of the

request, or felonious sexual penetration in violation of former section 2907.12 of the Revised Code, or a violation of Chapter 2919. of the Revised Code that is a felony;

(b) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A)(4)(a) of this section.

(5) Upon receipt of a request pursuant to section 5104.013 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2151.421, 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.22, 2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.32, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.19, 2907.21, 2907.22, 2907.23, 2907.24, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2909.04, 2909.05, 2911.01, 2911.02, 2911.11, 2911.12, 2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.11, 2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.41, 2913.42, 2913.43, 2913.44, 2913.441, 2913.45, 2913.46, 2913.47, 2913.48, 2913.49, 2917.01, 2917.02, 2917.03, 2917.31, 2919.12, 2919.22, 2919.224, 2919.225, 2919.24, 2919.25, 2921.03, 2921.11, 2921.13, 2921.14, 2921.34, 2921.35, 2923.01, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, felonious sexual penetration in violation of former section 2907.12 of the Revised Code, a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, a violation of section 2919.23 of the Revised Code that would have been a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, had the violation been committed prior to that date, a violation of section 2925.11 of the Revised Code that is not a minor drug possession offense, a violation of section 2923.02 or 2923.03 of the Revised Code that relates to a crime specified in this division, or a second violation of section 4511.19 of the Revised Code within five years of the date of application for licensure or certification.

(b) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses or violations described in division (A)(5)(a) of this section.

(6) Upon receipt of a request pursuant to section 5153.111 of the

Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, felonious sexual penetration in violation of former section 2907.12 of the Revised Code, a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, a violation of section 2919.23 of the Revised Code that would have been a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, had the violation been committed prior to that date, or a violation of section 2925.11 of the Revised Code that is not a minor drug possession offense;

(b) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A)(6)(a) of this section.

(7) On receipt of a request for a criminal records check from an individual pursuant to section 4749.03 or 4749.06 of the Revised Code, accompanied by a completed copy of the form prescribed in division (C)(1) of this section and a set of fingerprint impressions obtained in a manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists indicating that the person who is the subject of the request has been convicted of or pleaded guilty to any criminal offense in this state or in any other state. If the individual indicates that a firearm will be carried in the course of business, the superintendent shall require information from the federal bureau of investigation as described in division (B)(2) of this section. Subject to division (F) of this section, the superintendent shall report the findings of the criminal records check and any information the federal bureau of investigation provides to the director of public safety.

(8) On receipt of a request pursuant to section 1321.37, 1321.53, or 4763.05 of the Revised Code, a completed form prescribed pursuant to

division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check with respect to any person who has applied for a license, permit, or certification from the department of commerce or a division in the department. The superintendent shall conduct the criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any criminal offense in this state, any other state, or the United States.

(9) On receipt of a request for a criminal records check from the treasurer of state under section 113.041 of the Revised Code or from an individual under section 928.03, 4701.08, 4715.101, 4717.061, 4725.121, 4725.501, 4729.071, 4729.53, 4729.90, 4729.92, 4730.101, 4730.14, 4730.28, 4731.081, 4731.15, 4731.171, 4731.222, 4731.281, 4731.531, 4732.091, 4734.202, 4740.061, 4741.10, 4747.051, 4751.20, 4751.201, 4751.21, 4753.061, 4755.70, 4757.101, 4759.061, 4760.032, 4760.06, 4761.051, 4762.031, 4762.06, 4774.031, 4774.06, 4776.021, 4778.04, 4778.07, 4779.091, or 4783.04 of the Revised Code, accompanied by a completed form prescribed under division (C)(1) of this section and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request has been convicted of or pleaded guilty to any criminal offense in this state or any other state. Subject to division (F) of this section, the superintendent shall send the results of a check requested under section 113.041 of the Revised Code to the treasurer of state and shall send the results of a check requested under any of the other listed sections to the licensing board specified by the individual in the request.

(10) On receipt of a request pursuant to section 124.74, 718.131, 1121.23, 1315.141, 1733.47, or 1761.26 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any criminal offense under any existing or former law of this state, any other state, or the United States.

(11) On receipt of a request for a criminal records check from an

appointing or licensing authority under section 3772.07 of the Revised Code, a completed form prescribed under division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner prescribed in division (C) (2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty or no contest to any offense under any existing or former law of this state, any other state, or the United States that makes the person ineligible for appointment or retention under section 3772.07 of the Revised Code or that is a disqualifying offense as defined in that section or substantially equivalent to a disqualifying offense, as applicable.

(12) On receipt of a request pursuant to section 2151.33 or 2151.412 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check with respect to any person for whom a criminal records check is required under that section. The superintendent shall conduct the criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code;

(b) An existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A)(12)(a) of this section.

(13) On receipt of a request pursuant to section 3796.12 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in a manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to a

disqualifying offense as specified in rules adopted under section 9.79 and division (B)(2)(b) of section 3796.03 of the Revised Code if the person who is the subject of the request is an administrator or other person responsible for the daily operation of, or an owner or prospective owner, officer or prospective officer, or board member or prospective board member of, an entity seeking a license from the department of commerce under Chapter 3796. of the Revised Code.

(14) On receipt of a request required by section 3796.13 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in a manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to a disqualifying offense as specified in rules adopted under division (B)(14)(a) of section 3796.03 of the Revised Code if the person who is the subject of the request is seeking employment with an entity licensed by the department of commerce under Chapter 3796. of the Revised Code.

(15) On receipt of a request pursuant to section 4768.06 of the Revised Code, a completed form prescribed under division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists indicating that the person who is the subject of the request has been convicted of or pleaded guilty to any criminal offense in this state or in any other state.

(16) On receipt of a request pursuant to division (B) of section 4764.07 or division (A) of section 4735.143 of the Revised Code, a completed form prescribed under division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists indicating that the person who is the subject of the request has been convicted of or pleaded guilty to any criminal offense in any state or the United States.

(17) On receipt of a request for a criminal records check under section 147.022 of the Revised Code, a completed form prescribed under division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner prescribed in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section

to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty or no contest to any criminal offense under any existing or former law of this state, any other state, or the United States.

(18) Upon receipt of a request pursuant to division (F) of section 2915.081 or division (E) of section 2915.082 of the Revised Code, a completed form prescribed under division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists indicating that the person who is the subject of the request has been convicted of or pleaded guilty or no contest to any offense that is a violation of Chapter 2915. of the Revised Code or to any offense under any existing or former law of this state, any other state, or the United States that is substantially equivalent to such an offense.

(19) On receipt of a request pursuant to section 3775.03 of the Revised Code, a completed form prescribed under division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records check in the manner described in division (B) of this section and shall request information from the federal bureau of investigation to determine whether any information exists indicating that the person who is the subject of the request has been convicted of any offense under any existing or former law of this state, any other state, or the United States that is a disqualifying offense as defined in section 3772.07 of the Revised Code.

(B) Subject to division (F) of this section, the superintendent shall conduct any criminal records check to be conducted under this section as follows:

(1) The superintendent shall review or cause to be reviewed any relevant information gathered and compiled by the bureau under division (A) of section 109.57 of the Revised Code that relates to the person who is the subject of the criminal records check, including, if the criminal records check was requested under section 113.041, 121.08, 124.74, 173.27, 173.38, 173.381, 718.131, 928.03, 1121.23, 1315.141, 1321.37, 1321.53, 1733.47, 1761.26, 2151.86, 3301.32, 3301.541, 3319.39, 3740.11, 3712.09, 3721.121, 3772.07, 3775.03, 3796.12, 3796.13, 4729.071, 4729.53, 4729.90, 4729.92, 4749.03, 4749.06, 4763.05, 4764.07, 4768.06, 5103.053, 5104.013, 5164.34, 5164.341, 5164.342, 5123.081, 5123.169, or 5153.111 of the Revised Code, any relevant information contained in records that have been sealed under section 2953.32 of the Revised Code;

(2) If the request received by the superintendent asks for information from the federal bureau of investigation, the superintendent shall request from the federal bureau of investigation any information it has with respect to the person who is the subject of the criminal records check, including fingerprint-based checks of national crime information databases as described in 42 U.S.C. 671 if the request is made pursuant to section 2151.86, 5103.053, or 5104.013 of the Revised Code or if any other Revised Code section requires fingerprint-based checks of that nature, and shall review or cause to be reviewed any information the superintendent receives from that bureau. If a request under section 3319.39 of the Revised Code asks only for information from the federal bureau of investigation, the superintendent shall not conduct the review prescribed by division (B)(1) of this section.

(3) The superintendent or the superintendent's designee may request criminal history records from other states or the federal government pursuant to the national crime prevention and privacy compact set forth in section 109.571 of the Revised Code.

(4) The superintendent shall include in the results of the criminal records check a list or description of the offenses listed or described in the relevant provision of division (A) of this section. The superintendent shall exclude from the results any information the dissemination of which is prohibited by federal law.

(5) The superintendent shall send the results of the criminal records check to the person to whom it is to be sent not later than the following number of days after the date the superintendent receives the request for the criminal records check, the completed form prescribed under division (C)(1) of this section, and the set of fingerprint impressions obtained in the manner described in division (C)(2) of this section:

(a) If the superintendent is required by division (A) of this section (other than division (A)(3) of this section) to conduct the criminal records check, thirty;

(b) If the superintendent is required by division (A)(3) of this section to conduct the criminal records check, sixty.

(C)(1) The superintendent shall prescribe a form to obtain the information necessary to conduct a criminal records check from any person for whom a criminal records check is to be conducted under this section. The form that the superintendent prescribes pursuant to this division may be in a tangible format, in an electronic format, or in both tangible and electronic formats.

(2) The superintendent shall prescribe standard impression sheets to obtain the fingerprint impressions of any person for whom a criminal records check is to be conducted under this section. Any person for whom a records

check is to be conducted under this section shall obtain the fingerprint impressions at a county sheriff's office, municipal police department, or any other entity with the ability to make fingerprint impressions on the standard impression sheets prescribed by the superintendent. The office, department, or entity may charge the person a reasonable fee for making the impressions. The standard impression sheets the superintendent prescribes pursuant to this division may be in a tangible format, in an electronic format, or in both tangible and electronic formats.

(3) Subject to division (D) of this section, the superintendent shall prescribe and charge a reasonable fee for providing a criminal records check under this section. The person requesting the criminal records check shall pay the fee prescribed pursuant to this division. In the case of a request under section 1121.23, 1155.03, 1163.05, 1315.141, 1733.47, 1761.26, 2151.33, 2151.412, or 5164.34 of the Revised Code, the fee shall be paid in the manner specified in that section.

(4) The superintendent of the bureau of criminal identification and investigation may prescribe methods of forwarding fingerprint impressions and information necessary to conduct a criminal records check, which methods shall include, but not be limited to, an electronic method.

(D) The results of a criminal records check conducted under this section, other than a criminal records check specified in division (A)(7) of this section, are valid for the person who is the subject of the criminal records check for a period of one year from the date upon which the superintendent completes the criminal records check. If during that period the superintendent receives another request for a criminal records check to be conducted under this section for that person, the superintendent shall provide the results from the previous criminal records check of the person at a lower fee than the fee prescribed for the initial criminal records check.

(E) When the superintendent receives a request for information from a registered private provider, the superintendent shall proceed as if the request was received from a school district board of education under section 3319.39 of the Revised Code. The superintendent shall apply division (A)(1)(c) of this section to any such request for an applicant who is a teacher.

(F)(1) Subject to division (F)(2) of this section, all information regarding the results of a criminal records check conducted under this section that the superintendent reports or sends under division (A)(7) or (9) of this section to the director of public safety, the treasurer of state, or the person, board, or entity that made the request for the criminal records check shall relate to the conviction of the subject person, or the subject person's plea of guilty to, a criminal offense.

(2) Division (F)(1) of this section does not limit, restrict, or preclude the superintendent's release of information that relates to the arrest of a

person who is eighteen years of age or older, to an adjudication of a child as a delinquent child, or to a criminal conviction of a person under eighteen years of age in circumstances in which a release of that nature is authorized under division (E)(2), (3), or (4) of section 109.57 of the Revised Code pursuant to a rule adopted under division (E)(1) of that section.

(G) As used in this section:

(1) "Criminal records check" means any criminal records check conducted by the superintendent of the bureau of criminal identification and investigation in accordance with division (B) of this section.

(2) "Minor drug possession offense" has the same meaning as in section 2925.01 of the Revised Code.

(3) "OVI or OVUAC violation" means a violation of section 4511.19 of the Revised Code or a violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to section 4511.19 of the Revised Code.

(4) "Registered private provider" means a nonpublic school or entity registered with the department of education and workforce under section 3310.41 of the Revised Code to participate in the autism scholarship program or section 3310.58 of the Revised Code to participate in the Jon Peterson special needs scholarship program.

**Sec. 2305.11.** (A) An action for libel, slander, malicious prosecution, or false imprisonment, an action for malpractice other than an action upon a medical, dental, optometric, or chiropractic claim, an action for legal malpractice against an attorney or a law firm or legal professional association, or an action upon a statute for a penalty or forfeiture shall be commenced within one year after the cause of action accrued, provided that an action by an employee for the payment of unpaid minimum wages, unpaid overtime compensation, or liquidated damages by reason of the nonpayment of minimum wages or overtime compensation shall be commenced within two years after the cause of action accrued.

(B) A civil action for unlawful abortion pursuant to section 2919.12 of the Revised Code, ~~a civil action authorized by division (H) of section 2317.56 of the Revised Code, and~~ a civil action pursuant to division (B) of section 2307.52 of the Revised Code for terminating or attempting to terminate a human pregnancy after viability in violation of division (A) of section 2919.17 of the Revised Code, ~~and a civil action for terminating or attempting to terminate a human pregnancy of a pain-capable unborn child in violation of division (E) of section 2919.201 of the Revised Code~~ shall be commenced within one year after the performance or inducement of the abortion or within one year after the attempt to perform or induce the abortion in violation of division (A) of section 2919.17 of the Revised Code ~~or division (E) of section 2919.201 of the Revised Code.~~

(C) As used in this section, "medical claim," "dental claim," "optometric claim," and "chiropractic claim" have the same meanings as in section 2305.113 of the Revised Code.

**Sec. 2305.2312.** As used in this section, "reproductive health care" and "reproductive health care helper" have the same meanings as in section 3732.07 of the Revised Code.

Except as provided in sections 2307.52, 2307.53, 2307.54, 2919.12, 2919.121, 2919.123, 2919.13, 2919.14, 2919.15, 2919.151, 2919.16, and 2919.17 of the Revised Code, a health care provider providing reproductive health care, a health care facility where reproductive health care is provided, an individual seeking or accessing reproductive health care, or a reproductive health care helper is not liable for or subject to any of the following for injury, death, or loss to person or property that allegedly arises from any act or omission associated with providing reproductive health care: damages in a civil action, prosecution in a criminal proceeding, or professional disciplinary action. This section does not apply if the act or omission constitutes willful or wanton misconduct or reckless disregard for the consequences so as to affect the life or health of the patient.

**Sec. 2317.02.** The following persons shall not testify in certain respects:

(A)(1) An attorney, concerning a communication made to the attorney by a client in that relation or concerning the attorney's advice to a client, except that the attorney may testify by express consent of the client or, if the client is deceased, by the express consent of the surviving spouse or the executor or administrator of the estate of the deceased client. However, if the client voluntarily reveals the substance of attorney-client communications in a nonprivileged context or is deemed by section 2151.421 of the Revised Code to have waived any testimonial privilege under this division, the attorney may be compelled to testify on the same subject.

The testimonial privilege established under this division does not apply concerning either of the following:

(a) A communication between a client in a capital case, as defined in section 2901.02 of the Revised Code, and the client's attorney if the communication is relevant to a subsequent ineffective assistance of counsel claim by the client alleging that the attorney did not effectively represent the client in the case;

(b) A communication between a client who has since died and the deceased client's attorney if the communication is relevant to a dispute between parties who claim through that deceased client, regardless of whether the claims are by testate or intestate succession or by inter vivos transaction, and the dispute addresses the competency of the deceased client when the deceased client executed a document that is the basis of the dispute

or whether the deceased client was a victim of fraud, undue influence, or duress when the deceased client executed a document that is the basis of the dispute.

(2) An attorney, concerning a communication made to the attorney by a client in that relationship or the attorney's advice to a client, except that if the client is an insurance company, the attorney may be compelled to testify, subject to an in camera inspection by a court, about communications made by the client to the attorney or by the attorney to the client that are related to the attorney's aiding or furthering an ongoing or future commission of bad faith by the client, if the party seeking disclosure of the communications has made a prima-facie showing of bad faith, fraud, or criminal misconduct by the client.

(B)(1) A physician, advanced practice registered nurse, or dentist concerning a communication made to the physician, advanced practice registered nurse, or dentist by a patient in that relation or the advice of a physician, advanced practice registered nurse, or dentist given to a patient, except as otherwise provided in this division, division (B)(2), and division (B)(3) of this section, and except that, if the patient is deemed by section 2151.421 of the Revised Code to have waived any testimonial privilege under this division, the physician or advanced practice registered nurse may be compelled to testify on the same subject.

The testimonial privilege established under this division does not apply, and a physician, advanced practice registered nurse, or dentist may testify or may be compelled to testify, in any of the following circumstances:

(a) In any civil action, in accordance with the discovery provisions of the Rules of Civil Procedure in connection with a civil action, or in connection with a claim under Chapter 4123. of the Revised Code, under any of the following circumstances:

(i) If the patient or the guardian or other legal representative of the patient gives express consent;

(ii) If the patient is deceased, the spouse of the patient or the executor or administrator of the patient's estate gives express consent;

(iii) If a medical claim, dental claim, chiropractic claim, or optometric claim, as defined in section 2305.113 of the Revised Code, an action for wrongful death, any other type of civil action, or a claim under Chapter 4123. of the Revised Code is filed by the patient, the personal representative of the estate of the patient if deceased, or the patient's guardian or other legal representative.

(b) In any civil action concerning court-ordered treatment or services received by a patient, if the court-ordered treatment or services were ordered as part of a case plan journalized under section 2151.412 of the Revised Code

or the court-ordered treatment or services are necessary or relevant to dependency, neglect, or abuse or temporary or permanent custody proceedings under Chapter 2151. of the Revised Code.

(c) In any criminal action concerning any test or the results of any test that determines the presence or concentration of alcohol, a drug of abuse, a combination of them, a controlled substance, or a metabolite of a controlled substance in the patient's whole blood, blood serum or plasma, breath, urine, oral fluid, or other bodily substance at any time relevant to the criminal offense in question.

(d) In any criminal action against a physician, advanced practice registered nurse, or dentist. In such an action, the testimonial privilege established under this division does not prohibit the admission into evidence, in accordance with the Rules of Evidence, of a patient's medical or dental records or other communications between a patient and the physician, advanced practice registered nurse, or dentist that are related to the action and obtained by subpoena, search warrant, or other lawful means. A court that permits or compels a physician, advanced practice registered nurse, or dentist to testify in such an action or permits the introduction into evidence of patient records or other communications in such an action shall require that appropriate measures be taken to ensure that the confidentiality of any patient named or otherwise identified in the records is maintained. Measures to ensure confidentiality that may be taken by the court include sealing its records or deleting specific information from its records.

(e)(i) If the communication was between a patient who has since died and the deceased patient's physician, advanced practice registered nurse, or dentist, the communication is relevant to a dispute between parties who claim through that deceased patient, regardless of whether the claims are by testate or intestate succession or by inter vivos transaction, and the dispute addresses the competency of the deceased patient when the deceased patient executed a document that is the basis of the dispute or whether the deceased patient was a victim of fraud, undue influence, or duress when the deceased patient executed a document that is the basis of the dispute.

(ii) If neither the spouse of a patient nor the executor or administrator of that patient's estate gives consent under division (B)(1)(a)(ii) of this section, testimony or the disclosure of the patient's medical records by a physician, advanced practice registered nurse, dentist, or other health care provider under division (B)(1)(e)(i) of this section is a permitted use or disclosure of protected health information, as defined in 45 C.F.R. 160.103, and an authorization or opportunity to be heard shall not be required.

(iii) Division (B)(1)(e)(i) of this section does not require a mental health professional to disclose psychotherapy notes, as defined in 45 C.F.R. 164.501.

(iv) An interested person who objects to testimony or disclosure under division (B)(1)(e)(i) of this section may seek a protective order pursuant to Civil Rule 26.

(v) A person to whom protected health information is disclosed under division (B)(1)(e)(i) of this section shall not use or disclose the protected health information for any purpose other than the litigation or proceeding for which the information was requested and shall return the protected health information to the covered entity or destroy the protected health information, including all copies made, at the conclusion of the litigation or proceeding.

(2)(a) If any law enforcement officer submits a written statement to a health care provider that states that an official criminal investigation has begun regarding a specified person or that a criminal action or proceeding has been commenced against a specified person, that requests the provider to supply to the officer copies of any records the provider possesses that pertain to any test or the results of any test administered to the specified person to determine the presence or concentration of alcohol, a drug of abuse, a combination of them, a controlled substance, or a metabolite of a controlled substance in the person's whole blood, blood serum or plasma, breath, oral fluid, or urine at any time relevant to the criminal offense in question, and that conforms to section 2317.022 of the Revised Code, the provider, except to the extent specifically prohibited by any law of this state or of the United States, shall supply to the officer a copy of any of the requested records the provider possesses. If the health care provider does not possess any of the requested records, the provider shall give the officer a written statement that indicates that the provider does not possess any of the requested records.

(b) If a health care provider possesses any records of the type described in division (B)(2)(a) of this section regarding the person in question at any time relevant to the criminal offense in question, in lieu of personally testifying as to the results of the test in question, the custodian of the records may submit a certified copy of the records, and, upon its submission, the certified copy is qualified as authentic evidence and may be admitted as evidence in accordance with the Rules of Evidence. Division (A) of section 2317.422 of the Revised Code does not apply to any certified copy of records submitted in accordance with this division. Nothing in this division shall be construed to limit the right of any party to call as a witness the person who administered the test to which the records pertain, the person under whose supervision the test was administered, the custodian of the records, the person who made the records, or the person under whose supervision the records were made.

(3)(a) If the testimonial privilege described in division (B)(1) of this section does not apply as provided in division (B)(1)(a)(iii) of this section, a physician, advanced practice registered nurse, or dentist may be compelled to testify or to submit to discovery under the Rules of Civil Procedure only as to

a communication made to the physician, advanced practice registered nurse, or dentist by the patient in question in that relation, or the advice of the physician, advanced practice registered nurse, or dentist given to the patient in question, that related causally or historically to physical or mental injuries that are relevant to issues in the medical claim, dental claim, chiropractic claim, or optometric claim, action for wrongful death, other civil action, or claim under Chapter 4123. of the Revised Code.

(b) If the testimonial privilege described in division (B)(1) of this section does not apply to a physician, advanced practice registered nurse, or dentist as provided in division (B)(1)(c) of this section, the physician, advanced practice registered nurse, or dentist, in lieu of personally testifying as to the results of the test in question, may submit a certified copy of those results, and, upon its submission, the certified copy is qualified as authentic evidence and may be admitted as evidence in accordance with the Rules of Evidence. Division (A) of section 2317.422 of the Revised Code does not apply to any certified copy of results submitted in accordance with this division. Nothing in this division shall be construed to limit the right of any party to call as a witness the person who administered the test in question, the person under whose supervision the test was administered, the custodian of the results of the test, the person who compiled the results, or the person under whose supervision the results were compiled.

(4) The testimonial privilege described in division (B)(1) of this section is not waived when a communication is made by a physician or advanced practice registered nurse to a pharmacist or when there is communication between a patient and a pharmacist in furtherance of the physician-patient or advanced practice registered nurse-patient relation.

(5)(a) As used in divisions (B)(1) to (4) of this section, "communication" means acquiring, recording, or transmitting any information, in any manner, concerning any facts, opinions, or statements necessary to enable a physician, advanced practice registered nurse, or dentist to diagnose, treat, prescribe, or act for a patient. A "communication" may include, but is not limited to, any medical or dental, office, or hospital communication such as a record, chart, letter, memorandum, laboratory test and results, x-ray, photograph, financial statement, diagnosis, or prognosis.

(b) As used in division (B)(2) of this section, "health care provider" means a hospital, ambulatory care facility, long-term care facility, pharmacy, emergency facility, or health care practitioner.

(c) As used in division (B)(5)(b) of this section:

(i) "Ambulatory care facility" means a facility that provides medical, diagnostic, or surgical treatment to patients who do not require hospitalization, including a dialysis center, ambulatory surgical facility, cardiac catheterization facility, diagnostic imaging center, extracorporeal

shock wave lithotripsy center, home health agency, inpatient hospice, birthing center, radiation therapy center, emergency facility, and an urgent care center. "Ambulatory health care facility" does not include the private office of a physician, advanced practice registered nurse, or dentist, whether the office is for an individual or group practice.

(ii) "Emergency facility" means a hospital emergency department or any other facility that provides emergency medical services.

(iii) "Health care practitioner" has the same meaning as in section 4769.01 of the Revised Code.

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

(v) "Long-term care facility" means a nursing home, residential care facility, or home for the aging, as those terms are defined in section 3721.01 of the Revised Code; a residential facility licensed under section 5119.34 of the Revised Code that provides accommodations, supervision, and personal care services for three to sixteen unrelated adults; a nursing facility, as defined in section 5165.01 of the Revised Code; a skilled nursing facility, as defined in section 5165.01 of the Revised Code; and an intermediate care facility for individuals with intellectual disabilities, as defined in section 5124.01 of the Revised Code.

(vi) "Pharmacy" has the same meaning as in section 4729.01 of the Revised Code.

(d) As used in divisions (B)(1) and (2) of this section, "drug of abuse" has the same meaning as in section 4506.01 of the Revised Code.

(6) Divisions (B)(1), (2), (3), (4), and (5) of this section apply to doctors of medicine, doctors of osteopathic medicine, doctors of podiatry, advanced practice registered nurses, and dentists.

(7) Nothing in divisions (B)(1) to (6) of this section affects, or shall be construed as affecting, the immunity from civil liability conferred by section 307.628 of the Revised Code or the immunity from civil liability conferred by section 2305.33 of the Revised Code upon physicians or advanced practice registered nurses who report an employee's use of a drug of abuse, or a condition of an employee other than one involving the use of a drug of abuse, to the employer of the employee in accordance with division (B) of that section. As used in division (B)(7) of this section, "employee," "employer," and "physician" have the same meanings as in section 2305.33 of the Revised Code and "advanced practice registered nurse" has the same meaning as in section 4723.01 of the Revised Code.

(C)(1) A cleric, when the cleric remains accountable to the authority of that cleric's church, denomination, or sect, concerning a confession made, or any information confidentially communicated, to the cleric for a religious

counseling purpose in the cleric's professional character. The cleric may testify by express consent of the person making the communication, except when the disclosure of the information is in violation of a sacred trust and except that, if the person voluntarily testifies or is deemed by division (A)(4)(c) of section 2151.421 of the Revised Code to have waived any testimonial privilege under this division, the cleric may be compelled to testify on the same subject except when disclosure of the information is in violation of a sacred trust.

(2) As used in division (C) of this section:

(a) "Cleric" means a member of the clergy, rabbi, priest, Christian Science practitioner, or regularly ordained, accredited, or licensed minister of an established and legally cognizable church, denomination, or sect.

(b) "Sacred trust" means a confession or confidential communication made to a cleric in the cleric's ecclesiastical capacity in the course of discipline enjoined by the church to which the cleric belongs, including, but not limited to, the Catholic Church, if both of the following apply:

(i) The confession or confidential communication was made directly to the cleric.

(ii) The confession or confidential communication was made in the manner and context that places the cleric specifically and strictly under a level of confidentiality that is considered inviolate by canon law or church doctrine.

(D) Husband or wife, concerning any communication made by one to the other, or an act done by either in the presence of the other, during coverture, unless the communication was made, or act done, in the known presence or hearing of a third person competent to be a witness; and such rule is the same if the marital relation has ceased to exist;

(E) A person who assigns a claim or interest, concerning any matter in respect to which the person would not, if a party, be permitted to testify;

(F) A person who, if a party, would be restricted under section 2317.03 of the Revised Code, when the property or thing is sold or transferred by an executor, administrator, guardian, trustee, heir, devisee, or legatee, shall be restricted in the same manner in any action or proceeding concerning the property or thing.

(G)(1) A school guidance counselor who holds a valid educator license from the state board of education as provided for in section 3319.22 of the Revised Code, a person licensed under Chapter 4757. of the Revised Code as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, marriage and family therapist or independent marriage and family therapist, or registered under Chapter 4757. of the Revised Code as a social work assistant concerning a

confidential communication received from a client in that relation or the person's advice to a client unless any of the following applies:

(a) The communication or advice indicates clear and present danger to the client or other persons. For the purposes of this division, cases in which there are indications of present or past child abuse or neglect of the client constitute a clear and present danger.

(b) The client gives express consent to the testimony.

(c) If the client is deceased, the surviving spouse or the executor or administrator of the estate of the deceased client gives express consent.

(d) The client voluntarily testifies, in which case the school guidance counselor or person licensed or registered under Chapter 4757. of the Revised Code may be compelled to testify on the same subject.

(e) The court in camera determines that the information communicated by the client is not germane to the counselor-client, marriage and family therapist-client, or social worker-client relationship.

(f) A court, in an action brought against a school, its administration, or any of its personnel by the client, rules after an in-camera inspection that the testimony of the school guidance counselor is relevant to that action.

(g) The testimony is sought in a civil action and concerns court-ordered treatment or services received by a patient as part of a case plan journalized under section 2151.412 of the Revised Code or the court-ordered treatment or services are necessary or relevant to dependency, neglect, or abuse or temporary or permanent custody proceedings under Chapter 2151. of the Revised Code.

(2) Nothing in division (G)(1) of this section shall relieve a school guidance counselor or a person licensed or registered under Chapter 4757. of the Revised Code from the requirement to report information concerning child abuse or neglect under section 2151.421 of the Revised Code.

(H) A mediator acting under a mediation order issued under division (A) of section 3109.052 of the Revised Code or otherwise issued in any proceeding for divorce, dissolution, legal separation, annulment, or the allocation of parental rights and responsibilities for the care of children, in any action or proceeding, other than a criminal, delinquency, child abuse, child neglect, or dependent child action or proceeding, that is brought by or against either parent who takes part in mediation in accordance with the order and that pertains to the mediation process, to any information discussed or presented in the mediation process, to the allocation of parental rights and responsibilities for the care of the parents' children, or to the awarding of parenting time rights in relation to their children;

(I) A communications assistant, acting within the scope of the communication assistant's authority, when providing telecommunications

relay service pursuant to section 4931.06 of the Revised Code or Title II of the "Communications Act of 1934," 104 Stat. 366 (1990), 47 U.S.C. 225, concerning a communication made through a telecommunications relay service. Nothing in this section shall limit the obligation of a communications assistant to divulge information or testify when mandated by federal law or regulation or pursuant to subpoena in a criminal proceeding.

Nothing in this section shall limit any immunity or privilege granted under federal law or regulation.

(J)(1) A chiropractor in a civil proceeding concerning a communication made to the chiropractor by a patient in that relation or the chiropractor's advice to a patient, except as otherwise provided in this division. The testimonial privilege established under this division does not apply, and a chiropractor may testify or may be compelled to testify, in any civil action, in accordance with the discovery provisions of the Rules of Civil Procedure in connection with a civil action, or in connection with a claim under Chapter 4123. of the Revised Code, under any of the following circumstances:

(a) If the patient or the guardian or other legal representative of the patient gives express consent.

(b) If the patient is deceased, the spouse of the patient or the executor or administrator of the patient's estate gives express consent.

(c) If a medical claim, dental claim, chiropractic claim, or optometric claim, as defined in section 2305.113 of the Revised Code, an action for wrongful death, any other type of civil action, or a claim under Chapter 4123. of the Revised Code is filed by the patient, the personal representative of the estate of the patient if deceased, or the patient's guardian or other legal representative.

(2) If the testimonial privilege described in division (J)(1) of this section does not apply as provided in division (J)(1)(c) of this section, a chiropractor may be compelled to testify or to submit to discovery under the Rules of Civil Procedure only as to a communication made to the chiropractor by the patient in question in that relation, or the chiropractor's advice to the patient in question, that related causally or historically to physical or mental injuries that are relevant to issues in the medical claim, dental claim, chiropractic claim, or optometric claim, action for wrongful death, other civil action, or claim under Chapter 4123. of the Revised Code.

(3) The testimonial privilege established under this division does not apply, and a chiropractor may testify or be compelled to testify, in any criminal action or administrative proceeding.

(4) As used in this division, "communication" means acquiring, recording, or transmitting any information, in any manner, concerning any

facts, opinions, or statements necessary to enable a chiropractor to diagnose, treat, or act for a patient. A communication may include, but is not limited to, any chiropractic, office, or hospital communication such as a record, chart, letter, memorandum, laboratory test and results, x-ray, photograph, financial statement, diagnosis, or prognosis.

(K)(1) Except as provided under division (K)(2) of this section, a critical incident stress management team member concerning a communication received from an individual who receives crisis response services from the team member, or the team member's advice to the individual, during a debriefing session.

(2) The testimonial privilege established under division (K)(1) of this section does not apply if any of the following are true:

(a) The communication or advice indicates clear and present danger to the individual who receives crisis response services or to other persons. For purposes of this division, cases in which there are indications of present or past child abuse or neglect of the individual constitute a clear and present danger.

(b) The individual who received crisis response services gives express consent to the testimony.

(c) If the individual who received crisis response services is deceased, the surviving spouse or the executor or administrator of the estate of the deceased individual gives express consent.

(d) The individual who received crisis response services voluntarily testifies, in which case the team member may be compelled to testify on the same subject.

(e) The court in camera determines that the information communicated by the individual who received crisis response services is not germane to the relationship between the individual and the team member.

(f) The communication or advice pertains or is related to any criminal act.

(3) As used in division (K) of this section:

(a) "Crisis response services" means consultation, risk assessment, referral, and on-site crisis intervention services provided by a critical incident stress management team to individuals affected by crisis or disaster.

(b) "Critical incident stress management team member" or "team member" means an individual specially trained to provide crisis response services as a member of an organized community or local crisis response team that holds membership in the Ohio critical incident stress management network.

(c) "Debriefing session" means a session at which crisis response

services are rendered by a critical incident stress management team member during or after a crisis or disaster.

(L)(1) Subject to division (L)(2) of this section and except as provided in division (L)(3) of this section, an employee assistance professional, concerning a communication made to the employee assistance professional by a client in the employee assistance professional's official capacity as an employee assistance professional.

(2) Division (L)(1) of this section applies to an employee assistance professional who meets either or both of the following requirements:

(a) Is certified by the employee assistance certification commission to engage in the employee assistance profession;

(b) Has education, training, and experience in all of the following:

(i) Providing workplace-based services designed to address employer and employee productivity issues;

(ii) Providing assistance to employees and employees' dependents in identifying and finding the means to resolve personal problems that affect the employees or the employees' performance;

(iii) Identifying and resolving productivity problems associated with an employee's concerns about any of the following matters: health, marriage, family, finances, substance abuse or other addiction, workplace, law, and emotional issues;

(iv) Selecting and evaluating available community resources;

(v) Making appropriate referrals;

(vi) Local and national employee assistance agreements;

(vii) Client confidentiality.

(3) Division (L)(1) of this section does not apply to any of the following:

(a) A criminal action or proceeding involving an offense under sections 2903.01 to 2903.06 of the Revised Code if the employee assistance professional's disclosure or testimony relates directly to the facts or immediate circumstances of the offense;

(b) A communication made by a client to an employee assistance professional that reveals the contemplation or commission of a crime or serious, harmful act;

(c) A communication that is made by a client who is an unemancipated minor or an adult adjudicated to be incompetent and indicates that the client was the victim of a crime or abuse;

(d) A civil proceeding to determine an individual's mental competency or a criminal action in which a plea of not guilty by reason of

insanity is entered;

(e) A civil or criminal malpractice action brought against the employee assistance professional;

(f) When the employee assistance professional has the express consent of the client or, if the client is deceased or disabled, the client's legal representative;

(g) When the testimonial privilege otherwise provided by division (L) (1) of this section is abrogated under law.

(M) A patient, concerning the patient's own reproductive health care, including miscarriage and abortion history, unless that patient consents to do so.

**Sec. 2919.10.** (A) As used in this section:

(1) "Down syndrome" means a chromosome disorder associated either with an extra chromosome twenty-one, in whole or in part, or an effective trisomy for chromosome twenty-one.

(2) "Physician," "pregnant," and "unborn child" have the same meanings as in section 2919.16 of the Revised Code.

(B) No person shall purposely perform or induce or attempt to perform or induce an abortion on a pregnant woman if the person has knowledge that the pregnant woman is seeking the abortion, in whole or in part, because of any of the following:

(1) A test result indicating Down syndrome in an unborn child;

(2) A prenatal diagnosis of Down syndrome in an unborn child;

(3) Any other reason to believe that an unborn child has Down syndrome.

(C) Whoever violates division (B) of this section is guilty of performing or attempting to perform an abortion that was being sought because of Down syndrome, a felony of the fourth degree.

(D) The state medical board shall revoke a physician's license to practice medicine in this state if the physician violates division (B) of this section.

(E) Any physician who violates division (B) of this section is liable in a civil action for compensatory and exemplary damages and reasonable attorney's fees to any person, or the representative of the estate of any person, who sustains injury, death, or loss to person or property as the result of the performance or inducement or the attempted performance or inducement of the abortion. In any action under this division, the court also may award any injunctive or other equitable relief that the court considers appropriate.

(F) A pregnant woman on whom an abortion is performed or induced

or attempted to be performed or induced in violation of division (B) of this section is not guilty of violating division (B) of this section or of attempting to commit, conspiring to commit, or complicity in committing a violation of division (B) of this section.

(G) If any provision of this section is held invalid, or if the application of any provision of this section to any person or circumstance is held invalid, the invalidity of that provision does not affect any other provisions or applications of this section and sections 2919.11 to ~~2919.193-2919.18~~ of the Revised Code that can be given effect without the invalid provision or application, and to this end the provisions of this section and sections 2919.11 to ~~2919.193-2919.18~~ of the Revised Code are severable as provided in section 1.50 of the Revised Code. In particular, it is the intent of the general assembly that any invalidity or potential invalidity of a provision of this section is not to impair the immediate and continuing enforceability of any other provisions of this section and sections 2919.11 to ~~2919.193-2919.18~~ of the Revised Code. It is furthermore the intent of the general assembly that the provisions of this section are not to have the effect of repealing or limiting any other laws of this state.

~~(H) The general assembly may, by joint resolution, appoint one or more of its members who sponsored or cosponsored \_\_\_B\_\_\_ of the 132nd general assembly to intervene as a matter of right in any case in which the constitutionality of this section is challenged.~~

**Sec. 2919.12.** (A) No person shall perform or induce an abortion without the informed consent of the pregnant woman.

(B)(1)(a) No person shall knowingly perform or induce an abortion upon a woman who is pregnant, unmarried, under eighteen years of age, and unemancipated unless at least one of the following applies:

(i) Subject to division (B)(2) of this section, the person has given ~~at least twenty-four hours~~ actual notice, in person or by telephone, to one of the woman's parents, her guardian, or her custodian as to the intention to perform or induce the abortion, provided that if the woman has requested, in accordance with division (B)(1)(b) of this section, that notice be given to a specified brother or sister of the woman who is twenty-one years of age or older or to a specified stepparent or grandparent of the woman instead of to one of her parents, her guardian, or her custodian, and if the person is notified by a juvenile court that affidavits of the type described in that division have been filed with that court, the ~~twenty-four hours~~ actual notice described in this division as to the intention to perform or induce the abortion shall be given, in person or by telephone, to the specified brother, sister, stepparent, or grandparent instead of to the parent, guardian, or custodian;

(ii) One of the woman's parents, her guardian, or her custodian has consented in writing to the performance or inducement of the abortion;

(iii) A juvenile court pursuant to section 2151.85 of the Revised Code issues an order authorizing the woman to consent to the abortion without notification of one of her parents, her guardian, or her custodian;

(iv) A juvenile court or a court of appeals, by its inaction, constructively has authorized the woman to consent to the abortion without notification of one of her parents, her guardian, or her custodian under division (B)(1) of section 2151.85 or division (A) of section 2505.073 of the Revised Code.

(b) If a woman who is pregnant, unmarried, under eighteen years of age, and unemancipated desires notification as to a person's intention to perform or induce an abortion on the woman to be given to a specified brother or sister of the woman who is twenty-one years of age or older or to a specified stepparent or grandparent of the woman instead of to one of her parents, her guardian, or her custodian, the person who intends to perform or induce the abortion shall notify the specified brother, sister, stepparent, or grandparent instead of the parent, guardian, or custodian for purposes of division (B)(1)(a)(i) of this section if all of the following apply:

(i) The woman has requested the person to provide the notification to the specified brother, sister, stepparent, or grandparent, clearly has identified the specified brother, sister, stepparent, or grandparent and her relation to that person, and, if the specified relative is a brother or sister, has indicated the age of the brother or sister;

(ii) The woman has executed an affidavit stating that she is in fear of physical, sexual, or severe emotional abuse from the parent, guardian, or custodian who otherwise would be notified under division (B)(1)(a)(i) of this section, and that the fear is based on a pattern of physical, sexual, or severe emotional abuse of her exhibited by that parent, guardian, or custodian, has filed the affidavit with the juvenile court of the county in which the woman has a residence or legal settlement, the juvenile court of any county that borders to any extent the county in which she has a residence or legal settlement, or the juvenile court of the county in which the hospital, clinic, or other facility in which the abortion would be performed or induced is located, and has given the court written notice of the name and address of the person who intends to perform or induce the abortion;

(iii) The specified brother, sister, stepparent, or grandparent has executed an affidavit stating that the woman has reason to fear physical, sexual, or severe emotional abuse from the parent, guardian, or custodian who otherwise would be notified under division (B)(1)(a)(i) of this section, based on a pattern of physical, sexual, or severe emotional abuse of her by that parent, guardian, or custodian, and the woman or the specified brother, sister, stepparent, or grandparent has filed the affidavit with the juvenile court in which the affidavit described in division (B)(1)(b)(ii) of this section was

filed;

(iv) The juvenile court in which the affidavits described in divisions (B)(1)(b)(ii) and (iii) of this section were filed has notified the person that both of those affidavits have been filed with the court.

(c) If an affidavit of the type described in division (B)(1)(b)(ii) of this section and an affidavit of the type described in division (B)(1)(b)(iii) of this section are filed with a juvenile court and the court has been provided with written notice of the name and address of the person who intends to perform or induce an abortion upon the woman to whom the affidavits pertain, the court promptly shall notify the person who intends to perform or induce the abortion that the affidavits have been filed. If possible, the notice to the person shall be given in person or by telephone.

(2) If division (B)(1)(a)(ii), (iii), or (iv) of this section does not apply, and if no parent, guardian, or custodian can be reached for purposes of division (B)(1)(a)(i) of this section after a reasonable effort, or if notification is to be given to a specified brother, sister, stepparent, or grandparent under that division and the specified brother, sister, stepparent, or grandparent cannot be reached for purposes of that division after a reasonable effort, no person shall perform or induce such an abortion without giving at least forty-eight hours constructive notice to one of the woman's parents, her guardian, or her custodian, by both certified and ordinary mail sent to the last known address of the parent, guardian, or custodian, or if notification for purposes of division (B)(1)(a)(i) of this section is to be given to a specified brother, sister, stepparent, or grandparent, without giving at least forty-eight hours constructive notice to that specified brother, sister, stepparent, or grandparent by both certified and ordinary mail sent to the last known address of that specified brother, sister, stepparent, or grandparent. The forty-eight-hour period under this division begins when the certified mail notice is mailed. If a parent, guardian, or custodian of the woman, or if notification under division (B)(1)(a)(i) of this section is to be given to a specified brother, sister, stepparent, or grandparent, the specified brother, sister, stepparent, or grandparent, is not reached within the forty-eight-hour period, the abortion may proceed even if the certified mail notice is not received.

(3) If a parent, guardian, custodian, or specified brother, sister, stepparent, or grandparent who has been notified in accordance with division (B)(1) or (2) of this section clearly and unequivocally expresses that ~~he or she~~ such person does not wish to consult with a pregnant woman prior to her abortion, then the abortion may proceed without any further waiting period.

(4) For purposes of prosecutions for a violation of division (B)(1) or (2) of this section, it shall be a rebuttable presumption that a woman who is unmarried and under eighteen years of age is unemancipated.

(C)(1) It is an affirmative defense to a charge under division (B)(1) or

(2) of this section that the pregnant woman provided the person who performed or induced the abortion with false, misleading, or incorrect information about her age, marital status, or emancipation, about the age of a brother or sister to whom she requested notice be given as a specified relative instead of to one of her parents, her guardian, or her custodian, or about the last known address of either of her parents, her guardian, her custodian, or a specified brother, sister, stepparent, or grandparent to whom she requested notice be given and the person who performed or induced the abortion did not otherwise have reasonable cause to believe the pregnant woman was under eighteen years of age, unmarried, or unemancipated, to believe that the age of a brother or sister to whom she requested notice be given as a specified relative instead of to one of her parents, her guardian, or her custodian was not twenty-one years of age, or to believe that the last known address of either of her parents, her guardian, her custodian, or a specified brother, sister, stepparent, or grandparent to whom she requested notice be given was incorrect.

(2) It is an affirmative defense to a charge under this section that compliance with the requirements of this section was not possible because an immediate threat of serious risk to the life or physical health of the pregnant woman from the continuation of her pregnancy created an emergency necessitating the immediate performance or inducement of an abortion.

(D) Whoever violates this section is guilty of unlawful abortion. A violation of division (A) of this section is a misdemeanor of the first degree on the first offense and a felony of the fourth degree on each subsequent offense. A violation of division (B) of this section is a misdemeanor of the first degree on a first offense and a felony of the fifth degree on each subsequent offense.

(E) Whoever violates this section is liable to the pregnant woman and her parents, guardian, or custodian for civil compensatory and exemplary damages.

(F) As used in this section "unemancipated" means that a woman who is unmarried and under eighteen years of age has not entered the armed services of the United States, has not become employed and self-sustaining, or has not otherwise become independent from the care and control of her parent, guardian, or custodian.

**Sec. 2953.25.** (A) As used in this section:

(1) "Collateral sanction" means a penalty, disability, or disadvantage that is related to employment or occupational licensing, however denominated, as a result of the individual's conviction of or plea of guilty to an offense and that applies by operation of law in this state whether or not the penalty, disability, or disadvantage is included in the sentence or judgment imposed.

"Collateral sanction" does not include imprisonment, probation, parole, supervised release, forfeiture, restitution, fine, assessment, or costs of prosecution.

(2) "Decision-maker" includes, but is not limited to, the state acting through a department, agency, board, commission, or instrumentality established by the law of this state for the exercise of any function of government, a political subdivision, an educational institution, or a government contractor or subcontractor made subject to this section by contract, law, or ordinance.

(3) "Department-funded program" means a residential or nonresidential program that is not a term in a state correctional institution, that is funded in whole or part by the department of rehabilitation and correction, and that is imposed as a sanction for an offense, as part of a sanction that is imposed for an offense, or as a term or condition of any sanction that is imposed for an offense.

(4) "Designee" means the person designated by the deputy director of the division of parole and community services to perform the duties designated in division (B) of this section.

(5) "Division of parole and community services" means the division of parole and community services of the department of rehabilitation and correction.

(6) "Offense" means any felony or misdemeanor under the laws of this state.

(7) "Political subdivision" has the same meaning as in section 2969.21 of the Revised Code.

(8) "Discretionary civil impact," "licensing agency," and "mandatory civil impact" have the same meanings as in section 2961.21 of the Revised Code.

(B)(1) An individual who is subject to one or more collateral sanctions as a result of being convicted of or pleading guilty to an offense and who either has served a term in a state correctional institution for any offense or has spent time in a department-funded program for any offense may file a petition with the designee of the deputy director of the division of parole and community services for a certificate of qualification for employment.

(2) An individual who is subject to one or more collateral sanctions as a result of being convicted of or pleading guilty to an offense and who is not in a category described in division (B)(1) of this section may file for a certificate of qualification for employment by doing either of the following:

(a) In the case of an individual who resides in this state, filing a petition with the court of common pleas of the county in which the person

resides or with the designee of the deputy director of the division of parole and community services;

(b) In the case of an individual who resides outside of this state, filing a petition with the court of common pleas of any county in which any conviction or plea of guilty from which the individual seeks relief was entered or with the designee of the deputy director of the division of parole and community services.

(3) A petition under division (B)(1) or (2) of this section shall be made on a copy of the form prescribed by the division of parole and community services under division (J) of this section, shall contain all of the information described in division (F) of this section, and, except as provided in division (B)(6) of this section, shall be accompanied by an application fee of fifty dollars and may be accompanied by a local court fee of not more than fifty dollars.

(4)(a) Except as provided in division (B)(4)(b) of this section, an individual may file a petition under division (B)(1) or (2) of this section at any time after the expiration of whichever of the following is applicable:

(i) If the offense that resulted in the collateral sanction from which the individual seeks relief is a felony, at any time after the expiration of one year from the date of release of the individual from any period of incarceration in a state or local correctional facility that was imposed for that offense and all periods of supervision imposed after release from the period of incarceration or, if the individual was not incarcerated for that offense, at any time after the expiration of one year from the date of the individual's final release from all other sanctions imposed for that offense.

(ii) If the offense that resulted in the collateral sanction from which the individual seeks relief is a misdemeanor, at any time after the expiration of six months from the date of release of the individual from any period of incarceration in a local correctional facility that was imposed for that offense and all periods of supervision imposed after release from the period of incarceration or, if the individual was not incarcerated for that offense, at any time after the expiration of six months from the date of the final release of the individual from all sanctions imposed for that offense including any period of supervision.

(b) The department of rehabilitation and correction may establish criteria by rule adopted under Chapter 119. of the Revised Code that, if satisfied by an individual, would allow the individual to file a petition before the expiration of six months or one year from the date of final release, whichever is applicable under division (B)(4)(a) of this section.

(5)(a) A designee that receives a petition for a certificate of qualification for employment from an individual under division (B)(1) or (2) of this section shall review the petition to determine whether it is complete. If

the petition is complete, the designee shall forward the petition, the application fee, and any other information the designee possesses that relates to the petition, to the court of common pleas of the county in which the individual resides if the individual submitting the petition resides in this state or, if the individual resides outside of this state, to the court of common pleas of the county in which the conviction or plea of guilty from which the individual seeks relief was entered.

(b) A court of common pleas that receives a petition for a certificate of qualification for employment from an individual under division (B)(2) of this section, or that is forwarded a petition for such a certificate under division (B)(5)(a) of this section, shall attempt to determine all other courts in this state in which the individual was convicted of or pleaded guilty to an offense other than the offense from which the individual is seeking relief. The court that receives or is forwarded the petition shall notify all other courts in this state that it determines under this division were courts in which the individual was convicted of or pleaded guilty to an offense other than the offense from which the individual is seeking relief that the individual has filed the petition and that the court may send comments regarding the possible issuance of the certificate.

A court of common pleas that receives a petition for a certificate of qualification for employment under division (B)(2) of this section shall notify the county's prosecuting attorney that the individual has filed the petition.

A court of common pleas that receives a petition for a certificate of qualification for employment under division (B)(2) of this section, or that is forwarded a petition for qualification under division (B)(5)(a) of this section may direct the clerk of court to process and record all notices required in or under this section. Except as provided in division (B)(6) of this section, the court shall pay thirty dollars of the application fee into the state treasury and twenty dollars of the application fee into the county general revenue fund.

(6) Upon receiving a petition for a certificate of qualification for employment filed by an individual under division (B)(1) or (2) of this section, a court of common pleas or the designee of the deputy director of the division of parole and community services who receives the petition may waive all or part of the application fee of fifty dollars described in division (B)(3) of this section, for an applicant who presents a poverty affidavit showing that the applicant is indigent. If an applicant pays an application fee, the first twenty dollars or two-fifths of the fee, whichever is greater, that is collected shall be paid into the county general revenue fund. If an applicant pays an application fee, the amount collected in excess of the amount to be paid into the county general revenue fund shall be paid into the state treasury.

(C)(1) Upon receiving a petition for a certificate of qualification for employment filed by an individual under division (B)(2) of this section or

being forwarded a petition for such a certificate under division (B)(5)(a) of this section, the court shall review the individual's petition, the individual's criminal history, except for information contained in any record that has been sealed under section 2953.32 of the Revised Code, all filings submitted by the prosecutor or by the victim in accordance with rules adopted by the division of parole and community services, the applicant's military service record, if applicable, and whether the applicant has an emotional, mental, or physical condition that is traceable to the applicant's military service in the armed forces of the United States and that was a contributing factor in the commission of the offense or offenses, and all other relevant evidence. The court may order any report, investigation, or disclosure by the individual that the court believes is necessary for the court to reach a decision on whether to approve the individual's petition for a certificate of qualification for employment, except that the court shall not require an individual to disclose information about any record sealed under section 2953.32 of the Revised Code.

(2) Upon receiving a petition for a certificate of qualification for employment filed by an individual under division (B)(2) of this section or being forwarded a petition for such a certificate under division (B)(5)(a) of this section, except as otherwise provided in this division, the court shall decide whether to issue the certificate within sixty days after the court receives or is forwarded the completed petition and all information requested for the court to make that decision. Upon request of the individual who filed the petition, the court may extend the sixty-day period specified in this division.

(3) Except as provided in division (C)(5) of this section and subject to division (C)(7) of this section, a court that receives an individual's petition for a certificate of qualification for employment under division (B)(2) of this section or that is forwarded a petition for such a certificate under division (B)(5)(a) of this section may issue a certificate of qualification for employment, at the court's discretion, if the court finds that the individual has established all of the following by a preponderance of the evidence:

(a) Granting the petition will materially assist the individual in obtaining employment or occupational licensing.

(b) The individual has a substantial need for the relief requested in order to live a law-abiding life.

(c) Granting the petition would not pose an unreasonable risk to the safety of the public or any individual.

(4) The submission of an incomplete petition by an individual shall not be grounds for the designee or court to deny the petition.

(5) Subject to division (C)(6) of this section, an individual is rebuttably presumed to be eligible for a certificate of qualification for

employment if the court that receives the individual's petition under division (B)(2) of this section or that is forwarded a petition under division (B)(5)(a) of this section finds all of the following:

(a) The application was filed after the expiration of the applicable waiting period prescribed in division (B)(4) of this section;

(b) If the offense that resulted in the collateral sanction from which the individual seeks relief is a felony, at least three years have elapsed since the date of release of the individual from any period of incarceration in a state or local correctional facility that was imposed for that offense and all periods of supervision imposed after release from the period of incarceration or, if the individual was not incarcerated for that offense, at least three years have elapsed since the date of the individual's final release from all other sanctions imposed for that offense;

(c) If the offense that resulted in the collateral sanction from which the individual seeks relief is a misdemeanor, at least one year has elapsed since the date of release of the individual from any period of incarceration in a local correctional facility that was imposed for that offense and all periods of supervision imposed after release from the period of incarceration or, if the individual was not incarcerated for that offense, at least one year has elapsed since the date of the final release of the individual from all sanctions imposed for that offense including any period of supervision.

(6) An application that meets all of the requirements for the presumption under division (C)(5) of this section shall be denied only if the court that receives the petition finds that the evidence reviewed under division (C)(1) of this section rebuts the presumption of eligibility for issuance by establishing, by clear and convincing evidence, that the applicant has not been rehabilitated.

(7) A certificate of qualification for employment shall not create relief from any of the following collateral sanctions:

(a) Requirements imposed by Chapter 2950. of the Revised Code and rules adopted under sections 2950.13 and 2950.132 of the Revised Code;

(b) A driver's license, commercial driver's license, or probationary license suspension, cancellation, or revocation pursuant to section 4510.037, 4510.07, 4511.19, or 4511.191 of the Revised Code if the relief sought is available pursuant to section 4510.021 or division (B) of section 4510.13 of the Revised Code;

(c) Restrictions on employment as a prosecutor or law enforcement officer;

(d) The denial, ineligibility, or automatic suspension of a license that is imposed upon an individual applying for or holding a license as a health care professional under Title XLVII of the Revised Code if the individual is

convicted of, pleads guilty to, is subject to a judicial finding of eligibility for intervention in lieu of conviction in this state under section 2951.041 of the Revised Code, or is subject to treatment or intervention in lieu of conviction for a violation of section 2903.01, 2903.02, 2903.03, 2903.11, 2905.01, 2907.02, 2907.03, 2907.05, 2909.02, 2911.01, 2911.11, or 2919.123, ~~or 2919.124~~ of the Revised Code;

(e) The immediate suspension of a license, certificate, or evidence of registration that is imposed upon an individual holding a license as a health care professional under Title XLVII of the Revised Code pursuant to division (C) of section 3719.121 of the Revised Code;

(f) The denial or ineligibility for employment in a pain clinic under division (B)(4) of section 4729.552 of the Revised Code;

(g) The mandatory suspension of a license that is imposed on an individual applying for or holding a license as a health care professional under Title XLVII of the Revised Code pursuant to section 3123.43 of the Revised Code.

(8) If a court that receives an individual's petition for a certificate of qualification for employment under division (B)(2) of this section or that is forwarded a petition for such a certificate under division (B)(5)(a) of this section denies the petition, the court shall provide written notice to the individual of the court's denial. The court may place conditions on the individual regarding the individual's filing of any subsequent petition for a certificate of qualification for employment. The written notice must notify the individual of any conditions placed on the individual's filing of a subsequent petition for a certificate of qualification for employment.

If a court of common pleas that receives an individual's petition for a certificate of qualification for employment under division (B)(2) of this section or that is forwarded a petition for such a certificate under division (B)(5)(a) of this section denies the petition, the individual may appeal the decision to the court of appeals only if the individual alleges that the denial was an abuse of discretion on the part of the court of common pleas.

(D)(1) A certificate of qualification for employment issued to an individual lifts the automatic bar of a collateral sanction, and a decision-maker shall consider on a case-by-case basis whether to grant or deny the issuance or restoration of an occupational license or an employment opportunity, notwithstanding the individual's possession of the certificate, without, however, reconsidering or rejecting any finding made by a designee or court under division (C)(3) of this section.

(2) The certificate constitutes a rebuttable presumption that the person's criminal convictions are insufficient evidence that the person is unfit for the license, employment opportunity, or certification in question. Notwithstanding the presumption established under this division, the agency

may deny the license or certification for the person if it determines that the person is unfit for issuance of the license.

(3) If an employer that has hired a person who has been issued a certificate of qualification for employment applies to a licensing agency for a license or certification and the person has a conviction or guilty plea that otherwise would bar the person's employment with the employer or licensure for the employer because of a mandatory civil impact, the agency shall give the person individualized consideration, notwithstanding the mandatory civil impact, the mandatory civil impact shall be considered for all purposes to be a discretionary civil impact, and the certificate constitutes a rebuttable presumption that the person's criminal convictions are insufficient evidence that the person is unfit for the employment, or that the employer is unfit for the license or certification, in question.

(E) A certificate of qualification for employment does not grant the individual to whom the certificate was issued relief from the mandatory civil impacts identified in division (A)(1) of section 2961.01 or division (B) of section 2961.02 of the Revised Code.

(F) A petition for a certificate of qualification for employment filed by an individual under division (B)(1) or (2) of this section shall include all of the following:

- (1) The individual's name, date of birth, and social security number;
- (2) All aliases of the individual and all social security numbers associated with those aliases;
- (3) The individual's residence address, including the city, county, and state of residence and zip code;
- (4) The length of time that the individual has resided in the individual's current state of residence, expressed in years and months of residence;
- (5) A general statement as to why the individual has filed the petition and how the certificate of qualification for employment would assist the individual;
- (6) A summary of the individual's criminal history, except for information contained in any record that has been sealed or expunged under section 2953.32 or 2953.39 of the Revised Code, with respect to each offense that is a disqualification from employment or licensing in an occupation or profession, including the years of each conviction or plea of guilty for each of those offenses;
- (7) A summary of the individual's employment history, specifying the name of, and dates of employment with, each employer;
- (8) Verifiable references and endorsements;

(9) The name of one or more immediate family members of the individual, or other persons with whom the individual has a close relationship, who support the individual's reentry plan;

(10) A summary of the reason the individual believes the certificate of qualification for employment should be granted;

(11) Any other information required by rule by the department of rehabilitation and correction.

(G)(1) In a judicial or administrative proceeding alleging negligence or other fault, a certificate of qualification for employment issued to an individual under this section may be introduced as evidence of a person's due care in hiring, retaining, licensing, leasing to, admitting to a school or program, or otherwise transacting business or engaging in activity with the individual to whom the certificate of qualification for employment was issued if the person knew of the certificate at the time of the alleged negligence or other fault.

(2) In any proceeding on a claim against an employer for negligent hiring, a certificate of qualification for employment issued to an individual under this section shall provide immunity for the employer as to the claim if the employer knew of the certificate at the time of the alleged negligence.

(3) If an employer hires an individual who has been issued a certificate of qualification for employment under this section, if the individual, after being hired, subsequently demonstrates dangerousness or is convicted of or pleads guilty to a felony, and if the employer retains the individual as an employee after the demonstration of dangerousness or the conviction or guilty plea, the employer may be held liable in a civil action that is based on or relates to the retention of the individual as an employee only if it is proved by a preponderance of the evidence that the person having hiring and firing responsibility for the employer had actual knowledge that the employee was dangerous or had been convicted of or pleaded guilty to the felony and was willful in retaining the individual as an employee after the demonstration of dangerousness or the conviction or guilty plea of which the person has actual knowledge.

(H) A certificate of qualification for employment issued under this section shall be revoked if the individual to whom the certificate of qualification for employment was issued is convicted of or pleads guilty to a felony offense committed subsequent to the issuance of the certificate of qualification for employment. The department of rehabilitation and correction shall periodically review the certificates listed in the database described in division (K) of this section to identify those that are subject to revocation under this division. Upon identifying a certificate of qualification for employment that is subject to revocation, the department shall note in the database that the certificate has been revoked, the reason for revocation, and

the effective date of revocation, which shall be the date of the conviction or plea of guilty subsequent to the issuance of the certificate.

(I) A designee's forwarding, or failure to forward, a petition for a certificate of qualification for employment to a court or a court's issuance, or failure to issue, a petition for a certificate of qualification for employment to an individual under division (B) of this section does not give rise to a claim for damages against the department of rehabilitation and correction or court.

(J) The division of parole and community services shall adopt rules in accordance with Chapter 119. of the Revised Code for the implementation and administration of this section and shall prescribe the form for the petition to be used under division (B)(1) or (2) of this section. The form for the petition shall include places for all of the information specified in division (F) of this section.

(K) The department of rehabilitation and correction shall maintain a database that identifies granted certificates and revoked certificates and tracks the number of certificates granted and revoked, the industries, occupations, and professions with respect to which the certificates have been most applicable, and the types of employers that have accepted the certificates. The department shall annually create a report that summarizes the information maintained in the database and shall make the report available to the public on its internet web site.

**Sec. 3701.341.** (A) The director of health, pursuant to Chapter 119.-~~and consistent with Chapter 3726. and section 2317.56~~ of the Revised Code, shall adopt rules relating to abortions and the following subjects:

(1) Post-abortion procedures to protect the health of the pregnant woman;

(2) Pathological reports;

(3) Humane disposition of the product of human conception;

(4) Counseling.

(B) The director of health shall implement the rules and shall apply to the court of common pleas for temporary or permanent injunctions restraining a violation or threatened violation of the rules. This action is an additional remedy not dependent on the adequacy of the remedy at law.

**Sec. 3701.792.** (A) The director of health shall develop a child survival form to be submitted to the department of health in accordance with division (B) of this section each time a child is born alive after an abortion or attempted abortion. In developing the form, the director may consult with obstetricians, maternal-fetal specialists, or any other professionals the director considers appropriate. The form shall include areas for all of the following to be provided:

(1) The patient number for the woman on whom the abortion was

performed or attempted;

(2) The name, primary business address, and signature of the attending physician ~~described in section 3701.79 of the Revised Code~~ who performed or attempted to perform the abortion;

(3) The name and address of the facility in which the abortion was performed or attempted, and whether the facility is a hospital, ambulatory surgical facility, physician's office, or other facility;

(4) The date the abortion was performed or attempted;

(5) The type of abortion procedure that was performed or attempted;

(6) The gestational age of the child who was born;

(7) Complications, by type, for both the woman and child;

(8) Any other information the director considers appropriate.

(B) The attending physician who performed or attempted an abortion in which a child was born alive after that event shall complete a child survival form developed under division (A) of this section. The physician shall submit the completed form to the department of health not later than fifteen days after the woman is discharged from the facility.

A completed child survival form is confidential and not a public record under section 149.43 of the Revised Code.

(C) A copy of the child survival form completed under this section shall be made part of the medical record maintained for the woman by the facility in which the abortion was performed or attempted.

(D) Each facility in which an abortion was performed or attempted and in which a child was born alive after that event shall submit monthly and annual reports to the department of health listing the total number of women on whom an abortion was performed or attempted at the facility and in which a child was born alive after that event, delineated by the type of abortion procedure that was performed or attempted. The annual report shall be submitted following the conclusion of the state's fiscal year. Each monthly or annual report shall be submitted not later than thirty days after the end of the applicable reporting period.

(E) Not later than the first day of October of each year, the department shall issue an annual report of the data submitted to the department for the previous calendar year as required by this section. At a minimum, the annual report shall specify the number of women on whom an abortion was performed or attempted and in which a child was born alive after that event, delineated by the type of abortion procedure that was performed or attempted and the facility in which the abortion was performed or attempted. The report shall not contain any information that would permit the identity of a woman on whom an abortion was performed or attempted or

any child to be ascertained.

(F) No person shall purposely fail to comply with the child survival form submission requirement described in division (B) of this section or the copy maintenance requirement described in division (C) of this section.

(G) No person shall purposely fail to comply with the monthly or annual report submission requirements described in division (D) of this section.

(H) A woman on whom an abortion is performed or attempted may file a civil action against a person who violates division (F) or (G) or this section. A woman who prevails in an action filed under this division shall receive both of the following from the person who committed the violation:

- (1) Damages in the amount of ten thousand dollars;
- (2) Court costs and reasonable attorney's fees.

(I) As used in this section:

(1) "Abortion" has the same meaning as in section 2919.11 of the Revised Code.

(2) "Ambulatory surgical facility" has the same meaning as in section 3702.30 of the Revised Code.

(3) "Hospital" means any building, structure, institution, or place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, and medical or surgical care for three or more unrelated individuals having illness, disease, injury, or deformity, and regularly making available at least clinical laboratory services, diagnostic x-ray services, treatment facilities for surgery or obstetrical care, or other definitive medical treatment. "Hospital" does not include a "home" as defined in section 3721.01 of the Revised Code.

(4) "Physician's office" means an office or portion of an office that is used to provide medical or surgical services to the physician's patients. "Physician's office" does not mean an ambulatory surgical facility, a hospital, or a hospital emergency department.

**Sec. 3702.30.** (A) As used in this section:

(1) "Ambulatory surgical facility" means a facility in which surgical services are provided to patients who do not require hospitalization for inpatient care, the duration of services for any patient does not extend beyond twenty-four hours after the patient's admission, and to which any of the following apply:

(a) The surgical services are provided in a building that is separate from another building in which inpatient care is provided, regardless of whether the separate building is part of the same organization as the building in which inpatient care is provided.

(b) The surgical services are provided within a building in which inpatient care is provided and the entity that operates the portion of the building where the surgical services are provided is not the entity that operates the remainder of the building.

(c) The facility is held out to any person or government entity as an ambulatory surgical facility or similar facility by means of signage, advertising, or other promotional efforts.

"Ambulatory surgical facility" does not include a hospital emergency department, hospital provider-based department that is otherwise licensed under Chapter 3722. of the Revised Code, or an office of a physician, podiatrist, or dentist.

(2) "Health care facility" means any of the following:

- (a) An ambulatory surgical facility;
- (b) A freestanding dialysis center;
- (c) A freestanding inpatient rehabilitation facility;
- (d) A freestanding birthing center;
- (e) A freestanding radiation therapy center;
- (f) A freestanding or mobile diagnostic imaging center.

(B) By rule adopted in accordance with sections 3702.12 and 3702.13 of the Revised Code, the director of health shall establish quality standards for health care facilities. The standards may incorporate accreditation standards or other quality standards established by any entity recognized by the director.

In the case of an ambulatory surgical facility, the standards shall require the ambulatory surgical facility to maintain an infection control program. The purposes of the program are to minimize infections and communicable diseases and facilitate a functional and sanitary environment consistent with standards of professional practice. To achieve these purposes, ambulatory surgical facility staff managing the program shall create and administer a plan designed to prevent, identify, and manage infections and communicable diseases; ensure that the program is directed by a qualified professional trained in infection control; ensure that the program is an integral part of the ambulatory surgical facility's quality assessment and performance improvement program; and implement in an expeditious manner corrective and preventive measures that result in improvement.

(C) Every ambulatory surgical facility shall require that each physician who practices at the facility comply with all relevant provisions in the Revised Code that relate to the obtaining of informed consent from a patient.

(D) The director shall issue a license to each health care facility that

makes application for a license and demonstrates to the director that it meets the quality standards established by the rules adopted under division (B) of this section and satisfies the informed consent compliance requirements specified in division (C) of this section.

(E)(1) Except as provided in division ~~(H)~~(G) of this section and in section 3702.301 of the Revised Code, no health care facility shall operate without a license issued under this section.

The general assembly does not intend for the provisions of this section or section 3702.301 of the Revised Code that establish health care facility licensing requirements or exemptions to have an effect on any third-party payments that may be available for the services provided by either a licensed health care facility or an entity exempt from licensure.

(2) If the department of health finds that a physician who practices at a health care facility is not complying with any provision of the Revised Code related to the obtaining of informed consent from a patient, the department shall report its finding to the state medical board, the physician, and the health care facility.

(3) Division (E)(2) of this section does not create, and shall not be construed as creating, a new cause of action or substantive legal right against a health care facility and in favor of a patient who allegedly sustains harm as a result of the failure of the patient's physician to obtain informed consent from the patient prior to performing a procedure on or otherwise caring for the patient in the health care facility.

(F) The rules adopted under division (B) of this section shall include all of the following:

(1) Provisions governing application for, renewal, suspension, and revocation of a license under this section;

(2) Provisions governing orders issued pursuant to section 3702.32 of the Revised Code for a health care facility to cease its operations or to prohibit certain types of services provided by a health care facility;

(3) Provisions governing the imposition under section 3702.32 of the Revised Code of civil penalties for violations of this section or the rules adopted under this section, including a scale for determining the amount of the penalties;

(4) Provisions specifying the form inspectors must use when conducting inspections of ambulatory surgical facilities.

~~(G) An ambulatory surgical facility that performs or induces abortions shall comply with section 3701.791 of the Revised Code.~~

~~(H)~~The following entities are not required to obtain a license as a freestanding diagnostic imaging center issued under this section:

(1) A hospital registered under section 3701.07 of the Revised Code that provides diagnostic imaging;

(2) An entity that is reviewed as part of a hospital accreditation or certification program and that provides diagnostic imaging;

(3) An ambulatory surgical facility that provides diagnostic imaging in conjunction with or during any portion of a surgical procedure."

After line 45, insert:

"(3) The director of health shall not take any action under this section, including determining that an abortion-inducing drug causes one or more severe adverse effects in greater than five per cent of the drug's users or including the drug on the list described in division (C)(2) of this section, that is in conflict with or undermines, either intentionally or unintentionally, Section 22 of Article I, Ohio Constitution.

**Sec. 3732.01.** As used in sections 3732.01 to 3732.06 of the Revised Code:

(A) "Collect" means for a regulated entity to obtain personal reproductive or sexual health information in any manner.

(B) "Commerce" has the same meaning as in the "Federal Trade Commission Act," 15 U.S.C. 44.

(C) "Disclose" means for a regulated entity to release, transfer, sell, provide access to, license, or divulge personal reproductive or sexual health information in any manner to a third party, including the federal government, the state, any political subdivision, or a law enforcement agency.

(D)(1) "Express consent" means informed, opt-in, voluntary, specific, and unambiguous written consent, including by electronic means, to collecting, retaining, using, or disclosing personal reproductive or sexual health information.

(2) "Express consent" does not include any of the following:

(a) Consent secured without first providing to the individual a clear and conspicuous disclosure, apart from any privacy policy, terms of service, terms of use, general release, user agreement, or other similar document, of all information material to the provision of consent;

(b) Hovering over, muting, pausing, or closing a given piece of content;

(c) Agreement obtained through the use of a user interface designed or manipulated with the substantial effect of subverting or impairing user autonomy, decision-making, or choice.

(E) "Personal information" means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly to, a particular individual.

(F) "Personal reproductive or sexual health information" means personal information relating to the past, present, or future reproductive or sexual health of an individual, including any of the following:

(1) Efforts to research or obtain reproductive or sexual information, services, or supplies, including location information that might indicate an attempt to acquire or receive such information, services, or supplies;

(2) Reproductive or sexual health conditions, status, diseases, or diagnoses, including pregnancy, menstruation, ovulation, and the ability to conceive a pregnancy, regardless of whether such individual is sexually active, and whether such individual is engaging in unprotected sex;

(3) Reproductive and sexual health-related surgeries or procedures, including the termination of a pregnancy;

(4) Use or purchase of contraceptives, birth control, or any medication related to reproductive health, including abortifacients;

(5) Bodily functions, vital signs, measurements, or symptoms related to menstruation or pregnancy, such as basal temperature, cramps, bodily discharge, or hormone levels;

(6) Any information about diagnoses or diagnostic testing, treatment, medications, or the use of any product or service relating to the matters described in divisions (F)(1) to (5) of this section;

(7) Any information described in divisions (F)(1) to (6) of this section that is derived or extrapolated from non-health information, including proxy, derivative, inferred, emergent, or algorithmic data.

(G)(1) "Regulated entity" means any entity, to the extent the entity is engaged in activities in or affecting commerce, that is either:

(a) A person, partnership, or corporation subject to the jurisdiction of the federal trade commission under section 5(a)(2) of the "Federal Trade Commission Act," 15 U.S.C. 45(a)(2);

(b) Notwithstanding section 4, 5(a)(2), or 6 of the "Federal Trade Commission Act," 15 U.S.C. 44; 45(a)(2); 46, or any jurisdictional limitation of the commission, either of the following:

(i) A common carrier subject to the "Communications Act of 1934," 47 U.S.C. 151 et seq.;

(ii) An organization not organized to carry on business for its own profit or that of its members.

(2) "Regulated entity" does not include any of the following:

(a) An entity that is a covered entity, as defined in 45 C.F.R. 160.103, to the extent the entity is acting as a covered entity under the HIPAA privacy regulations, as defined in section 1180(b)(3) of the "Social Security Act," 42 U.S.C. 1320d-9(b)(3);

(b) An entity that is a business associate, as defined in 45 C.F.R. 160.103, to the extent the entity is acting as a business associate under the HIPAA privacy regulations, as defined in section 1180(b)(3) of the "Social Security Act," 42 U.S.C. 1320d-9(b)(3);

(c) An entity that is subject to restrictions on disclosure of records under section 543 of the "Public Health Service Act," 42 U.S.C. 290dd-2, to the extent the entity is acting in a capacity subject to the restrictions.

(H)(1) "Service provider" means a person to whom both of the following apply:

(a) Collects, retains, uses, or discloses personal reproductive or sexual health information for the sole purpose of, and only to the extent that the person is, conducting business activities on behalf of, for the benefit of, under instruction of, and under contractual agreement with a regulated entity and not any other individual or entity;

(b) Does not divulge personal reproductive or sexual health information to any individual or entity other than such regulated entity or a contractor to such service provider bound to information processing terms not less restrictive than terms to which the service provider is bound.

(2) A person shall only be considered a service provider in the course of activities described in division (H)(1)(a) of this section.

(I) "Third party" means any person who is not any of the following:

(1) The regulated entity that is disclosing or collecting personal reproductive or sexual health information;

(2) The individual to whom the personal reproductive or sexual health information relates;

(3) A service provider.

**Sec. 3732.02. (A) A regulated entity shall not collect, retain, use, or disclose personal reproductive or sexual health information, except under either of the following circumstances:**

(1) With the express consent of the individual to whom such information relates;

(2) As is strictly necessary to provide a product or service that the individual to whom the information relates has requested from the regulated entity.

(B) A regulated entity shall restrict access to personal reproductive or sexual health information to the employees or service providers of the regulated entity for which access is necessary to provide a product or service that the individual to whom the information relates has requested from the regulated entity.

(C) For purposes of compliance with this section by a service

provider of a regulated entity, a request from an individual to the regulated entity for a product or service, and an express consent from the individual to the regulated entity, shall be treated as having also been provided to the service provider.

Sec. 3732.03. (A)(1) A regulated entity shall make available a reasonable mechanism by which an individual, upon a verified request, may access both of the following:

(a) Any personal reproductive or sexual health information relating to the individual that is retained by the regulated entity, including both of the following:

(i) In the case of the information that the regulated entity collected from third parties, how and from which specific third parties the regulated entity collected the information;

(ii) The information that the regulated entity inferred about the individual.

(b) A list of the specific third parties to which the regulated entity has disclosed any personal reproductive or sexual health information relating to such individual.

(2) A regulated entity shall make the information described in division (A)(1) of this section available in both a human-readable format and a structured, interoperable, and machine-readable format.

(B)(1) A regulated entity shall make available a reasonable mechanism by which an individual, upon a verified request, may request the deletion of any personal reproductive or sexual health information relating to the individual that is retained by the regulated entity, including any information that the regulated entity collected from a third party or inferred from other information retained by the regulated entity.

(2) A regulated entity shall comply with a verified request received under this section without undue delay but not later than fifteen days after the date on which such regulated entity receives the verified request.

(3) A regulated entity shall not charge a fee to an individual for a request made under this section.

(C) Nothing in this section shall be construed to require a regulated entity to do any of the following:

(1) Take an action that would convert information that is not personal information into personal information;

(2) Collect or retain personal information that the regulated entity would otherwise not collect or retain;

(3) Retain personal information longer than the regulated entity would otherwise retain the information.

(D) For purposes of this section, "reasonable mechanism" means, with respect to a regulated entity and a right under division (B) of this section, a mechanism to which both of the following apply:

(1) It is equivalent in availability and ease of use to that of other mechanisms for communicating or interacting with the regulated entity.

(2) It includes an online means of exercising the right described under division (B) of this section.

**Sec. 3732.04.** (A) A regulated entity shall maintain a privacy policy relating to the practices of the regulated entity regarding the collecting, retaining, using, and disclosing of personal reproductive or sexual health information.

(B) If a regulated entity has a web site, it shall prominently publish the privacy policy on the web site.

(C) The privacy policy shall be clear and conspicuous and shall include all of the following:

(1) A description of the practices of the regulated entity regarding the collecting, retaining, using, and disclosing of personal reproductive or sexual health information;

(2) A clear and concise statement of the categories of the information collected, retained, used, or disclosed by the regulated entity;

(3) A clear and concise statement of the purposes of the regulated entity for the collecting, retaining, using, or disclosing of the information;

(4) A list of the specific third parties to which the regulated entity discloses the information, and a clear and concise statement of the purposes for which the regulated entity discloses the information, including how the information may be used by each such third party;

(5) A list of the specific third parties from which the regulated entity has collected the information, and a clear and concise statement of the purposes for which the regulated entity collects the information;

(6) A clear and concise statement describing the extent to which individuals may exercise control over the collecting, retaining, using, and disclosing of personal reproductive or sexual health information by the regulated entity, and the steps an individual must take to implement such controls;

(7) A clear and concise statement describing the efforts of the regulated entity to protect personal reproductive or sexual health information from unauthorized disclosure.

**Sec. 3732.05.** (A) Any individual alleging a violation of sections 3732.02 to 3732.04 of the Revised Code may bring a civil action in any court of competent jurisdiction.

(B) In a civil action brought under this section in which the plaintiff prevails, the court may award the following:

(1) An amount not less than one hundred dollars and not greater than one thousand dollars per violation per day, or actual damages, whichever is greater;

(2) Punitive damages;

(3) Reasonable attorneys' fees and litigation costs;

(4) Any other relief, including equitable or declaratory relief, that the court determines appropriate.

(C) A violation of sections 3732.02 to 3732.04 of the Revised Code constitutes a concrete and particularized injury in fact to the individual to whom such information relates.

(D)(1) Notwithstanding any other provision of law, no pre-dispute arbitration agreement or pre-dispute joint-action waiver is valid or enforceable with respect to a dispute arising under sections 3732.02 to 3732.04 of the Revised Code.

(2) Any determination as to whether or how division (D) of this section applies to any dispute shall be made by a court, rather than an arbitrator, without regard to whether the agreement purports to delegate the determination to an arbitrator.

(E) For purposes of this section:

(1) "Pre-dispute arbitration agreement" means any agreement to arbitrate a dispute that has not arisen at the time of the making of the agreement.

(2) "Pre-dispute joint-action waiver" means an agreement that would prohibit a party from participating in a joint, class, or collective action in a judicial, arbitral, administrative, or other forum, concerning a dispute that has not yet arisen at the time of the making of the agreement.

**Sec. 3732.06.** (A) A violation of sections 3732.02 to 3732.04 of the Revised Code is an unfair or deceptive act or practice in violation of section 1345.02 of the Revised Code. A person injured by a violation of those sections has a cause of action and is entitled to the same relief available to a consumer under section 1345.09 of the Revised Code.

(B) The attorney general shall enforce sections 3732.02 to 3732.04 of the Revised Code in the same manner, by the same means, and with the same jurisdiction, powers, and duties as applicable for violations of sections 1345.01 to 1345.13 of the Revised Code. Any regulated entity that violates those sections is subject to the provisions, including penalties, of Chapter 1345. of the Revised Code.

(C) The attorney general may adopt rules as necessary to implement

and enforce sections 3732.02 to 3732.04 of the Revised Code. Any rules shall be adopted in accordance with Chapter 119. of the Revised Code.

**Sec. 3732.07.** As used in sections 3732.07 to 3732.09 of the Revised Code:

(A) "Abusive litigant" means a person who voluntarily initiates or intervenes in abusive litigation.

(B) "Abusive litigation" means litigation or other legal action, whether civil or criminal in nature, that is intended to deter, prevent, sanction or punish any person providing or obtaining reproductive health care, or assisting another to receive or provide reproductive health care by either of the following:

(1) Filing or prosecuting any action where liability, in whole or in part, is based on reproductive health care that occurred in Ohio, was provided in Ohio, or was intended to be obtained or provided in Ohio, including any action in which liability is based on any theory of vicarious, joint, or several liability derived therefrom;

(2) Attempting to enforce any order or judgment issued in connection with any action described in division (B)(1) of this section against an Ohio protected party.

(C) "Contraception" means any medication, device, procedure, or practice designed or employed to prevent pregnancy, the use of which is lawful in Ohio.

(D) "Protected party" means a reproductive health care provider, a reproductive health care helper, or an individual accessing or seeking to access reproductive health care in Ohio.

(E) "Reproductive health care" means all medical, surgical, counseling, or referral services that are lawful in Ohio or the receipt of products relating to the human reproductive system that is lawful in Ohio, including services or products relating to the use or intended use of a particular medicine or device, medical service or procedure, practice, or similar intervention, that are related to the human reproductive system, including fertility-related medical procedures or medicines; sexually transmitted disease prevention, testing, or treatment; gender affirming care; and family planning services and counseling, such as those related to birth control medication or supplies, other contraception methods, sterilization procedures, pregnancy testing, or the intended or actual initiation or termination of a pregnancy.

(F) "Reproductive health care helper" means a person who facilitates or otherwise has supported or is supporting an individual in seeking or receiving reproductive health care in Ohio, including a person who provides funding, lodging, transportation, doula services, information, data sharing

services such as electronic medical records programs, or other financial or practical support to an individual seeking or receiving reproductive health care.

(G) "Take part in abusive litigation" means to voluntarily engage in abusive litigation without legal compulsion in a manner that is intended to deter, prevent, sanction, or punish a protected party for such party's connection to reproductive health care in Ohio.

(H) "Wrongful action" means the procurement, initiation, or continuation of abusive litigation that causes harm to a protected party where any of the following apply:

(1) An Ohio court definitively concludes that the abusive litigation is plainly baseless as a matter of law.

(2) The abusive litigation at issue was voluntarily withdrawn or dismissed and there was no objective basis to conclude the abusive litigation would result in an enforceable judgment against the protected party.

(3) The abusive litigation was dismissed by a court and there was no objective basis to conclude the abusive litigation would result in an enforceable judgment against the protected party.

(4) An abusive litigant has obtained a judgment in a foreign state through abusive litigation and sought to enforce such judgment in Ohio but enforcement has been refused because the judgment is penal in nature or proscribes future conduct, the original court lacked jurisdiction, or the court has otherwise recognized an exception to recognition of such judgment, and there was no objective basis to conclude the judgment would be enforceable against the protected party in Ohio.

(5) An abusive litigant has collected on a judgment obtained through abusive litigation predicated, in whole or in material part, on conduct that occurred in Ohio and to which all of the following apply:

(a) The conduct was lawful in Ohio at the time it took place.

(b) There is no comparable cause of action or liability under Ohio law.

(c) There is no law or legal principle that prevents the recoupment of damages for the harm caused to the protected party aggrieved by such abusive litigation.

**Sec. 3732.08.** (A) No person shall take part in abusive litigation against any Ohio reproductive health care patient, that such person knows or should know will constitute a wrongful action where liability, in whole or in part, is based on an individual seeking or receiving reproductive health care in Ohio that is lawful in Ohio.

(B)(1) Except as provided in division (B)(2) of this section, no person

shall take part in abusive litigation against a reproductive health care provider or reproductive health care helper that such person knows or should know will constitute a wrongful action where liability, in whole or in part, is related to either of the following:

(a) The alleged provision of, the alleged seeking of, or an individual allegedly receiving reproductive health care in Ohio;

(b) The alleged aiding or assisting in the provision, seeking, or receipt of reproductive health care in Ohio that is lawful in Ohio.

(2) Division (B)(1) of this section does not apply to either of the following:

(a) A tort, contract, or statute-based litigation, if a similar claim would exist under Ohio law if brought by the individual who received the reproductive health care service on which the original lawsuit was based, or if brought by the individual's authorized legal representative, for damages suffered from harm to the individual or another's loss of consortium with the individual;

(b) A breach of contract litigation, if a similar claim would exist under Ohio law if brought or sought to be enforced by a party with a contractual relationship with the person that is the subject of the action in another state.

(C) Any person aggrieved by a wrongful action in violation of this section may bring a civil action in a court of competent jurisdiction against an abusive litigant and may recover, for each violation, the following:

(1) Actual damages created by the wrongful action, including money damages in the amount of any judgment awarded in such wrongful action, and reasonable attorney's fees and costs incurred to defend against such wrongful action, whether or not a judgment was awarded;

(2) Reasonable attorneys' fees and costs incurred to bring an action under this section;

(3) Any other legal or equitable relief as the court may determine appropriate to remedy the violation.

**Sec. 3732.09.** (A) Nothing in sections 3732.01 to 3732.09 of the Revised Code shall be construed to do the following:

(1) Apply to a lawsuit brought in another jurisdiction where no part of the acts that formed the basis for liability occurred in Ohio or application of sections 3732.01 to 3732.09 of the Revised Code would result in the extraterritorial application of those sections in a manner that is not incidental;

(2) Limit the rights of an aggrieved person to recover damages or seek legal protection under any other applicable law or legal theory.

(B) The provisions of sections 3732.01 to 3732.09 of the Revised

Code shall be interpreted consistently with the United States Constitution and other applicable law and shall not unlawfully prohibit constitutionally protected activity.

Sec. 3732.11. (A) No health care provider or health care facility shall be required or compelled to provide patient records to any out-of-state third party, including the federal government, another state, any political subdivision, or a law enforcement agency.

(B) For purposes of this section:

(1) "Health care facility" has the same meaning as in section 2925.11 of the Revised Code.

(2) "Health care provider" has the same meaning as in section 2305.2311 of the Revised Code.

**Sec. 4112.01. (A)** As used in this chapter:

(1) "Person" includes one or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers, and other organized groups of persons. "Person" also includes, but is not limited to, any owner, lessor, assignor, builder, manager, broker, salesperson, appraiser, agent, employee, lending institution, and the state and all political subdivisions, authorities, agencies, boards, and commissions of the state.

(2) "Employer" means the state, any political subdivision of the state, or a person employing four or more persons within the state, and any agent of the state, political subdivision, or person.

(3) "Employee" means an individual employed by any employer but does not include any individual employed in the domestic service of any person.

(4) "Labor organization" includes any organization that exists, in whole or in part, for the purpose of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or other mutual aid or protection in relation to employment.

(5) "Employment agency" includes any person regularly undertaking, with or without compensation, to procure opportunities to work or to procure, recruit, refer, or place employees.

(6) "Commission" means the Ohio civil rights commission created by section 4112.03 of the Revised Code.

(7) "Discriminate" includes segregate or separate.

(8) "Unlawful discriminatory practice" means any act prohibited by section 4112.02, 4112.021, or 4112.022 of the Revised Code.

(9) "Place of public accommodation" means any inn, restaurant, eating house, barbershop, public conveyance by air, land, or water, theater,

store, other place for the sale of merchandise, or any other place of public accommodation or amusement of which the accommodations, advantages, facilities, or privileges are available to the public.

(10) "Housing accommodations" includes any building or structure, or portion of a building or structure, that is used or occupied or is intended, arranged, or designed to be used or occupied as the home residence, dwelling, dwelling unit, or sleeping place of one or more individuals, groups, or families whether or not living independently of each other; and any vacant land offered for sale or lease. "Housing accommodations" also includes any housing accommodations held or offered for sale or rent by a real estate broker, salesperson, or agent, by any other person pursuant to authorization of the owner, by the owner, or by the owner's legal representative.

(11) "Restrictive covenant" means any specification limiting the transfer, rental, lease, or other use of any housing accommodations because of race, color, religion, sex, military status, familial status, national origin, disability, or ancestry, or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race, color, religion, sex, military status, familial status, national origin, disability, or ancestry as a condition of affiliation or approval.

(12) "Burial lot" means any lot for the burial of deceased persons within any public burial ground or cemetery, including, but not limited to, cemeteries owned and operated by municipal corporations, townships, or companies or associations incorporated for cemetery purposes.

(13) "Disability" means a physical or mental impairment that substantially limits one or more major life activities, including the functions of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working; a record of a physical or mental impairment; or being regarded as having a physical or mental impairment.

(14) Except as otherwise provided in section 4112.021 of the Revised Code, "age" means an individual aged forty years or older.

(15) "Familial status" means either of the following:

(a) One or more individuals who are under eighteen years of age and who are domiciled with a parent or guardian having legal custody of the individual or domiciled, with the written permission of the parent or guardian having legal custody, with a designee of the parent or guardian;

(b) Any person who is pregnant or in the process of securing legal custody of any individual who is under eighteen years of age.

(16)(a) Except as provided in division (A)(16)(b) of this section, "physical or mental impairment" includes any of the following:

(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems:

neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine;

(ii) Any mental or psychological disorder, including, but not limited to, intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities;

(iii) Diseases and conditions, including, but not limited to, orthopedic, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, human immunodeficiency virus infection, intellectual disability, emotional illness, drug addiction, and alcoholism.

(b) "Physical or mental impairment" does not include any of the following:

(i) Homosexuality and bisexuality;

(ii) Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;

(iii) Compulsive gambling, kleptomania, or pyromania;

(iv) Psychoactive substance use disorders resulting from the current illegal use of a controlled substance or the current use of alcoholic beverages.

(17) "Dwelling unit" means a single unit of residence for a family of one or more persons.

(18) "Common use areas" means rooms, spaces, or elements inside or outside a building that are made available for the use of residents of the building or their guests, and includes, but is not limited to, hallways, lounges, lobbies, laundry rooms, refuse rooms, mail rooms, recreational areas, and passageways among and between buildings.

(19) "Public use areas" means interior or exterior rooms or spaces of a privately or publicly owned building that are made available to the general public.

(20) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.

(21) "Disabled tenant" means a tenant or prospective tenant who is a person with a disability.

(22) "Military status" means a person's status in "service in the uniformed services" as defined in section 5923.05 of the Revised Code.

(23) "Aggrieved person" includes both of the following:

(a) Any person who claims to have been injured by any unlawful discriminatory practice described in division (H) of section 4112.02 of the

Revised Code;

(b) Any person who believes that the person will be injured by any unlawful discriminatory practice described in division (H) of section 4112.02 of the Revised Code that is about to occur.

(24) "Unlawful discriminatory practice relating to employment" means both of the following:

(a) An unlawful discriminatory practice that is prohibited by division (A), (B), (C), (D), (E), or (F) of section 4112.02 of the Revised Code;

(b) An unlawful discriminatory practice that is prohibited by division (I) or (J) of section 4112.02 of the Revised Code that is related to employment.

(25) "Notice of right to sue" means a notice sent by the commission to a person who files a charge under section 4112.051 of the Revised Code that states that the person who filed the charge may bring a civil action related to the charge pursuant to section 4112.052 or 4112.14 of the Revised Code, in accordance with section 4112.052 of the Revised Code.

(B) For the purposes of divisions (A) to (F) of section 4112.02 of the Revised Code, the terms "because of sex" and "on the basis of sex" include, but are not limited to, because of or on the basis of pregnancy, any illness arising out of and occurring during the course of a pregnancy, childbirth, abortion, miscarriage, family planning, or related medical conditions. Women affected by pregnancy, childbirth, abortion, miscarriage, family planning, or related medical conditions shall be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work, and nothing in division (B) of section 4111.17 of the Revised Code shall be interpreted to permit otherwise. This division shall not be construed to require an employer to pay for health insurance benefits for abortion, except where the life of the mother would be endangered if the fetus were carried to term or except where medical complications have arisen from the abortion, provided that nothing in this division precludes an employer from providing abortion benefits or otherwise affects bargaining agreements in regard to abortion.

**Sec. 4112.02.** It shall be an unlawful discriminatory practice:

(A) For any employer, ~~because of the race, color, religion, sex, military status, national origin, disability, age, or ancestry of any person,~~ to discharge without just cause, to refuse to hire, or otherwise to discriminate against ~~that any~~ person with respect to hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment because of any of the following:

(1) The race, color, religion, sex, military status, national origin,

disability, age, or ancestry of the person;

(2) Any reproductive health decision made by the person, including a decision to use a particular drug, device, or medical service, including abortion and services related to a miscarriage or family planning.

(B) For an employment agency or personnel placement service, because of race, color, religion, sex, military status, national origin, disability, age, or ancestry, to do any of the following:

(1) Refuse or fail to accept, register, classify properly, or refer for employment, or otherwise discriminate against any person;

(2) Comply with a request from an employer for referral of applicants for employment if the request directly or indirectly indicates that the employer fails to comply with the provisions of sections 4112.01 to 4112.07 of the Revised Code.

(C) For any labor organization to do any of the following:

(1) Limit or classify its membership on the basis of race, color, religion, sex, military status, national origin, disability, age, or ancestry;

(2) Discriminate against, limit the employment opportunities of, or otherwise adversely affect the employment status, wages, hours, or employment conditions of any person as an employee because of race, color, religion, sex, military status, national origin, disability, age, or ancestry.

(D) For any employer, labor organization, or joint labor-management committee controlling apprentice training programs to discriminate against any person because of race, color, religion, sex, military status, national origin, disability, or ancestry in admission to, or employment in, any program established to provide apprentice training.

(E) Except where based on a bona fide occupational qualification certified in advance by the commission, for any employer, employment agency, personnel placement service, or labor organization, prior to employment or admission to membership, to do any of the following:

(1) Elicit or attempt to elicit any information concerning the race, color, religion, sex, military status, national origin, disability, age, or ancestry of an applicant for employment or membership;

(2) Make or keep a record of the race, color, religion, sex, military status, national origin, disability, age, or ancestry of any applicant for employment or membership;

(3) Use any form of application for employment, or personnel or membership blank, seeking to elicit information regarding race, color, religion, sex, military status, national origin, disability, age, or ancestry; but an employer holding a contract containing a nondiscrimination clause with the government of the United States, or any department or agency of that

government, may require an employee or applicant for employment to furnish documentary proof of United States citizenship and may retain that proof in the employer's personnel records and may use photographic or fingerprint identification for security purposes;

(4) Print or publish or cause to be printed or published any notice or advertisement relating to employment or membership indicating any preference, limitation, specification, or discrimination, based upon race, color, religion, sex, military status, national origin, disability, age, or ancestry;

(5) Announce or follow a policy of denying or limiting, through a quota system or otherwise, employment or membership opportunities of any group because of the race, color, religion, sex, military status, national origin, disability, age, or ancestry of that group;

(6) Utilize in the recruitment or hiring of persons any employment agency, personnel placement service, training school or center, labor organization, or any other employee-referring source known to discriminate against persons because of their race, color, religion, sex, military status, national origin, disability, age, or ancestry.

(F) For any person seeking employment to publish or cause to be published any advertisement that specifies or in any manner indicates that person's race, color, religion, sex, military status, national origin, disability, age, or ancestry, or expresses a limitation or preference as to the race, color, religion, sex, military status, national origin, disability, age, or ancestry of any prospective employer.

(G) For any proprietor or any employee, keeper, or manager of a place of public accommodation to deny to any person, except for reasons applicable alike to all persons regardless of race, color, religion, sex, military status, national origin, disability, age, or ancestry, the full enjoyment of the accommodations, advantages, facilities, or privileges of the place of public accommodation.

(H) Subject to section 4112.024 of the Revised Code, for any person to do any of the following:

(1) Refuse to sell, transfer, assign, rent, lease, sublease, or finance housing accommodations, refuse to negotiate for the sale or rental of housing accommodations, or otherwise deny or make unavailable housing accommodations because of race, color, religion, sex, military status, familial status, ancestry, disability, or national origin;

(2) Represent to any person that housing accommodations are not available for inspection, sale, or rental, when in fact they are available, because of race, color, religion, sex, military status, familial status, ancestry, disability, or national origin;

(3) Discriminate against any person in the making or purchasing of loans or the provision of other financial assistance for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations, or any person in the making or purchasing of loans or the provision of other financial assistance that is secured by residential real estate, because of race, color, religion, sex, military status, familial status, ancestry, disability, or national origin or because of the racial composition of the neighborhood in which the housing accommodations are located, provided that the person, whether an individual, corporation, or association of any type, lends money as one of the principal aspects or incident to the person's principal business and not only as a part of the purchase price of an owner-occupied residence the person is selling nor merely casually or occasionally to a relative or friend;

(4) Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing, or subleasing any housing accommodations or in furnishing facilities, services, or privileges in connection with the ownership, occupancy, or use of any housing accommodations, including the sale of fire, extended coverage, or homeowners insurance, because of race, color, religion, sex, military status, familial status, ancestry, disability, or national origin or because of the racial composition of the neighborhood in which the housing accommodations are located;

(5) Discriminate against any person in the terms or conditions of any loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations because of race, color, religion, sex, military status, familial status, ancestry, disability, or national origin or because of the racial composition of the neighborhood in which the housing accommodations are located;

(6) Refuse to consider without prejudice the combined income of both husband and wife for the purpose of extending mortgage credit to a married couple or either member of a married couple;

(7) Print, publish, or circulate any statement or advertisement, or make or cause to be made any statement or advertisement, relating to the sale, transfer, assignment, rental, lease, sublease, or acquisition of any housing accommodations, or relating to the loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations, that indicates any preference, limitation, specification, or discrimination based upon race, color, religion, sex, military status, familial status, ancestry, disability, or national origin, or an intention to make any such preference, limitation, specification, or discrimination;

(8) Except as otherwise provided in division (H)(8) or (17) of this section, make any inquiry, elicit any information, make or keep any record, or use any form of application containing questions or entries concerning race, color, religion, sex, military status, familial status, ancestry, disability, or national origin in connection with the sale or lease of any housing accommodations or the loan of any money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations. Any person may make inquiries, and make and keep records, concerning race, color, religion, sex, military status, familial status, ancestry, disability, or national origin for the purpose of monitoring compliance with this chapter.

(9) Include in any transfer, rental, or lease of housing accommodations any restrictive covenant, or honor or exercise, or attempt to honor or exercise, any restrictive covenant;

(10) Induce or solicit, or attempt to induce or solicit, a housing accommodations listing, sale, or transaction by representing that a change has occurred or may occur with respect to the racial, religious, sexual, military status, familial status, or ethnic composition of the block, neighborhood, or other area in which the housing accommodations are located, or induce or solicit, or attempt to induce or solicit, a housing accommodations listing, sale, or transaction by representing that the presence or anticipated presence of persons of any race, color, religion, sex, military status, familial status, ancestry, disability, or national origin, in the block, neighborhood, or other area will or may have results including, but not limited to, the following:

(a) The lowering of property values;

(b) A change in the racial, religious, sexual, military status, familial status, or ethnic composition of the block, neighborhood, or other area;

(c) An increase in criminal or antisocial behavior in the block, neighborhood, or other area;

(d) A decline in the quality of the schools serving the block, neighborhood, or other area.

(11) Deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting housing accommodations, or discriminate against any person in the terms or conditions of that access, membership, or participation, on account of race, color, religion, sex, military status, familial status, national origin, disability, or ancestry;

(12) Coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of that person's having exercised or enjoyed or having aided or encouraged any other person in the exercise or

enjoyment of, any right granted or protected by division (H) of this section;

(13) Discourage or attempt to discourage the purchase by a prospective purchaser of housing accommodations, by representing that any block, neighborhood, or other area has undergone or might undergo a change with respect to its religious, racial, sexual, military status, familial status, or ethnic composition;

(14) Refuse to sell, transfer, assign, rent, lease, sublease, or finance, or otherwise deny or withhold, a burial lot from any person because of the race, color, sex, military status, familial status, age, ancestry, disability, or national origin of any prospective owner or user of the lot;

(15) Discriminate in the sale or rental of, or otherwise make unavailable or deny, housing accommodations to any buyer or renter because of a disability of any of the following:

(a) The buyer or renter;

(b) A person residing in or intending to reside in the housing accommodations after they are sold, rented, or made available;

(c) Any individual associated with the person described in division (H)(15)(b) of this section.

(16) Discriminate in the terms, conditions, or privileges of the sale or rental of housing accommodations to any person or in the provision of services or facilities to any person in connection with the housing accommodations because of a disability of any of the following:

(a) That person;

(b) A person residing in or intending to reside in the housing accommodations after they are sold, rented, or made available;

(c) Any individual associated with the person described in division (H)(16)(b) of this section.

(17) Except as otherwise provided in division (H)(17) of this section, make an inquiry to determine whether an applicant for the sale or rental of housing accommodations, a person residing in or intending to reside in the housing accommodations after they are sold, rented, or made available, or any individual associated with that person has a disability, or make an inquiry to determine the nature or severity of a disability of the applicant or such a person or individual. The following inquiries may be made of all applicants for the sale or rental of housing accommodations, regardless of whether they have disabilities:

(a) An inquiry into an applicant's ability to meet the requirements of ownership or tenancy;

(b) An inquiry to determine whether an applicant is qualified for housing accommodations available only to persons with disabilities or

persons with a particular type of disability;

(c) An inquiry to determine whether an applicant is qualified for a priority available to persons with disabilities or persons with a particular type of disability;

(d) An inquiry to determine whether an applicant currently uses a controlled substance in violation of section 2925.11 of the Revised Code or a substantively comparable municipal ordinance;

(e) An inquiry to determine whether an applicant at any time has been convicted of or pleaded guilty to any offense, an element of which is the illegal sale, offer to sell, cultivation, manufacture, other production, shipment, transportation, delivery, or other distribution of a controlled substance.

(18)(a) Refuse to permit, at the expense of a person with a disability, reasonable modifications of existing housing accommodations that are occupied or to be occupied by the person with a disability, if the modifications may be necessary to afford the person with a disability full enjoyment of the housing accommodations. This division does not preclude a landlord of housing accommodations that are rented or to be rented to a tenant with a disability from conditioning permission for a proposed modification upon the tenant with a disability doing one or more of the following:

(i) Providing a reasonable description of the proposed modification and reasonable assurances that the proposed modification will be made in a workerlike manner and that any required building permits will be obtained prior to the commencement of the proposed modification;

(ii) Agreeing to restore at the end of the tenancy the interior of the housing accommodations to the condition they were in prior to the proposed modification, but subject to reasonable wear and tear during the period of occupancy, if it is reasonable for the landlord to condition permission for the proposed modification upon the agreement;

(iii) Paying into an interest-bearing escrow account that is in the landlord's name, over a reasonable period of time, a reasonable amount of money not to exceed the projected costs at the end of the tenancy of the restoration of the interior of the housing accommodations to the condition they were in prior to the proposed modification, but subject to reasonable wear and tear during the period of occupancy, if the landlord finds the account reasonably necessary to ensure the availability of funds for the restoration work. The interest earned in connection with an escrow account described in this division shall accrue to the benefit of the tenant with a disability who makes payments into the account.

(b) A landlord shall not condition permission for a proposed

modification upon a tenant with a disability's payment of a security deposit that exceeds the customarily required security deposit of all tenants of the particular housing accommodations.

(19) Refuse to make reasonable accommodations in rules, policies, practices, or services when necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling unit, including associated public and common use areas;

(20) Fail to comply with the standards and rules adopted under division (A) of section 3781.111 of the Revised Code;

(21) Discriminate against any person in the selling, brokering, or appraising of real property because of race, color, religion, sex, military status, familial status, ancestry, disability, or national origin;

(22) Fail to design and construct covered multifamily dwellings for first occupancy on or after June 30, 1992, in accordance with the following conditions:

(a) The dwellings shall have at least one building entrance on an accessible route, unless it is impractical to do so because of the terrain or unusual characteristics of the site.

(b) With respect to dwellings that have a building entrance on an accessible route, all of the following apply:

(i) The public use areas and common use areas of the dwellings shall be readily accessible to and usable by persons with a disability.

(ii) All the doors designed to allow passage into and within all premises shall be sufficiently wide to allow passage by persons with a disability who are in wheelchairs.

(iii) All premises within covered multifamily dwelling units shall contain an accessible route into and through the dwelling; all light switches, electrical outlets, thermostats, and other environmental controls within such units shall be in accessible locations; the bathroom walls within such units shall contain reinforcements to allow later installation of grab bars; and the kitchens and bathrooms within such units shall be designed and constructed in a manner that enables an individual in a wheelchair to maneuver about such rooms.

For purposes of division (H)(22) of this section, "covered multifamily dwellings" means buildings consisting of four or more units if such buildings have one or more elevators and ground floor units in other buildings consisting of four or more units.

(I) For any person to discriminate in any manner against any other person because that person has opposed any unlawful discriminatory practice defined in this section or because that person has made a charge, testified, assisted, or participated in any manner in any investigation, proceeding, or

hearing under sections 4112.01 to 4112.07 of the Revised Code.

(J) For any person to aid, abet, incite, compel, or coerce the doing of any act declared by this section to be an unlawful discriminatory practice, to obstruct or prevent any person from complying with this chapter or any order issued under it, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful discriminatory practice.

(K) Nothing in divisions (A) to (E) of this section shall be construed to require a person with a disability to be employed or trained under circumstances that would significantly increase the occupational hazards affecting either the person with a disability, other employees, the general public, or the facilities in which the work is to be performed, or to require the employment or training of a person with a disability in a job that requires the person with a disability routinely to undertake any task, the performance of which is substantially and inherently impaired by the person's disability.

(L) With regard to age, it shall not be an unlawful discriminatory practice and it shall not constitute a violation of division (A) of section 4112.14 of the Revised Code for any employer, employment agency, joint labor-management committee controlling apprenticeship training programs, or labor organization to do any of the following:

(1) Establish bona fide employment qualifications reasonably related to the particular business or occupation that may include standards for skill, aptitude, physical capability, intelligence, education, maturation, and experience;

(2) Observe the terms of a bona fide seniority system or any bona fide employee benefit plan, including, but not limited to, a retirement, pension, or insurance plan, that is not a subterfuge to evade the purposes of this section. However, no such employee benefit plan shall excuse the failure to hire any individual, and no such seniority system or employee benefit plan shall require or permit the involuntary retirement of any individual, because of the individual's age except as provided for in the "Age Discrimination in Employment Act Amendment of 1978," 92 Stat. 189, 29 U.S.C.A. 623, as amended by the "Age Discrimination in Employment Act Amendments of 1986," 100 Stat. 3342, 29 U.S.C.A. 623, as amended.

(3) Retire an employee who has attained sixty-five years of age who, for the two-year period immediately before retirement, is employed in a bona fide executive or a high policymaking position, if the employee is entitled to an immediate nonforfeitable annual retirement benefit from a pension, profit-sharing, savings, or deferred compensation plan, or any combination of those plans, of the employer of the employee, which equals, in the aggregate, at least forty-four thousand dollars, in accordance with the conditions of the "Age Discrimination in Employment Act Amendment of 1978," 92 Stat. 189, 29 U.S.C.A. 631, as amended by the "Age Discrimination in Employment

Act Amendments of 1986," 100 Stat. 3342, 29 U.S.C.A. 631, as amended;

(4) Observe the terms of any bona fide apprenticeship program if the program is registered with the Ohio apprenticeship council pursuant to sections 4139.01 to 4139.06 of the Revised Code and is approved by the federal committee on apprenticeship of the United States department of labor.

(M) Nothing in this chapter prohibiting age discrimination and nothing in division (A) of section 4112.14 of the Revised Code shall be construed to prohibit the following:

(1) The designation of uniform age the attainment of which is necessary for public employees to receive pension or other retirement benefits pursuant to Chapter 145., 742., 3307., 3309., or 5505. of the Revised Code;

(2) The mandatory retirement of uniformed patrol officers of the state highway patrol as provided in section 5505.16 of the Revised Code;

(3) The maximum age requirements for appointment as a patrol officer in the state highway patrol established by section 5503.01 of the Revised Code;

(4) The maximum age requirements established for original appointment to a police department or fire department in sections 124.41 and 124.42 of the Revised Code;

(5) Any maximum age not in conflict with federal law that may be established by a municipal charter, municipal ordinance, or resolution of a board of township trustees for original appointment as a police officer or firefighter;

(6) Any mandatory retirement provision not in conflict with federal law of a municipal charter, municipal ordinance, or resolution of a board of township trustees pertaining to police officers and firefighters;

(7) Until January 1, 1994, the mandatory retirement of any employee who has attained seventy years of age and who is serving under a contract of unlimited tenure, or similar arrangement providing for unlimited tenure, at an institution of higher education as defined in the "Education Amendments of 1980," 94 Stat. 1503, 20 U.S.C.A. 1141(a).

(N)(1)(a) Except as provided in division (N)(1)(b) of this section, for purposes of divisions (A) to (E) of this section, a disability does not include any physiological disorder or condition, mental or psychological disorder, or disease or condition caused by an illegal use of any controlled substance by an employee, applicant, or other person, if an employer, employment agency, personnel placement service, labor organization, or joint labor-management committee acts on the basis of that illegal use.

(b) Division (N)(1)(a) of this section does not apply to an employee, applicant, or other person who satisfies any of the following:

(i) The employee, applicant, or other person has successfully completed a supervised drug rehabilitation program and no longer is engaging in the illegal use of any controlled substance, or the employee, applicant, or other person otherwise successfully has been rehabilitated and no longer is engaging in that illegal use.

(ii) The employee, applicant, or other person is participating in a supervised drug rehabilitation program and no longer is engaging in the illegal use of any controlled substance.

(iii) The employee, applicant, or other person is erroneously regarded as engaging in the illegal use of any controlled substance, but the employee, applicant, or other person is not engaging in that illegal use.

(2) Divisions (A) to (E) of this section do not prohibit an employer, employment agency, personnel placement service, labor organization, or joint labor-management committee from doing any of the following:

(a) Adopting or administering reasonable policies or procedures, including, but not limited to, testing for the illegal use of any controlled substance, that are designed to ensure that an individual described in division (N)(1)(b)(i) or (ii) of this section no longer is engaging in the illegal use of any controlled substance;

(b) Prohibiting the illegal use of controlled substances and the use of alcohol at the workplace by all employees;

(c) Requiring that employees not be under the influence of alcohol or not be engaged in the illegal use of any controlled substance at the workplace;

(d) Requiring that employees behave in conformance with the requirements established under "The Drug-Free Workplace Act of 1988," 102 Stat. 4304, 41 U.S.C.A. 701, as amended;

(e) Holding an employee who engages in the illegal use of any controlled substance or who has alcoholism to the same qualification standards for employment or job performance, and the same behavior, to which the employer, employment agency, personnel placement service, labor organization, or joint labor-management committee holds other employees, even if any unsatisfactory performance or behavior is related to an employee's illegal use of a controlled substance or alcoholism;

(f) Exercising other authority recognized in the "Americans with Disabilities Act of 1990," 104 Stat. 327, 42 U.S.C.A. 12101, as amended, including, but not limited to, requiring employees to comply with any applicable federal standards.

(3) For purposes of this chapter, a test to determine the illegal use of any controlled substance does not include a medical examination.

(4) Division (N) of this section does not encourage, prohibit, or

authorize, and shall not be construed as encouraging, prohibiting, or authorizing, the conduct of testing for the illegal use of any controlled substance by employees, applicants, or other persons, or the making of employment decisions based on the results of that type of testing.

(O) This section does not apply to a religious corporation, association, educational institution, or society with respect to the employment of an individual of a particular religion to perform work connected with the carrying on by that religious corporation, association, educational institution, or society of its activities.

The unlawful discriminatory practices defined in this section do not make it unlawful for a person or an appointing authority administering an examination under section 124.23 of the Revised Code to obtain information about an applicant's military status for the purpose of determining if the applicant is eligible for the additional credit that is available under that section.

**Sec. 4729.291.** (A) Except when provided under section 4731.97 of the Revised Code, when a licensed health professional authorized to prescribe drugs personally furnishes drugs to a patient pursuant to division (B) of section 4729.29 of the Revised Code, the prescriber shall ensure that the drugs are labeled and packaged in accordance with state and federal drug laws and any rules and regulations adopted pursuant to those laws. Records of purchase and disposition of all drugs personally furnished to patients shall be maintained by the prescriber in accordance with state and federal drug statutes and any rules adopted pursuant to those statutes.

(B) When personally furnishing to a patient RU-486 (mifepristone), a prescriber is subject to ~~sections-section~~ 2919.123 and 2919.124 of the Revised Code.

(C)(1) Except as provided in divisions (D) and (E) of this section, no prescriber shall do either of the following:

(a) In any thirty-day period, personally furnish to or for patients, taken as a whole, controlled substances in an amount that exceeds a total of two thousand five hundred dosage units;

(b) In any seventy-two-hour period, personally furnish to or for a patient an amount of a controlled substance that exceeds the amount necessary for the patient's use in a seventy-two-hour period.

(2) The state board of pharmacy may impose a fine of not more than five thousand dollars on a prescriber who fails to comply with the limits established under division (C)(1) of this section. A separate fine may be imposed for each instance of failing to comply with the limits. In imposing the fine, the board's actions shall be taken in accordance with Chapter 119. of the Revised Code.

(D) None of the following shall be counted in determining whether the amounts specified in division (C)(1) of this section have been exceeded:

(1) Methadone personally furnished to patients for the purpose of treating drug dependence or addiction, if the prescriber meets the conditions specified in 21 C.F.R. 1306.07;

(2) Buprenorphine personally furnished to patients for the purpose of treating drug dependence or addiction as part of an opioid treatment program licensed under section 5119.37 of the Revised Code.

(3) Controlled substances personally furnished to research subjects by a facility conducting clinical research in studies approved by a hospital-based institutional review board or an institutional review board accredited by the association for the accreditation of human research protection programs.

(E) Division (C)(1) of this section does not apply to a prescriber who is a veterinarian.

**Sec. 4731.22.** (A) The state medical board, by an affirmative vote of not fewer than six of its members, may limit, revoke, or suspend a license or certificate to practice or certificate to recommend, refuse to grant a license or certificate, refuse to renew a license or certificate, refuse to reinstate a license or certificate, or reprimand or place on probation the holder of a license or certificate if the individual applying for or holding the license or certificate is found by the board to have committed fraud during the administration of the examination for a license or certificate to practice or to have committed fraud, misrepresentation, or deception in applying for, renewing, or securing any license or certificate to practice or certificate to recommend issued by the board.

(B) Except as provided in division (P) of this section, the board, by an affirmative vote of not fewer than six members, shall, to the extent permitted by law, limit, revoke, or suspend a license or certificate to practice or certificate to recommend, refuse to issue a license or certificate, refuse to renew a license or certificate, refuse to reinstate a license or certificate, or reprimand or place on probation the holder of a license or certificate for one or more of the following reasons:

(1) Permitting one's name or one's license or certificate to practice to be used by a person, group, or corporation when the individual concerned is not actually directing the treatment given;

(2) Failure to maintain minimal standards applicable to the selection or administration of drugs, or failure to employ acceptable scientific methods in the selection of drugs or other modalities for treatment of disease;

(3) Except as provided in section 4731.97 of the Revised Code, selling, giving away, personally furnishing, prescribing, or administering drugs for other than legal and legitimate therapeutic purposes or a plea of

guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction of, a violation of any federal or state law regulating the possession, distribution, or use of any drug;

(4) Willfully betraying a professional confidence.

For purposes of this division, "willfully betraying a professional confidence" does not include providing any information, documents, or reports under sections 307.621 to 307.629 of the Revised Code to a child fatality review board; does not include providing any information, documents, or reports under sections 307.631 to 307.6410 of the Revised Code to a drug overdose fatality review committee, a suicide fatality review committee, or hybrid drug overdose fatality and suicide fatality review committee; does not include providing any information, documents, or reports under sections 307.651 to 307.659 of the Revised Code to a domestic violence fatality review board; does not include providing any information, documents, or reports to the director of health pursuant to guidelines established under section 3701.70 of the Revised Code; does not include written notice to a mental health professional under section 4731.62 of the Revised Code; does not include making a report as described in division (F) of section 2921.22 and section 4731.224 of the Revised Code; and does not include the making of a report of an employee's use of a drug of abuse, or a report of a condition of an employee other than one involving the use of a drug of abuse, to the employer of the employee as described in division (B) of section 2305.33 of the Revised Code. Nothing in this division affects the immunity from civil liability conferred by section 2305.33 or 4731.62 of the Revised Code upon a physician who makes a report in accordance with section 2305.33 or notifies a mental health professional in accordance with section 4731.62 of the Revised Code. As used in this division, "employee," "employer," and "physician" have the same meanings as in section 2305.33 of the Revised Code.

(5) Making a false, fraudulent, deceptive, or misleading statement in the solicitation of or advertising for patients; in relation to the practice of medicine and surgery, osteopathic medicine and surgery, podiatric medicine and surgery, or a limited branch of medicine; or in securing or attempting to secure any license or certificate to practice issued by the board.

As used in this division, "false, fraudulent, deceptive, or misleading statement" means a statement that includes a misrepresentation of fact, is likely to mislead or deceive because of a failure to disclose material facts, is intended or is likely to create false or unjustified expectations of favorable results, or includes representations or implications that in reasonable probability will cause an ordinarily prudent person to misunderstand or be deceived.

(6) A departure from, or the failure to conform to, minimal standards

of care of similar practitioners under the same or similar circumstances, whether or not actual injury to a patient is established;

(7) Representing, with the purpose of obtaining compensation or other advantage as personal gain or for any other person, that an incurable disease or injury, or other incurable condition, can be permanently cured;

(8) The obtaining of, or attempting to obtain, money or anything of value by fraudulent misrepresentations in the course of practice;

(9) A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony;

(10) Commission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed;

(11) A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor committed in the course of practice;

(12) Commission of an act in the course of practice that constitutes a misdemeanor in this state, regardless of the jurisdiction in which the act was committed;

(13) A plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a misdemeanor involving moral turpitude;

(14) Commission of an act involving moral turpitude that constitutes a misdemeanor in this state, regardless of the jurisdiction in which the act was committed;

(15) Violation of the conditions of limitation placed by the board upon a license or certificate to practice;

(16) Failure to pay license renewal fees specified in this chapter;

(17) Except as authorized in section 4731.31 of the Revised Code, engaging in the division of fees for referral of patients, or the receiving of a thing of value in return for a specific referral of a patient to utilize a particular service or business;

(18) Subject to section 4731.226 of the Revised Code, violation of any provision of a code of ethics of the American medical association, the American osteopathic association, the American podiatric medical association, or any other national professional organizations that the board specifies by rule. The state medical board shall obtain and keep on file current copies of the codes of ethics of the various national professional organizations. The individual whose license or certificate is being suspended or revoked shall not be found to have violated any provision of a code of ethics of an organization not appropriate to the individual's profession.

For purposes of this division, a "provision of a code of ethics of a

national professional organization" does not include any provision that would preclude the making of a report by a physician of an employee's use of a drug of abuse, or of a condition of an employee other than one involving the use of a drug of abuse, to the employer of the employee as described in division (B) of section 2305.33 of the Revised Code. Nothing in this division affects the immunity from civil liability conferred by that section upon a physician who makes either type of report in accordance with division (B) of that section. As used in this division, "employee," "employer," and "physician" have the same meanings as in section 2305.33 of the Revised Code.

(19) Inability to practice according to acceptable and prevailing standards of care by reason of mental illness or physical illness, including, but not limited to, physical deterioration that adversely affects cognitive, motor, or perceptive skills.

In enforcing this division, the board, upon a showing of a possible violation, shall refer any individual who is authorized to practice by this chapter or who has submitted an application pursuant to this chapter to the monitoring organization that conducts the confidential monitoring program established under section 4731.25 of the Revised Code. The board also may compel the individual to submit to a mental examination, physical examination, including an HIV test, or both a mental and a physical examination. The expense of the examination is the responsibility of the individual compelled to be examined. Failure to submit to a mental or physical examination or consent to an HIV test ordered by the board constitutes an admission of the allegations against the individual unless the failure is due to circumstances beyond the individual's control, and a default and final order may be entered without the taking of testimony or presentation of evidence. If the board finds an individual unable to practice because of the reasons set forth in this division, the board shall require the individual to submit to care, counseling, or treatment by physicians approved or designated by the board, as a condition for initial, continued, reinstated, or renewed authority to practice. An individual affected under this division shall be afforded an opportunity to demonstrate to the board the ability to resume practice in compliance with acceptable and prevailing standards under the provisions of the individual's license or certificate. For the purpose of this division, any individual who applies for or receives a license or certificate to practice under this chapter accepts the privilege of practicing in this state and, by so doing, shall be deemed to have given consent to submit to a mental or physical examination when directed to do so in writing by the board, and to have waived all objections to the admissibility of testimony or examination reports that constitute a privileged communication.

(20) Except as provided in division (F)(1)(b) of section 4731.282 of the Revised Code or when civil penalties are imposed under section 4731.225 of the Revised Code, and subject to section 4731.226 of the Revised Code,

violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provisions of this chapter or any rule promulgated by the board.

This division does not apply to a violation or attempted violation of, assisting in or abetting the violation of, or a conspiracy to violate, any provision of this chapter or any rule adopted by the board that would preclude the making of a report by a physician of an employee's use of a drug of abuse, or of a condition of an employee other than one involving the use of a drug of abuse, to the employer of the employee as described in division (B) of section 2305.33 of the Revised Code. Nothing in this division affects the immunity from civil liability conferred by that section upon a physician who makes either type of report in accordance with division (B) of that section. As used in this division, "employee," "employer," and "physician" have the same meanings as in section 2305.33 of the Revised Code.

(21) The violation of ~~section 3701.79 of the Revised Code or of any~~ abortion rule adopted by the director of health pursuant to section 3701.341 of the Revised Code;

(22) Any of the following actions taken by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction, for any reason other than the nonpayment of fees: the limitation, revocation, or suspension of an individual's license to practice; acceptance of an individual's license surrender; denial of a license; refusal to renew or reinstate a license; imposition of probation; or issuance of an order of censure or other reprimand;

(23) The violation of ~~section 2919.12 of the Revised Code or the performance or inducement of an abortion upon a pregnant woman with actual knowledge that the conditions specified in division (B) of section 2317.56 of the Revised Code have not been satisfied or with a heedless indifference as to whether those conditions have been satisfied, unless an affirmative defense as specified in division (H)(2) of that section would apply in a civil action authorized by division (H)(1) of that section;~~

(24) The revocation, suspension, restriction, reduction, or termination of clinical privileges by the United States department of defense or department of veterans affairs or the termination or suspension of a certificate of registration to prescribe drugs by the drug enforcement administration of the United States department of justice;

(25) Termination or suspension from participation in the medicare or medicaid programs by the department of health and human services or other responsible agency;

(26) Impairment of ability to practice according to acceptable and prevailing standards of care because of substance use disorder or excessive

use or abuse of drugs, alcohol, or other substances that may impair ability to practice.

For the purposes of this division, any individual authorized to practice by this chapter accepts the privilege of practicing in this state subject to supervision by the board. By filing an application for or holding a license or certificate to practice under this chapter, an individual shall be deemed to have given consent to submit to a mental or physical examination when ordered to do so by the board in writing, and to have waived all objections to the admissibility of testimony or examination reports that constitute privileged communications.

If it has reason to believe that any individual authorized to practice by this chapter or any applicant for licensure or certification to practice suffers such impairment, the board shall refer the individual to the monitoring organization that conducts the confidential monitoring program established under section 4731.25 of the Revised Code. The board also may compel the individual to submit to a mental or physical examination, or both. The expense of the examination is the responsibility of the individual compelled to be examined. Any mental or physical examination required under this division shall be undertaken by a treatment provider or physician who is qualified to conduct the examination and who is approved under section 4731.251 of the Revised Code.

Failure to submit to a mental or physical examination ordered by the board constitutes an admission of the allegations against the individual unless the failure is due to circumstances beyond the individual's control, and a default and final order may be entered without the taking of testimony or presentation of evidence. If the board determines that the individual's ability to practice is impaired, the board shall suspend the individual's license or certificate or deny the individual's application and shall require the individual, as a condition for initial, continued, reinstated, or renewed licensure or certification to practice, to submit to treatment.

Before being eligible to apply for reinstatement of a license or certificate suspended under this division, the impaired practitioner shall demonstrate to the board the ability to resume practice in compliance with acceptable and prevailing standards of care under the provisions of the practitioner's license or certificate. The demonstration shall include, but shall not be limited to, the following:

(a) Certification from a treatment provider approved under section 4731.251 of the Revised Code that the individual has successfully completed any required inpatient treatment;

(b) Evidence of continuing full compliance with an aftercare contract or consent agreement;

(c) Two written reports indicating that the individual's ability to

practice has been assessed and that the individual has been found capable of practicing according to acceptable and prevailing standards of care. The reports shall be made by individuals or providers approved by the board for making the assessments and shall describe the basis for their determination.

The board may reinstate a license or certificate suspended under this division after that demonstration and after the individual has entered into a written consent agreement.

When the impaired practitioner resumes practice, the board shall require continued monitoring of the individual. The monitoring shall include, but not be limited to, compliance with the written consent agreement entered into before reinstatement or with conditions imposed by board order after a hearing, and, upon termination of the consent agreement, submission to the board for at least two years of annual written progress reports made under penalty of perjury stating whether the individual has maintained sobriety.

(27) A second or subsequent violation of section 4731.66 or 4731.69 of the Revised Code;

(28) Except as provided in division (N) of this section:

(a) Waiving the payment of all or any part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers the individual's services, otherwise would be required to pay if the waiver is used as an enticement to a patient or group of patients to receive health care services from that individual;

(b) Advertising that the individual will waive the payment of all or any part of a deductible or copayment that a patient, pursuant to a health insurance or health care policy, contract, or plan that covers the individual's services, otherwise would be required to pay.

(29) Failure to use universal blood and body fluid precautions established by rules adopted under section 4731.051 of the Revised Code;

(30) Failure to provide notice to, and receive acknowledgment of the notice from, a patient when required by section 4731.143 of the Revised Code prior to providing nonemergency professional services, or failure to maintain that notice in the patient's medical record;

(31) Failure of a physician supervising a physician assistant to maintain supervision in accordance with the requirements of Chapter 4730. of the Revised Code and the rules adopted under that chapter;

(32) Failure of a physician or podiatrist to enter into a standard care arrangement with a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner with whom the physician or podiatrist is in collaboration pursuant to section 4731.27 of the Revised Code or failure to fulfill the responsibilities of collaboration after entering into a standard care arrangement;

(33) Failure to comply with the terms of a consult agreement entered into with a pharmacist pursuant to section 4729.39 of the Revised Code;

(34) Failure to cooperate in an investigation conducted by the board under division (F) of this section, including failure to comply with a subpoena or order issued by the board or failure to answer truthfully a question presented by the board in an investigative interview, an investigative office conference, at a deposition, or in written interrogatories, except that failure to cooperate with an investigation shall not constitute grounds for discipline under this section if a court of competent jurisdiction has issued an order that either quashes a subpoena or permits the individual to withhold the testimony or evidence in issue;

(35) Failure to supervise an anesthesiologist assistant in accordance with Chapter 4760. of the Revised Code and the board's rules for supervision of an anesthesiologist assistant;

(36) Assisting suicide, as defined in section 3795.01 of the Revised Code;

~~(37) Failure to comply with the requirements of section 2317.561 of the Revised Code;~~

~~(38) Failure to supervise a radiologist assistant in accordance with Chapter 4774. of the Revised Code and the board's rules for supervision of radiologist assistants;~~

~~(39) Performing or inducing an abortion at an office or facility with knowledge that the office or facility fails to post the notice required under section 3701.791 of the Revised Code;~~

~~(40)~~(38) Failure to comply with the standards and procedures established in rules under section 4731.054 of the Revised Code for the operation of or the provision of care at a pain management clinic;

~~(41)~~(39) Failure to comply with the standards and procedures established in rules under section 4731.054 of the Revised Code for providing supervision, direction, and control of individuals at a pain management clinic;

~~(42)~~(40) Failure to comply with the requirements of section 4729.79 or 4731.055 of the Revised Code, unless the state board of pharmacy no longer maintains a drug database pursuant to section 4729.75 of the Revised Code;

~~(43) Failure to comply with the requirements of section 2919.171, 2919.202, or 2919.203 of the Revised Code or failure to submit to the department of health in accordance with a court order a complete report as described in section 2919.171 or 2919.202 of the Revised Code;~~

~~(44)~~(41) Practicing at a facility that is subject to licensure as a category III terminal distributor of dangerous drugs with a pain management

clinic classification unless the person operating the facility has obtained and maintains the license with the classification;

~~(45)~~(42) Owning a facility that is subject to licensure as a category III terminal distributor of dangerous drugs with a pain management clinic classification unless the facility is licensed with the classification;

~~(46)~~ Failure to comply with any of the requirements regarding making or maintaining medical records or documents described in division (A) of section 2919.192, division (C) of section 2919.193, division (B) of section 2919.195, or division (A) of section 2919.196 of the Revised Code;

~~(47)~~(43) Failure to comply with the requirements in section 3719.061 of the Revised Code before issuing for a minor a prescription for an opioid analgesic, as defined in section 3719.01 of the Revised Code;

~~(48)~~(44) Failure to comply with the requirements of section 4731.30 of the Revised Code or rules adopted under section 4731.301 of the Revised Code when recommending treatment with medical marijuana;

~~(49)~~(45) A pattern of continuous or repeated violations of division (E)(2) or (3) of section 3963.02 of the Revised Code;

~~(50)~~(46) Failure to fulfill the responsibilities of a collaboration agreement entered into with an athletic trainer as described in section 4755.621 of the Revised Code;

~~(51)~~(47) Failure to take the steps specified in section 4731.911 of the Revised Code following an abortion or attempted abortion in an ambulatory surgical facility or other location that is not a hospital when a child is born alive;

~~(52)~~(48) Violation of section 4731.77 of the Revised Code;

~~(53)~~(49) Failure of a physician supervising a certified mental health assistant to maintain supervision in accordance with the requirements of Chapter 4772. of the Revised Code and the rules adopted under that chapter;

~~(54)~~(50) Failure to comply with the requirements of section 3705.16 of the Revised Code when certifying a decedent's cause of death and completing and signing the medical certificate of death.

(C) Disciplinary actions taken by the board under divisions (A) and (B) of this section shall be taken pursuant to an adjudication under Chapter 119. of the Revised Code, except that in lieu of an adjudication, the board may enter into a consent agreement with an individual to resolve an allegation of a violation of this chapter or any rule adopted under it. A consent agreement, when ratified by an affirmative vote of not fewer than six members of the board, shall constitute the findings and order of the board with respect to the matter addressed in the agreement. If the board refuses to ratify a consent agreement, the admissions and findings contained in the consent agreement shall be of no force or effect.

A telephone conference call may be utilized for ratification of a consent agreement that revokes or suspends an individual's license or certificate to practice or certificate to recommend. The telephone conference call shall be considered a special meeting under division (F) of section 121.22 of the Revised Code.

If the board takes disciplinary action against an individual under division (B) of this section for a second or subsequent plea of guilty to, or judicial finding of guilt of, a violation of section 2919.123 ~~or 2919.124~~ of the Revised Code, the disciplinary action shall consist of a suspension of the individual's license or certificate to practice for a period of at least one year or, if determined appropriate by the board, a more serious sanction involving the individual's license or certificate to practice. Any consent agreement entered into under this division with an individual that pertains to a second or subsequent plea of guilty to, or judicial finding of guilt of, a violation of that section shall provide for a suspension of the individual's license or certificate to practice for a period of at least one year or, if determined appropriate by the board, a more serious sanction involving the individual's license or certificate to practice.

(D) For purposes of divisions (B)(10), (12), and (14) of this section, the commission of the act may be established by a finding by the board, pursuant to an adjudication under Chapter 119. of the Revised Code, that the individual committed the act. The board does not have jurisdiction under those divisions if the trial court renders a final judgment in the individual's favor and that judgment is based upon an adjudication on the merits. The board has jurisdiction under those divisions if the trial court issues an order of dismissal upon technical or procedural grounds.

(E) The sealing or expungement of conviction records by any court shall have no effect upon a prior board order entered under this section or upon the board's jurisdiction to take action under this section if, based upon a plea of guilty, a judicial finding of guilt, or a judicial finding of eligibility for intervention in lieu of conviction, the board issued a notice of opportunity for a hearing prior to the court's order to seal or expunge the records. The board shall not be required to seal, expunge, destroy, redact, or otherwise modify its records to reflect the court's sealing of conviction records.

(F)(1) The board shall investigate evidence that appears to show that a person has violated any provision of this chapter or any rule adopted under it. Any person may report to the board in a signed writing any information that the person may have that appears to show a violation of any provision of this chapter or any rule adopted under it. In the absence of bad faith, any person who reports information of that nature or who testifies before the board in any adjudication conducted under Chapter 119. of the Revised Code shall not be liable in damages in a civil action as a result of the report or testimony. Each complaint or allegation of a violation received by the board

shall be assigned a case number and shall be recorded by the board.

(2) Investigations of alleged violations of this chapter or any rule adopted under it shall be supervised by the supervising member elected by the board in accordance with section 4731.02 of the Revised Code and by the secretary as provided in section 4731.39 of the Revised Code. The president may designate another member of the board to supervise the investigation in place of the supervising member. Upon a vote of the majority of the board to authorize the addition of a consumer member in the supervision of any part of any investigation, the president shall designate a consumer member for supervision of investigations as determined by the president. The authorization of consumer member participation in investigation supervision may be rescinded by a majority vote of the board. No member of the board who supervises the investigation of a case shall participate in further adjudication of the case.

(3) In investigating a possible violation of this chapter or any rule adopted under this chapter, or in conducting an inspection under division (E) of section 4731.054 of the Revised Code, the board may question witnesses, conduct interviews, administer oaths, order the taking of depositions, inspect and copy any books, accounts, papers, records, or documents, issue subpoenas, and compel the attendance of witnesses and production of books, accounts, papers, records, documents, and testimony, except that a subpoena for patient record information shall not be issued without consultation with the attorney general's office and approval of the secretary of the board.

(a) Before issuance of a subpoena for patient record information, the secretary shall determine whether there is probable cause to believe that the complaint filed alleges a violation of this chapter or any rule adopted under it and that the records sought are relevant to the alleged violation and material to the investigation. The subpoena may apply only to records that cover a reasonable period of time surrounding the alleged violation.

(b) On failure to comply with any subpoena issued by the board and after reasonable notice to the person being subpoenaed, the board may move for an order compelling the production of persons or records pursuant to the Rules of Civil Procedure.

(c) A subpoena issued by the board may be served by a sheriff, the sheriff's deputy, or a board employee or agent designated by the board. Service of a subpoena issued by the board may be made by delivering a copy of the subpoena to the person named therein, reading it to the person, or leaving it at the person's usual place of residence, usual place of business, or address on file with the board. When serving a subpoena to an applicant for or the holder of a license or certificate issued under this chapter, service of the subpoena may be made by certified mail, return receipt requested, and the subpoena shall be deemed served on the date delivery is made or the date the

person refuses to accept delivery. If the person being served refuses to accept the subpoena or is not located, service may be made to an attorney who notifies the board that the attorney is representing the person.

(d) A sheriff's deputy who serves a subpoena shall receive the same fees as a sheriff. Each witness who appears before the board in obedience to a subpoena shall receive the fees and mileage provided for under section 119.094 of the Revised Code.

(4) All hearings, investigations, and inspections of the board shall be considered civil actions for the purposes of section 2305.252 of the Revised Code.

(5) A report required to be submitted to the board under this chapter, a complaint, or information received by the board pursuant to an investigation or pursuant to an inspection under division (E) of section 4731.054 of the Revised Code is confidential and not subject to discovery in any civil action.

The board shall conduct all investigations or inspections and proceedings in a manner that protects the confidentiality of patients and persons who file complaints with the board. The board shall not make public the names or any other identifying information about patients or complainants unless proper consent is given or, in the case of a patient, a waiver of the patient privilege exists under division (B) of section 2317.02 of the Revised Code, except that consent or a waiver of that nature is not required if the board possesses reliable and substantial evidence that no bona fide physician-patient relationship exists.

The board may share any information it receives pursuant to an investigation or inspection, including patient records and patient record information, with law enforcement agencies, other licensing boards, and other governmental agencies that are prosecuting, adjudicating, or investigating alleged violations of statutes or administrative rules. An agency or board that receives the information shall comply with the same requirements regarding confidentiality as those with which the state medical board must comply, notwithstanding any conflicting provision of the Revised Code or procedure of the agency or board that applies when it is dealing with other information in its possession. In a judicial proceeding, the information may be admitted into evidence only in accordance with the Rules of Evidence, but the court shall require that appropriate measures are taken to ensure that confidentiality is maintained with respect to any part of the information that contains names or other identifying information about patients or complainants whose confidentiality was protected by the state medical board when the information was in the board's possession. Measures to ensure confidentiality that may be taken by the court include sealing its records or deleting specific information from its records.

No person shall knowingly access, use, or disclose confidential investigatory information in a manner prohibited by law.

(6) On a quarterly basis, the board shall prepare a report that documents the disposition of all cases during the preceding three months. The report shall contain the following information for each case with which the board has completed its activities:

- (a) The case number assigned to the complaint or alleged violation;
- (b) The type of license or certificate to practice, if any, held by the individual against whom the complaint is directed;
- (c) A description of the allegations contained in the complaint;
- (d) Whether witnesses were interviewed;
- (e) Whether the individual against whom the complaint is directed is the subject of any pending complaints;
- (f) The disposition of the case.

The report shall state how many cases are still pending and shall be prepared in a manner that protects the identity of each person involved in each case. The report shall be a public record under section 149.43 of the Revised Code.

(7) The board may provide a status update regarding an investigation to a complainant on request if the board verifies the complainant's identity.

(G)(1) If either of the following circumstances occur, the secretary and supervising member may recommend that the board suspend an individual's license or certificate to practice or certificate to recommend without a prior hearing:

(a) The secretary and supervising member determine both of the following:

(i) That there is clear and convincing evidence that an individual has violated division (B) of this section;

(ii) That the individual's continued practice presents a danger of immediate and serious harm to the public.

(b) The board receives verifiable information that a licensee has been charged in any state or federal court with a crime classified as a felony under the charging court's law and the conduct constitutes a violation of division (B) of this section.

(2) If a recommendation is made to suspend without a prior hearing pursuant to division (G)(1) of this section, written allegations shall be prepared for consideration by the board. The board, upon review of those allegations and by an affirmative vote of not fewer than six of its members, excluding the secretary and supervising member, may suspend a license or

certificate without a prior hearing. A telephone conference call may be utilized for reviewing the allegations and taking the vote on the summary suspension.

The board shall serve a written order of suspension in accordance with sections 119.05 and 119.07 of the Revised Code. If the individual subject to the summary suspension requests an adjudicatory hearing by the board, the date set for the hearing shall be within fifteen days, but not earlier than seven days, after the individual requests the hearing, unless otherwise agreed to by both the board and the individual.

(3) Any summary suspension imposed under division (G)(2) of this section is not a final appealable order and is not an adjudication that may be appealed under section 119.12 of the Revised Code. The summary suspension shall remain in effect until a final adjudicative order issued by the board pursuant to this section and Chapter 119. of the Revised Code becomes effective. Once a final adjudicative order has been issued by the board, any party adversely affected by it may file an appeal in accordance with the requirements of Chapter 119. of the Revised Code.

The board shall issue its final adjudicative order within seventy-five days after completion of its hearing. A failure to issue the order within seventy-five days shall result in dissolution of the summary suspension order but shall not invalidate any subsequent, final adjudicative order.

(H) If the board takes action under division (B)(9), (11), or (13) of this section and the judicial finding of guilt, guilty plea, or judicial finding of eligibility for intervention in lieu of conviction is overturned on appeal, upon exhaustion of the criminal appeal, a petition for reconsideration of the order may be filed with the board along with appropriate court documents. Upon receipt of a petition of that nature and supporting court documents, the board shall reinstate the individual's license or certificate to practice. The board may then hold an adjudication under Chapter 119. of the Revised Code to determine whether the individual committed the act in question. Notice of an opportunity for a hearing shall be given in accordance with Chapter 119. of the Revised Code. If the board finds, pursuant to an adjudication held under this division, that the individual committed the act or if no hearing is requested, the board may order any of the sanctions identified under division (B) of this section.

(I) The license or certificate to practice issued to an individual under this chapter and the individual's practice in this state are automatically suspended as of the date of the individual's second or subsequent plea of guilty to, or judicial finding of guilt of, a violation of section 2919.123 or ~~2919.124~~ of the Revised Code. In addition, the license or certificate to practice or certificate to recommend issued to an individual under this chapter and the individual's practice in this state are automatically suspended

as of the date the individual pleads guilty to, is found by a judge or jury to be guilty of, or is subject to a judicial finding of eligibility for intervention in lieu of conviction in this state or treatment or intervention in lieu of conviction in another jurisdiction for any of the following criminal offenses in this state or a substantially equivalent criminal offense in another jurisdiction: aggravated murder, murder, voluntary manslaughter, felonious assault, trafficking in persons, kidnapping, rape, sexual battery, gross sexual imposition, aggravated arson, aggravated robbery, or aggravated burglary. Continued practice after suspension shall be considered practicing without a license or certificate.

The board shall notify the individual subject to the suspension in accordance with sections 119.05 and 119.07 of the Revised Code. If an individual whose license or certificate is automatically suspended under this division fails to make a timely request for an adjudication under Chapter 119. of the Revised Code, the board shall do whichever of the following is applicable:

(1) If the automatic suspension under this division is for a second or subsequent plea of guilty to, or judicial finding of guilt of, a violation of section 2919.123 or 2919.124 of the Revised Code, the board shall enter an order suspending the individual's license or certificate to practice for a period of at least one year or, if determined appropriate by the board, imposing a more serious sanction involving the individual's license or certificate to practice.

(2) In all circumstances in which division (I)(1) of this section does not apply, enter a final order permanently revoking the individual's license or certificate to practice.

(J) If the board is required by Chapter 119. of the Revised Code to give notice of an opportunity for a hearing and if the individual subject to the notice does not timely request a hearing in accordance with section 119.07 of the Revised Code, the board is not required to hold a hearing, but may adopt, by an affirmative vote of not fewer than six of its members, a final order that contains the board's findings. In that final order, the board may order any of the sanctions identified under division (A) or (B) of this section.

(K) Any action taken by the board under division (B) of this section resulting in a suspension from practice shall be accompanied by a written statement of the conditions under which the individual's license or certificate to practice may be reinstated. The board shall adopt rules governing conditions to be imposed for reinstatement. Reinstatement of a license or certificate suspended pursuant to division (B) of this section requires an affirmative vote of not fewer than six members of the board.

(L) When the board refuses to grant or issue a license or certificate to practice to an applicant, revokes an individual's license or certificate to

practice, refuses to renew an individual's license or certificate to practice, or refuses to reinstate an individual's license or certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a license or certificate to practice and the board shall not accept an application for reinstatement of the license or certificate or for issuance of a new license or certificate.

(M) Notwithstanding any other provision of the Revised Code, all of the following apply:

(1) The surrender of a license or certificate issued under this chapter shall not be effective unless or until accepted by the board. A telephone conference call may be utilized for acceptance of the surrender of an individual's license or certificate to practice. The telephone conference call shall be considered a special meeting under division (F) of section 121.22 of the Revised Code. Reinstatement of a license or certificate surrendered to the board requires an affirmative vote of not fewer than six members of the board.

(2) An application for a license or certificate made under the provisions of this chapter may not be withdrawn without approval of the board.

(3) Failure by an individual to renew a license or certificate to practice in accordance with this chapter or a certificate to recommend in accordance with rules adopted under section 4731.301 of the Revised Code does not remove or limit the board's jurisdiction to take any disciplinary action under this section against the individual.

(4) The placement of an individual's license on retired status, as described in section 4731.283 of the Revised Code, does not remove or limit the board's jurisdiction to take any disciplinary action against the individual with regard to the license as it existed before being placed on retired status.

(5) At the request of the board, a license or certificate holder shall immediately surrender to the board a license or certificate that the board has suspended, revoked, or permanently revoked.

(N) Sanctions shall not be imposed under division (B)(28) of this section against any person who waives deductibles and copayments as follows:

(1) In compliance with the health benefit plan that expressly allows such a practice. Waiver of the deductibles or copayments shall be made only with the full knowledge and consent of the plan purchaser, payer, and third-party administrator. Documentation of the consent shall be made available to the board upon request.

(2) For professional services rendered to any other person authorized

to practice pursuant to this chapter, to the extent allowed by this chapter and rules adopted by the board.

(O) Under the board's investigative duties described in this section and subject to division (F) of this section, the board shall develop and implement a quality intervention program designed to improve through remedial education the clinical and communication skills of individuals authorized under this chapter to practice medicine and surgery, osteopathic medicine and surgery, and podiatric medicine and surgery. In developing and implementing the quality intervention program, the board may do all of the following:

(1) Offer in appropriate cases as determined by the board an educational and assessment program pursuant to an investigation the board conducts under this section;

(2) Select providers of educational and assessment services, including a quality intervention program panel of case reviewers;

(3) Make referrals to educational and assessment service providers and approve individual educational programs recommended by those providers. The board shall monitor the progress of each individual undertaking a recommended individual educational program.

(4) Determine what constitutes successful completion of an individual educational program and require further monitoring of the individual who completed the program or other action that the board determines to be appropriate;

(5) Adopt rules in accordance with Chapter 119. of the Revised Code to further implement the quality intervention program.

An individual who participates in an individual educational program pursuant to this division shall pay the financial obligations arising from that educational program.

(P) The board shall not refuse to issue a license to an applicant because of a conviction, plea of guilty, judicial finding of guilt, judicial finding of eligibility for intervention in lieu of conviction, or the commission of an act that constitutes a criminal offense, unless the refusal is in accordance with section 9.79 of the Revised Code.

(Q) A license or certificate to practice or certificate to recommend issued to an individual under this chapter and an individual's practice under this chapter in this state are automatically suspended if the individual's license or certificate to practice a health care occupation or provide health care services is suspended, revoked, or surrendered or relinquished in lieu of discipline by an agency responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state or another jurisdiction. The automatic suspension begins

immediately upon entry of the order by the agency and lasts for ninety days to permit the board to investigate the basis for the action under this chapter. Continued practice during the automatic suspension shall be considered practicing without a license or certificate.

The board shall notify the individual subject to the automatic suspension by certified mail or in person in accordance with section 119.07 of the Revised Code. If an individual subject to an automatic suspension under this division fails to make a timely request for an adjudication under Chapter 119. of the Revised Code, the board is not required to hold a hearing, but may adopt, by an affirmative vote of not fewer than six of its members, a final order that contains the board's findings. In that final order, the board may order any of the sanctions identified under division (A) or (B) of this section.

**Sec. 4731.223.** (A) As used in this section, "prosecutor" has the same meaning as in section 2935.01 of the Revised Code.

(B) Whenever any person holding a valid license or certificate issued pursuant to this chapter pleads guilty to, is subject to a judicial finding of guilt of, or is subject to a judicial finding of eligibility for intervention in lieu of conviction for a violation of Chapter 2907., 2925., or 3719. of the Revised Code or of any substantively comparable ordinance of a municipal corporation in connection with the person's practice, or for a second or subsequent time pleads guilty to, or is subject to a judicial finding of guilt of, a violation of section 2919.123 ~~or 2919.124~~ of the Revised Code, the prosecutor in the case, on forms prescribed and provided by the state medical board, shall promptly notify the board of the conviction or guilty plea. Within thirty days of receipt of that information, the board shall initiate action in accordance with Chapter 119. of the Revised Code to determine whether to suspend or revoke the license or certificate under section 4731.22 of the Revised Code.

(C) The prosecutor in any case against any person holding a valid license or certificate issued pursuant to this chapter, on forms prescribed and provided by the state medical board, shall notify the board of any of the following:

(1) A plea of guilty to, a finding of guilt by a jury or court of, or judicial finding of eligibility for intervention in lieu of conviction for a felony, or a case in which the trial court issues an order of dismissal upon technical or procedural grounds of a felony charge;

(2) A plea of guilty to, a finding of guilt by a jury or court of, or judicial finding of eligibility for intervention in lieu of conviction for a misdemeanor committed in the course of practice, or a case in which the trial court issues an order of dismissal upon technical or procedural grounds of a charge of a misdemeanor, if the alleged act was committed in the course of

practice;

(3) A plea of guilty to, a finding of guilt by a jury or court of, or judicial finding of eligibility for intervention in lieu of conviction for a misdemeanor involving moral turpitude, or a case in which the trial court issues an order of dismissal upon technical or procedural grounds of a charge of a misdemeanor involving moral turpitude.

The report shall include the name and address of the license or certificate holder, the nature of the offense for which the action was taken, and the certified court documents recording the action.

**Sec. 4731.281.** (A)(1) A license issued under this chapter to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery shall be valid for a two-year period unless revoked or suspended. A license shall expire on the date that is two years from the date of issuance and may be renewed for additional two-year periods. Applications for renewal shall be submitted to the state medical board in a manner prescribed by the board.

Each application shall be accompanied by a biennial renewal fee of three hundred five dollars.

The board shall deposit the fee in accordance with section 4731.24 of the Revised Code, except that the board shall deposit twenty dollars of the fee into the state treasury to the credit of the physician loan repayment fund created by section 3702.78 of the Revised Code.

(2) The board shall provide a renewal notice to every person holding a license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery, a renewal notice. The board may provide the notice to the person through the secretary of any recognized medical, osteopathic, or podiatric society. The notice shall be provided to the person at least one month prior to the date on which the person's license expires.

(3) Failure of any person to receive a notice of renewal from the board shall not excuse the person from the requirements contained in this section.

(4) The board's notice shall inform the applicant of the renewal procedure. The board shall provide the application for renewal in a form determined by the board.

(5) The applicant shall provide in the application the applicant's full name; the applicant's residence address, business address, and electronic mail address; the number of the applicant's license to practice; and any other information required by the board.

(6)(a) Except as provided in division (A)(6)(b) of this section, in the case of an applicant who prescribes or personally furnishes opioid analgesics or benzodiazepines, as defined in section 3719.01 of the Revised Code, the

applicant shall certify to the board whether the applicant has been granted access to the drug database established and maintained by the state board of pharmacy pursuant to section 4729.75 of the Revised Code.

(b) The requirement described in division (A)(6)(a) of this section does not apply if any of the following is the case:

(i) The state board of pharmacy notifies the state medical board pursuant to section 4729.861 of the Revised Code that the applicant has been restricted from obtaining further information from the drug database.

(ii) The state board of pharmacy no longer maintains the drug database.

(iii) The applicant does not practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery in this state.

(c) If an applicant certifies to the state medical board that the applicant has been granted access to the drug database and the board finds through an audit or other means that the applicant has not been granted access, the board may take action under section 4731.22 of the Revised Code.

(7) The applicant shall indicate whether the applicant currently collaborates, as that term is defined in section 4723.01 of the Revised Code, with any clinical nurse specialists, certified nurse-midwives, or certified nurse practitioners.

(8) The applicant shall report any criminal offense to which the applicant has pleaded guilty, of which the applicant has been found guilty, or for which the applicant has been found eligible for intervention in lieu of conviction, since last submitting an application for a license to practice or renewal of a license.

(9) The applicant shall execute and deliver the application to the board in a manner prescribed by the board.

(B) The board shall renew a license under this chapter to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery upon application and qualification therefor in accordance with this section. A renewal shall be valid for a two-year period.

(C) Failure of any license holder to renew and comply with this section shall operate automatically to suspend the holder's license to practice and if applicable, the holder's certificate to recommend issued under section 4731.30 of the Revised Code. Continued practice after the suspension shall be considered as practicing in violation of section 4731.41, 4731.43, or 4731.60 of the Revised Code.

If the license has been suspended pursuant to this division for two years or less, it may be reinstated. The board shall reinstate a license to practice suspended for failure to renew upon an applicant's submission of a

renewal application and payment of a reinstatement fee of four hundred five dollars.

If the license has been suspended pursuant to this division for more than two years, it may be restored. Subject to section 4731.222 of the Revised Code, the board may restore a license to practice suspended for failure to renew upon an applicant's submission of a restoration application, payment of a restoration fee of five hundred five dollars, and compliance with sections 4776.01 to 4776.04 of the Revised Code. The board shall not restore to an applicant a license unless the board, in its discretion, decides that the results of the criminal records check do not make the applicant ineligible for a license issued pursuant to section 4731.14 or 4731.56 of the Revised Code.

Any reinstatement or restoration of a license to practice under this section shall operate automatically to renew the holder's certificate to recommend.

(D) The state medical board may obtain information not protected by statutory or common law privilege from courts and other sources concerning malpractice claims against any person holding a license to practice under this chapter or practicing as provided in section 4731.36 of the Revised Code.

~~(E) Each renewal notice provided by the board under division (A)(2) of this section to a person holding a license to practice medicine and surgery or osteopathic medicine and surgery shall inform the applicant of the reporting requirement established by division (H) of section 3701.79 of the Revised Code. At the discretion of the board, the information may be included on the application for renewal or on an accompanying page.~~

~~(F) Each person holding a license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery shall give notice to the board of a change in the license holder's residence address, business address, or electronic mail address not later than thirty days after the change occurs.~~

**Sec. 4731.293.** (A) The state medical board shall issue, without examination, a clinical research faculty certificate to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery to any person who applies for the certificate and provides to the board satisfactory evidence of both of the following:

(1) That the applicant holds a current, unrestricted license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery issued by another state or country;

(2) That the applicant has been appointed to serve in this state on the academic staff of a medical school accredited by the liaison committee on medical education, an osteopathic medical school accredited by the American

osteopathic association, or a college of podiatric medicine and surgery in good standing with the board.

(B) The holder of a clinical research faculty certificate may do one of the following, as applicable:

(1) Practice medicine and surgery or osteopathic medicine and surgery only as is incidental to the certificate holder's teaching or research duties at the medical school or a teaching hospital affiliated with the school;

(2) Practice podiatric medicine and surgery only as is incidental to the certificate holder's teaching or research duties at the college of podiatric medicine and surgery or a teaching hospital affiliated with the college.

(C) The board may revoke a certificate on receiving proof satisfactory to the board that the certificate holder has engaged in practice in this state outside the scope of the certificate or that there are grounds for action against the certificate holder under section 4731.22 of the Revised Code.

(D) A clinical research faculty certificate is valid for three years, except that the certificate ceases to be valid if the holder's academic staff appointment described in division (A)(2) of this section is no longer valid or the certificate is revoked pursuant to division (C) of this section.

(E)(1) The board shall provide a renewal notice to the certificate holder at least one month before the certificate expires. Failure of a certificate holder to receive a notice of renewal from the board shall not excuse the certificate holder from the requirements contained in this section. The notice shall inform the certificate holder of the renewal procedure. ~~The notice also shall inform the certificate holder of the reporting requirement established by division (H) of section 3701.79 of the Revised Code.~~ At the discretion of the board, the information may be included on the application for renewal or on an accompanying page.

(2) A clinical research faculty certificate may be renewed for an additional three-year period. There is no limit on the number of times a certificate may be renewed. A person seeking renewal of a certificate shall apply to the board. The board shall provide the application for renewal in a form determined by the board.

(3) An applicant is eligible for renewal if the applicant does all of the following:

(a) Reports any criminal offense to which the applicant has pleaded guilty, of which the applicant has been found guilty, or for which the applicant has been found eligible for intervention in lieu of conviction, since last filing an application for a clinical research faculty certificate;

(b) Provides evidence satisfactory to the board of both of the following:

(i) That the applicant continues to maintain a current, unrestricted

license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery issued by another state or country;

(ii) That the applicant's initial appointment to serve in this state on the academic staff of a school or college is still valid or has been renewed.

(4) Regardless of whether the certificate has expired, a person who was granted a visiting medical faculty certificate under this section as it existed immediately prior to June 6, 2012, may apply for a clinical research faculty certificate as a renewal. The board may issue the clinical research faculty certificate if the applicant meets the requirements of division (E)(3) of this section. The board may not issue a clinical research faculty certificate if the visiting medical faculty certificate was revoked.

(F) A person holding a clinical research faculty certificate issued under this section shall not be required to obtain a certificate under Chapter 4796. of the Revised Code.

(G) The board may adopt any rules it considers necessary to implement this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code.

**Sec. 4743.09.** (A) As used in this section:

(1) "Durable medical equipment" means a type of equipment, such as a remote monitoring device utilized by a physician, physician assistant, or advanced practice registered nurse in accordance with this section, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, and generally is not useful to a person in the absence of illness or injury and, in addition, includes repair and replacement parts for the equipment.

(2) "Facility fee" means any fee charged or billed for telehealth services provided in a facility that is intended to compensate the facility for its operational expenses and is separate and distinct from a professional fee.

(3) "Health care professional" means:

(a) An advanced practice registered nurse, as defined in section 4723.01 of the Revised Code;

(b) An optometrist licensed under Chapter 4725. of the Revised Code to practice optometry;

(c) A pharmacist licensed under Chapter 4729. of the Revised Code;

(d) A physician assistant licensed under Chapter 4730. of the Revised Code;

(e) A physician licensed under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;

(f) A psychologist, independent school psychologist, or school

psychologist licensed under Chapter 4732. of the Revised Code;

(g) A chiropractor licensed under Chapter 4734. of the Revised Code;

(h) An audiologist or speech-language pathologist licensed under Chapter 4753. of the Revised Code;

(i) An occupational therapist or physical therapist licensed under Chapter 4755. of the Revised Code;

(j) An occupational therapy assistant or physical therapist assistant licensed under Chapter 4755. of the Revised Code;

(k) A professional clinical counselor, independent social worker, independent marriage and family therapist, art therapist, or music therapist licensed under Chapter 4757. of the Revised Code;

(l) An independent chemical dependency counselor licensed under Chapter 4758. of the Revised Code;

(m) A dietitian licensed under Chapter 4759. of the Revised Code;

(n) A respiratory care professional licensed under Chapter 4761. of the Revised Code;

(o) A genetic counselor licensed under Chapter 4778. of the Revised Code;

(p) A certified Ohio behavior analyst certified under Chapter 4783. of the Revised Code;

(q) A certified mental health assistant licensed under Chapter 4772. of the Revised Code.

(4) "Health care professional licensing board" means any of the following:

(a) The board of nursing;

(b) The state vision professionals board;

(c) The state board of pharmacy;

(d) The state medical board;

(e) The state board of psychology;

(f) The state chiropractic board;

(g) The state speech and hearing professionals board;

(h) The Ohio occupational therapy, physical therapy, and athletic trainers board;

(i) The counselor, social worker, and marriage and family therapist board;

(j) The chemical dependency professionals board.

(5) "Health plan issuer" has the same meaning as in section 3922.01

of the Revised Code.

(6) "Telehealth services" means health care services provided through the use of information and communication technology by a health care professional, within the professional's scope of practice, who is located at a site other than the site where either of the following is located:

(a) The patient receiving the services;

(b) Another health care professional with whom the provider of the services is consulting regarding the patient.

(B)(1) Each health care professional licensing board shall permit a health care professional under its jurisdiction to provide the professional's services as telehealth services in accordance with this section. Subject to division (B)(2) of this section, a board may adopt any rules it considers necessary to implement this section. All rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code. Any such rules adopted by a board are not subject to the requirements of division (F) of section 121.95 of the Revised Code.

(2)(a) Except as provided in division (B)(2)(b) of this section, the rules adopted by a health care professional licensing board under this section shall establish a standard of care for telehealth services that is equal to the standard of care for in-person services.

(b) Subject to division (B)(2)(c) of this section, a board may require an initial in-person visit prior to prescribing a schedule II controlled substance to a new patient, equivalent to applicable state and federal requirements.

(c)(i) A board shall not require an initial in-person visit for a new patient whose medical record indicates that the patient is receiving hospice or palliative care, who is receiving medication-assisted treatment or any other medication for opioid-use disorder, who is a patient with a mental health condition, or who, as determined by the clinical judgment of a health care professional, is in an emergency situation.

(ii) Notwithstanding division (B) of section 3796.01 of the Revised Code, medical marijuana shall not be considered a schedule II controlled substance.

(C) With respect to the provision of telehealth services, all of the following apply:

(1) A health care professional may use synchronous or asynchronous technology to provide telehealth services to a patient during an initial visit if the appropriate standard of care for an initial visit is satisfied.

(2) A health care professional may deny a patient telehealth services and, instead, require the patient to undergo an in-person visit.

(3) When providing telehealth services in accordance with this section, a health care professional shall comply with all requirements under state and federal law regarding the protection of patient information. A health care professional shall ensure that any username or password information and any electronic communications between the professional and a patient are securely transmitted and stored.

(4) A health care professional may use synchronous or asynchronous technology to provide telehealth services to a patient during an annual visit if the appropriate standard of care for an annual visit is satisfied.

(5) In the case of a health care professional who is a physician, physician assistant, or advanced practice registered nurse, both of the following apply:

(a) The professional may provide telehealth services to a patient located outside of this state if permitted by the laws of the state in which the patient is located.

(b) The professional may provide telehealth services through the use of medical devices that enable remote monitoring, including such activities as monitoring a patient's blood pressure, heart rate, or glucose level.

(D) When a patient has consented to receiving telehealth services, the health care professional who provides those services is not liable in damages under any claim made on the basis that the services do not meet the same standard of care that would apply if the services were provided in-person.

(E)(1) A health care professional providing telehealth services shall not charge a patient or a health plan issuer covering telehealth services under section 3902.30 of the Revised Code any of the following: a facility fee, an origination fee, or any fee associated with the cost of the equipment used at the provider site to provide telehealth services.

A health care professional providing telehealth services may charge a health plan issuer for durable medical equipment used at a patient or client site.

(2) A health care professional may negotiate with a health plan issuer to establish a reimbursement rate for fees associated with the administrative costs incurred in providing telehealth services as long as a patient is not responsible for any portion of the fee.

(3) A health care professional providing telehealth services shall obtain a patient's consent before billing for the cost of providing the services, but the requirement to do so applies only once.

(F) Nothing in this section limits or otherwise affects any other provision of the Revised Code that requires a health care professional who is not a physician to practice under the supervision of, in collaboration with, in consultation with, or pursuant to the referral of another health care

professional.

(G) It is the intent of the general assembly, through the amendments to this section, to expand access to and investment in telehealth services in this state in congruence with the expansion and investment in telehealth services made during the COVID-19 pandemic.

(H) Reproductive health care and related services may be provided as telehealth services in accordance with this section.

**Section 2.** That existing sections 109.572, 2305.11, 2317.02, 2919.10, 2919.12, 2953.25, 3701.341, 3701.792, 3702.30, 4112.01, 4112.02, 4729.291, 4731.22, 4731.223, 4731.281, 4731.293, and 4743.09 of the Revised Code are hereby repealed.

**Section 3.** That sections 2307.54, 2317.56, 2317.561, 2919.101, 2919.124, 2919.171, 2919.19, 2919.191, 2919.192, 2919.193, 2919.194, 2919.195, 2919.196, 2919.197, 2919.198, 2919.199, 2919.1910, 2919.1912, 2919.1913, 2919.20, 2919.201, 2919.202, 2919.203, 2919.204, 2919.205, 3701.79, 3701.791, 3702.302, 3702.303, 3702.304, 3702.305, 3702.306, 3702.307, 3702.308, 3702.309, 3702.3010, 3702.3011, 3726.01, 3726.02, 3726.03, 3726.04, 3726.041, 3726.042, 3726.05, 3726.09, 3726.10, 3726.11, 3726.12, 3726.13, 3726.14, 3726.15, 3726.16, 3726.95, 3726.99, 3727.60, 4717.271, 5101.57, and 5103.11 of the Revised Code are hereby repealed."

In line 46, delete "2" and insert "4"; delete "This" and insert "Section 3715.39 of the Revised Code, as enacted by this"

In line 47, after "Act" insert ", and sections 109.572, 2305.11, 2317.02, 2919.10, 2919.12, 2953.25, 3701.341, 3701.792, 3702.30, 4112.01, 4112.02, 4729.291, 4731.22, 4731.223, 4731.281, 4731.293, and 4743.09 of the Revised Code, as amended by this act; sections 2305.2312, 3732.01, 3732.02, 3732.03, 3732.04, 3732.05, 3732.06, 3732.07, 3732.08, 3732.09, and 3732.11 of the Revised Code, as enacted by this act; and sections 2307.54, 2317.56, 2317.561, 2919.101, 2919.124, 2919.171, 2919.19, 2919.191, 2919.192, 2919.193, 2919.194, 2919.195, 2919.196, 2919.197, 2919.198, 2919.199, 2919.1910, 2919.1912, 2919.1913, 2919.20, 2919.201, 2919.202, 2919.203, 2919.204, 2919.205, 3701.79, 3701.791, 3702.302, 3702.303, 3702.304, 3702.305, 3702.306, 3702.307, 3702.308, 3702.309, 3702.3010, 3702.3011, 3726.01, 3726.02, 3726.03, 3726.04, 3726.041, 3726.042, 3726.05, 3726.09, 3726.10, 3726.11, 3726.12, 3726.13, 3726.14, 3726.15, 3726.16, 3726.95, 3726.99, 3727.60, 4717.271, 5101.57, and 5103.11 of the Revised Code, as repealed by this act, shall be known as the Reproductive Care Act"

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

Representative John moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 60, nays 28, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Callender
Claggett	Click	Craig	Creech
Dean	Deeter	Dovilla	Fischer
Fowler Arthur	Ghanbari	Gross	Hall, T.
Hiner	Holmes	Hoops	John
Johnson	King	Kishman	Klopfenstein
Lampton	LaRe	Lorenz	Manning
Mathews, A.	Mathews, T.	McClain	Miller, K.
Miller, M.	Moore	Mullins	Newman
Odioso	Oelslager	Peterson	Pizzulli
Plummer	Ray	Richardson	Ritter
Robb Blasdel	Roemer	Salvo	Santucci
Schmidt	Stephens	Stewart	Swearingen
Teska	Thomas, D.	Thomas, J.	White, A.
Williams	Workman	Young	Huffman-60

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brewer	Brownlee	Bryant Bailey	Glassburn
Hall, D.	Humphrey	Isaacsohn	Lawson-Rowe
Lett	McNally	Miller, J.	Mohamed
Piccolantonio	Robinson	Russo	Sigrist
Sims	Sweeney	Synerberg	Thomas, C.
Tims	Troy	Upchurch	White, E.-28

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 60, nays 28, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Callender
Claggett	Click	Craig	Creech
Dean	Deeter	Dovilla	Fischer
Fowler Arthur	Ghanbari	Gross	Hall, T.
Hiner	Holmes	Hoops	John
Johnson	King	Kishman	Klopfenstein
Lampton	LaRe	Lorenz	Manning
Mathews, A.	Mathews, T.	McClain	Miller, K.
Miller, M.	Moore	Mullins	Newman
Odioso	Oelslager	Peterson	Pizzulli
Plummer	Ray	Richardson	Ritter
Robb Blasdel	Roemer	Salvo	Santucci
Schmidt	Stephens	Stewart	Swearingen
Teska	Thomas, D.	Thomas, J.	White, A.
Williams	Workman	Young	Huffman-60

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brewer	Brownlee	Bryant Bailey	Glassburn
Hall, D.	Humphrey	Isaacsohn	Lawson-Rowe
Lett	McNally	Miller, J.	Mohamed
Piccolantonio	Robinson	Russo	Sigrist
Sims	Sweeney	Synerberg	Thomas, C.
Tims	Troy	Upchurch	White, E.-28

The bill passed.

Representative Mathews, A. moved to amend the title as follows:

Add the names: "Barhorst, Bird, Click, Dovilla, Fowler Arthur, Hall, T., John, Mathews, T., McClain, Newman, Odioso, Richardson, Salvo, Thomas, D., Williams, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 338**-Representatives Johnson, Plummer.

Cosponsors: Representatives Schmidt, Robb Blasdel, Thomas, D., Hall, T., Newman, Kishman, Swearingen, Mathews, A., Odioso, Stewart, Williams.

To amend sections 121.03, 2903.01, 2903.11, 2903.13, 2921.36, 2921.38, 2929.03, 2929.14, and 5120.01 and to enact sections 2941.1427, 5120.012, 5120.361, 5120.491, and 5120.85 of the Revised Code to enact Andy's Law to increase the penalty for assaulting or causing the death of specified victims at state or local correctional institutions and to make changes to department of rehabilitation and correction policies and procedures, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 82, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baker	Barhorst	Bird
Brennan	Brewer	Brownlee	Callender
Claggett	Click	Craig	Creech
Dean	Deeter	Dovilla	Fischer
Fowler Arthur	Ghanbari	Glassburn	Gross
Hall, D.	Hall, T.	Hiner	Holmes
Hoops	Isaacsohn	John	Johnson
King	Kishman	Klopfenstein	Lampton
LaRe	Lett	Lorenz	Manning
Mathews, A.	Mathews, T.	McClain	McNally
Miller, J.	Miller, K.	Miller, M.	Mohamed
Moore	Mullins	Newman	Odioso
Oelslager	Peterson	Piccolantonio	Pizzulli
Plummer	Ray	Richardson	Ritter
Robb Blasdel	Robinson	Roemer	Russo
Salvo	Santucci	Schmidt	Sigris
Sims	Stephens	Stewart	Swearingen
Sweeney	Synenberg	Teska	Thomas, C.
Thomas, D.	Thomas, J.	Troy	Upchurch
White, A.	White, E.	Williams	Workman
Young			Huffman-82

Representatives Humphrey, Lawson-Rowe, and Tims voted in the negative-3.

The bill passed.

Representative Johnson moved to amend the title as follows:

Add the names: "Abrams, Barhorst, Bird, Brennan, Claggett, Click, Creech, Deeter, Dovilla, Ghanbari, Hall, D., Hiner, Holmes, Hoops, John, King, Klopfenstein, LaRe, Lorenz, Manning, Mathews, T., McClain, Miller, K., Miller, M., Oelslager, Peterson, Richardson, Roemer, Salvo, Santucci, Sigrist, Synenberg, Teska, Thomas, C., White, A., Workman, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 393**-Representatives Click, Brewer.

Cosponsor: Representative Newman.

To amend sections 4507.01, 4507.50, 4507.51, and 4507.52 and to enact section 2301.551 of the Revised Code to require that community-based correctional facilities and programs assist inmates in obtaining state identification cards prior to release, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Lett moved to amend, amendment 1542.

Pursuant to House Rule 93(a), Speaker Huffman ruled the amendment out of order.

Representative Piccolantonio appealed the decision of the Chair.

Pursuant to House Rule 53(b), the motion was properly supported.

The question being, "Shall the decision of the Chair be sustained?"

The yeas and nays were taken and resulted – yeas 62, nays 26, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Brewer
Callender	Claggett	Click	Craig
Creech	Daniels	Deeter	Dovilla
Fischer	Fowler Arthur	Ghanbari	Gross
Hall, T.	Hiner	Holmes	Hoops
John	Johnson	King	Kishman
Klopfenstein	Lampton	LaRe	Lorenz
Manning	Mathews, A.	Mathews, T.	McClain
Miller, K.	Miller, M.	Moore	Mullins
Newman	Odioso	Oelslager	Peterson
Pizzulli	Plummer	Ray	Richardson
Ritter	Robb Blasdel	Roemer	Salvo
Santucci	Schmidt	Stephens	Stewart
Swearingen	Teska	Thomas, D.	Thomas, J.
White, A.	White, E.	Willis	Workman
Young			Huffman-62

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brownlee	Bryant Bailey	Glassburn	Hall, D.
Humphrey	Isaacsohn	Lawson-Rowe	Lett
McNally	Miller, J.	Mohamed	Piccolantonio
Robinson	Russo	Sigrist	Sims
Sweeney	Synenberg	Thomas, C.	Tims
Troy			Upchurch-26

The decision of the Chair was sustained.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 89, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Daniels
Dean	Deeter	Dovilla	Fischer
Fowler Arthur	Ghanbari	Glassburn	Gross
Hall, D.	Hall, T.	Hiner	Hoops
Humphrey	Isaacsohn	John	Johnson
King	Kishman	Klopfenstein	Lampton
LaRe	Lawson-Rowe	Lett	Lorenz
Manning	Mathews, A.	Mathews, T.	McClain
McNally	Miller, J.	Miller, K.	Miller, M.
Mohamed	Moore	Mullins	Newman
Odioso	Oelslager	Peterson	Piccolantonio
Pizzulli	Plummer	Ray	Richardson
Ritter	Robb Blasdel	Robinson	Roemer
Russo	Salvo	Santucci	Schmidt
Sigrist	Sims	Stephens	Stewart
Swearingen	Sweeney	Synenberg	Teska
Thomas, C.	Thomas, D.	Thomas, J.	Tims
Troy	Upchurch	White, A.	White, E.
Williams	Willis	Workman	Young
			Huffman-89

The bill passed.

Representative Click moved to amend the title as follows:

Add the names: "Baker, Barhorst, Bird, Brennan, Brent, Bryant Bailey, Claggett, Daniels, Fischer, Glassburn, Hall, D., Humphrey, Isaacsohn, Lett, Mohamed, Russo, Salvo, Schmidt, Sigrist, Stephens, Synenberg, Thomas, C., Tims, White, A., White, E., Williams, Willis, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Am. H. B. No. 397**-Representatives Deeter, Johnson.

Cosponsors: Representatives Brennan, Fowler Arthur, Schmidt.

To amend section 341.25 of the Revised Code to expand the allowable uses of profits from jail commissary funds, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 75, nays 12, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baker	Barhorst	Bird
Brennan	Brownlee	Callender	Claggett
Click	Craig	Creech	Daniels
Dean	Deeter	Dovilla	Fischer
Fowler Arthur	Ghanbari	Gross	Hall, D.
Hall, T.	Hiner	Holmes	Hoops
Humphrey	John	Johnson	King
Kishman	Klopfenstein	Lampton	LaRe
Lawson-Rowe	Lorenz	Manning	Mathews, A.
Mathews, T.	McClain	McNally	Miller, J.
Miller, K.	Miller, M.	Mohamed	Moore
Mullins	Newman	Odioso	Oelslager
Peterson	Pizzulli	Plummer	Ray
Richardson	Ritter	Robb Blasdel	Roemer
Salvo	Santucci	Schmidt	Sigrist
Sims	Stephens	Stewart	Swearingen
Synenberg	Teska	Thomas, C.	Thomas, D.
Thomas, J.	Troy	White, A.	White, E.
Workman	Young		Huffman-75

Those who voted in the negative were: Representatives

Abdullahi	Brent	Brewer	Bryant Bailey
Glassburn	Isaacsohn	Piccolantonio	Robinson
Russo	Sweeney	Tims	Upchurch-12

The bill passed.

Representative Deeter moved to amend the title as follows:

Add the names: "King, Klopfenstein, Manning, Miller, K., Newman, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 455**-Representatives Manning, Bird.

Cosponsors: Representatives Fowler Arthur, Odioso, Brennan, Click, John, Newman.

To amend sections 109.57, 109.803, 124.011, 133.06, 135.142, 135.143, 149.41, 2915.092, 2921.44, 3301.07, 3301.079, 3301.0710, 3301.0711, 3301.0712, 3301.0714, 3301.0715, 3301.0716, 3301.0730, 3301.111, 3301.12, 3301.45, 3301.52, 3302.01, 3302.02, 3302.021, 3302.03, 3302.034, 3302.035, 3302.04, 3302.05, 3302.07, 3302.10, 3302.12, 3302.13, 3302.151, 3302.17, 3302.21, 3302.41, 3307.01, 3309.01, 3309.011, 3310.03, 3310.14,

3310.522, 3311.741, 3311.80, 3313.11, 3313.411, 3313.413, 3313.483, 3313.603, 3313.6026, 3313.6028, 3313.61, 3313.611, 3313.612, 3313.613, 3313.614, 3313.618, 3313.6110, 3313.6111, 3313.6112, 3313.6113, 3313.6114, 3313.64, 3313.661, 3313.663, 3313.664, 3313.6611, 3313.7112, 3313.7118, 3313.753, 3313.814, 3313.902, 3314.016, 3314.017, 3314.02, 3314.031, 3314.034, 3314.35, 3314.351, 3314.353, 3315.063, 3315.42, 3316.03, 3316.04, 3316.06, 3316.14, 3317.02, 3317.023, 3317.03, 3317.18, 3317.25, 3319.31, 3319.311, 3319.319, 3319.393, 3320.02, 3320.03, 3325.08, 3326.11, 3327.014, 3333.041, 3333.048, 3333.301, 3345.061, 3365.01, 3365.032, 3365.07, 3728.01, 3737.07, 3781.106, 3792.04, 4117.01, 4723.483, 4723.4811, 4729.01, 4729.513, 4729.541, 4730.433, 4730.437, 4731.92, 4731.96, 5104.53, 5502.262, 5705.212, 5705.213, 5753.11, and 6109.121 and to repeal sections 3301.28, 3301.68, 3302.032, 3302.036, 3302.042, 3302.06, 3302.061, 3302.062, 3302.063, 3302.064, 3302.065, 3302.066, 3302.067, 3302.068, 3313.484, 3313.487, 3313.488, 3313.489, 3313.4810, 3313.615, 3314.354, 3316.041, 3318.60, 3318.61, 3318.62, 3328.01, 3328.02, 3328.03, 3328.04, 3328.11, 3328.12, 3328.13, 3328.14, 3328.15, 3328.16, 3328.17, 3328.18, 3328.19, 3328.191, 3328.192, 3328.193, 3328.20, 3328.21, 3328.22, 3328.23, 3328.24, 3328.241, 3328.25, 3328.26, 3328.27, 3328.29, 3328.30, 3328.31, 3328.32, 3328.34, 3328.35, 3328.36, 3328.37, 3328.38, 3328.41, 3328.45, 3328.50, 3328.52, and 3328.99 of the Revised Code and to amend Section 265.550 of H.B. 33 of the 135th General Assembly as subsequently amended regarding the operation of public schools and the Department of Education and Workforce and to eliminate obsolete provisions of education law and to amend the version of section 3313.902 of the Revised Code that is scheduled to take effect on July 1, 2026, to continue the change on and after that date, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative McNally moved to amend, amendment 1530, as follows:

In line 7 of the title, after "3302.035" insert ", 3302.036"; after "3302.04" insert ", 3302.043"; delete ", 3302.10"

In line 10 of the title, after "3310.522" insert ", 3311.29"

In line 18 of the title, after "3314.034" insert ", 3314.102"

In line 31 of the title, after "3302.068" insert ", 3302.10, 3302.103, 3302.11, 3302.111"

In line 46 of the title, after "Workforce" insert ", to dissolve existing academic distress commissions, to repeal the law that creates new commissions,"

In line 56, after "3302.035" insert ", 3302.036"

In line 57, after "3302.04" insert ", 3302.043"; delete ", 3302.10"

In line 59, after "3310.522" insert ", 3311.29"

In line 64, after "3314.034" insert ", 3314.102"

Strike through lines 899 through 905

Strike through lines 940 through 946

After line 5529, insert:

**"Sec. 3302.036.** (A) Notwithstanding anything in the Revised Code to the contrary, the department of education and workforce shall not assign an overall letter grade under division (C)(3) of section 3302.03 of the Revised Code for any school district or building for the 2014-2015, 2015-2016, ~~or and~~ 2016-2017 school years, may, at the discretion of the department, not assign an individual grade to any component prescribed under division (C)(3) of section 3302.03 of the Revised Code, and shall not rank school districts, community schools established under Chapter 3314. of the Revised Code, or STEM schools established under Chapter 3326. of the Revised Code under section 3302.21 of the Revised Code for those school years. The report card ratings issued for the 2014-2015, 2015-2016, ~~or and~~ 2016-2017 school years shall not be considered in determining whether a school district or a school is subject to sanctions or penalties. However, the report card ratings of any previous or subsequent years shall be considered in determining whether a school district or building is subject to sanctions or penalties. Accordingly, the report card ratings for the 2014-2015, 2015-2016, ~~or and~~ 2016-2017 school years shall have no effect in determining sanctions or penalties, but shall not create a new starting point for determinations that are based on ratings over multiple years.

(B) The provisions from which a district or school is exempt under division (A) of this section shall be the following:

(1) Any restructuring provisions established under this chapter, except as required under the "No Child Left Behind Act of 2001";

(2) Provisions for the Columbus city school pilot project under section 3302.042 of the Revised Code;

~~(3) Provisions for academic distress commissions under former section 3302.10 of the Revised Code as it existed prior to October 15, 2015. The provisions of this section do not apply to academic distress commissions under the version of that section as it exists on or after October 15, 2015.~~

(4) Provisions prescribing new buildings where students are eligible for the educational choice scholarships under section 3310.03 of the Revised Code;

~~(5)~~(4) Provisions defining "challenged school districts" in which new start-up community schools were required to be located, as prescribed in section 3314.02 of the Revised Code as it existed prior to September 30, 2021;

~~(6)-(5)~~ Provisions prescribing community school closure requirements under section 3314.35 or 3314.351 of the Revised Code.

(C) Notwithstanding anything in the Revised Code to the contrary and except as provided in Section 3 of H.B. 7 of the 131st general assembly, no school district, community school, or STEM school shall utilize at any time during a student's academic career a student's score on any assessment administered under division (A) of section 3301.0710 or division (B)(2) of section 3301.0712 of the Revised Code in the 2014-2015, 2015-2016, ~~or and~~ 2016-2017 school years as a factor in any decision to promote or to deny the student promotion to a higher grade level or in any decision to grant course credit. No individual student score reports on such assessments administered in the 2014-2015, 2015-2016, or 2016-2017 school years shall be released, except to a student's school district or school or to the student or the student's parent or guardian."

After line 5733, insert:

**"Sec. 3302.043.** (A) As used in this section, "eligible district" means a city school district ~~to which both of the following apply:~~

(1) ~~The district that~~ has persistently low performance ratings, as determined by the department of education and workforce, under section 3302.03 of the Revised Code.

~~(2) The district is not subject to an academic distress commission under section 3302.10 of the Revised Code.~~

(B) The department shall establish the career promise academy summer demonstration pilot program. Under the pilot program, which shall operate in the 2021-2022 and 2022-2023 school years, the department shall solicit proposals from eligible districts to establish and operate a career promise academy during the summer to provide students entering ninth grade with intensive literacy instruction, internship or mentoring experiences, and instruction regarding academic preparedness skills, life skills, and financial literacy. The department shall approve one proposal based on the criteria prescribed under division (C) of this section. The department shall award a grant to the eligible district with an approved proposal.

(C) The department shall adopt criteria under which to approve a proposal for a career promise academy, which shall include all of the following:

(1) A requirement that the career promise academy operate as follows:

(a) For four consecutive weeks in the summer of 2021;

(b) For five consecutive weeks in the summer of 2022.

(2) A requirement that not more than seventy-five students participate in the career promise academy in one summer;

(3) A requirement for the eligible district to submit to the department, in a form and manner prescribed by the department, any data that the department and district jointly determine is necessary to evaluate the pilot program;

(4) A method to determine student eligibility to participate in the career promise academy. The method shall identify students entering ninth grade who are at risk of not qualifying for a high school diploma based on the student's scores on the English language arts and mathematics assessments prescribed under division (A)(1)(f) of section 3301.0710 of the Revised Code and other academic or social-emotional factors.

(5) A description of the instruction and internship or mentoring experiences that participating students will receive;

(6) An agreement with the district's business advisory council established under section 3313.82 of the Revised Code and other organizations or businesses to identify or provide internship and mentoring experiences to participating students;

(7) An agreement with at least one institution of higher education to identify and engage with prospective teachers to serve as mentors and academic coaches to participating students.

(D) The department shall adopt guidelines and procedures to operate the pilot program established under this section. "

Delete lines 5817 through 6234

In line 6306, strike through the first "or"; delete "section"; strike through "3302.10 of the Revised Code,"

In line 6536, strike through "section 3302.10"; delete "or"; strike through "3302.12"; strike through "of"

In line 6537, strike through "the Revised Code, or"

In line 7277, strike through the first ", " and insert "or"; strike through ", or (C)"

In line 7360, strike through "is" and insert "was"; after "to" insert "former"

In line 7361, strike through "and the student either:"

Strike through lines 7362 through 7367

In line 7368, strike through "for which a scholarship is sought" and insert "as it existed prior to the effective date of this amendment, and the student remains an eligible student pursuant to division (D) of this section. The department shall cease awarding first-time scholarships pursuant to division (C) of this section on the effective date of this amendment"

In line 7401, strike through "(E)(1)" and insert "(E)"

Strike through lines 7407 through 7411

In line 7412, strike through "(3)"

After line 7519, insert:

**"Sec. 3311.29.** (A) Except as provided under division (B), (C), or (D) of this section, no school district shall be created and no school district shall exist which does not maintain within such district public schools consisting of grades kindergarten through twelve and any such existing school district not maintaining such schools shall be dissolved and its territory joined with another school district or districts by order of the state board of education if no agreement is made among the surrounding districts voluntarily, which order shall provide an equitable division of the funds, property, and indebtedness of the dissolved school district among the districts receiving its territory. The state board of education may authorize exceptions to school districts where topography, sparsity of population, and other factors make compliance impracticable.

The director of education and workforce is without authority to distribute funds under Chapter 3317. of the Revised Code to any school district that does not maintain schools with grades kindergarten through twelve and to which no exception has been granted by the state board of education.

(B) Division (A) of this section does not apply to any joint vocational school district or any cooperative education school district established pursuant to divisions (A) to (C) of section 3311.52 of the Revised Code.

(C)(1)(a) Except as provided in division (C)(3) of this section, division (A) of this section does not apply to any cooperative education school district established pursuant to section 3311.521 of the Revised Code nor to the city, exempted village, or local school districts that have territory within such a cooperative education district.

(b) The cooperative district and each city, exempted village, or local district with territory within the cooperative district shall maintain the grades that the resolution adopted or amended pursuant to section 3311.521 of the Revised Code specifies.

(2) Any cooperative education school district described under division (C)(1) of this section that fails to maintain the grades it is specified to operate shall be dissolved by order of the state board of education unless prior to such an order the cooperative district is dissolved pursuant to section 3311.54 of the Revised Code. Any such order shall provide for the equitable adjustment, division, and disposition of the assets, property, debts, and obligations of the district among each city, local, and exempted village school district whose territory is in the cooperative district and shall provide that the tax duplicate of each city, local, and exempted village school district whose territory is in the cooperative district shall be bound for and assume its share of the outstanding indebtedness of the cooperative district.

(3) If any city, exempted village, or local school district described under division (C)(1) of this section fails to maintain the grades it is specified to operate the cooperative district within which it has territory shall be dissolved in accordance with division (C)(2) of this section and upon that dissolution any city, exempted village, or local district failing to maintain grades kindergarten through twelve shall be subject to the provisions for dissolution in division (A) of this section.

(D) Division (A) of this section does not apply to any school district that ~~is or~~ has ever been subject to former section 3302.10 of the Revised Code, as it ~~exists~~-existed on and after October 15, 2015, and has had a majority of its schools reconstituted or closed under that section."

After line 11830, insert:

"**Sec. 3314.102.** (A) As used in this section:

(1) "~~Chief executive officer~~" means a ~~chief executive officer~~ appointed by an academic distress commission pursuant to section 3302.10 of the Revised Code.

(2) "~~Municipal~~", "municipal school district" and "mayor" have the same meanings as in section 3311.71 of the Revised Code.

(B) Notwithstanding section 3314.10 and sections 4117.03 to 4117.18 of the Revised Code and Section 4 of Amended Substitute Senate Bill No. 133 of the 115th general assembly, the employees of a conversion community school that is sponsored by the board of education of a municipal school district ~~or a school district for which an academic distress commission has been established under section 3302.10 of the Revised Code~~ shall cease to be subject to any future collective bargaining agreement, if the mayor ~~or chief executive officer~~ submits to the board of education sponsoring the school and to the state employment relations board a statement requesting that all employees of the community school be removed from a collective bargaining unit. The employees of the community school who are covered by a collective bargaining agreement in effect on the date the mayor ~~or chief executive officer~~ submits the statement shall remain subject to that collective bargaining agreement until the collective bargaining agreement expires on its terms. Upon expiration of that collective bargaining agreement, the employees of that school are not subject to Chapter 4117. of the Revised Code and may not organize or collectively bargain pursuant to that chapter."

In line 17257, after "3302.035" insert ", 3302.036"; after "3302.04" insert ", 3302.043"; delete ", 3302.10"

In line 17259, after "3310.522" insert ", 3311.29"

In line 17264, after "3314.034" insert ", 3314.102"

In line 17276, after "3302.068" insert ", 3302.10, 3302.103, 3302.11, 3302.111"

After line 17525, insert:

**"Section 9.** Any academic distress commission organized for a school district under former section 3302.10 of the Revised Code as it existed prior to the effective date of this section, and any related academic improvement plan under section 3302.103 of the Revised Code, is hereby dissolved. The board of education of each district in which an academic distress commission previously was established shall reassume all the powers granted to it under the Revised Code, and the employees of that district shall reassume all the rights granted to them under the Revised Code."

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

Representative John moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 59, nays 27, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Callender
Claggett	Craig	Creech	Dean
Deeter	Dovilla	Fischer	Fowler Arthur
Ghanbari	Gross	Hall, T.	Hiner
Holmes	Hoops	John	Johnson
King	Kishman	Klopfenstein	Lampton
LaRe	Lorenz	Manning	Mathews, A.
Mathews, T.	McClain	Miller, K.	Miller, M.
Moore	Mullins	Newman	Odioso
Peterson	Pizzulli	Plummer	Ray
Richardson	Ritter	Robb Blasdel	Roemer
Russo	Salvo	Santucci	Schmidt
Stephens	Stewart	Swearingen	Teska
Thomas, D.	Thomas, J.	White, A.	Williams
Workman	Young		Huffman-59

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brewer	Brownlee	Bryant Bailey	Glassburn
Hall, D.	Humphrey	Isaacsohn	Lawson-Rowe
McNally	Miller, J.	Mohamed	Oelslager
Piccolantonio	Robinson	Sigrist	Sims
Sweeney	Synenberg	Thomas, C.	Tims
Troy	Upchurch		White, E.-27

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 87, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Dean
Deeter	Dovilla	Fischer	Fowler Arthur

Ghanbari	Glassburn	Gross	Hall, D.
Hall, T.	Hiner	Holmes	Hoops
Humphrey	Isaacsohn	John	Johnson
King	Kishman	Klopfenstein	Lampton
LaRe	Lawson-Rowe	Lorenz	Manning
Mathews, A.	Mathews, T.	McClain	McNally
Miller, J.	Miller, K.	Miller, M.	Mohamed
Moore	Mullins	Newman	Odioso
Oelslager	Peterson	Piccolantonio	Pizzulli
Plummer	Ray	Richardson	Ritter
Robb Blasdel	Robinson	Roemer	Russo
Salvo	Santucci	Schmidt	Sigrist
Sims	Stephens	Stewart	Swearingen
Sweeney	Synenberg	Teska	Thomas, C.
Thomas, D.	Thomas, J.	Tims	Troy
Upchurch	White, A.	White, E.	Williams
Workman	Young		Huffman-87

The bill passed.

Representative Manning moved to amend the title as follows:

Add the names: "Deeter, Dovilla, Fischer, Hall, D., Hiner, Holmes, Hoops, Lampton, Mathews, A., Mathews, T., McClain, Miller, M., Peterson, Plummer, Richardson, Ritter, Santucci, Sigrist, Thomas, D., Troy, White, A., Williams, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 476**-Representatives Craig, Thomas, D.

Cosponsors: Representatives Ray, Glassburn, Brennan, Hall, T., Gross, Hiner, Ferguson, Kishman, Robb Blasdel, Stewart, Ritter.

To amend sections 109.32, 2915.01, 2915.07, 2915.08, 2915.081, 2915.082, 2915.092, 2915.093, 2915.10, 2915.101, and 2915.14; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 2915.092 (2915.16); and to enact sections 2915.17, 2915.18, 2915.19, and 2915.20 of the Revised Code to authorize online raffles and make related changes to the Charitable Gaming Law and to declare an emergency, was taken up for consideration the third time.

The question being, "Shall the emergency clause stand as part of the bill?"

The yeas and nays were taken and resulted – yeas 87, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Dean
Deeter	Dovilla	Fischer	Fowler Arthur
Ghanbari	Glassburn	Gross	Hall, D.

Hall, T.	Hiner	Holmes	Hoops
Humphrey	Isaacsohn	John	Johnson
King	Kishman	Klopfenstein	Lampton
LaRe	Lawson-Rowe	Lorenz	Manning
Mathews, A.	Mathews, T.	McClain	McNally
Miller, J.	Miller, K.	Miller, M.	Mohamed
Moore	Mullins	Newman	Odioso
Oelslager	Peterson	Piccolantonio	Pizzulli
Plummer	Ray	Richardson	Ritter
Robb Blasdel	Robinson	Roemer	Russo
Salvo	Santucci	Schmidt	Sigrist
Sims	Stephens	Stewart	Swearingen
Sweeney	Synenberg	Teska	Thomas, C.
Thomas, D.	Thomas, J.	Tims	Troy
Upchurch	White, A.	White, E.	Williams
Workman	Young		Huffman-87

Having received the required constitutional majority, the emergency clause stood as part of the bill.

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

The yeas and nays were taken and resulted – yeas 85, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Dean
Deeter	Dovilla	Fischer	Fowler Arthur
Ghanbari	Glassburn	Gross	Hall, D.
Hall, T.	Hiner	Holmes	Hoops
Humphrey	Isaacsohn	John	Johnson
King	Kishman	Klopfenstein	Lampton
LaRe	Lawson-Rowe	Lorenz	Manning
Mathews, A.	Mathews, T.	McNally	Miller, J.
Miller, K.	Miller, M.	Mohamed	Moore
Mullins	Newman	Odioso	Oelslager
Peterson	Piccolantonio	Pizzulli	Plummer
Ray	Richardson	Ritter	Robb Blasdel
Robinson	Roemer	Russo	Salvo
Santucci	Sigrist	Sims	Stephens
Stewart	Swearingen	Sweeney	Synenberg
Teska	Thomas, C.	Thomas, D.	Thomas, J.
Tims	Troy	Upchurch	White, A.
White, E.	Williams	Workman	Young
			Huffman-85

Having received the required constitutional majority, the bill passed as an emergency measure.

Representative Craig moved to amend the title as follows:

Add the names: "Abrams, Bird, Brownlee, Claggett, Creech, Deeter, Dovilla, Fischer, Fowler Arthur, Hall, D., Hoops, John, Johnson, Lorenz, Manning, Mathews, A., Mathews, T., Miller, J., Mohamed, Moore, Mullins,

Roemer, Sigrist, Synenberg, Williams, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 485**-Representative Miller, M.

Cosponsors: Representatives Click, Gross, King, Mullins, Salvo, Williams, Newman, Fowler Arthur.

To amend sections 3301.0718, 3302.07, 3314.03, 3326.11, and 3328.24 and to enact section 3313.6034 of the Revised Code to enact the Baby Olivia Act to require human growth and development instruction in public schools, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Piccolantonio moved to amend, amendment 1533-1, as follows:

In line 2 of the title, delete "section" and insert "sections 2305.2312,"

In line 3 of the title, after "3313.6034" insert ", 3732.01, 3732.02, 3732.03, 3732.04, 3732.05, 3732.06, 3732.08, 3732.09, 3732.11, 3732.13, and 3732.14"

In line 5 of the title, after "schools" insert "and to protect assisted reproduction care"

In line 7, delete "section" and insert "sections 2305.2312,"; after "3313.6034" insert ", 3732.01, 3732.02, 3732.03, 3732.04, 3732.05, 3732.06, 3732.08, 3732.09, 3732.11, 3732.13, and 3732.14"

After line 8, insert:

**"Sec. 2305.2312. (A) As used in this section:**

(1) "Assisted reproduction," "donor," and "human reproductive material" have the same meanings as in section 2907.13 of the Revised Code;

(2) "Assisted reproduction care" means all medical, surgical, counseling, or referral services that are lawful in Ohio or the receipt of products relating to assisted reproduction that is lawful in Ohio, including services, procedures, or medicines relating to assisted reproduction and the provision of human reproductive material by a donor.

(3) "Assisted reproduction care helper" means a person who facilitates or otherwise has supported or is supporting an individual in seeking or receiving assisted reproduction care in Ohio, including a person who provides funding, lodging, transportation, doula services, information, data sharing services such as electronic medical records programs, or other financial or practical support to an individual seeking or receiving assisted reproduction care.

(4) "Health care provider" has the same meaning as in section 2305.2311 of the Revised Code.

(B) Except as provided in sections 2907.13, 2907.14, 4731.861, and 4731.864 of the Revised Code, a health care provider providing assisted reproduction care, a health care facility where assisted reproduction care is provided, an individual seeking or accessing assisted reproduction care, including a donor, or an assisted reproduction care helper is not liable for or subject to damages in a civil action, prosecution in a criminal proceeding, or professional disciplinary action for any of the following:

(1) A claim of injury to or death of any human reproductive material as an unborn human individual;

(2) Providing, accessing, or utilizing assisted reproduction care.

(C)(1) This section does not apply if the act or omission associated with providing assisted reproduction care constitutes negligence, willful or wanton misconduct, or reckless disregard for loss to person or property or the consequences so as to affect the life or health of the patient.

(2) Nothing in this section shall be construed to permit a wrongful death action related to a loss of human reproductive material."

Delete lines 61 through 94

After line 94, insert:

"**Sec. 3313.6034.** (A) Each city, local, exempted village, and joint vocational school district and other public school, as defined in section 3301.0711 of the Revised Code, shall include instruction in grades nine through twelve on human growth and development in its curriculum. The curriculum shall include, at a minimum, both of the following:

(1) A high-definition ultrasound video, at least three minutes in duration, showing the development of the brain, heart, sex organs, and other vital organs in early fetal development;

(2) The meet baby Olivia video developed by live action, or its successor entity, or a substantially similar video showing the process of fertilization and each stage of human development inside the uterus, noting significant markers in cell growth and organ development for every stage of pregnancy until birth.

The department of education and workforce shall establish a list of materials appropriate for providing instruction under this division. The department shall publish that list on its publicly accessible web site.

(B)(1) Upon request, a district or school shall make available to the parent or guardian of a student enrolled in the district or school any instructional materials that the district or school uses to meet the requirements under this section.

(2) Upon written request of the student's parent or guardian, a student shall be excused from taking instruction in human growth and development.

(C) At the beginning of each school year, the department of education and workforce shall conduct an audit of each district or school to verify the district's or school's compliance with this section. The department shall publish the findings of each audit not later than one hundred twenty days after the beginning of the school year. The department shall prominently post its findings on the department's web site."

After line 494, insert:

"Sec. 3732.01. As used in sections 3732.01 to 3732.14 of the Revised Code:

(A) "Assisted reproduction," "donor," and "human reproductive material" have the same meanings as in section 2907.13 of the Revised Code.

(B) "Collect" means for a regulated entity to obtain personal assisted reproduction or donor information in any manner.

(C) "Commerce" has the same meaning as in the "Federal Trade Commission Act," 15 U.S.C. 44.

(D) "Disclose" means for a regulated entity to release, transfer, sell, provide access to, license, or divulge personal assisted reproduction or donor information in any manner to a third party, including the federal government, the state, any political subdivision, or a law enforcement agency.

(E)(1) "Express consent" means informed, opt-in, voluntary, specific, and unambiguous written consent, including by electronic means, to collecting, retaining, using, or disclosing personal assisted reproduction or donor information.

(2) "Express consent" does not include any of the following:

(a) Consent secured without first providing to the individual a clear and conspicuous disclosure, apart from any privacy policy, terms of service, terms of use, general release, user agreement, or other similar document, of all information material to the provision of consent;

(b) Hovering over, muting, pausing, or closing a given piece of content;

(c) Agreement obtained through the use of a user interface designed or manipulated with the substantial effect of subverting or impairing user autonomy, decision-making, or choice.

(F) "Personal information" means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly to, a particular individual.

(G) "Personal assisted reproduction or donor information" means personal information relating to the past, present, or future use of assisted

reproduction by an individual or the past, present, or future provision of human reproductive material by a donor, including any of the following:

(1) Efforts to research or obtain assisted reproduction-related or donor-related information, services, or supplies, including location information that might indicate an attempt to acquire or receive such information, services, or supplies;

(2) The provision of human reproductive material by a donor or the use of human reproductive material for assisted reproduction;

(3) Fertility-related conditions, status, diseases, or diagnoses, including pregnancy, menstruation, ovulation, the use of assisted reproduction procedures, and the ability to conceive a pregnancy, regardless of whether such individual is sexually active, and whether such individual is engaging in unprotected sex;

(4) Fertility-related or assisted reproduction-related surgeries or procedures;

(5) Use or purchase of any medication related to fertility, including medicine for assisted reproduction;

(6) Bodily functions, vital signs, measurements, or symptoms related to menstruation or pregnancy, such as basal temperature, cramps, bodily discharge, or hormone levels;

(7) Any information about diagnoses or diagnostic testing, treatment, medications, or the use of any product or service relating to the matters described in divisions (G)(1) to (6) of this section;

(8) Any information described in divisions (G)(1) to (7) of this section that is derived or extrapolated from non-health information, including proxy, derivative, inferred, emergent, or algorithmic data.

(H)(1) "Regulated entity" means any entity, to the extent the entity is engaged in activities in or affecting commerce, that is either:

(a) A person, partnership, or corporation subject to the jurisdiction of the federal trade commission under section 5(a)(2) of the "Federal Trade Commission Act," 15 U.S.C. 45(a)(2);

(b) Notwithstanding section 4, 5(a)(2), or 6 of the "Federal Trade Commission Act," 15 U.S.C. 44; 45(a)(2); 46, or any jurisdictional limitation of the commission, either of the following:

(i) A common carrier subject to the "Communications Act of 1934," 47 U.S.C. 151 et seq.;

(ii) An organization not organized to carry on business for its own profit or that of its members.

(2) "Regulated entity" does not include any of the following:

(a) An entity that is a covered entity, as defined in 45 C.F.R. 160.103, to the extent the entity is acting as a covered entity under the HIPAA privacy regulations, as defined in section 1180(b)(3) of the "Social Security Act," 42 U.S.C. 1320d-9(b)(3);

(b) An entity that is a business associate, as defined in 45 C.F.R. 160.103, to the extent the entity is acting as a business associate under the HIPAA privacy regulations, as defined in section 1180(b)(3) of the "Social Security Act," 42 U.S.C. 1320d-9(b)(3);

(c) An entity that is subject to restrictions on disclosure of records under section 543 of the "Public Health Service Act," 42 U.S.C. 290dd-2, to the extent the entity is acting in a capacity subject to the restrictions.

(I)(1) "Service provider" means a person to whom both of the following apply:

(a) Collects, retains, uses, or discloses personal assisted reproduction or donor information for the sole purpose of, and only to the extent that the person is, conducting business activities on behalf of, for the benefit of, under instruction of, and under contractual agreement with a regulated entity and not any other individual or entity;

(b) Does not divulge personal assisted reproduction or donor information to any individual or entity other than such regulated entity or a contractor to such service provider bound to information processing terms not less restrictive than terms to which the service provider is bound.

(2) A person shall only be considered a service provider in the course of activities described in division (I)(1)(a) of this section.

(J) "Third party" means any person who is not any of the following:

(1) The regulated entity that is disclosing or collecting personal assisted reproduction or donor information;

(2) The individual to whom the personal assisted reproduction or donor information relates;

(3) A service provider.

**Sec. 3732.02.** (A) A regulated entity shall not collect, retain, use, or disclose personal assisted reproduction or donor information, except under either of the following circumstances:

(1) With the express consent of the individual to whom such information relates;

(2) As is strictly necessary to provide a product or service that the individual to whom the information relates has requested from the regulated entity.

(B) A regulated entity shall restrict access to personal assisted reproduction or donor information to the employees or service providers of

the regulated entity for which access is necessary to provide a product or service that the individual to whom the information relates has requested from the regulated entity.

(C) For purposes of compliance with this section by a service provider of a regulated entity, a request from an individual to the regulated entity for a product or service, and an express consent from the individual to the regulated entity, shall be treated as having also been provided to the service provider.

**Sec. 3732.03. (A)(1) A regulated entity shall make available a reasonable mechanism by which an individual, upon a verified request, may access both of the following:**

(a) Any personal assisted reproduction or donor information relating to the individual that is retained by the regulated entity, including both of the following:

(i) In the case of the information that the regulated entity collected from third parties, how and from which specific third parties the regulated entity collected the information;

(ii) The information that the regulated entity inferred about the individual.

(b) A list of the specific third parties to which the regulated entity has disclosed any personal assisted reproduction or donor information relating to such individual.

(2) A regulated entity shall make the information described in division (A)(1) of this section available in both a human-readable format and a structured, interoperable, and machine-readable format.

(B)(1) A regulated entity shall make available a reasonable mechanism by which an individual, upon a verified request, may request the deletion of any personal assisted reproduction or donor information relating to the individual that is retained by the regulated entity, including any information that the regulated entity collected from a third party or inferred from other information retained by the regulated entity.

(2) A regulated entity shall comply with a verified request received under this section without undue delay but not later than fifteen days after the date on which such regulated entity receives the verified request.

(3) A regulated entity shall not charge a fee to an individual for a request made under this section.

(C) Nothing in this section shall be construed to require a regulated entity to do any of the following:

(1) Take an action that would convert information that is not personal information into personal information;

(2) Collect or retain personal information that the regulated entity would otherwise not collect or retain;

(3) Retain personal information longer than the regulated entity would otherwise retain the information.

(D) For purposes of this section, "reasonable mechanism" means, with respect to a regulated entity and a right under division (B) of this section, a mechanism to which both of the following apply:

(1) It is equivalent in availability and ease of use to that of other mechanisms for communicating or interacting with the regulated entity.

(2) It includes an online means of exercising the right described under division (B) of this section.

**Sec. 3732.04.** (A) A regulated entity shall maintain a privacy policy relating to the practices of the regulated entity regarding the collecting, retaining, using, and disclosing of personal assisted reproduction or donor information.

(B) If a regulated entity has a web site, it shall prominently publish the privacy policy on the web site.

(C) The privacy policy shall be clear and conspicuous and shall include all of the following:

(1) A description of the practices of the regulated entity regarding the collecting, retaining, using, and disclosing of personal assisted reproduction and donor information;

(2) A clear and concise statement of the categories of the information collected, retained, used, or disclosed by the regulated entity;

(3) A clear and concise statement of the purposes of the regulated entity for the collecting, retaining, using, or disclosing of the information;

(4) A list of the specific third parties to which the regulated entity discloses the information, and a clear and concise statement of the purposes for which the regulated entity discloses the information, including how the information may be used by each such third party;

(5) A list of the specific third parties from which the regulated entity has collected the information, and a clear and concise statement of the purposes for which the regulated entity collects the information;

(6) A clear and concise statement describing the extent to which individuals may exercise control over the collecting, retaining, using, and disclosing of personal assisted reproduction or donor information by the regulated entity, and the steps an individual must take to implement such controls;

(7) A clear and concise statement describing the efforts of the regulated entity to protect personal assisted reproduction or donor

information from unauthorized disclosure.

**Sec. 3732.05.** (A) Any individual alleging a violation of sections 3732.02 to 3732.04 of the Revised Code may bring a civil action in any court of competent jurisdiction.

(B) In a civil action brought under this section in which the plaintiff prevails, the court may award the following:

(1) An amount not less than one hundred dollars and not greater than one thousand dollars per violation per day, or actual damages, whichever is greater;

(2) Punitive damages;

(3) Reasonable attorneys' fees and litigation costs;

(4) Any other relief, including equitable or declaratory relief, that the court determines appropriate.

(C) A violation of sections 3732.02 to 3732.04 of the Revised Code constitutes a concrete and particularized injury in fact to the individual to whom such information relates.

(D)(1) Notwithstanding any other provision of law, no pre-dispute arbitration agreement or pre-dispute joint-action waiver is valid or enforceable with respect to a dispute arising under sections 3732.02 to 3732.04 of the Revised Code.

(2) Any determination as to whether or how division (D) of this section applies to any dispute shall be made by a court, rather than an arbitrator, without regard to whether the agreement purports to delegate the determination to an arbitrator.

(E) For purposes of this section:

(1) "Pre-dispute arbitration agreement" means any agreement to arbitrate a dispute that has not arisen at the time of the making of the agreement.

(2) "Pre-dispute joint-action waiver" means an agreement that would prohibit a party from participating in a joint, class, or collective action in a judicial, arbitral, administrative, or other forum, concerning a dispute that has not yet arisen at the time of the making of the agreement.

**Sec. 3732.06.** (A) A violation of sections 3732.02 to 3732.04 of the Revised Code is an unfair or deceptive act or practice in violation of section 1345.02 of the Revised Code. A person injured by a violation of those sections has a cause of action and is entitled to the same relief available to a consumer under section 1345.09 of the Revised Code.

(B) The attorney general shall enforce sections 3732.02 to 3732.04 of the Revised Code in the same manner, by the same means, and with the same jurisdiction, powers, and duties as applicable for violations of sections

1345.01 to 1345.13 of the Revised Code. Any regulated entity that violates those sections is subject to the provisions, including penalties, of Chapter 1345. of the Revised Code.

(C) The attorney general may adopt rules as necessary to implement and enforce sections 3732.02 to 3732.04 of the Revised Code. Any rules shall be adopted in accordance with Chapter 119. of the Revised Code.

**Sec. 3732.08.** (A) As used in sections 3732.08 to 3732.14 of the Revised Code, "assisted reproduction health care provider" means any entity or individual, including any physician, nurse practitioner, physician assistant, or pharmacist, who is engaged or seeks to engage in assisted reproduction care, such as through the provision of evidence-based information, counseling, or items and services related to fertility treatment.

(B) No political subdivision of this state, or official or employee of this state, shall prohibit or unreasonably limit, for reasons other than to enforce health and safety regulations, any of the following:

(1) Any individual from doing any of the following:

(a) Accessing assisted reproduction;

(b) Continuing or completing an ongoing assisted reproduction treatment or procedure pursuant to a written plan or agreement with an assisted reproduction health care provider;

(c) Using or controlling the use of the individual's human reproductive material.

(2) Any assisted reproduction health care provider from doing either of the following:

(a) Performing assisted reproduction treatments or procedures;

(b) Providing evidence-based information related to assisted reproduction.

(3) Any insurance provider from covering assisted reproduction treatments or procedures.

(C) Nothing in this section shall be construed as preempting any written agreement or contract regarding an individual's human reproductive material.

**Sec. 3732.09.** (A) All of the following may bring a civil action against any political subdivision of this state, or any official or employee of this state, for the violation of, or the enactment, implementation, or enforcement of a limitation or requirement that violates, section 3732.08 of the Revised Code:

(1) The attorney general;

(2) Any individual or entity adversely affected by the violation;

(3) An assisted reproduction health care provider on the provider's own behalf, on behalf of the provider's staff, and on behalf of the provider's patients who are or may be adversely affected by the violation.

(B) The court may award appropriate equitable relief, including temporary, preliminary, or permanent injunctive relief.

(C)(1) The court shall award costs of litigation and reasonable attorney's fees to any prevailing plaintiff.

(2) A plaintiff is not liable to a defendant for costs or attorney's fees in any non-frivolous action filed under this section.

(D) Notwithstanding any other provision of law, no political subdivision of this state, or official or employee of this state, is immune from an action brought under this section in a court of competent jurisdiction.

(E) Nothing in section 3732.08 of the Revised Code or this section shall be construed to do either of the following:

(1) Prohibit the enforcement of health and safety regulations that apply to assisted reproduction health care providers or health care facilities that provide assisted reproduction care, if the regulations do both of the following:

(a) Advance the safety of health care services or the health of patients;

(b) Cannot be advanced by a less restrictive alternative measure or action.

(2) Modify, supersede, or otherwise affect any law regarding insurance coverage of assisted reproduction.

**Sec. 3732.11.** (A) No assisted reproduction health care provider or health care facility that provides assisted reproduction care shall be required or compelled to provide patient records to any out-of-state third party, including the federal government, another state, any political subdivision, or a law enforcement agency.

(B) For purposes of this section, "health care facility" has the same meaning as in section 2925.11 of the Revised Code.

**Sec. 3732.13.** For the purposes of the Revised Code and notwithstanding any other provision of law, no human reproductive material that exists outside of a human uterus shall be considered an unborn human individual, an unborn child, a fetus, a natural person, or any other term that connotes or designates personhood.

**Sec. 3732.14.** (A) Assisted reproduction health care shall be performed or provided only if the assisted reproduction health care provider has obtained the informed consent of each patient. The health care provider shall provide written copies to each patient of the provider's and health care

facility's assisted reproduction-related policies and services applicable to the patient.

(B) Each patient shall sign a form acknowledging that the patient has received the information and consents to the policies and applicable services described in division (A) of this section."

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

Representative John moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 59, nays 27, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Callender
Claggett	Click	Craig	Creech
Dean	Deeter	Dovilla	Fischer
Fowler Arthur	Ghanbari	Gross	Hall, T.
Hiner	Holmes	Hoops	John
Johnson	King	Kishman	Klopfenstein
Lampton	LaRe	Lorenz	Manning
Mathews, A.	Mathews, T.	McClain	Miller, K.
Miller, M.	Moore	Mullins	Newman
Odioso	Oelslager	Peterson	Pizzulli
Plummer	Richardson	Ritter	Robb Blasdel
Roemer	Salvo	Santucci	Schmidt
Stephens	Stewart	Swearingen	Teska
Thomas, D.	Thomas, J.	White, A.	Williams
Workman	Young		Huffman-59

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brewer	Brownlee	Bryant Bailey	Glassburn
Hall, D.	Humphrey	Isaacsohn	Lawson-Rowe
McNally	Miller, J.	Mohamed	Piccolantonio
Robinson	Russo	Sigrist	Sims
Sweeney	Synenberg	Thomas, C.	Tims
Troy	Upchurch		White, E.-27

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 59, nays 27, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Callender
Claggett	Click	Craig	Creech
Dean	Deeter	Dovilla	Fischer
Fowler Arthur	Ghanbari	Gross	Hall, T.
Hiner	Holmes	Hoops	John
Johnson	King	Kishman	Klopfenstein
Lampton	LaRe	Lorenz	Manning
Mathews, A.	Mathews, T.	McClain	Miller, K.
Miller, M.	Moore	Mullins	Newman
Odioso	Oelslager	Peterson	Pizzulli

Plummer	Richardson	Ritter	Robb Blasdel
Roemer	Salvo	Santucci	Schmidt
Stephens	Stewart	Swearingen	Teska
Thomas, D.	Thomas, J.	White, A.	Williams
Workman	Young		Huffman-59

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brewer	Brownlee	Bryant Bailey	Glassburn
Hall, D.	Humphrey	Isaacsohn	Lawson-Rowe
McNally	Miller, J.	Mohamed	Piccolantonio
Robinson	Russo	Sigrist	Sims
Sweeney	Synenberg	Thomas, C.	Tims
Troy	Upchurch		White, E.-27

The bill passed.

Representative Miller, M. moved to amend the title as follows:

Add the names: "Barhorst, Claggett, Creech, Deeter, Dovilla, Ghanbari, Hall, T., Hoops, John, Johnson, Klopfenstein, Lorenz, Mathews, A., Mathews, T., McClain, Miller, K., Peterson, Plummer, Richardson, Ritter, Robb Blasdel, Schmidt, Stewart, Swearingen, Workman, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Am. H. B. No. 486**-Representatives Click, Dovilla.

Cosponsors: Representatives Williams, Ritter, Hall, T., Gross, Claggett, King, Miller, M., Salvo, Fowler Arthur, Newman, Odioso, John.

To amend sections 3314.03, 3326.11, and 3328.24 and to enact sections 3320.09, 3320.10, and 3320.11 of the Revised Code to enact the Charlie Kirk American Heritage Act to permit teachers in public schools and state institutions of higher education to provide instruction on the influence of Judeo-Christian values on history and culture, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 62, nays 27, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Callender
Claggett	Click	Craig	Creech
Daniels	Dean	Deeter	Dovilla
Fischer	Fowler Arthur	Ghanbari	Gross
Hall, T.	Hiner	Holmes	Hoops
John	Johnson	King	Kishman
Klopfenstein	Lampton	LaRe	Lorenz
Manning	Mathews, A.	Mathews, T.	McClain
Miller, K.	Miller, M.	Moore	Mullins
Newman	Odioso	Oelslager	Peterson
Pizzulli	Plummer	Ray	Richardson

Ritter	Robb Blasdel	Roemer	Salvo
Santucci	Schmidt	Stephens	Stewart
Swearingen	Teska	Thomas, D.	Thomas, J.
White, A.	Williams	Willis	Workman
Young			Huffman-62

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brewer	Brownlee	Bryant Bailey	Glassburn
Hall, D.	Humphrey	Isaacsohn	Lawson-Rowe
McNally	Miller, J.	Mohamed	Piccolantonio
Robinson	Russo	Sigrist	Sims
Sweeney	Synenberg	Thomas, C.	Tims
Troy	Upchurch		White, E.-27

The bill passed.

Representative Click moved to amend the title as follows:

Add the names: "Barhorst, Bird, Creech, Fischer, Holmes, Hoops, Johnson, Klopfenstein, Lorenz, Mathews, A., Mathews, T., McClain, Miller, K., Mullins, Peterson, Richardson, Robb Blasdel, Schmidt, Stephens, Swearingen, Willis, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 492**-Representatives Ray, Abrams.

Cosponsors: Representatives Miller, K., Hall, T., Willis.

To amend section 4513.36 of the Revised Code to expand the prohibition against interfering with arrest to all motor vehicle-related laws and require drivers and passengers to disclose their name, address, and date of birth to a peace officer on request, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 59, nays 21, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Brennan
Brownlee	Callender	Claggett	Click
Craig	Daniels	Deeter	Dovilla
Fowler Arthur	Ghanbari	Glassburn	Hall, D.
Hall, T.	Hiner	Holmes	Hoops
John	Johnson	King	Kishman
Klopfenstein	Lampton	LaRe	Manning
Mathews, A.	Mathews, T.	McNally	Miller, J.
Miller, K.	Miller, M.	Moore	Newman
Odioso	Oelslager	Peterson	Plummer
Ray	Richardson	Ritter	Robb Blasdel
Roemer	Salvo	Santucci	Schmidt
Sigrist	Stephens	Swearingen	Thomas, D.
Thomas, J.	Troy	Williams	Willis
Workman	Young		Huffman-59

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brent	Brewer
Bryant Bailey	Dean	Humphrey	Isaacsohn
Lawson-Rowe	Lorenz	Mohamed	Piccolantonio
Robinson	Russo	Sims	Sweeney
Synenberg	Teska	Thomas, C.	Tims
			White, E.-21

The bill passed.

Representative Ray moved to amend the title as follows:

Add the names: "Bird, Brennan, Daniels, Deeter, Dovilla, Ghanbari, Hiner, Holmes, Johnson, LaRe, Mathews, A., Robb Blasdel, Santucci, Schmidt, Sigrist, Williams, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**Sub. H. B. No. 519**-Representative White, A.

Cosponsors: Representatives Abrams, Miller, K., Hall, T.

To amend sections 2152.02, 2152.19, 2923.24, 2930.12, 2930.13, and 2951.03 of the Revised Code to prohibit possession of an electronic device under circumstances indicating an intent to commit a theft offense that involves a motor vehicle, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 82, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Daniels	Dean
Deeter	Dovilla	Fowler Arthur	Ghanbari
Glassburn	Gross	Hall, D.	Hall, T.
Hiner	Holmes	Hoops	Humphrey
Isaacsohn	John	Johnson	King
Kishman	Klopfenstein	Lampton	LaRe
Lawson-Rowe	Lorenz	Manning	Mathews, A.
Mathews, T.	McNally	Miller, J.	Miller, K.
Miller, M.	Mohamed	Moore	Mullins
Newman	Odioso	Oelslager	Peterson
Piccolantonio	Pizzulli	Plummer	Ray
Richardson	Ritter	Robb Blasdel	Robinson
Roemer	Russo	Salvo	Santucci
Schmidt	Sigrist	Sims	Stephens
Swearingen	Sweeney	Thomas, C.	Thomas, D.
Thomas, J.	Tims	Troy	White, A.
White, E.	Williams	Willis	Workman
Young			Huffman-82

The bill passed.

Representative White, A. moved to amend the title as follows:

Add the names: "Bird, Brennan, Brewer, Brownlee, Bryant Bailey, Click, Daniels, Deeter, Dovilla, Ghanbari, Hall, D., Hiner, Holmes, Humphrey, John, Johnson, Lampton, LaRe, Lawson-Rowe, Manning, Mathews, A., Odioso, Peterson, Plummer, Ray, Richardson, Robb Blasdel, Salvo, Schmidt, Sigrist, Sims, Tims, Troy, Williams, Willis, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Senate

Mr. Speaker:

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

**Sub. H. B. No. 186** - Representatives Hoops, Thomas, D.

Cosponsors: Representatives Lear, Hall, T., Dean, Fischer, Deeter, Click, Gross, Lorenz, Johnson, Workman, King, Williams, Stewart, Dovilla, Bird, John, Plummer, Roemer, Willis, Brennan, Creech, Daniels, Fowler Arthur, Holmes, Kishman, Lampton, Mathews, A., Mathews, T., McClain, Miller, M., Newman, Peterson, Ray, Ritter, Robb Blasdel, Salvo, Stephens, Young  
Senators Koehler, Cirino, DeMora, Gavarone, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Schaffer

To amend sections 319.301, 319.302, 323.08, 323.152, 323.155, 323.158, 4503.06, 4503.065, 4503.0610, 5715.16, and 5715.19 and to enact section 319.303 of the Revised Code to authorize a reduction in school district property taxes affected by a millage floor that would limit increases in such taxes according to inflation, to modify property tax reductions for residential property, to modify the process for certifying property tax abstracts, and to make an appropriation.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,  
Clerk.

Representative Manning moved that the Senate amendments to **Sub. H. B. No. 186**-Representatives Hoops, Thomas, D., et. al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 186**-Representatives Hoops, Thomas, D., et. al., were taken up for consideration.

**Sub. H. B. No. 186** – Representatives Hoops, Thomas, D.

Cosponsors: Representatives Lear, Hall, T., Dean, Fischer, Deeter, Click, Gross, Lorenz, Johnson, Workman, King, Williams, Stewart, Dovilla, Bird, John, Plummer, Roemer, Willis, Brennan, Creech, Daniels, Fowler Arthur, Holmes, Kishman, Lampton, Mathews, A., Mathews, T., McClain, Miller, M., Newman, Peterson, Ray, Ritter, Robb Blasdel, Salvo, Stephens, Young  
 Senators Koehler, Cirino, DeMora, Gavarone, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Schaffer.

To amend sections 319.301, 319.302, 323.08, 323.152, 323.155, 323.158, 4503.06, 4503.065, 4503.0610, 5715.16, and 5715.19 and to enact section 319.303 of the Revised Code to authorize a reduction in school district property taxes affected by a millage floor that would limit increases in such taxes according to inflation, to modify property tax reductions for residential property, to modify the process for certifying property tax abstracts, and to make an appropriation.

The question being, “Shall the Senate amendments be concurred in?”

The yeas and nays were taken and resulted – yeas 72, nays 15, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baker	Barhorst	Bird
Brennan	Brownlee	Callender	Claggett
Click	Craig	Creech	Daniels
Dean	Deeter	Dovilla	Fischer
Fowler Arthur	Ghanbari	Glassburn	Gross
Hall, D.	Hall, T.	Holmes	Hoops
John	Johnson	King	Kishman
Klopfenstein	Lampton	LaRe	Lorenz
Manning	Mathews, A.	Mathews, T.	McClain
McNally	Miller, J.	Miller, K.	Miller, M.
Moore	Mullins	Newman	Odioso
Oelslager	Peterson	Pizzulli	Plummer
Ray	Richardson	Ritter	Robb Blasdel
Robinson	Roemer	Salvo	Santucci
Schmidt	Stephens	Stewart	Swearingen
Sweeney	Teska	Thomas, C.	Thomas, D.
Thomas, J.	Troy	White, A.	Williams
Willis	Workman	Young	Huffman-72

Those who voted in the negative were: Representatives

Abdullahi	Brent	Brewer	Bryant Bailey
Hiner	Humphrey	Isaacsohn	Lawson-Rowe
Mohamed	Piccolantonio	Russo	Sims
Tims	Upchurch		White, E.-15

The Senate amendments were concurred in.

### Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has

concurred in the passage of the following bill:

**Sub. H. B. No. 129** - Representative Thomas, D.

Cosponsors: Representatives Dean, Fischer, Gross, Hall, T., Johnson, Peterson, Williams, Workman, Craig, Creech, Daniels, Dovilla, Hiner, Mathews, A., Mathews, T., McClain, Miller, M., Newman, Plummer, Richardson, Roemer, Willis, Young  
Senators Koehler, Brenner, Cirino, Gavarone, Huffman, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Schaffer

To amend sections 319.301, 323.32, 5705.01, 5705.03, 5705.194, and 5709.92 and to enact sections 5705.195, 5705.196, and 5705.197 of the Revised Code to generally include fixed-sum levies in the calculation of a school district's millage floor and to authorize, with limitations, school district fixed-sum levies.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,  
Clerk.

Representative Manning moved that the Senate amendments to **Sub. H. B. No. 129**-Representative Thomas, D., et. al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 129**-Representative Thomas, D., et. al., were taken up for consideration.

**Sub. H. B. No. 129** - Representative Thomas, D.

Cosponsors: Representatives Dean, Fischer, Gross, Hall, T., Johnson, Peterson, Williams, Workman, Craig, Creech, Daniels, Dovilla, Hiner, Mathews, A., Mathews, T., McClain, Miller, M., Newman, Plummer, Richardson, Roemer, Willis, Young  
Senators Koehler, Brenner, Cirino, Gavarone, Huffman, O'Brien, Reineke, Reynolds, Roegner, Romanchuk, Schaffer.

To amend sections 319.301, 323.32, 5705.01, 5705.03, 5705.194, and 5709.92 and to enact sections 5705.195, 5705.196, and 5705.197 of the Revised Code to generally include fixed-sum levies in the calculation of a school district's millage floor and to authorize, with limitations, school district fixed-sum levies.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted – yeas 81, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baker	Barhorst	Bird
Brennan	Brewer	Bryant Bailey	Callender
Claggett	Click	Craig	Creech
Daniels	Dean	Deeter	Dovilla
Fischer	Fowler Arthur	Ghanbari	Glassburn
Gross	Hall, D.	Hall, T.	Hiner
Holmes	Hoops	Humphrey	Isaacsohn
John	Johnson	King	Kishman
Klopfenstein	Lampton	LaRe	Lorenz
Manning	Mathews, A.	Mathews, T.	McClain
McNally	Miller, J.	Miller, K.	Miller, M.
Mohamed	Moore	Mullins	Newman
Odioso	Oelslager	Peterson	Pizzulli
Plummer	Ray	Richardson	Ritter
Robb Blasdel	Robinson	Roemer	Russo
Salvo	Santucci	Schmidt	Sigrist
Sims	Stephens	Stewart	Swearingen
Sweeney	Teska	Thomas, C.	Thomas, D.
Thomas, J.	Troy	White, A.	White, E.
Williams	Willis	Workman	Young
			Huffman-81

Representatives Abdullahi, Brent, Brownlee, Lawson-Rowe, Piccolantonio, Synenberg, Tims, and Upchurch voted in the negative-8.

The Senate amendments were concurred in.

#### Message from the Senate

Mr. Speaker:

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

#### **Sub. H. B. No. 309** - Representative Thomas, D.

Cosponsors: Representatives Daniels, Dean, Fischer, Fowler Arthur, Gross, Hall, T., John, Johnson, Peterson, Willis, Workman, Roemer, Glassburn, Brennan, Click, Craig, Creech, Deeter, Demetriou, Dovilla, Hiner, Holmes, Hoops, King, Kishman, Klopfenstein, Lampton, Mathews, A., Mathews, T., McClain, Miller, M., Newman, Plummer, Richardson, Ritter, Robb Blasdel, Salvo, Santucci, Sigrist, Stephens, Troy, Williams, Young  
Senators Koehler, Cirino, Gavarone, O'Brien, Patton, Reineke, Roegner, Romanchuk, Schaffer

To amend sections 3317.01, 5705.31, 5705.32, and 5705.321 and to enact section 5705.60 of the Revised Code to modify the law governing county budget commissions and property taxation.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,  
Clerk.

Representative Manning moved that the Senate amendments to **Sub. H. B. No. 309**-Representative Thomas, D., et. al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 309**-Representative Thomas, D., et. al., were taken up for consideration.

**Sub. H. B. No. 309** - Representative Thomas, D.

Cosponsors: Representatives Daniels, Dean, Fischer, Fowler Arthur, Gross, Hall, T., John, Johnson, Peterson, Willis, Workman, Roemer, Glassburn, Brennan, Click, Craig, Creech, Deeter, Demetriou, Dovilla, Hiner, Holmes, Hoops, King, Kishman, Klopfenstein, Lampton, Mathews, A., Mathews, T., McClain, Miller, M., Newman, Plummer, Richardson, Ritter, Robb Blasdel, Salvo, Santucci, Sigrist, Stephens, Troy, Williams, Young  
 Senators Koehler, Cirino, Gavarone, O'Brien, Patton, Reineke, Roegner, Romanchuk, Schaffer.

To amend sections 3317.01, 5705.31, 5705.32, and 5705.321 and to enact section 5705.60 of the Revised Code to modify the law governing county budget commissions and property taxation.

The question being, “Shall the Senate amendments be concurred in?”

The yeas and nays were taken and resulted – yeas 64, nays 25, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Callender
Claggett	Click	Craig	Creech
Daniels	Dean	Deeter	Dovilla
Fischer	Fowler Arthur	Ghanbari	Glassburn
Gross	Hall, T.	Hiner	Holmes
Hoops	John	Johnson	King
Kishman	Klopfenstein	Lampton	LaRe
Lorenz	Manning	Mathews, A.	Mathews, T.
McClain	Miller, K.	Miller, M.	Moore
Mullins	Newman	Odioso	Peterson
Pizzulli	Plummer	Ray	Richardson
Ritter	Robb Blasdel	Roemer	Salvo
Santucci	Schmidt	Sigrist	Stephens
Stewart	Swearingen	Sweeney	Teska
Thomas, D.	Thomas, J.	White, A.	Williams
Willis	Workman	Young	Huffman-64

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brewer	Brownlee	Bryant Bailey	Hall, D.
Humphrey	Isaacsohn	Lawson-Rowe	McNally
Miller, J.	Mohamed	Oelslager	Piccolantonio
Robinson	Russo	Sims	Synenberg
Thomas, C.	Tims	Troy	Upchurch

White, E.-25

The Senate amendments were concurred in.

Message from the Senate

Mr. Speaker:

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

**Sub. H. B. No. 335** - Representative Thomas, D.

Cosponsors: Representatives Click, Brennan, Craig, Creech, Daniels, Deeter, Dovilla, Fowler Arthur, Gross, Hall, T., Holmes, John, Johnson, King, Kishman, Lear, Mathews, A., Mathews, T., McClain, Miller, M., Newman, Peterson, Plummer, Richardson, Roemer, Salvo, Stewart, Williams, Willis, Workman, Young

Senators Koehler, Cirino, Gavarone, Huffman, O'Brien, Patton, Reineke, Reynolds, Roegner, Romanchuk, Schaffer

To amend section 5705.31 and to enact section 5705.316 of the Revised Code to limit revenue increases from inside millage levies occurring due to a reappraisal or update.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,  
Clerk.

Representative Manning moved that the Senate amendments to **Sub. H. B. No. 335**-Representative Thomas, D., et. al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 335**-Representative Thomas, D., et. al., were taken up for consideration.

**Sub. H. B. No. 335** - Representative Thomas, D.

Cosponsors: Representatives Click, Brennan, Craig, Creech, Daniels, Deeter, Dovilla, Fowler Arthur, Gross, Hall, T., Holmes, John, Johnson, King, Kishman, Lear, Mathews, A., Mathews, T., McClain, Miller, M., Newman, Peterson, Plummer, Richardson, Roemer, Salvo, Stewart, Williams, Willis, Workman, Young

Senators Koehler, Cirino, Gavarone, Huffman, O'Brien, Patton, Reineke, Reynolds, Roegner, Romanchuk, Schaffer.

To amend section 5705.31 and to enact section 5705.316 of the Revised Code to limit revenue increases from inside millage levies occurring due to a reappraisal or update.

The question being, “Shall the Senate amendments be concurred in?”

The yeas and nays were taken and resulted – yeas 67, nays 22, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baker	Barhorst	Bird
Brownlee	Callender	Claggett	Click
Craig	Creech	Daniels	Dean
Deeter	Dovilla	Fischer	Fowler Arthur
Ghanbari	Glassburn	Gross	Hall, T.
Hiner	Holmes	Hoops	John
Johnson	King	Kishman	Klopfenstein
Lampton	LaRe	Lorenz	Manning
Mathews, A.	Mathews, T.	McClain	Miller, K.
Miller, M.	Moore	Mullins	Newman
Odioso	Oelslager	Peterson	Pizzulli
Plummer	Ray	Richardson	Ritter
Robb Blasdel	Roemer	Salvo	Santucci
Schmidt	Sigrist	Stephens	Stewart
Swearingen	Sweeney	Teska	Thomas, D.
Thomas, J.	White, A.	Williams	Willis
Workman	Young		Huffman-67

Those who voted in the negative were: Representatives

Abdullahi	Brennan	Brent	Brewer
Bryant Bailey	Hall, D.	Humphrey	Isaacsohn
Lawson-Rowe	McNally	Miller, J.	Mohamed
Picolantonio	Robinson	Russo	Sims
Synerberg	Thomas, C.	Tims	Troy
Upchurch			White, E.-22

The Senate amendments were concurred in.

Message from the Senate

Mr. Speaker:

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

**Am. H. B. No. 114** - Representatives Bird, Ritter

Cosponsors: Representatives Williams, Young, King, Daniels, Fowler Arthur, Hiner, Odioso, Brennan, Click, Barhorst, Brewer, Brownlee, Cockley, Deeter, Denson, Dovilla, Grim, Gross, Hall, D., Hall, T., Isaacsohn, Jarrells, John, Jones, Lawson-Rowe, Lett, Mathews, T., Mohamed, Newman, Piccolantonio, Rader, Richardson, Robb Blasdel, Robinson, Roemer, Rogers, Salvo, Sigrist, Somani, Thomas, C., Troy, Upchurch, White, E., Willis  
 Senators Brenner, Cirino, O'Brien, Patton, Reynolds, Roegner

To amend section 3321.01 of the Revised Code regarding age requirements for kindergarten admission and to correct a scoring error on the 2024-2025 science end-of-course exam.

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

In line 3 of the title, after "admission" insert "and to correct a scoring error on the 2024-2025 science end-of-course exam"

After line 145, insert:

"Section 3. As used in this section, "school" means a community school established under Chapter 3314. of the Revised Code, a STEM school established under Chapter 3326. of the Revised Code, or a chartered nonpublic school that grants a high school diploma based on meeting the requirements of section 3313.618 of the Revised Code.

The Department of Education and Workforce shall review the scores of students who took the science end-of-course examination prescribed under division (B)(2) of section 3301.0712 of the Revised Code during the 2024-2025 school year to determine those students who were affected by an error in the scoring of a single, one-point question on that examination. For any student who would have achieved a higher score on the examination had the question been scored correctly, the Department shall increase the student's score accordingly. If the increase in the student's score qualifies the student for a science seal or an honors diploma seal under section 3313.6114 of the Revised Code, the school district or school in which the student was enrolled during the 2024-2025 school year shall award the applicable seal. The Department shall not decrease any student's score on the science end-of-course examination due to the scoring error."

Attest:

Vincent L. Keeran,  
Clerk.

Representative Manning moved that the Senate amendments to **Am. H. B. No. 114**-Representatives Bird, Ritter, et. al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Am. H. B. No. 114**-Representatives Bird, Ritter, et. al., were taken up for consideration.

**Am. H. B. No. 114** - Representatives Bird, Ritter.

Cosponsors: Representatives Williams, Young, King, Daniels, Fowler Arthur, Hiner, Odioso, Brennan, Click, Barhorst, Brewer, Brownlee, Cockley, Deeter, Denson, Dovilla, Grim, Gross, Hall, D., Hall, T., Isaacsohn, Jarrells, John, Jones, Lawson-Rowe, Lett, Mathews, T., Mohamed, Newman, Piccolantonio, Rader, Richardson, Robb Blasdel, Robinson, Roemer, Rogers, Salvo, Sigrist, Somani, Thomas, C., Troy, Upchurch, White, E., Willis  
Senators Brenner, Cirino, O'Brien, Patton, Reynolds, Roegner.

To amend section 3321.01 of the Revised Code regarding age requirements for kindergarten admission and to correct a scoring error on the 2024-2025 science end-of-course exam.

The question being, “Shall the Senate amendments be concurred in?”

The yeas and nays were taken and resulted – yeas 87, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Daniels
Dean	Deeter	Dovilla	Fischer
Fowler Arthur	Ghanbari	Glassburn	Gross
Hall, D.	Hall, T.	Hiner	Holmes
Hoops	Humphrey	Isaacsohn	John
Johnson	King	Kishman	Klopfenstein
Lampton	LaRe	Lawson-Rowe	Lorenz
Manning	Mathews, A.	Mathews, T.	McClain
McNally	Miller, J.	Miller, K.	Miller, M.
Mohamed	Moore	Newman	Odioso
Oelslager	Peterson	Piccolantonio	Pizzulli
Plummer	Ray	Richardson	Ritter
Robb Blasdel	Robinson	Roemer	Russo
Salvo	Santucci	Schmidt	Sigrist
Sims	Stephens	Stewart	Swearingen
Sweeney	Synerberg	Thomas, C.	Thomas, D.
Thomas, J.	Tims	Troy	Upchurch
White, A.	White, E.	Williams	Willis
Workman	Young		Huffman-87

The Senate amendments were concurred in.

Message from the Senate

Mr. Speaker:

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

**Sub. H. B. No. 247** - Representatives Miller, K., Lawson-Rowe  
 Cosponsors: Representatives Robb Blasdel, Brennan, Hall, T., Hiner, Johnson, Ray, Stewart, Sigrist, White, A., Abrams, Ghanbari, Willis, Bird, Brent, Brewer, Brownlee, Claggett, Cockley, Creech, Daniels, Deeter, Denson, Dovilla, Fowler Arthur, Glassburn, Grim, Gross, Hall, D., Holmes, Hoops, Humphrey, Isaacsohn, Jarrells, John, King, Kishman, Klopfenstein, Lampton, LaRe, Lear, Lett, Lorenz, Mathews, A., Mathews, T., McNally, Miller, J., Miller, M., Mohamed, Moore, Newman, Odioso, Oelslager, Peterson, Piccolantonio, Plummer, Rader, Richardson, Ritter, Robinson, Rogers, Russo, Salvo, Schmidt, Sims, Stephens, Sweeney, Synerberg, Thomas, C., Thomas, D., Tims, Upchurch, White, E., Williams, Young  
 Senators Blessing, Manning, Antonio, Blackshear, Cirino, Craig, Cutrona,

DeMora, Gavarone, Hicks-Hudson, Huffman, Ingram, Johnson, Patton, Reineke, Reynolds, Roegner, Timken, Weinstein, Wilkin

To amend sections 304.02, 304.03, 715.23, 901.80, 935.03, 955.01, 955.011, 955.012, 955.02, 955.03, 955.04, 955.05, 955.06, 955.07, 955.10, 955.11, 955.12, 955.121, 955.14, 955.16, 955.20, 955.22, 955.221, 955.222, 955.26, 955.261, 955.40, 955.43, 955.44, 955.50, 955.54, 959.132, 1533.12, 1901.18, 1907.031, 2913.01, and 2921.321; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 955.01 (955.02), 955.011 (955.021), 955.012 (955.022), 955.013 (955.023), 955.02 (955.01), 955.09 (955.08), 955.10 (955.09), 955.22 (955.24), 955.221 (955.10), 955.222 (955.23), and 955.40 (955.262); to enact new sections 955.21 and 955.22 and sections 955.024, 955.60, and 955.61; and to repeal sections 955.08, 955.21, 955.23, 955.24, 955.25, 955.39, 955.51, 955.52, 955.53, and 955.99 of the Revised Code to make changes to the laws governing dogs, including dangerous and vicious dogs, and to name this act Avery's Law.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,  
Clerk.

Representative Manning moved that the Senate amendments to **Sub. H. B. No. 247**-Representatives Miller, K., Lawson-Rowe, et. al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 247**-Representatives Miller, K., Lawson-Rowe, et. al., were taken up for consideration.

**Sub. H. B. No. 247** - Representatives Miller, K., Lawson-Rowe.

Cosponsors: Representatives Robb Blasdel, Brennan, Hall, T., Hiner, Johnson, Ray, Stewart, Sigrist, White, A., Abrams, Ghanbari, Willis, Bird, Brent, Brewer, Brownlee, Claggett, Cockley, Creech, Daniels, Deeter, Denson, Dovilla, Fowler Arthur, Glassburn, Grim, Gross, Hall, D., Holmes, Hoops, Humphrey, Isaacsohn, Jarrells, John, King, Kishman, Klopfenstein, Lampton, LaRe, Lear, Lett, Lorenz, Mathews, A., Mathews, T., McNally, Miller, J., Miller, M., Mohamed, Moore, Newman, Odioso, Oelslager, Peterson, Piccolantonio, Plummer, Rader, Richardson, Ritter, Robinson, Rogers, Russo, Salvo, Schmidt, Sims, Stephens, Sweeney, Synenberg, Thomas, C., Thomas, D., Tims, Upchurch, White, E., Williams, Young  
Senators Blessing, Manning, Antonio, Blackshear, Cirino, Craig, Cutrona, DeMora, Gavarone, Hicks-Hudson, Huffman, Ingram, Johnson, Patton, Reineke, Reynolds, Roegner, Timken, Weinstein, Wilkin.

To amend sections 304.02, 304.03, 715.23, 901.80, 935.03, 955.01, 955.011, 955.012, 955.02, 955.03, 955.04, 955.05, 955.06, 955.07, 955.10, 955.11, 955.12, 955.121, 955.14, 955.16, 955.20, 955.22, 955.221, 955.222, 955.26, 955.261, 955.40, 955.43, 955.44, 955.50, 955.54, 959.132, 1533.12, 1901.18, 1907.031, 2913.01, and 2921.321; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 955.01 (955.02), 955.011 (955.021), 955.012 (955.022), 955.013 (955.023), 955.02 (955.01), 955.09 (955.08), 955.10 (955.09), 955.22 (955.24), 955.221 (955.10), 955.222 (955.23), and 955.40 (955.262); to enact new sections 955.21 and 955.22 and sections 955.024, 955.60, and 955.61; and to repeal sections 955.08, 955.21, 955.23, 955.24, 955.25, 955.39, 955.51, 955.52, 955.53, and 955.99 of the Revised Code to make changes to the laws governing dogs, including dangerous and vicious dogs, and to name this act Avery's Law.

The question being, “Shall the Senate amendments be concurred in?”

The yeas and nays were taken and resulted – yeas 87, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Daniels
Dean	Deeter	Dovilla	Fischer
Fowler Arthur	Ghanbari	Glassburn	Gross
Hall, D.	Hall, T.	Hiner	Holmes
Hoops	Humphrey	Isaacsohn	John
Johnson	King	Kishman	Klopfenstein
Lampton	LaRe	Lawson-Rowe	Lorenz
Manning	Mathews, A.	Mathews, T.	McClain
McNally	Miller, J.	Miller, K.	Miller, M.
Mohamed	Moore	Newman	Odioso
Oelslager	Peterson	Piccolantonio	Pizzulli
Plummer	Ray	Richardson	Ritter
Robb Blasdel	Robinson	Roemer	Russo
Salvo	Santucci	Schmidt	Sigrist
Sims	Stephens	Stewart	Swearingen
Sweeney	Synenberg	Thomas, C.	Thomas, D.
Thomas, J.	Tims	Troy	Upchurch
White, A.	White, E.	Williams	Willis
Workman	Young		Huffman-87

The Senate amendments were concurred in.

#### Message from the Senate

Mr. Speaker:

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

**Sub. H. B. No. 184** - Representatives Stewart, Mathews, T.

Cosponsors: Representatives Deeter, Gross, Williams, Barhorst, Bird, Brennan, Brent, Brewer, Brownlee, Click, Cockley, Creech, Dovilla, Fischer, Ghanbari, Glassburn, Grim, Hall, D., Hall, T., Hiner, Jarrells, John, LaRe, Lawson-Rowe, Lorenz, Mathews, A., Mohamed, Newman, Odioso, Peterson, Piccolantonio, Plummer, Robb Blasdel, Roemer, Rogers, Russo, Salvo, Sigrist, Somani, Tims, Upchurch, Willis, Young  
Senators Manning, Antonio, Cirino, Craig, Hicks-Hudson, Huffman, Johnson, Weinstein

To amend sections 9.66, 126.65, 149.311, 718.13, 718.84, 3313.6028, 3315.063, 3327.017, 3333.133, 3333.97, 3345.89, 3376.01, 3379.10, 4503.44, 4506.11, 4507.05, 4507.21, 4507.23, 4771.12, 5104.32, 5104.53, 5165.26, 5502.262, 5525.17, 5709.40, 5709.41, 5709.73, and 5709.78; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 126.65 (5502.75); and to enact sections 169.081, 3345.111, 3376.14, 4771.021, and 5709.511 of the Revised Code and to amend Sections 207.10, 207.20, 221.20, 243.20, and 343.10 of H.B. 96 of the 136th General Assembly, Sections 200.30 as subsequently amended, 221.10 as subsequently amended, 221.15 as subsequently amended, 229.10, and 373.15 as subsequently amended of H.B. 2 of the 135th General Assembly, and Section 265.550 of H.B. 33 of the 135th General Assembly as subsequently amended and to repeal Section 751.80 of H.B. 96 of the 136th General Assembly to make appropriations and to provide authorization and conditions for the operation of state programs.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,  
Clerk.

Representative Manning moved that the Senate amendments to **Sub. H. B. No. 184**-Representatives Stewart, Mathews, T., et. al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 184**-Representatives Stewart, Mathews, T., et. al., were taken up for consideration.

**Sub. H. B. No. 184** - Representatives Stewart, Mathews, T.

Cosponsors: Representatives Deeter, Gross, Williams, Barhorst, Bird, Brennan, Brent, Brewer, Brownlee, Click, Cockley, Creech, Dovilla, Fischer, Ghanbari, Glassburn, Grim, Hall, D., Hall, T., Hiner, Jarrells, John, LaRe, Lawson-Rowe, Lorenz, Mathews, A., Mohamed, Newman, Odioso, Peterson, Piccolantonio, Plummer, Robb Blasdel, Roemer, Rogers, Russo, Salvo, Sigrist, Somani, Tims, Upchurch, Willis, Young  
Senators Manning, Antonio, Cirino, Craig, Hicks-Hudson, Huffman, Johnson,

Weinstein.

To amend sections 9.66, 126.65, 149.311, 718.13, 718.84, 3313.6028, 3315.063, 3327.017, 3333.133, 3333.97, 3345.89, 3376.01, 3379.10, 4503.44, 4506.11, 4507.05, 4507.21, 4507.23, 4771.12, 5104.32, 5104.53, 5165.26, 5502.262, 5525.17, 5709.40, 5709.41, 5709.73, and 5709.78; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 126.65 (5502.75); and to enact sections 169.081, 3345.111, 3376.14, 4771.021, and 5709.511 of the Revised Code and to amend Sections 207.10, 207.20, 221.20, 243.20, and 343.10 of H.B. 96 of the 136th General Assembly, Sections 200.30 as subsequently amended, 221.10 as subsequently amended, 221.15 as subsequently amended, 229.10, and 373.15 as subsequently amended of H.B. 2 of the 135th General Assembly, and Section 265.550 of H.B. 33 of the 135th General Assembly as subsequently amended and to repeal Section 751.80 of H.B. 96 of the 136th General Assembly to make appropriations and to provide authorization and conditions for the operation of state programs.

The question being, “Shall the Senate amendments be concurred in?”

The yeas and nays were taken and resulted – yeas 83, nays 5, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Daniels
Deeter	Dovilla	Fischer	Fowler Arthur
Ghanbari	Glassburn	Hall, D.	Hall, T.
Hiner	Holmes	Hoops	Humphrey
Isaacsohn	John	Johnson	King
Kishman	Klopfenstein	Lampton	LaRe
Lawson-Rowe	Lorenz	Manning	Mathews, A.
Mathews, T.	McClain	McNally	Miller, J.
Miller, K.	Miller, M.	Mohamed	Moore
Newman	Odioso	Oelslager	Peterson
Piccolantonio	Pizzulli	Plummer	Ray
Richardson	Ritter	Robb Blasdel	Robinson
Roemer	Russo	Salvo	Santucci
Sigrist	Sims	Stewart	Swearingen
Sweeney	Synenberg	Thomas, C.	Thomas, D.
Thomas, J.	Tims	Troy	Upchurch
White, A.	White, E.	Williams	Willis
Workman	Young		Huffman-83

Representatives Dean, Gross, Schmidt, Stephens, and Teska voted in the negative-5.

The Senate amendments were concurred in.

**Sub. S. B. No. 217**-Senator Landis.

Cosponsors: Senators Blackshear, Cirino, DeMora, Hicks-Hudson, Ingram,

Johnson, O'Brien, Reineke, Timken, Weinstein.

To authorize the conveyance of state-owned land, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Mohamed moved to amend, amendment 1540.

Pursuant to House Rule 93(a), Speaker Huffman ruled the amendment out of order.

Representative Isaacsohn appealed the decision of the Chair.

Pursuant to House Rule 53(b), the motion was properly supported.

The question being, "Shall the decision of the Chair be sustained?"

The yeas and nays were taken and resulted – yeas 62, nays 26, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Barhorst	Bird	Callender
Claggett	Click	Craig	Creech
Daniels	Dean	Deeter	Dovilla
Fischer	Fowler Arthur	Ghanbari	Gross
Hall, T.	Hiner	Holmes	Hoops
John	Johnson	King	Kishman
Klopfenstein	Lampton	LaRe	Lorenz
Manning	Mathews, A.	Mathews, T.	McClain
Miller, K.	Miller, M.	Moore	Newman
Odioso	Oelslager	Peterson	Pizzulli
Plummer	Ray	Richardson	Ritter
Robb Blasdel	Roemer	Salvo	Santucci
Schmidt	Stephens	Stewart	Swearingen
Teska	Thomas, D.	Thomas, J.	Troy
White, A.	Williams	Willis	Workman
Young			Huffman-62

Those who voted in the negative were: Representatives

Abdullahi	Baker	Brennan	Brent
Brewer	Brownlee	Bryant Bailey	Glassburn
Hall, D.	Humphrey	Isaacsohn	Lawson-Rowe
McNally	Miller, J.	Mohamed	Piccolantonio
Robinson	Russo	Sigrist	Sims
Sweeney	Synenberg	Thomas, C.	Tims
Upchurch			White, E.-26

The decision of the Chair was sustained.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 88, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Daniels
Dean	Deeter	Dovilla	Fischer

Fowler Arthur	Ghanbari	Glassburn	Gross
Hall, D.	Hall, T.	Hiner	Holmes
Hoops	Humphrey	Isaacsohn	John
Johnson	King	Kishman	Klopfenstein
Lampton	LaRe	Lawson-Rowe	Lorenz
Manning	Mathews, A.	Mathews, T.	McClain
McNally	Miller, J.	Miller, K.	Miller, M.
Mohamed	Moore	Newman	Odioso
Oelslager	Peterson	Piccolantonio	Pizzulli
Plummer	Ray	Richardson	Ritter
Robb Blasdel	Robinson	Roemer	Russo
Salvo	Santucci	Schmidt	Sigrist
Sims	Stephens	Stewart	Swearingen
Sweeney	Synenberg	Teska	Thomas, C.
Thomas, D.	Thomas, J.	Tims	Troy
Upchurch	White, A.	White, E.	Williams
Willis	Workman	Young	Huffman-88

The bill passed.

Representative Hoops moved to amend the title as follows:

Add the names: "Brennan, Brewer, Brownlee, Hoops, Lorenz, Mathews, A., Mathews, T., Salvo, Sigrist, Stewart, White, A., Willis, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative John having voted on the prevailing side, moved that the vote by which the Senate amendments to **Sub. H. B. No. 184**-Representatives Stewart, Mathews, T., et al., were concurred in be reconsidered and that the motion be taken up for immediate consideration.

This motion under House Rule 97 is properly supported by the following members who voted on the prevailing side of the question:

/S/ ANDREA WHITE  
ANDREA WHITE

/S/ GAYLE MANNING  
GAYLE MANNING

/S/ ADAM C. BIRD  
ADAM C. BIRD

/S/ THOMAS HALL  
THOMAS HALL

/S/ NICK SANTUCCI  
NICK SANTUCCI

The question being, "Shall the motion to reconsider the vote by which the Senate amendments to **Sub. H. B. No. 184**-Representatives Stewart, Mathews, T., et al., were concurred in be reconsidered?"

The yeas and nays were taken and resulted – yeas 83, nays 4, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Callender	Claggett	Click
Craig	Creech	Daniels	Dean
Deeter	Dovilla	Fischer	Fowler Arthur
Ghanbari	Glassburn	Gross	Hall, D.
Hall, T.	Hiner	Holmes	Hoops
Humphrey	Isaacsohn	John	Johnson
King	Kishman	Klopfenstein	Lampton
LaRe	Lawson-Rowe	Lorenz	Manning
Mathews, A.	Mathews, T.	McClain	Miller, J.
Miller, K.	Miller, M.	Mohamed	Moore
Newman	Odioso	Oelslager	Peterson
Piccolantonio	Pizzulli	Plummer	Ray
Richardson	Ritter	Robb Blasdel	Robinson
Roemer	Salvo	Santucci	Schmidt
Sigrist	Sims	Stewart	Swearingen
Sweeney	Synenberg	Thomas, C.	Thomas, D.
Thomas, J.	Tims	Troy	Upchurch
White, A.	White, E.	Williams	Willis
Workman	Young		Huffman-83

Representatives Bryant Bailey, McNally, Russo, and Stephens voted in the negative-4.

The motion was agreed to and the vote by which the Senate amendments to **Sub. H. B. No. 184**-Representatives Stewart, Mathews, T. were concurred in was reconsidered.

The question being, “Shall the Senate amendments be concurred in?”

The yeas and nays were taken and resulted – yeas 82, nays 5, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Daniels
Deeter	Dovilla	Fischer	Fowler Arthur
Ghanbari	Glassburn	Hall, D.	Hall, T.
Hiner	Holmes	Hoops	Humphrey
Isaacsohn	John	Johnson	King
Kishman	Klopfenstein	Lampton	LaRe
Lawson-Rowe	Lorenz	Manning	Mathews, A.
Mathews, T.	McClain	McNally	Miller, J.
Miller, K.	Miller, M.	Mohamed	Moore
Newman	Odioso	Oelslager	Peterson
Piccolantonio	Pizzulli	Plummer	Ray
Richardson	Ritter	Robb Blasdel	Robinson
Roemer	Russo	Salvo	Santucci
Schmidt	Sigrist	Sims	Stewart
Swearingen	Synenberg	Thomas, D.	Thomas, J.
Tims	Troy	Upchurch	White, A.
White, E.	Williams	Willis	Workman

Young

Huffman-82

Representatives Dean, Gross, Stephens, Teska, and Thomas, C. voted in the negative-5.

The Senate amendments were concurred in.

On motion of Representative Manning, the House recessed.

The House met pursuant to recess.

Representative Manning moved that House Rule 68, pertaining to conference committee reports carrying an appropriation, be suspended and that the report of the committee of conference on **Sub. S. B. No. 56**-Senator Huffman, et al. be taken up for immediate consideration.

The motion was agreed to without objection.

Representative Stewart submitted the following report:

The committee of conference to which the matters of difference between the two houses were referred on **Sub. S. B. No. 56**, Senator Huffman - et al., having had the same under consideration, recommends to the respective houses as follows:

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

In line 1 of the title, after "109.572" insert ", 121.04, 121.08"

In line 2 of the title, delete "928.01" and insert "928.02"; after "928.03" insert ", 928.04, 2925.01"; after "3376.07" insert ", 3719.01, 3719.41"

In line 3 of the title, after "3796.02" insert ", 3796.021"; after "3796.03" insert ", 3796.032"; after "3796.06" insert ", 3796.061"; after "3796.07" insert ", 3796.08"

In line 4 of the title, after "3796.10" insert ", 3796.11"

In line 5 of the title, after "3796.15" insert ", 3796.16"

In line 7 of the title, after "4506.01" insert ", 4729.01"

In line 7 of the title, after "4506.01" insert ", 4729.80"

In line 8 of the title, after "4735.18" insert ", 4776.01"

In line 9 of the title, delete "5703.053, 5703.19, 5703.263, 5703.50,"

In line 10 of the title, delete "5703.70, 5703.77," and insert "and"; delete ", and 5743.45"

In line 13 of the title, after "enact" insert "new section 928.01 and"; delete "sections 928.08,"

Delete lines 14 through 17 of the title

In line 18 of the title, delete "3779.23, 3779.24, 3779.25, 3779.26, 3779.27,"

In line 19 of the title, delete "3779.28" and insert "sections 928.031"; delete "3779.29" and insert "928.08"; delete "3779.30" and insert "2953.321"; delete "3779.40" and insert "3779.21"; delete "3779.41" and insert "3779.211"

In line 20 of the title, delete "3779.42" and insert "3779.22"; delete "3779.43" and insert "3779.23"; delete "3779.431" and insert "3779.24"; delete "3779.44" and insert "3779.25"; delete "3779.45" and insert "3779.26"

In line 21 of the title, delete "3779.451" and insert "3779.27"; delete "3779.46" and insert "3779.28"; delete "3779.47" and insert "3779.29"; delete "3779.48" and insert "3779.30"

In line 24 of the title, after "sections" insert "928.01,"

In line 31 of the title, after "Code" insert "; and to repeal the versions of sections 3779.21, 3779.211, 3779.22, 3779.23, 3779.24, 3779.25, 3779.26, 3779.27, 3779.28, 3779.29, 3779.30, and 3779.99 of the Revised Code enacted by this act effective December 31, 2026,"

In line 33 of the title, delete ", to"

In line 34 of the title, delete "levy taxes on certain hemp products,"

In line 35 of the title, after "appropriation" insert ", and to amend section 4506.01 of the Revised Code effective December 31, 2026, to revise the law governing commercial driver's licenses"

In line 36, after "109.572" insert ", 121.04, 121.08"

In line 37, after "3796.02" insert ", 3796.021"; after "3796.03" insert ", 3796.032"

In line 37, delete "928.01" and insert "928.02"; after "928.03" insert ", 928.04, 2925.01"; after "3376.07" insert ", 3719.01, 3719.41"

In line 38, after "3796.06" insert ", 3796.061"; after "3796.07" insert ", 3796.08"; after "3796.10" insert ", 3796.11"

In line 39, after "3796.15" insert ", 3796.16"

In line 41, after "4506.01" insert ", 4729.01"

In line 41, after "4506.01" insert ", 4729.80"; after "4735.18" insert ", 4776.01"

In line 42, delete ", 5703.053, 5703.19, 5703.263, 5703.50, 5703.70"

In line 43, delete "5703.77," and insert "and"; delete ", and 5743.45"

In line 45, after "parentheses;" insert "and new section 928.01"; after "sections" insert "928.031,"

In line 46, delete ", 3779.01, 3779.02, 3779.021, 3779.022, 3779.03,"

Delete line 47

In line 48, delete "3779.07, 3779.08, 3779.09, 3779.10, 3779.11"; after "3779.21" insert ", 3779.211"; delete the seventh ",

In line 49, delete "3779.221"

In line 50, delete ", 3779.40, 3779.41, 3779.42, 3779.43, 3779.431,"

In line 51, delete "3779.44, 3779.45, 3779.451, 3779.46, 3779.47, 3779.48"

In line 277, delete "marijuana" and insert "cannabis"

In line 674, strike through "section 9.79 and"; reinsert "(B)(2)(b)"; delete "(B)"

Delete lines 761 through 792

In line 804, delete "3779.05,"

After line 934, insert:

**"Sec. 121.04.** Offices are created within the several departments as follows:

In the department of commerce:

Commissioner of securities;

Superintendent of real estate and professional licensing;

Superintendent of financial institutions;

State fire marshal;

Superintendent of industrial compliance;

Superintendent of liquor control;

Superintendent of unclaimed funds;

Superintendent of ~~marijuana~~ cannabis control.

In the department of administrative services:

Equal employment opportunity coordinator.

In the department of agriculture:

Chiefs of divisions as follows:

- Administration;
- Animal health;
- Livestock environmental permitting;
- Soil and water conservation;
- Dairy;
- Food safety;
- Plant health;
- Markets;
- Meat inspection;
- Consumer protection laboratory;
- Amusement ride safety;
- Enforcement;
- Weights and measures.

In the department of natural resources:

Chiefs of divisions as follows:

- Mineral resources management;
- Oil and gas resources management;
- Forestry;
- Natural areas and preserves;
- Wildlife;
- Geological survey;
- Parks and watercraft;
- Water resources;
- Engineering.

In the department of insurance:

Deputy superintendent of insurance;

- Assistant superintendent of insurance, technical;
- Assistant superintendent of insurance, administrative;
- Assistant superintendent of insurance, research.

**Sec. 121.08.** (A) There is hereby created in the department of commerce the position of deputy director of administration. This officer shall be appointed by the director of commerce, serve under the director's direction, supervision, and control, perform the duties the director prescribes, and hold office during the director's pleasure. The director of commerce may designate an assistant director of commerce to serve as the deputy director of

administration. The deputy director of administration shall perform the duties prescribed by the director of commerce in supervising the activities of the division of administration of the department of commerce.

(B) Except as provided in section 121.07 of the Revised Code, the department of commerce shall have all powers and perform all duties vested in the deputy director of administration, the state fire marshal, the superintendent of financial institutions, the superintendent of real estate and professional licensing, the superintendent of liquor control, the superintendent of industrial compliance, the superintendent of unclaimed funds, the superintendent of ~~marijuana~~-cannabis control, and the commissioner of securities, and shall have all powers and perform all duties vested by law in all officers, deputies, and employees of those offices. Except as provided in section 121.07 of the Revised Code, wherever powers are conferred or duties imposed upon any of those officers, the powers and duties shall be construed as vested in the department of commerce.

(C)(1) There is hereby created in the department of commerce a division of financial institutions, which shall have all powers and perform all duties vested by law in the superintendent of financial institutions. Wherever powers are conferred or duties imposed upon the superintendent of financial institutions, those powers and duties shall be construed as vested in the division of financial institutions. The division of financial institutions shall be administered by the superintendent of financial institutions.

(2) All provisions of law governing the superintendent of financial institutions shall apply to and govern the superintendent of financial institutions provided for in this section; all authority vested by law in the superintendent of financial institutions with respect to the management of the division of financial institutions shall be construed as vested in the superintendent of financial institutions created by this section with respect to the division of financial institutions provided for in this section; and all rights, privileges, and emoluments conferred by law upon the superintendent of financial institutions shall be construed as conferred upon the superintendent of financial institutions as head of the division of financial institutions. The director of commerce shall not transfer from the division of financial institutions any of the functions specified in division (C)(2) of this section.

(D) There is hereby created in the department of commerce a division of liquor control, which shall have all powers and perform all duties vested by law in the superintendent of liquor control. Wherever powers are conferred or duties are imposed upon the superintendent of liquor control, those powers and duties shall be construed as vested in the division of liquor control. The division of liquor control shall be administered by the superintendent of liquor control.

(E) The director of commerce shall not be interested, directly or indirectly, in any firm or corporation which is a dealer in securities as defined in sections 1707.01 and 1707.14 of the Revised Code, or in any firm or corporation licensed under sections 1321.01 to 1321.19 of the Revised Code.

(F) The director of commerce shall not have any official connection with a savings and loan association, a savings bank, a bank, a bank holding company, a savings and loan association holding company, a consumer finance company, or a credit union that is under the supervision of the division of financial institutions, or a subsidiary of any of the preceding entities, or be interested in the business thereof.

(G) There is hereby created in the state treasury the division of administration fund. The fund shall receive assessments on the operating funds of the department of commerce in accordance with procedures prescribed by the director of commerce. All operating expenses of the division of administration shall be paid from the division of administration fund.

(H) There is hereby created in the department of commerce a division of real estate and professional licensing, which shall be under the control and supervision of the director of commerce. The division of real estate and professional licensing shall be administered by the superintendent of real estate and professional licensing. The superintendent of real estate and professional licensing shall exercise the powers and perform the functions and duties delegated to the superintendent under Chapters 4735., 4763., 4764., 4767., and 4768. of the Revised Code.

(I) There is hereby created in the department of commerce a division of industrial compliance, which shall have all powers and perform all duties vested by law in the superintendent of industrial compliance. Wherever powers are conferred or duties imposed upon the superintendent of industrial compliance, those powers and duties shall be construed as vested in the division of industrial compliance. The division of industrial compliance shall be under the control and supervision of the director of commerce and be administered by the superintendent of industrial compliance.

(J) There is hereby created in the department of commerce a division of unclaimed funds, which shall have all powers and perform all duties delegated to or vested by law in the superintendent of unclaimed funds. Wherever powers are conferred or duties imposed upon the superintendent of unclaimed funds, those powers and duties shall be construed as vested in the division of unclaimed funds. The division of unclaimed funds shall be under the control and supervision of the director of commerce and shall be administered by the superintendent of unclaimed funds. The superintendent of unclaimed funds shall exercise the powers and perform the functions and duties delegated to the superintendent by the director of commerce under

section 121.07 and Chapter 169. of the Revised Code, and as may otherwise be provided by law.

(K) There is hereby created in the department of commerce a division of ~~marijuana-cannabis~~ control, which shall have all powers and perform all duties vested by law in the superintendent of ~~marijuana-cannabis~~ control. Wherever powers are conferred or duties are imposed upon the superintendent of ~~marijuana-cannabis~~ control, those powers and duties shall be construed as vested in the division of ~~marijuana-cannabis~~ control. The division of ~~marijuana-cannabis~~ control shall be under the control and supervision of the director of commerce and be administered by the superintendent of ~~marijuana-cannabis~~ control.

(L) The department of commerce or a division of the department created by the Revised Code that is acting with authorization on the department's behalf may request from the bureau of criminal identification and investigation pursuant to section 109.572 of the Revised Code, or coordinate with appropriate federal, state, and local government agencies to accomplish, criminal records checks for the persons whose identities are required to be disclosed by an applicant for the issuance or transfer of a permit, license, certificate of registration, or certification issued or transferred by the department or division. At or before the time of making a request for a criminal records check, the department or division may require any person whose identity is required to be disclosed by an applicant for the issuance or transfer of such a license, permit, certificate of registration, or certification to submit to the department or division valid fingerprint impressions in a format and by any media or means acceptable to the bureau of criminal identification and investigation and, when applicable, the federal bureau of investigation. The department or division may cause the bureau of criminal identification and investigation to conduct a criminal records check through the federal bureau of investigation only if the person for whom the criminal records check would be conducted resides or works outside of this state or has resided or worked outside of this state during the preceding five years, or if a criminal records check conducted by the bureau of criminal identification and investigation within this state indicates that the person may have a criminal record outside of this state.

In the case of a criminal records check under section 109.572 of the Revised Code, the department or division shall forward to the bureau of criminal identification and investigation the requisite form, fingerprint impressions, and fee described in division (C) of that section. When requested by the department or division in accordance with this section, the bureau of criminal identification and investigation shall request from the federal bureau of investigation any information it has with respect to the person who is the subject of the requested criminal records check and shall forward the requisite fingerprint impressions and information to the federal

bureau of investigation for that criminal records check. After conducting a criminal records check or receiving the results of a criminal records check from the federal bureau of investigation, the bureau of criminal identification and investigation shall provide the results to the department or division.

The department or division may require any person about whom a criminal records check is requested to pay to the department or division the amount necessary to cover the fee charged to the department or division by the bureau of criminal identification and investigation under division (C)(3) of section 109.572 of the Revised Code, including, when applicable, any fee for a criminal records check conducted by the federal bureau of investigation.

(M) The director of commerce, or the director's designee, may adopt rules to enhance compliance with statutes pertaining to, and rules adopted by, divisions under the direction, supervision, and control of the department or director by offering incentive-based programs that ensure safety and soundness while promoting growth and prosperity in the state."

In line 996, delete "3779.,"

In line 1068, delete "3779.44.,"

In line 1190, delete "3779.,"

Delete lines 1210 through 1310

After line 1310, insert:

**"Sec. 928.01.** As used in this chapter:

(A) "Container" means the innermost wrapping, packaging, or vessel in direct contact with a final hemp-derived cannabinoid product in which the final hemp-derived cannabinoid product is enclosed for retail sale to consumers, such as a jar, bottle, bag, box, packet, can, carton, or cartridge. "Container" does not include bulk shipping containers or outer wrappings that are not essential for the final retail delivery or sale to an end consumer for personal or household use.

(B) "Cultivate" or "cultivating" means to plant, water, grow, fertilize, till, or harvest a plant or crop. "Cultivating" includes possessing or storing a plant or crop on a premises where the plant or crop was cultivated until transported to the first point of sale.

(C) "Hemp" means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total tetrahydrocannabinols concentration, including tetrahydrocannabinolic acid, of not more than three-tenths per cent on a dry weight basis. "Hemp" includes industrial hemp. "Hemp" does not include any of the following:

(1) Any viable seeds from a Cannabis sativa L. plant that exceeds a

total tetrahydrocannabinols concentration, including tetrahydrocannabinolic acid, of three-tenths per cent in the plant on a dry weight basis;

(2) Any intermediate hemp-derived cannabinoid product containing any of the following:

(a) Cannabinoids that are not capable of being naturally produced by a Cannabis sativa L. plant;

(b) Cannabinoids that are capable of being naturally produced by a Cannabis sativa L. plant and were synthesized or manufactured outside the plant;

(c) More than three-tenths per cent combined total of total tetrahydrocannabinols, including tetrahydrocannabinolic acid, and any other cannabinoids that have similar effects or are marketed to have similar effects on humans or animals as a tetrahydrocannabinol as established by the superintendent of cannabis control in lists adopted under section 928.031 of the Revised Code.

(3) Any intermediate hemp-derived cannabinoid product that is marketed or sold as a final product or directly to an end consumer for personal or household use;

(4) Any final hemp-derived cannabinoid product containing any of the following:

(a) Cannabinoids that are not capable of being naturally produced by a Cannabis sativa L. plant;

(b) Cannabinoids that are capable of being naturally produced by a Cannabis sativa L. plant and were synthesized or manufactured outside the plant;

(c) Greater than four-tenths of a milligram combined total per container of total tetrahydrocannabinols, including tetrahydrocannabinolic acid, and any other cannabinoids that have similar effects, or are marketed to have similar effects, on humans or animals as a tetrahydrocannabinol as established by the superintendent of cannabis control in lists adopted under section 928.031 of the Revised Code.

(D) "Hemp cultivation license" means a license to cultivate hemp issued under section 928.02 of the Revised Code.

(E) "Hemp-derived cannabinoid product" means any intermediate or final product derived from hemp, other than industrial hemp, that contains cannabinoids in any form and is intended for human or animal use through any means of application or administration, such as inhalation, ingestion, or topical application. "Hemp-derived cannabinoid product" does not include a drug that is the subject of an application approved under subsection (c) or (j) of 21 U.S.C. 355.

(F) "Hemp processing license" means a license to process hemp issued under section 928.02 of the Revised Code.

(G) "Industrial hemp" means hemp to which any of the following apply:

(1) It is grown for the use of the stalk of the plant, fiber produced from such a stalk, or any other non-cannabinoid derivative, mixture, preparation, or manufacture of such a stalk;

(2) It is grown for the use of the whole grain, oil, cake, nut, hull, or any other non-cannabinoid compound, derivative, mixture, preparation, or manufacture of the seeds of such plant;

(3) It is grown for purposes of producing microgreens or other edible hemp leaf products intended for human consumption that are derived from an immature hemp plant that is grown from seeds that do not exceed the threshold for total tetrahydrocannabinols concentration specified in division (C)(1) of this section;

(4) It is a plant that does not enter the stream of commerce and is intended to support hemp research at a university or an independent research institute as the term "independent research institute" is defined by the director under section 928.031 of the Revised Code;

(5) It is grown for the use of a viable seed of the plant produced solely for the production or manufacture of any material described in division (H)(1) to (4) of this section.

(H) "Intermediate hemp-derived cannabinoid product" means a hemp-derived cannabinoid product that is either of the following:

(1) Not yet in the final form or preparation marketed or intended to be used or consumed by a human or animal;

(2) A powder, liquid, tablet, oil, or other product form that is intended or marketed to be mixed, dissolved, formulated, or otherwise added to or prepared with or into any other substance prior to administration or consumption.

(J) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code.

(I) "Medical marijuana" has the same meaning as in section 3796.01 of the Revised Code.

(J) "Process" or "processing" means converting hemp into a hemp product.

(K) "University" means an institution of higher education as defined in section 3345.12 of the Revised Code and a private nonprofit institution with a certificate of authorization issued pursuant to Chapter 1713. of the Revised Code.

(L) "USDA" means the United States department of agriculture.

**Sec. 928.02.** (A)(1) The director of agriculture may establish a program to monitor and regulate hemp cultivation and shall establish a program to monitor and regulate hemp processing in this state.

(2) If the director establishes a program to monitor and regulate hemp cultivation in this state and subsequently intends to transfer authority to the United States department of agriculture to monitor and regulate hemp cultivation in this state, the director shall take whatever actions necessary to effectuate such transfer.

(3) If the director implements a program to monitor and regulate hemp cultivation under division (A)(1) of this section, the director shall issue hemp cultivation licenses in accordance with rules adopted under section 928.03 of the Revised Code.

(4) If the director implements a program to monitor and regulate hemp cultivation under division (A)(1) of this section and as authorized by the director, the department of agriculture or a university may cultivate hemp without a hemp cultivation license for research purposes.

(5) As authorized by the director, the department of agriculture or a university may process hemp without a hemp processing license for research purposes.

(B) If the director implements a program to monitor and regulate hemp cultivation under division (A)(1) of this section and except as authorized under division (A)(4) or (E) of this section, any person that wishes to cultivate hemp shall apply for and obtain a hemp cultivation license from the director in accordance with rules adopted under section 928.03 of the Revised Code. Except as authorized under division (A)(5) or (E) of this section, any person that wishes to process hemp shall apply for and obtain a hemp processing license from the director in accordance with those rules. Such licenses are valid for three years unless earlier suspended or revoked by the director.

(C) The department, a university, or any person may, without a hemp cultivation license or hemp processing license, possess, buy, or sell hemp or a product made with hemp product.

(D) Notwithstanding any other provision of the Revised Code to the contrary, the addition of hemp or a product made with hemp product to any other product does not adulterate that other product.

(E) If the director implements a program to monitor and regulate hemp cultivation under division (A)(1) of this section, the director shall issue a hemp cultivation license in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies:

(1) The individual holds the applicable license in another state.

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a hemp cultivator in a state that does not issue the applicable license.

(F) The director shall issue a hemp processing license in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies:

(1) The individual holds the applicable license in another state.

(2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a hemp processor in a state that does not issue the applicable license."

In line 1381, strike through "delta-9"

In line 1411, strike through "delta-9"

In line 1433, after "and" insert "products made with"; strike through "products"

In line 1440, after the second "and" insert "products made with"; strike through "products"

In line 1441, after "(BB)" insert "A definition of "independent research institute" for purposes of section 928.01 of the Revised Code;

(CC)"

After line 1442, insert:

"Sec. 928.031. (A) The superintendent of cannabis control, in consultation with the director of agriculture, shall establish the following lists for purposes of section 928.01 of the Revised Code:

(1) Cannabinoids known to be capable of being naturally produced by a Cannabis sativa L. plant;

(2) Tetrahydrocannabinol class cannabinoids known to the superintendent to be naturally occurring in the plant Cannabis sativa L.;

(3) All other known cannabinoids with similar effects to, or marketed to have similar effects to, tetrahydrocannabinol class cannabinoids;

(4) Any additional cannabinoids that have similar effects or are marketed to have similar effects on humans or animals as a tetrahydrocannabinol.

(B) The superintendent, in consultation with the director of agriculture, shall establish any additional information and specificity about the term "container" as defined under section 928.01 of the Revised Code.

(C) When congress, or pursuant to the federal hemp laws in 7 U.S.C. 139o, et. seq., the secretary of the United States department of health and

human services, or the United States food and drug administration, as applicable, adds, changes, or removes anything from any of the lists of items established in the division (A) of this section, then such addition, change, or removal is automatically effected in the corresponding list, subject to amendment pursuant to division (D) of this section and the superintendent shall immediately publish an updated list containing the change.

(D) The superintendent may add, change, or remove any of the items included in the lists established in division (A) of this section. In so doing, the superintendent shall review any determinations made by the federal government in any corresponding changes it has made and determine whether the changes are in accordance with Ohio law, the current scientific knowledge of the material at issue, and the risk to the public health.

(E) Upon initial publication of the lists established in division (A) of this section and upon any addition, change, or removal in division (C) or (D) of this section, the superintendent, in consultation with the director, shall adopt a rule under Chapter 119. of the Revised Code, to codify the list. The rule shall be filed with the joint committee on agency rule review within six months of the list being adopted or changed.

**Sec. 928.04.** (A) Except as authorized under division (A)(4) or (5) of section 928.02 of the Revised Code, no person shall cultivate hemp without a hemp cultivation license issued by the director of agriculture under this chapter, if the director implements a program to monitor and regulate hemp cultivation under division (A)(1) of section 928.02 of the Revised Code, or process hemp without a hemp processing license issued by the director of agriculture under this chapter.

(B) No person who holds a hemp cultivation license or hemp processing license issued by the director under this chapter shall violate this chapter or rules adopted under it.

(C) No person subject to a corrective action plan issued by the director of agriculture under section 928.05 of the Revised Code shall fail to comply with the plan.

(D) No person shall transport hemp or a product made with hemp ~~product~~ in violation of rules adopted under section 928.03 of the Revised Code."

After line 1445, insert:

**"Sec. 2925.01.** As used in this chapter:

(A) "Administer," "controlled substance," "controlled substance analog," "dispense," "distribute," "hypodermic," "manufacturer," "official written order," "person," "pharmacist," "pharmacy," "sale," "schedule I," "schedule II," "schedule III," "schedule IV," "schedule V," and "wholesaler" have the same meanings as in section 3719.01 of the Revised Code.

(B) "Drug of abuse" and "person with a drug dependency" have the same meanings as in section 3719.011 of the Revised Code.

(C) "Drug," "dangerous drug," "licensed health professional authorized to prescribe drugs," and "prescription" have the same meanings as in section 4729.01 of the Revised Code.

(D) "Bulk amount" of a controlled substance means any of the following:

(1) For any compound, mixture, preparation, or substance included in schedule I, schedule II, or schedule III, with the exception of any controlled substance analog, marihuana, cocaine, L.S.D., heroin, any fentanyl-related compound, and hashish and except as provided in division (D)(2), (5), or (6) of this section, whichever of the following is applicable:

(a) An amount equal to or exceeding ten grams or twenty-five unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I opiate or opium derivative;

(b) An amount equal to or exceeding ten grams of a compound, mixture, preparation, or substance that is or contains any amount of raw or gum opium;

(c) An amount equal to or exceeding thirty grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of a schedule I hallucinogen other than tetrahydrocannabinol or lysergic acid amide, or a schedule I stimulant or depressant;

(d) An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II opiate or opium derivative;

(e) An amount equal to or exceeding five grams or ten unit doses of a compound, mixture, preparation, or substance that is or contains any amount of phencyclidine;

(f) An amount equal to or exceeding one hundred twenty grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule II stimulant that is in a final dosage form manufactured by a person authorized by the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and the federal drug abuse control laws, as defined in section 3719.01 of the Revised Code, that is or contains any amount of a schedule II depressant substance or a schedule II hallucinogenic substance;

(g) An amount equal to or exceeding three grams of a compound,

mixture, preparation, or substance that is or contains any amount of a schedule II stimulant, or any of its salts or isomers, that is not in a final dosage form manufactured by a person authorized by the Federal Food, Drug, and Cosmetic Act and the federal drug abuse control laws.

(2) An amount equal to or exceeding one hundred twenty grams or thirty times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule III or IV substance other than an anabolic steroid or a schedule III opiate or opium derivative;

(3) An amount equal to or exceeding twenty grams or five times the maximum daily dose in the usual dose range specified in a standard pharmaceutical reference manual of a compound, mixture, preparation, or substance that is or contains any amount of a schedule III opiate or opium derivative;

(4) An amount equal to or exceeding two hundred fifty milliliters or two hundred fifty grams of a compound, mixture, preparation, or substance that is or contains any amount of a schedule V substance;

(5) An amount equal to or exceeding two hundred solid dosage units, sixteen grams, or sixteen milliliters of a compound, mixture, preparation, or substance that is or contains any amount of a schedule III anabolic steroid;

(6) For any compound, mixture, preparation, or substance that is a combination of a fentanyl-related compound and any other compound, mixture, preparation, or substance included in schedule III, schedule IV, or schedule V, if the defendant is charged with a violation of section 2925.11 of the Revised Code and the sentencing provisions set forth in divisions (C)(10) (b) and (C)(11) of that section will not apply regarding the defendant and the violation, the bulk amount of the controlled substance for purposes of the violation is the amount specified in division (D)(1), (2), (3), (4), or (5) of this section for the other schedule III, IV, or V controlled substance that is combined with the fentanyl-related compound.

(E) "Unit dose" means an amount or unit of a compound, mixture, or preparation containing a controlled substance that is separately identifiable and in a form that indicates that it is the amount or unit by which the controlled substance is separately administered to or taken by an individual.

(F) "Cultivate" includes planting, watering, fertilizing, or tilling.

(G) "Drug abuse offense" means any of the following:

(1) A violation of division (A) of section 2913.02 that constitutes theft of drugs, or a violation of section 2925.02, 2925.03, 2925.04, 2925.041, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.22, 2925.23, 2925.24, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised Code;

(2) A violation of an existing or former law of this or any other state or of the United States that is substantially equivalent to any section listed in division (G)(1) of this section;

(3) An offense under an existing or former law of this or any other state, or of the United States, of which planting, cultivating, harvesting, processing, making, manufacturing, producing, shipping, transporting, delivering, acquiring, possessing, storing, distributing, dispensing, selling, inducing another to use, administering to another, using, or otherwise dealing with a controlled substance is an element;

(4) A conspiracy to commit, attempt to commit, or complicity in committing or attempting to commit any offense under division (G)(1), (2), or (3) of this section.

(H) "Felony drug abuse offense" means any drug abuse offense that would constitute a felony under the laws of this state, any other state, or the United States.

(I) "Harmful intoxicant" does not include beer or intoxicating liquor but means any of the following:

(1) Any compound, mixture, preparation, or substance the gas, fumes, or vapor of which when inhaled can induce intoxication, excitement, giddiness, irrational behavior, depression, stupefaction, paralysis, unconsciousness, asphyxiation, or other harmful physiological effects, and includes, but is not limited to, any of the following:

(a) Any volatile organic solvent, plastic cement, model cement, fingernail polish remover, lacquer thinner, cleaning fluid, gasoline, or other preparation containing a volatile organic solvent;

(b) Any aerosol propellant;

(c) Any fluorocarbon refrigerant;

(d) Any anesthetic gas.

(2) Gamma Butyrolactone;

(3) 1,4 Butanediol.

(J) "Manufacture" means to plant, cultivate, harvest, process, make, prepare, or otherwise engage in any part of the production of a drug, by propagation, extraction, chemical synthesis, or compounding, or any combination of the same, and includes packaging, repackaging, labeling, and other activities incident to production.

(K) "Possess" or "possession" means having control over a thing or substance, but may not be inferred solely from mere access to the thing or substance through ownership or occupation of the premises upon which the thing or substance is found.

(L) "Sample drug" means a drug or pharmaceutical preparation that

would be hazardous to health or safety if used without the supervision of a licensed health professional authorized to prescribe drugs, or a drug of abuse, and that, at one time, had been placed in a container plainly marked as a sample by a manufacturer.

(M) "Standard pharmaceutical reference manual" means the current edition, with cumulative changes if any, of references that are approved by the state board of pharmacy.

(N) "Juvenile" means a person under eighteen years of age.

(O) "Counterfeit controlled substance" means any of the following:

(1) Any drug that bears, or whose container or label bears, a trademark, trade name, or other identifying mark used without authorization of the owner of rights to that trademark, trade name, or identifying mark;

(2) Any unmarked or unlabeled substance that is represented to be a controlled substance manufactured, processed, packed, or distributed by a person other than the person that manufactured, processed, packed, or distributed it;

(3) Any substance that is represented to be a controlled substance but is not a controlled substance or is a different controlled substance;

(4) Any substance other than a controlled substance that a reasonable person would believe to be a controlled substance because of its similarity in shape, size, and color, or its markings, labeling, packaging, distribution, or the price for which it is sold or offered for sale.

(P) An offense is "committed in the vicinity of a school" if the offender commits the offense on school premises, in a school building, or within one thousand feet of the boundaries of any school premises, regardless of whether the offender knows the offense is being committed on school premises, in a school building, or within one thousand feet of the boundaries of any school premises.

(Q) "School" means any school operated by a board of education, any community school established under Chapter 3314. of the Revised Code, or any nonpublic school for which the director of education and workforce prescribes minimum standards under section 3301.07 of the Revised Code, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted at the time a criminal offense is committed.

(R) "School premises" means either of the following:

(1) The parcel of real property on which any school is situated, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the premises at the time a criminal offense is committed;

(2) Any other parcel of real property that is owned or leased by a

board of education of a school, the governing authority of a community school established under Chapter 3314. of the Revised Code, or the governing body of a nonpublic school for which the director of education and workforce prescribes minimum standards under section 3301.07 of the Revised Code and on which some of the instruction, extracurricular activities, or training of the school is conducted, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted on the parcel of real property at the time a criminal offense is committed.

(S) "School building" means any building in which any of the instruction, extracurricular activities, or training provided by a school is conducted, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted in the school building at the time a criminal offense is committed.

(T) "Disciplinary counsel" means the disciplinary counsel appointed by the board of commissioners on grievances and discipline of the supreme court under the Rules for the Government of the Bar of Ohio.

(U) "Certified grievance committee" means a duly constituted and organized committee of the Ohio state bar association or of one or more local bar associations of the state of Ohio that complies with the criteria set forth in Rule V, section 6 of the Rules for the Government of the Bar of Ohio.

(V) "Professional license" means any license, permit, certificate, registration, qualification, admission, temporary license, temporary permit, temporary certificate, or temporary registration that is described in divisions (W)(1) to (37) of this section and that qualifies a person as a professionally licensed person.

(W) "Professionally licensed person" means any of the following:

(1) A person who has received a certificate or temporary certificate as a certified public accountant or who has registered as a public accountant under Chapter 4701. of the Revised Code and who holds an Ohio permit issued under that chapter;

(2) A person who holds a certificate of qualification to practice architecture issued or renewed and registered under Chapter 4703. of the Revised Code;

(3) A person who is registered as a landscape architect under Chapter 4703. of the Revised Code or who holds a permit as a landscape architect issued under that chapter;

(4) A person licensed under Chapter 4707. of the Revised Code;

(5) A person who has been issued a barber's license, barber instructor's license, assistant barber instructor's license, or independent contractor's license under Chapter 4709. of the Revised Code;

(6) A person licensed and regulated to engage in the business of a debt pooling company by a legislative authority, under authority of Chapter 4710. of the Revised Code;

(7) A person who has been issued a cosmetologist's license, hair designer's license, manicurist's license, esthetician's license, natural hair stylist's license, advanced license to practice cosmetology, advanced license to practice hair design, advanced license to practice manicuring, advanced license to practice esthetics, advanced license to practice natural hair styling, cosmetology instructor's license, hair design instructor's license, manicurist instructor's license, esthetics instructor's license, natural hair style instructor's license, independent contractor's license, or tanning facility permit under Chapter 4713. of the Revised Code;

(8) A person who has been issued a license to practice dentistry, a general anesthesia permit, a conscious sedation permit, a limited resident's license, a limited teaching license, a dental hygienist's license, or a dental hygienist's teacher's certificate under Chapter 4715. of the Revised Code;

(9) A person who has been issued an embalmer's license, a funeral director's license, a funeral home license, or a crematory license, or who has been registered for an embalmer's or funeral director's apprenticeship under Chapter 4717. of the Revised Code;

(10) A person who has been licensed as a registered nurse or practical nurse, or who has been issued a certificate for the practice of nurse-midwifery under Chapter 4723. of the Revised Code;

(11) A person who has been licensed to practice optometry or to engage in optical dispensing under Chapter 4725. of the Revised Code;

(12) A person licensed to act as a pawnbroker under Chapter 4727. of the Revised Code;

(13) A person licensed to act as a precious metals dealer under Chapter 4728. of the Revised Code;

(14) A person licensed under Chapter 4729. of the Revised Code as a pharmacist or pharmacy intern or registered under that chapter as a registered pharmacy technician, certified pharmacy technician, or pharmacy technician trainee;

(15) A person licensed under Chapter 4729. of the Revised Code as a manufacturer of dangerous drugs, outsourcing facility, third-party logistics provider, repackager of dangerous drugs, wholesale distributor of dangerous drugs, or terminal distributor of dangerous drugs;

(16) A person who is authorized to practice as a physician assistant under Chapter 4730. of the Revised Code;

(17) A person who has been issued a license to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery

under Chapter 4731. of the Revised Code or has been issued a certificate to practice a limited branch of medicine under that chapter;

(18) A person licensed as a psychologist, independent school psychologist, or school psychologist under Chapter 4732. of the Revised Code;

(19) A person registered to practice the profession of engineering or surveying under Chapter 4733. of the Revised Code;

(20) A person who has been issued a license to practice chiropractic under Chapter 4734. of the Revised Code;

(21) A person licensed to act as a real estate broker or real estate salesperson under Chapter 4735. of the Revised Code;

(22) A person registered as a registered environmental health specialist under Chapter 3776. of the Revised Code;

(23) A person licensed to operate or maintain a junkyard under Chapter 4737. of the Revised Code;

(24) A person who has been issued a motor vehicle salvage dealer's license under Chapter 4738. of the Revised Code;

(25) A person who has been licensed to act as a steam engineer under Chapter 4739. of the Revised Code;

(26) A person who has been issued a license or temporary permit to practice veterinary medicine or any of its branches, or who is registered as a graduate animal technician under Chapter 4741. of the Revised Code;

(27) A person who has been issued a hearing aid dealer's or fitter's license or trainee permit under Chapter 4747. of the Revised Code;

(28) A person who has been issued a class A, class B, or class C license or who has been registered as an investigator or security guard employee under Chapter 4749. of the Revised Code;

(29) A person licensed to practice as a nursing home administrator under Chapter 4751. of the Revised Code;

(30) A person licensed to practice as a speech-language pathologist or audiologist under Chapter 4753. of the Revised Code;

(31) A person issued a license as an occupational therapist or physical therapist under Chapter 4755. of the Revised Code;

(32) A person who is licensed as a licensed professional clinical counselor, licensed professional counselor, social worker, independent social worker, independent marriage and family therapist, or marriage and family therapist, or registered as a social work assistant under Chapter 4757. of the Revised Code;

(33) A person issued a license to practice dietetics under Chapter

4759. of the Revised Code;

(34) A person who has been issued a license or limited permit to practice respiratory therapy under Chapter 4761. of the Revised Code;

(35) A person who has been issued a real estate appraiser certificate under Chapter 4763. of the Revised Code;

(36) A person who has been issued a home inspector license under Chapter 4764. of the Revised Code;

(37) A person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules;

(38) A person who has been issued a license to practice as a certified mental health assistant under Chapter 4772. of the Revised Code.

(X) "Cocaine" means any of the following:

(1) A cocaine salt, isomer, or derivative, a salt of a cocaine isomer or derivative, or the base form of cocaine;

(2) Coca leaves or a salt, compound, derivative, or preparation of coca leaves, including ecgonine, a salt, isomer, or derivative of ecgonine, or a salt of an isomer or derivative of ecgonine;

(3) A salt, compound, derivative, or preparation of a substance identified in division (X)(1) or (2) of this section that is chemically equivalent to or identical with any of those substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves if the extractions do not contain cocaine or ecgonine.

(Y) "L.S.D." means lysergic acid diethylamide.

(Z) "Hashish" means a resin or a preparation of a resin to which both of the following apply:

(1) It is contained in or derived from any part of the plant of the genus cannabis, whether in solid form or in a liquid concentrate, liquid extract, or liquid distillate form.

(2) It has a delta-9 tetrahydrocannabinol concentration of more than three-tenths per cent.

"Hashish" does not include a hemp byproduct in the possession of a licensed hemp processor under Chapter 928. of the Revised Code, provided that the hemp byproduct is being produced, stored, and disposed of in accordance with rules adopted under section 928.03 of the Revised Code.

(AA) "Marihuana" has the same meaning as in section 3719.01 of the Revised Code, except that it does not include hashish.

(BB) An offense is "committed in the vicinity of a juvenile" if the offender commits the offense within one hundred feet of a juvenile or within the view of a juvenile, regardless of whether the offender knows the age of

the juvenile, whether the offender knows the offense is being committed within one hundred feet of or within view of the juvenile, or whether the juvenile actually views the commission of the offense.

(CC) "Presumption for a prison term" or "presumption that a prison term shall be imposed" means a presumption, as described in division (D) of section 2929.13 of the Revised Code, that a prison term is a necessary sanction for a felony in order to comply with the purposes and principles of sentencing under section 2929.11 of the Revised Code.

(DD) "Major drug offender" has the same meaning as in section 2929.01 of the Revised Code.

(EE) "Minor drug possession offense" means either of the following:

(1) A violation of section 2925.11 of the Revised Code as it existed prior to July 1, 1996;

(2) A violation of section 2925.11 of the Revised Code as it exists on and after July 1, 1996, that is a misdemeanor or a felony of the fifth degree.

(FF) "Mandatory prison term" has the same meaning as in section 2929.01 of the Revised Code.

(GG) "Adulterate" means to cause a drug to be adulterated as described in section 3715.63 of the Revised Code.

(HH) "Public premises" means any hotel, restaurant, tavern, store, arena, hall, or other place of public accommodation, business, amusement, or resort.

(II) "Methamphetamine" means methamphetamine, any salt, isomer, or salt of an isomer of methamphetamine, or any compound, mixture, preparation, or substance containing methamphetamine or any salt, isomer, or salt of an isomer of methamphetamine.

(JJ) "Deception" has the same meaning as in section 2913.01 of the Revised Code.

(KK) "Fentanyl-related compound" means any of the following:

(1) Fentanyl;

(2) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

(3) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);

(4) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl-4-piperidinyl)]-N-phenylpropanamide);

(5) Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);

(6) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);

(7) 3-methylthiofentanyl (N-[3-methyl-1-[2-(thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide);

(8) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide);

(9) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);

(10) Alfentanil;

(11) Carfentanil;

(12) Remifentanil;

(13) Sufentanil;

(14) Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide); and

(15) Any compound that meets all of the following fentanyl pharmacophore requirements to bind at the mu receptor, as identified by a report from an established forensic laboratory, including acetylfentanyl, furanylfentanyl, valerylfentanyl, butyrylfentanyl, isobutyrylfentanyl, 4-methoxybutyrylfentanyl, para-fluorobutyrylfentanyl, acrylfentanyl, and ortho-fluorofentanyl:

(a) A chemical scaffold consisting of both of the following:

(i) A five, six, or seven member ring structure containing a nitrogen, whether or not further substituted;

(ii) An attached nitrogen to the ring, whether or not that nitrogen is enclosed in a ring structure, including an attached aromatic ring or other lipophilic group to that nitrogen.

(b) A polar functional group attached to the chemical scaffold, including but not limited to a hydroxyl, ketone, amide, or ester;

(c) An alkyl or aryl substitution off the ring nitrogen of the chemical scaffold; and

(d) The compound has not been approved for medical use by the United States food and drug administration.

(LL) "First degree felony mandatory prison term" means one of the definite prison terms prescribed in division (A)(1)(b) of section 2929.14 of the Revised Code for a felony of the first degree, except that if the violation for which sentence is being imposed is committed on or after March 22, 2019, it means one of the minimum prison terms prescribed in division (A) (1)(a) of that section for a felony of the first degree.

(MM) "Second degree felony mandatory prison term" means one of

the definite prison terms prescribed in division (A)(2)(b) of section 2929.14 of the Revised Code for a felony of the second degree, except that if the violation for which sentence is being imposed is committed on or after March 22, 2019, it means one of the minimum prison terms prescribed in division (A)(2)(a) of that section for a felony of the second degree.

(NN) "Maximum first degree felony mandatory prison term" means the maximum definite prison term prescribed in division (A)(1)(b) of section 2929.14 of the Revised Code for a felony of the first degree, except that if the violation for which sentence is being imposed is committed on or after March 22, 2019, it means the longest minimum prison term prescribed in division (A)(1)(a) of that section for a felony of the first degree.

(OO) "Maximum second degree felony mandatory prison term" means the maximum definite prison term prescribed in division (A)(2)(b) of section 2929.14 of the Revised Code for a felony of the second degree, except that if the violation for which sentence is being imposed is committed on or after March 22, 2019, it means the longest minimum prison term prescribed in division (A)(2)(a) of that section for a felony of the second degree.

(PP) "Delta-9 tetrahydrocannabinol" ~~has the same meaning as in section 928.01 of the Revised Code~~ means the sum of the percentage by weight of tetrahydrocannabinolic acid multiplied by 0.877 plus the percentage by weight of delta-9 tetrahydrocannabinol.

(QQ) An offense is "committed in the vicinity of a substance addiction services provider or a recovering addict" if either of the following apply:

(1) The offender commits the offense on the premises of a substance addiction services provider's facility, including a facility licensed prior to June 29, 2019, under section 5119.391 of the Revised Code to provide methadone treatment or an opioid treatment program licensed on or after that date under section 5119.37 of the Revised Code, or within five hundred feet of the premises of a substance addiction services provider's facility and the offender knows or should know that the offense is being committed within the vicinity of the substance addiction services provider's facility.

(2) The offender sells, offers to sell, delivers, or distributes the controlled substance or controlled substance analog to a person who is receiving treatment at the time of the commission of the offense, or received treatment within thirty days prior to the commission of the offense, from a substance addiction services provider and the offender knows that the person is receiving or received that treatment.

(RR) "Substance addiction services provider" means an agency, association, corporation or other legal entity, individual, or program that provides one or more of the following at a facility:

(1) Either alcohol addiction services, or drug addiction services, or both such services that are certified by the director of mental health and addiction services under section 5119.36 of the Revised Code;

(2) Recovery supports that are related to either alcohol addiction services, or drug addiction services, or both such services and paid for with federal, state, or local funds administered by the department of ~~mental health and addiction services~~ behavioral health or a board of alcohol, drug addiction, and mental health services.

(SS) "Premises of a substance addiction services provider's facility" means the parcel of real property on which any substance addiction service provider's facility is situated.

(TT) "Alcohol and drug addiction services" has the same meaning as in section 5119.01 of the Revised Code."

In line 1458, delete "or (b)"

In line 1476, delete the first "or (b)"

In line 1487, delete "(H)" and insert "(G)"

In line 1508, delete "or (b)"

In line 1525, delete "or (b)"

In line 1544, delete the first "or (b)"

After line 1593, insert:

**"Sec. 3719.01.** As used in this chapter:

(A) "Administer" means the direct application of a drug, whether by injection, inhalation, ingestion, or any other means to a person or an animal.

(B) "Drug enforcement administration" means the drug enforcement administration of the United States department of justice or its successor agency.

(C) "Controlled substance" means a drug, compound, mixture, preparation, or substance included in schedule I, II, III, IV, or V.

(D) "Dangerous drug" has the same meaning as in section 4729.01 of the Revised Code.

(E) "Dispense" means to sell, leave with, give away, dispose of, or deliver.

(F) "Distribute" means to deal in, ship, transport, or deliver but does not include administering or dispensing a drug.

(G) "Drug" has the same meaning as in section 4729.01 of the Revised Code.

(H) "Drug abuse offense" and "felony drug abuse offense" have the same meanings as in section 2925.01 of the Revised Code.

(I) "Federal drug abuse control laws" means the "Comprehensive Drug Abuse Prevention and Control Act of 1970," 84 Stat. 1242, 21 U.S.C. 801, as amended.

(J) "Hospital" means a facility registered as a hospital with the department of health under section 3701.07 of the Revised Code.

(K) "Hypodermic" means a hypodermic syringe or needle, or other instrument or device for the injection of medication.

(L) "Manufacturer" means a person who manufactures a controlled substance, as "manufacture" is defined in section 3715.01 of the Revised Code, and includes a "manufacturer of dangerous drugs" as defined in section 4729.01 of the Revised Code.

(M) "Marihuana" means all parts of a plant of the genus cannabis, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type; and every compound, manufacture, salt, derivative, mixture, or preparation of a plant of that type or of its seeds or resin. "Marihuana" does not include the mature stalks of the plant, fiber produced from the stalks, oils or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the mature stalks, fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. "Marihuana" does not include "hemp" ~~or a "hemp product"~~ as those terms are that term is defined in section 928.01 of the Revised Code.

(N) "Narcotic drugs" means coca leaves, opium, isonipecaine, amidone, isoamidone, ketobemidone, as defined in this division, and every substance not chemically distinguished from them and every drug, other than cannabis, that may be included in the meaning of "narcotic drug" under the federal drug abuse control laws. As used in this division:

(1) "Coca leaves" includes cocaine and any compound, manufacture, salt, derivative, mixture, or preparation of coca leaves, except derivatives of coca leaves, that does not contain cocaine, ecgonine, or substances from which cocaine or ecgonine may be synthesized or made.

(2) "Isonipecaine" means any substance identified chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid ethyl ester, or any salt thereof, by whatever trade name designated.

(3) "Amidone" means any substance identified chemically as 4-4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof, by whatever trade name designated.

(4) "Isoamidone" means any substance identified chemically as 4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3, or any salt thereof, by

whatever trade name designated.

(5) "Ketobemidone" means any substance identified chemically as 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl ketone hydrochloride, or any salt thereof, by whatever trade name designated.

(6) "Cocaine" has the same meaning as in section 2925.01 of the Revised Code.

(O) "Official written order" means an order written on a form provided for that purpose by the director of the United States drug enforcement administration, under any laws of the United States making provision for the order, if the order forms are authorized and required by federal law.

(P) "Person" means any individual, corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership, association, or other legal entity.

(Q) "Pharmacist" means a person licensed under Chapter 4729. of the Revised Code to engage in the practice of pharmacy.

(R) "Pharmacy" has the same meaning as in section 4729.01 of the Revised Code.

(S) "Poison" means any drug, chemical, or preparation likely to be deleterious or destructive to adult human life in quantities of four grams or less.

(T) "Licensed health professional authorized to prescribe drugs," "prescriber," and "prescription" have the same meanings as in section 4729.01 of the Revised Code.

(U) "Sale" includes delivery, barter, exchange, transfer, or gift, or offer thereof, and each transaction of those natures made by any person, whether as principal, proprietor, agent, servant, or employee.

(V) "Schedule I," "schedule II," "schedule III," "schedule IV," and "schedule V" mean controlled substance schedules I, II, III, IV, and V, respectively, as established by rule adopted under section 3719.41 of the Revised Code, as amended pursuant to section 3719.43 or 3719.44 of the Revised Code, or as established by emergency rule adopted under section 3719.45 of the Revised Code.

(W) "Wholesaler" means a person who, on official written orders other than prescriptions, supplies controlled substances that the person has not manufactured, produced, or prepared personally and includes a "wholesale distributor of dangerous drugs" as defined in section 4729.01 of the Revised Code.

(X) "Animal shelter" means a facility operated by a humane society or any society organized under Chapter 1717. of the Revised Code or a dog

pound operated pursuant to Chapter 955. of the Revised Code.

(Y) "Terminal distributor of dangerous drugs" has the same meaning as in section 4729.01 of the Revised Code.

(Z)(1) "Controlled substance analog" means, except as provided in division (Z)(2) of this section, a substance to which both of the following apply:

(a) The chemical structure of the substance is substantially similar to the structure of a controlled substance in schedule I or II.

(b) One of the following applies regarding the substance:

(i) The substance has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II.

(ii) With respect to a particular person, that person represents or intends the substance to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II.

(2) "Controlled substance analog" does not include any of the following:

(a) A controlled substance;

(b) Any substance for which there is an approved new drug application;

(c) With respect to a particular person, any substance if an exemption is in effect for investigational use for that person pursuant to federal law to the extent that conduct with respect to that substance is pursuant to that exemption;

(d) Any substance to the extent it is not intended for human consumption before the exemption described in division (Z)(2)(b) of this section takes effect with respect to that substance.

(AA) "Benzodiazepine" means a controlled substance that has United States food and drug administration approved labeling indicating that it is a benzodiazepine, benzodiazepine derivative, triazolobenzodiazepine, or triazolobenzodiazepine derivative, including the following drugs and their varying salt forms or chemical congeners: alprazolam, chlordiazepoxide hydrochloride, clobazam, clonazepam, clorazepate, diazepam, estazolam, flurazepam hydrochloride, lorazepam, midazolam, oxazepam, quazepam, temazepam, and triazolam.

(BB) "Opioid analgesic" means a controlled substance that has analgesic pharmacologic activity at the opioid receptors of the central

nervous system, including the following drugs and their varying salt forms or chemical congeners: buprenorphine, butorphanol, codeine (including acetaminophen and other combination products), dihydrocodeine, fentanyl, hydrocodone (including acetaminophen combination products), hydromorphone, meperidine, methadone, morphine sulfate, oxycodone (including acetaminophen, aspirin, and other combination products), oxymorphone, tapentadol, and tramadol.

(CC) "Outsourcing facility," "repackager of dangerous drugs," and "third-party logistics provider" have the same meanings as in section 4729.01 of the Revised Code.

**Sec. 3719.41.** (A) For purposes of administration, enforcement, and regulation of the manufacture, distribution, dispensing, and possession of controlled substances, the state board of pharmacy shall adopt rules in accordance with Chapter 119. of the Revised Code establishing schedule I, schedule II, schedule III, schedule IV, and schedule V incorporating the five schedules of controlled substances under the federal drug abuse control laws.

The board may include in the schedules any compound, mixture, preparation, or substance that was included in the schedules immediately prior to March 22, 2020, as long as the inclusion does not have the effect of providing less stringent control of the compound, mixture, preparation, or substance than is provided under the federal drug abuse control laws or regulations adopted under those laws.

(B) Except as provided in section 3719.45 of the Revised Code, the board periodically shall update the schedules by rule adopted in accordance with Chapter 119. of the Revised Code to correspond to any change in the federal drug abuse control laws or regulations adopted under those laws, any addition, transfer, or removal by congress or the attorney general of the United States as described in section 3719.43 of the Revised Code, and any addition, transfer, or removal by the board by rule adopted under section 3719.44 of the Revised Code.

(C) Notwithstanding divisions (A) and (B) of this section, the board shall not adopt rules including hemp ~~or a hemp product~~ in a schedule as a controlled substance.

(D) As used in this section, "hemp" ~~and "hemp product"~~ have ~~has~~ the same ~~meanings-meaning~~ as in section 928.01 of the Revised Code."

Delete lines 1594 through 2164

In line 2165, delete "3779.29 and"

In line 2166, delete "3779.40 to 3779.48" and insert "3779.30"; delete ", except as provided in"

In line 2167, delete "section 3779.40 of the Revised Code"

In line 2168, after "(A)" insert "AD retailer" means an A-1-A, A-1c, or class D permit holder under Chapter 4303. of the Revised Code.

(B); delete "and "identification card" have the same"

In line 2169, delete "meanings as in section 3779.01 of the Revised Code" and insert "means for use or consumption by the ultimate consumer and not for resale"

In line 2170, delete "(B)" and insert "(C)"C retailer" means a class C permit holder under Chapter 4303. of the Revised Code.

(D) "Delta-9 tetrahydrocannabinol" means the sum of the percentage by weight of tetrahydrocannabinolic acid multiplied by 0.877 plus the percentage by weight of delta-9 tetrahydrocannabinol.

(E)"

In line 2173, delete " , offers for sale, arranges for sale, or"

In line 2174, delete "delivers"; delete "low-level or high-level"

In line 2175, delete "a low-level or high-level" and insert "an AD or C"

In line 2179, delete "low-level or high-level"

In line 2180, delete "a" and insert "an AD or C"

Delete lines 2181 through 2206

In line 2207, delete "level DCP" and insert:

"(F) "Drinkable cannabinoid product"

Delete lines 2222 and 2223

In line 2224, delete "Low-level retailer" means an A-1-A, A-1c, or class D"

Delete line 2225 and insert "Hemp" means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths per cent on a dry weight basis.

(H) "Liquid hemp product" means a liquid product, containing a delta-9 tetrahydrocannabinol concentration of not more than three-tenths per cent, that is made with hemp."

In line 2226, delete "(H)" and insert "(I) "Identification card" means a driver's or commercial driver's license, an identification card issued under sections 4507.50 to 4507.52 of the Revised Code or an equivalent identification card issued by another state, a military identification card issued

by the United States department of defense, or a United States or foreign passport that displays a picture of the individual for whom the license, card, or passport is issued and shows that the person buying is then at least twenty-one years of age.

(J)"

In line 2227, delete "low-level or"

In line 2228, delete "high-level"

In line 2229, delete "(I)" and insert "(K)"Ohio investigative unit" means the investigative unit maintained by the department of public safety under section 5502.13 of the Revised Code.

(L)"

In line 2231, delete "low-level or high-level"

In line 2234, delete "(J)" and insert "(M)"; after "ounces." insert:

"(N) "Tetrahydrocannabinol" means naturally occurring or synthetic equivalents, regardless of whether artificially or naturally derived, of the substances contained in the plant, or in the resinous extractives of cannabis, sp. or derivatives, and their isomers with similar chemical structure to delta-1-cis or trans tetrahydrocannabinol, and their optical isomers, salts and salts of isomers. "Tetrahydrocannabinol" includes, but is not limited to, delta-8 tetrahydrocannabinol, delta-10 tetrahydrocannabinol, tetrahydrocannabinol-o acetate, tetrahydrocannabiphorol, tetrahydrocannabivarin, hexahydrocannabinol, delta-6-cis or trans tetrahydrocannabinol, delta-3, 4-cis or trans tetrahydrocannabinol, 9-hexahydrocannabinol, and delta-9-tetrahydrocannabinol acetate. Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of designation of atomic positions, are included.

"Tetrahydrocannabinol" does not include the following:

(1) Tetrahydrocannabinols approved by the United States food and drug administration for marketing as a medication or recognized by the United States food and drug administration as generally recognized as safe.

(2) Cannabichromene (CBC);

(3) Cannabicyclol (CBL);

(4) Cannabidiol (CBD);

(5) Cannabidivaryl (CBDV);

(6) Cannabielsoin (CBE);

(7) Cannabigerol (CBG);

(8) Cannabigerovarin (CBGV);

(9) Cannabinol (CBN);

(10) Cannabivarin (CBV).

**Sec. 3779.211.** Sections 3779.21 to 3779.30 of the Revised Code are operative notwithstanding any other provision of the Revised Code to the contrary, including Chapter 928. of the Revised Code."

In line 2235, delete "A low-level" and insert "An AD"

In line 2236, delete "low-level"

In line 2237, after "sold" insert "and for consumption off the premises where sold"

In line 2238, delete "A high-level" and insert "A C"; delete "low-level or"

In line 2239, delete "high-level"

In line 2242, delete "low-level or high-level"

In line 2245, delete "If the person is a manufacturer, sell a low-level or"

Delete lines 2246 and 2247

In line 2248, delete "(3)"; delete "low-level"

In line 2249, delete "a low-"

In line 2250, delete "level" and insert "an AD"; delete "high-level" and insert "C"

Delete lines 2251 through 2253

In line 2254, delete "(5)" and insert "(3)"; delete "low-level or high-level"

In line 2257, delete "(6)" and insert "(4)"; delete "low-level"

In line 2259, delete "a low-level or high-level" and insert "an AD or C"

Delete lines 2260 through 2262

In line 2263, delete "(8)" and insert "(5)"; delete "low-level or high-level"

In line 2266, delete "(9)" and insert "(6)"

In line 2267, delete "low-level or high-level"

In line 2270, delete "(10)" and insert "(7)"; delete "low-level or high-level"

Delete lines 2272 through 2277

In line 2278, delete "(12)" and insert "(8)"; delete "do"

Delete line 2279

In line 2280, delete "(a) Pay" and insert "pay"; delete "a low-level" and insert "an AD or C"

In line 2282, delete "low-level"

Delete lines 2284 through 2287

In line 2288, delete "(13)" and insert "(9)"; delete "a low-level or high-level" and insert "an AD or C"

In line 2290, delete "low-level or high-level"

In line 2291, delete ", as applicable,"

In line 2293, delete "(14)" and insert "(10)"; delete "a low-level" and insert "an AD"

In line 2297, delete "(15)" and insert "(11)"; delete "a low-level or high-level" and insert "an AD or C"

In line 2298, delete "low-level or high-level"; delete ", as"

In line 2299, delete "applicable,"

In line 2301, delete "(16)" and insert "(12)"; delete "a low-level or high-level" and insert "an AD or C"

In line 2302, delete "low-level or high-level"

In line 2303, delete ", as applicable,"

In line 2304, delete "low-level or high-level"

In line 2305, delete ", as applicable,"

In line 2308, delete "(17)" and insert "(13)"; after "distributor" insert "or manufacturer"

In line 2309, delete "a low-level or high-level" and insert "an AD or C"; delete the second "low-level or"

In line 2310, delete "high-level"; delete ", as applicable,"

In line 2313, delete "(18)" and insert "(14)"; delete "low-level or high-level"

In line 2325, delete "(19)" and insert "(15)Advertise a drinkable"

cannabinoid product in a false or misleading manner;

(16) Advertise a drinkable cannabinoid product in a manner that is targeted or attractive to minors;

(17) Advertise a drinkable cannabinoid product in a manner that promotes illegal activity or is obscene or indecent;

(18)"; delete "rule" and insert "policy"; delete "3779.23" and insert "3779.24"

Delete lines 2327 through 2343

In line 2344, delete "3779.221" and insert "3779.23"; after the third ";" insert "(A) The Ohio investigative unit shall enforce this chapter or cause it to be enforced. If the unit has information that this chapter has been violated, it may investigate the matter and take any action as it considers appropriate. The authority of the Ohio investigative unit is concurrent to the jurisdiction of any law enforcement officer to enforce this chapter. Nothing in this chapter shall be construed to limit or supersede the authority of any law enforcement officer or agency.

(B)"; delete "The" and insert "Except as provided in division (C) of this section, the"

In line 2346, delete "who" and insert "that"; delete "division (B) of section"

In line 2347, delete "3779.22" and insert "sections 3779.21 to 3779.30"; after "Code" insert ", including"; delete "or any rules" and insert "any policies"; after "under" insert "division (A) of"

In line 2348, delete "3779.23" and insert "3779.24"

In line 2349, delete "rules" and insert "policies"; delete "3779.23" and insert "3779.24"

Delete lines 2351 through 2360 and insert "(C) The superintendent of cannabis control may impose an administrative penalty or take other enforcement actions against a person that violates a policy established under division (B) of section 3779.24 of the Revised Code. Administrative penalties shall be set forth in policies adopted under section 3779.24 of the Revised Code.

(D)(1) A person that has an administrative penalty imposed or has other enforcement action taken against the person under division (B) of this section may appeal the penalty or action to the liquor control commission in accordance with Chapter 4301. of the Revised Code and rules adopted under it.

(2) A person that has an administrative penalty imposed or has other

enforcement action taken against the person under division (C) of this section may appeal the penalty or action in accordance with the requirements and procedures established in rules adopted under section 3796.03 of the Revised Code for medical marijuana and adult-use marijuana."

In line 2361, delete "3779.23" and insert "3779.24"; delete "Not later than six months after" and insert "(A) On"

In line 2363, delete "adopt rules in accordance with Chapter 119. of the"

In line 2364, delete "Revised Code" and insert "establish policies"

In line 2365, delete "rules" and insert "policies"

Delete lines 2367 through 2373

In line 2374, delete "(C)" and insert "(1)"; delete "low-level and high-level"

Delete lines 2376 through 2385

In line 2386, delete "(F)" and insert "(2)"; delete "Establish the" and insert "The"

In line 2387, delete "3779.221" and insert "3779.23"

After line 2388, insert:

"(3) Any other enforcement actions that may be taken by the superintendent under section 3779.23 of the Revised Code.

(B) On the effective date of this section, the superintendent of cannabis control shall establish policies for all of the following:

(1) The testing of drinkable cannabinoid products under section 3779.25 of the Revised Code, including policies governing the issuance of a certificate of analysis as required under section 3779.25 of the Revised Code:

(2) Creation and maintenance of a list of approved tetrahydrocannabinols that may be included for use in drinkable cannabinoid products;

(3) The amount of administrative penalties to be imposed by the superintendent under section 3779.23 of the Revised Code and procedures for imposing such penalties."

Delete lines 2389 through 2399

In line 2400, delete "low-level or"

In line 2401, delete "high-level"

In line 2402, delete "rules" and insert "policies"; delete "3779.23" and insert "3779.24"

In line 2405, delete "low-level" and insert "AD"

In line 2406, delete "high-level" and insert "C"; delete "low-level or"

In line 2407, delete "high-level"; delete ", as applicable,"

In line 2408, delete "rules" and insert "policies"

In line 2409, delete "3779.23" and insert "3779.24"

In line 2411, delete "rules" and insert "policies"

In line 2415, delete "low-level or high-"

In line 2416, delete "level"

In line 2419, delete "liquor control" and insert "the division of cannabis control"

In line 2425, delete "rules" and insert "policies"; delete "3779.23" and insert "3779.24"

In line 2426, after "Code." insert "The facility shall retain records relating to the certificate of analysis for one year after the testing is conducted."

In line 2427, delete "low-level" and insert "AD"; delete "high-level" and insert "C"

In line 2429, delete "low-level or high-level"

In line 2434, delete "(A)"; delete "rules" and insert "policies"; delete "adopted" and insert "established"

In line 2435, delete "3779.23" and insert "3779.24"

In line 2436, delete "low-level or high-level"

In line 2438, delete "the following information in legible"

Delete lines 2439 through 2448

In line 2449, delete "(7) The" and insert "the"

In line 2450, delete "as required" and insert "issued"

In line 2451, delete ";

Delete lines 2452 through 2466

In line 2467, delete "symbol (D8441/D8441M)"

In line 2468, delete "A manufacturer shall include the amount of"

Delete lines 2469 through 2475

In line 2476, delete "(C)"

In line 2487, delete "low-level or high-level"

In line 2493, delete "low-level or high-level"

In line 2498, delete "a low-level" and insert "an AD"; delete "high-level" and insert "C"

In line 2501, delete "low-level" and insert "AD"; delete "high-level" and insert "C"

Delete lines 2503 through 2526

In line 2527, delete "(D)" and insert "(B)"

In line 2528, delete "low-level" and insert "AD"; delete "high-level" and insert "C"

In line 2529, delete "low-level" and insert "AD"

In line 2530, delete "high-level" and insert "C"; delete "low-level" and insert "AD"

In line 2531, delete "high-level" and insert "C"

In line 2532, delete "low-level or high-level"

Delete lines 2536 and 2537

In line 2544, delete "low-level or high-level"

In line 2559, delete "low-level"

In line 2560, delete "a low-level" and insert "an AD"; delete the second "low-level" and insert "AD"

In line 2561, delete "low-level"

In line 2565, delete "low-level or high-level"

In line 2575, delete "(A) As used in this section:"

Delete lines 2576 through 2591 and insert "A person may manufacture a liquid hemp product that is a beverage intended for human consumption that is not in compliance with the requirements for drinkable cannabinoid products established in this chapter, provided the product is solely for export outside of"

this state."

Delete lines 2592 through 3018

In line 3019, delete "Except as provided in division (B) of"

Delete lines 3020 through 3045

In line 3046, delete "(E)"

In line 3050, delete "(F)" and insert "(B)"; delete "(B)(8)" and insert "(B)(5)"

In line 3054, delete "(G)" and insert "(C)"

Delete lines 3056 through 3068

Delete lines 3166 through 3195

In line 3196, delete "(21)" and insert "(20)"

In line 3201, delete "(22)" and insert "(21)"

In line 3206, delete "(23)" and insert "(22)"

In line 3211, delete "(24)" and insert "(23)"

In line 3216, delete "(25)" and insert "(24)"

In line 3220, delete "Intoxicating hemp product" has the same meaning as"

In line 3220, delete "(26)" and insert "(25)"

Delete line 3221

In line 3222, delete "(27)"

In line 3222, delete "(27)" and insert "(26)"

In line 3227, delete "cannabis" and insert "marijuana"

In line 3228, delete "marijuana" and insert "cannabis"

In line 3229, delete "cannabis" and insert "marijuana"

In line 3230, delete "marijuana" and insert "cannabis"; delete "cannabis" and insert "marijuana"

In line 3231, delete "cannabis" and insert "marijuana"

In line 3234, delete "marijuana" and insert "cannabis"

In line 3235, delete "marijuana" and insert "cannabis"

In line 3241, strike through "marijuana" and insert "cannabis"

In line 3244, strike through "marijuana" and insert "cannabis"

In line 3245, strike through "marijuana" and insert "cannabis"

In line 3250, strike through "marijuana" and insert "cannabis"

After line 3250, insert:

**"Sec. 3796.021.** (A) The medical marijuana advisory committee is hereby created in the state board of pharmacy. The committee shall consist of the following:

(1) Two members who are practicing pharmacists, at least one of whom supports the use of marijuana for medical purposes and at least one of whom is a member of the board of pharmacy;

(2) Two members who are practicing physicians, at least one of whom supports the use of marijuana for medical purposes and at least one of whom is a member of the state medical board;

(3) A member who represents local law enforcement;

(4) A member who represents employers;

(5) A member who represents labor;

(6) A member who represents persons involved in mental health treatment;

(7) A member who is a nurse;

(8) A member who represents caregivers;

(9) A member who represents patients;

(10) A member who represents agriculture;

(11) A member who represents persons involved in the treatment of alcohol and drug addiction;

(12) A member who engages in academic research.

(B) The governor shall appoint the members described in divisions (A)(1), (2), (4), (10), (11), and (12) of this section. The senate president shall appoint the members described in divisions (A)(3) and (8) of this section.

The minority leader of the senate shall appoint the member described in division (A)(7) of this section. The speaker of the house of representatives shall appoint the members described in divisions (A)(6) and (9) of this section. The minority leader of the house of representatives shall appoint the member described in division (A)(5) of this section. Not more than six members shall be of the same political party.

(C) Appointments to the committee shall be made not later than thirty days after ~~the effective date of this section~~ September 8, 2016.

(D) Each member of the committee shall serve from the date of appointment until the committee ceases to exist, except that members serve at the pleasure of the appointing authority. Vacancies shall be filled in the same manner as original appointments.

(E) The governor shall select a member of the committee to serve as its chairperson.

(F) Each member of the committee shall receive a per diem compensation determined in accordance with division (J) of section 124.15 of the Revised Code. In addition, each member shall receive actual and necessary travel expenses in connection with committee meetings and business.

(G) The committee shall hold its initial meeting not later than thirty days after the last member of the committee is appointed. The committee may develop and submit to the department of commerce, state board of pharmacy, and the state medical board any recommendations related to ~~the~~ medical marijuana and the cannabis control program and the implementation and enforcement of Chapter 3796. of the Revised Code.

(H) The committee is not subject to sections 101.82 to 101.87 of the Revised Code.

(I) The committee shall cease to exist on the date that occurs five years and thirty days after the effective date of this act September 8, 2016."

In line 3251, strike through "marijuana" and insert "cannabis"

In line 3253, strike through "marijuana" and insert "cannabis"

In line 3259, reinsert "both of"; reinsert "following:"

In line 3260, reinsert "(a) The"

In line 3262, reinsert "(b)"

In line 3263, after "~~the~~" insert "The"; reinsert "criminal offenses"; after "~~which~~" insert "that disqualify"; reinsert "an applicant"

In line 3264, reinsert "from"; after "~~section~~" insert "licensure under this chapter, which shall include, at minimum, any felony offense"; reinsert "."

After line 3339, insert:

**"Sec. 3796.032.** This chapter does not authorize the division of ~~marijuana~~ cannabis control to oversee or limit research conducted at a state university, academic medical center, or private research and development organization that is related to marijuana and is approved by an agency, board, center, department, or institute of the United States government, including any of the following:

- (A) The agency for health care research and quality;
- (B) The national institutes of health;
- (C) The national academy of sciences;
- (D) The centers for medicare and medicaid services;
- (E) The United States department of defense;
- (F) The centers for disease control and prevention;
- (G) The United States department of veterans affairs;
- (H) The drug enforcement administration;
- (I) The food and drug administration;
- (J) Any board recognized by the national institutes of health for the purpose of evaluating the medical value of health care services."

In line 3408, strike through "marijuana" and insert "cannabis"

In line 3434, delete "marijuana" and insert "cannabis"

In line 3492, after "marijuana," insert "and"; delete ", and"

In line 3493, delete "intoxicating hemp products"

In line 3497, after "marijuana," insert "or"; delete ", or intoxicating hemp products"

In line 3505, delete "or intoxicating hemp products"

In line 3515, delete "or intoxicating hemp products"

After line 3561, insert:

**"Sec. 3796.061.** (A) Any person may submit a petition to the state division of ~~marijuana~~cannabis control requesting that a form of or method of using medical marijuana be approved for the purposes of section 3796.06 of the Revised Code. A petition shall be submitted to the division in a manner prescribed by the division. A petition shall not seek to approve a method of using medical marijuana that involves smoking or combustion.

(B) On receipt of a petition, the division shall review it to determine whether to approve the form of or method of using medical marijuana described in the petition. The division may consolidate the review of petitions for the same or similar forms or methods. In making its determination, the division shall consult with one or more experts and review any relevant scientific evidence.

(C) The division shall approve or deny the petition in accordance with any rules adopted by the division under this section. The division's decision is final.

(D) The division may adopt rules as necessary to implement this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code."

In line 3593, delete "marijuana" and insert "cannabis"

After line 3617, insert:

**"Sec. 3796.08.** (A)(1) Until one hundred eighty days following ~~the effective date of this amendment-October 3, 2023~~, a patient seeking to use medical marijuana or a caregiver seeking to assist a patient in the use or administration of medical marijuana shall apply to the state board of pharmacy for registration. On and after one hundred eighty days following ~~the effective date of this amendment-October 3, 2023~~, a patient seeking to use medical marijuana or a caregiver seeking to assist a patient in the use or administration of medical marijuana shall apply to the division of ~~marijuana-~~cannabis control for registration. The physician who holds a certificate to recommend issued by the state medical board and is treating the patient or the physician's delegate shall submit the application on the patient's or caregiver's behalf in the manner established in rules adopted under section 3796.03 of the Revised Code.

(2) The application shall include all of the following:

(a) A statement from the physician certifying all of the following:

(i) That a bona fide physician-patient relationship exists between the physician and patient;

(ii) That the patient has been diagnosed with a qualifying medical condition;

(iii) That the physician or physician delegate has requested from the drug database a report of information related to the patient that covers at least the twelve months immediately preceding the date of the report;

(iv) That the physician has informed the patient of the risks and benefits of medical marijuana as it pertains to the patient's qualifying medical condition and medical history.

(b) In the case of an application submitted on behalf of a patient, the name or names of the one or more caregivers that will assist the patient in the use or administration of medical marijuana;

(c) In the case of an application submitted on behalf of a caregiver, the name of the patient or patients that the caregiver seeks to assist in the use or administration of medical marijuana.

(3) If the application is complete and meets the requirements established in rules, the board or division, as applicable, shall register the patient or caregiver and issue to the patient or caregiver an identification card.

(B) The board or division, as applicable, shall not make public any information reported to or collected by the board or division, as applicable, under this section that identifies or would tend to identify any specific patient.

Information collected by the board or division, as applicable, pursuant to this section is confidential and not a public record. The board or division, as applicable, may share identifying information with a licensed retail dispensary for the purpose of confirming that a person has a valid registration. Information that does not identify a person may be released in summary, statistical, or aggregate form.

(C) A registration expires according to the renewal schedule established in rules adopted under section 3796.03 of the Revised Code and may be renewed in accordance with procedures established in those rules."

In line 3622, delete "marijuana" and insert "cannabis"

In line 3636, after "~~offenses~~" insert "offense, as"; reinsert "specified"

In line 3637, reinsert "in rules adopted under"; reinsert "division (B)(2) (b) of"

In line 3638, reinsert "section 3796.03 of the Revised Code"; delete "offense"

In line 3775, after "~~offenses~~" insert "offense, as"; reinsert "specified"

In line 3776, reinsert "in rules adopted under"; reinsert "division (B)(2) (b) of"

In line 3777, reinsert "section 3796.03 of the Revised Code"; delete "offense"

After line 3902, insert:

**"Sec. 3796.11.** (A)(1) Notwithstanding section 149.43 of the Revised Code or any other public records law to the contrary or any law relating to the confidentiality of tax return information, upon the request of the division of ~~marijuana~~ cannabis control, the department of taxation shall provide to the division all of the following information:

(a) Whether an applicant for licensure under this chapter is in compliance with the applicable tax laws of this state;

(b) Any past or pending violation by the applicant of those tax laws, and any penalty imposed on the applicant for such a violation.

(2) The division shall request the information only as it pertains to an application for licensure that the division, as applicable, is reviewing.

(3) The department of taxation may charge the division a reasonable

fee to cover the administrative cost of providing the information.

(B) Information received under this section is confidential. Except as otherwise permitted by other state law or federal law, the division shall not make the information available to any person other than the applicant for licensure to whom the information applies."

In line 3907, strike through "marijuana" and insert "cannabis"

In line 3962, strike through "marijuana" and insert "cannabis"

In line 3994, delete "marijuana" and insert "cannabis"

In line 4004, delete "marijuana" and insert "cannabis"

In line 4005, delete "marijuana" and insert "cannabis"

In line 4008, strike through "marijuana" and insert "cannabis"

In line 4079, delete "marijuana" and insert "cannabis"

In line 4092, strike through "marijuana" and insert "cannabis"

In line 4112, strike through "marijuana" and insert "cannabis"

After line 4120, insert:

**"Sec. 3796.16.** (A)(1) The division of ~~marijuana~~-cannabis control shall attempt in good faith to negotiate and enter into a reciprocity agreement with any other state under which a medical marijuana registry identification card or equivalent authorization that is issued by the other state is recognized in this state, if the division determines that both of the following apply:

(a) The eligibility requirements imposed by the other state for that authorization are substantially comparable to the eligibility requirements for a patient or caregiver registration and identification card issued under this chapter.

(b) The other state recognizes a patient or caregiver registration and identification card issued under this chapter.

(2) The division shall not negotiate any agreement with any other state under which an authorization issued by the other state is recognized in this state other than as provided in division (A)(1) of this section.

(B) If a reciprocity agreement is entered into in accordance with division (A) of this section, the authorization issued by the other state shall be recognized in this state, shall be accepted and valid in this state, and grants the patient or caregiver the same right to use, possess, obtain, or administer medical marijuana in this state as a patient or caregiver who was registered and issued an identification card under this chapter.

(C) The division may adopt any rules as necessary to implement this

section."

In line 4121, strike through "marijuana" and insert "cannabis"

In line 4156, delete "marijuana" and insert "cannabis"

In line 4263, delete "marijuana" and insert "cannabis"

In line 4431, reinsert "a person's status as a registered patient or"

In line 4432, reinsert "caregiver"; delete "engaging in activity authorized by this chapter"

In line 4625, strike through "marijuana" and insert "cannabis"

In line 4667, delete "marijuana" and insert "cannabis"

In line 4807, delete "marijuana receipts" and insert "adult use tax"

In line 4808, delete "Investment earnings of"

Delete line 4809

In line 4810, delete "marijuana receipts" and insert "adult use tax"

In line 4816, delete "marijuana receipts" and insert "adult use tax"

In line 4828, delete "Distributions" and insert "The tax commissioner shall make distributions"; delete "shall be made"

Delete lines 4830 through 4834

In line 4850, delete "(3)" and insert "(3)(a), (b), or (d)"

In line 4859, delete "marijuana" and insert "cannabis"

In line 5057, delete "intoxicating hemp product as defined in section"

In line 5058, delete "3779.01 of the Revised Code,"

After line 5274, insert:

**"Sec. 4729.80.** (A) If the state board of pharmacy establishes and maintains a drug database pursuant to section 4729.75 of the Revised Code, the board is authorized or required to provide information from the database only as follows:

(1) On receipt of a request from a designated representative of a government entity responsible for the licensure, regulation, or discipline of health care professionals with authority to prescribe, administer, or dispense drugs, the board may provide to the representative information from the database relating to the professional who is the subject of an active investigation being conducted by the government entity or relating to a

professional who is acting as an expert witness for the government entity in such an investigation.

(2) On receipt of a request from a federal officer, or a state or local officer of this or any other state, whose duties include enforcing laws relating to drugs, the board shall provide to the officer information from the database relating to the person who is the subject of an active investigation of a drug abuse offense, as defined in section 2925.01 of the Revised Code, being conducted by the officer's employing government entity.

(3) Pursuant to a subpoena issued by a grand jury, the board shall provide to the grand jury information from the database relating to the person who is the subject of an investigation being conducted by the grand jury.

(4) Pursuant to a subpoena, search warrant, or court order in connection with the investigation or prosecution of a possible or alleged criminal offense, the board shall provide information from the database as necessary to comply with the subpoena, search warrant, or court order.

(5) On receipt of a request from a prescriber or the prescriber's delegate approved by the board, the board shall provide to the prescriber a report of information from the database relating to a patient who is either a current patient of the prescriber or a potential patient of the prescriber based on a referral of the patient to the prescriber, if all of the following conditions are met:

(a) The prescriber certifies in a form specified by the board that it is for the purpose of providing medical treatment to the patient who is the subject of the request;

(b) The prescriber has not been denied access to the database by the board.

(6) On receipt of a request from a pharmacist or the pharmacist's delegate approved by the board, the board shall provide to the pharmacist information from the database relating to a current patient of the pharmacist, if the pharmacist certifies in a form specified by the board that it is for the purpose of the pharmacist's practice of pharmacy involving the patient who is the subject of the request and the pharmacist has not been denied access to the database by the board.

(7) On receipt of a request from an individual seeking the individual's own database information in accordance with the procedure established in rules adopted under section 4729.84 of the Revised Code, the board may provide to the individual the individual's own prescription history.

(8) On receipt of a request from a medical director or a pharmacy director of a managed care organization that has entered into a contract with the department of medicaid under section 5167.10 of the Revised Code and a data security agreement with the board required by section 5167.14 of the

Revised Code, the board shall provide to the medical director or the pharmacy director information from the database relating to a medicaid recipient enrolled in the managed care organization, including information in the database related to prescriptions for the recipient that were not covered or reimbursed under a program administered by the department of medicaid.

(9) On receipt of a request from the medicaid director, the board shall provide to the director information from the database relating to a recipient of a program administered by the department of medicaid, including information in the database related to prescriptions for the recipient that were not covered or paid by a program administered by the department.

(10) On receipt of a request from a medical director of a managed care organization that has entered into a contract with the administrator of workers' compensation under division (B)(4) of section 4121.44 of the Revised Code and a data security agreement with the board required by section 4121.447 of the Revised Code, the board shall provide to the medical director information from the database relating to a claimant under Chapter 4121., 4123., 4127., or 4131. of the Revised Code assigned to the managed care organization, including information in the database related to prescriptions for the claimant that were not covered or reimbursed under Chapter 4121., 4123., 4127., or 4131. of the Revised Code, if the administrator of workers' compensation confirms, upon request from the board, that the claimant is assigned to the managed care organization.

(11) On receipt of a request from the administrator of workers' compensation, the board shall provide to the administrator information from the database relating to a claimant under Chapter 4121., 4123., 4127., or 4131. of the Revised Code, including information in the database related to prescriptions for the claimant that were not covered or reimbursed under Chapter 4121., 4123., 4127., or 4131. of the Revised Code.

(12) On receipt of a request from a prescriber or the prescriber's delegate approved by the board, the board shall provide to the prescriber information from the database relating to a patient's mother, if the prescriber certifies in a form specified by the board that it is for the purpose of providing medical treatment to a newborn or infant patient diagnosed as opioid dependent and the prescriber has not been denied access to the database by the board.

(13) On receipt of a request from the director of health, the board shall provide to the director information from the database relating to the duties of the director or the department of health in implementing the Ohio violent death reporting system established under section 3701.93 of the Revised Code.

(14) On receipt of a request from a requestor described in division (A)(1), (2), (5), or (6) of this section who is from or participating with

another state's prescription monitoring program, the board may provide to the requestor information from the database, but only if there is a written agreement under which the information is to be used and disseminated according to the laws of this state.

(15) On receipt of a request from a delegate of a retail dispensary licensed under Chapter 3796. of the Revised Code who is approved by the board to serve as the dispensary's delegate, the board shall provide to the delegate a report of information from the database pertaining only to a patient's use of medical marijuana, if both of the following conditions are met:

(a) The delegate certifies in a form specified by the board that it is for the purpose of dispensing medical marijuana for use in accordance with Chapter 3796. of the Revised Code.

(b) The retail dispensary or delegate has not been denied access to the database by the board.

(16) On receipt of a request from a judge of a program certified by the Ohio supreme court as a specialized docket program for drugs, the board shall provide to the judge, or an employee of the program who is designated by the judge to receive the information, information from the database that relates specifically to a current or prospective program participant.

(17) On receipt of a request from a coroner, deputy coroner, or coroner's delegate approved by the board, the board shall provide to the requestor information from the database relating to a deceased person about whom the coroner is conducting or has conducted an autopsy or investigation.

(18) On receipt of a request from a prescriber, the board may provide to the prescriber a summary of the prescriber's prescribing record if such a record is created by the board. Information in the summary is subject to the confidentiality requirements of this chapter.

(19) On receipt of a request from a pharmacy's responsible person designated under section 4729.54 of the Revised Code, the board may provide to the responsible person a summary of the pharmacy's dispensing record if such a record is created by the board. Information in the summary is subject to the confidentiality requirements of this chapter.

(20) The board may provide information from the database without request to a prescriber or pharmacist who is authorized to use the database pursuant to this chapter.

(21)(a) On receipt of a request from a prescriber or pharmacist, or the prescriber's or pharmacist's delegate, who is a designated representative of a peer review committee, the board shall provide to the committee information from the database relating to a prescriber who is subject to the committee's

evaluation, supervision, or discipline if the information is to be used for one of those purposes. The board shall provide only information that it determines, in accordance with rules adopted under section 4729.84 of the Revised Code, is appropriate to be provided to the committee.

(b) As used in division (A)(21)(a) of this section, "peer review committee" has the same meaning as in section 2305.25 of the Revised Code, except that it includes only a peer review committee of a hospital or a peer review committee of a nonprofit health care corporation that is a member of the hospital or of which the hospital is a member.

(22) On receipt of a request from a requestor described in division (A)(5) or (6) of this section who is from or participating with a prescription monitoring program that is operated by a federal agency and approved by the board, the board may provide to the requestor information from the database, but only if there is a written agreement under which the information is to be used and disseminated according to the laws of this state.

(23) Any personal health information submitted to the board pursuant to section 4729.772 of the Revised Code may be provided by the board only as authorized by the submitter of the information and in accordance with rules adopted under section 4729.84 of the Revised Code.

(24) On receipt of a request from a person described in division (A) (5), (6), or (17) of this section who is participating in a drug overdose fatality review committee described in section 307.631 of the Revised Code, the board may provide to the requestor information from the database, but only if there is a written agreement under which the information is to be used and disseminated according to the laws of this state.

(25) On receipt of a request from a person described in division (A) (5), (6), or (17) of this section who is participating in a suicide fatality review committee described in section 307.641 of the Revised Code, the board may provide to the requestor information from the database, but only if there is a written agreement under which the information is to be used and disseminated according to the laws of this state.

(26) On receipt of a request from a designated representative of the division of ~~marijuana-cannabis~~ control in the department of commerce, the board shall provide to the representative information from the database relating to an individual who, or entity that, is the subject of an active investigation being conducted by the division.

(B) The state board of pharmacy shall maintain a record of each individual or entity that requests information from the database pursuant to this section. In accordance with rules adopted under section 4729.84 of the Revised Code, the board may use the records to document and report statistics and law enforcement outcomes.

The board may provide records of an individual's requests for database information only to the following:

(1) A designated representative of a government entity that is responsible for the licensure, regulation, or discipline of health care professionals with authority to prescribe, administer, or dispense drugs who is involved in an active criminal or disciplinary investigation being conducted by the government entity of the individual who submitted the requests for database information;

(2) A federal officer, or a state or local officer of this or any other state, whose duties include enforcing laws relating to drugs and who is involved in an active investigation being conducted by the officer's employing government entity of the individual who submitted the requests for database information;

(3) A designated representative of the department of medicaid regarding a prescriber who is treating or has treated a recipient of a program administered by the department and who submitted the requests for database information.

(C) Information contained in the database and any information obtained from it is confidential and is not a public record. Information contained in the records of requests for information from the database is confidential and is not a public record. Information contained in the database that does not identify a person, including any licensee or registrant of the board or other entity, may be released in summary, statistical, or aggregate form.

(D) A pharmacist or prescriber shall not be held liable in damages to any person in any civil action for injury, death, or loss to person or property on the basis that the pharmacist or prescriber did or did not seek or obtain information from the database."

After line 5274, insert:

**"Sec. 4729.01.** As used in this chapter:

(A) "Pharmacy," except when used in a context that refers to the practice of pharmacy, means any area, room, rooms, place of business, department, or portion of any of the foregoing where the practice of pharmacy is conducted.

(B) "Practice of pharmacy" means providing pharmacist care requiring specialized knowledge, judgment, and skill derived from the principles of biological, chemical, behavioral, social, pharmaceutical, and clinical sciences. As used in this division, "pharmacist care" includes the following:

(1) Interpreting prescriptions;

(2) Dispensing drugs and drug therapy related devices;

(3) Compounding drugs;

(4) Counseling individuals with regard to their drug therapy, recommending drug therapy related devices, and assisting in the selection of drugs and appliances for treatment of common diseases and injuries and providing instruction in the proper use of the drugs and appliances;

(5) Performing drug regimen reviews with individuals by discussing all of the drugs that the individual is taking and explaining the interactions of the drugs;

(6) Performing drug utilization reviews with licensed health professionals authorized to prescribe drugs when the pharmacist determines that an individual with a prescription has a drug regimen that warrants additional discussion with the prescriber;

(7) Advising an individual and the health care professionals treating an individual with regard to the individual's drug therapy;

(8) Acting pursuant to a consult agreement, if an agreement has been established;

(9) Engaging in the administration of immunizations to the extent authorized by section 4729.41 of the Revised Code;

(10) Engaging in the administration of drugs to the extent authorized by section 4729.45 of the Revised Code.

(C) "Compounding" means the preparation, mixing, assembling, packaging, and labeling of one or more drugs in any of the following circumstances:

(1) Pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs;

(2) Pursuant to the modification of a prescription made in accordance with a consult agreement;

(3) As an incident to research, teaching activities, or chemical analysis;

(4) In anticipation of orders for drugs pursuant to prescriptions, based on routine, regularly observed dispensing patterns;

(5) Pursuant to a request made by a licensed health professional authorized to prescribe drugs for a drug that is to be used by the professional for the purpose of direct administration to patients in the course of the professional's practice, if all of the following apply:

(a) At the time the request is made, the drug is not commercially available regardless of the reason that the drug is not available, including the absence of a manufacturer for the drug or the lack of a readily available

supply of the drug from a manufacturer.

(b) A limited quantity of the drug is compounded and provided to the professional.

(c) The drug is compounded and provided to the professional as an occasional exception to the normal practice of dispensing drugs pursuant to patient-specific prescriptions.

(D) "Consult agreement" means an agreement that has been entered into under section 4729.39 of the Revised Code.

(E) "Drug" means:

(1) Any article recognized in the United States pharmacopoeia and national formulary, or any supplement to them, intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;

(2) Any other article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals;

(3) Any article, other than food, intended to affect the structure or any function of the body of humans or animals;

(4) Any article intended for use as a component of any article specified in division (E)(1), (2), or (3) of this section; but does not include devices or their components, parts, or accessories.

"Drug" does not include "hemp" or a "hemp product" as those terms are that term is defined in section 928.01 of the Revised Code.

(F) "Dangerous drug" means any of the following:

(1) Any drug to which either of the following applies:

(a) Under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, the drug is required to bear a label containing the legend "Caution: Federal law prohibits dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian" or any similar restrictive statement, or the drug may be dispensed only upon a prescription;

(b) Under Chapter 3715. or 3719. of the Revised Code, the drug may be dispensed only upon a prescription.

(2) Any drug that contains a schedule V controlled substance and that is exempt from Chapter 3719. of the Revised Code or to which that chapter does not apply;

(3) Any drug intended for administration by injection into the human body other than through a natural orifice of the human body;

(4) Any drug that is a biological product, as defined in section 3715.01 of the Revised Code.

(G) "Federal drug abuse control laws" has the same meaning as in section 3719.01 of the Revised Code.

(H) "Prescription" means all of the following:

(1) A written, electronic, or oral order for drugs or combinations or mixtures of drugs to be used by a particular individual or for treating a particular animal, issued by a licensed health professional authorized to prescribe drugs;

(2) For purposes of sections 4723.4810, 4729.282, 4730.432, and 4731.93 of the Revised Code, a written, electronic, or oral order for a drug to treat chlamydia, gonorrhea, or trichomoniasis issued to and in the name of a patient who is not the intended user of the drug but is the sexual partner of the intended user;

(3) For purposes of sections 3313.7110, 3313.7111, 3314.143, 3326.28, 3328.29, 4723.483, 4729.88, 4730.433, 4731.96, and 5180.26 of the Revised Code, a written, electronic, or oral order for an epinephrine autoinjector issued to and in the name of a school, school district, or camp;

(4) For purposes of Chapter 3728. and sections 4723.483, 4729.88, 4730.433, and 4731.96 of the Revised Code, a written, electronic, or oral order for an epinephrine autoinjector issued to and in the name of a qualified entity, as defined in section 3728.01 of the Revised Code;

(5) For purposes of sections 3313.7115, 3313.7116, 3314.147, 3326.60, 3328.38, 4723.4811, 4730.437, 4731.92, and 5180.262 of the Revised Code, a written, electronic, or oral order for injectable or nasally administered glucagon in the name of a school, school district, or camp.

(I) "Licensed health professional authorized to prescribe drugs" or "prescriber" means an individual who is authorized by law to prescribe drugs or dangerous drugs or drug therapy related devices in the course of the individual's professional practice, including only the following:

(1) A dentist licensed under Chapter 4715. of the Revised Code;

(2) A clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner who holds a current, valid license issued under Chapter 4723. of the Revised Code to practice nursing as an advanced practice registered nurse;

(3) A certified registered nurse anesthetist who holds a current, valid license issued under Chapter 4723. of the Revised Code to practice nursing as an advanced practice registered nurse, but only to the extent of the nurse's authority under sections 4723.43 and 4723.434 of the Revised Code;

(4) An optometrist licensed under Chapter 4725. of the Revised Code to practice optometry;

(5) A physician authorized under Chapter 4731. of the Revised Code

to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;

(6) A physician assistant who holds a license to practice as a physician assistant issued under Chapter 4730. of the Revised Code, holds a valid prescriber number issued by the state medical board, and has been granted physician-delegated prescriptive authority;

(7) A veterinarian licensed under Chapter 4741. of the Revised Code;

(8) A certified mental health assistant licensed under Chapter 4772. of the Revised Code who has been granted physician-delegated prescriptive authority by the physician supervising the certified mental health assistant.

(J) "Sale" or "sell" includes any transaction made by any person, whether as principal proprietor, agent, or employee, to do or offer to do any of the following: deliver, distribute, broker, exchange, gift or otherwise give away, or transfer, whether the transfer is by passage of title, physical movement, or both.

(K) "Wholesale sale" and "sale at wholesale" mean any sale in which the purpose of the purchaser is to resell the article purchased or received by the purchaser.

(L) "Retail sale" and "sale at retail" mean any sale other than a wholesale sale or sale at wholesale.

(M) "Retail seller" means any person that sells any dangerous drug to consumers without assuming control over and responsibility for its administration. Mere advice or instructions regarding administration do not constitute control or establish responsibility.

(N) "Price information" means the price charged for a prescription for a particular drug product and, in an easily understandable manner, all of the following:

(1) The proprietary name of the drug product;

(2) The established (generic) name of the drug product;

(3) The strength of the drug product if the product contains a single active ingredient or if the drug product contains more than one active ingredient and a relevant strength can be associated with the product without indicating each active ingredient. The established name and quantity of each active ingredient are required if such a relevant strength cannot be so associated with a drug product containing more than one ingredient.

(4) The dosage form;

(5) The price charged for a specific quantity of the drug product. The stated price shall include all charges to the consumer, including, but not limited to, the cost of the drug product, professional fees, handling fees, if any, and a statement identifying professional services routinely furnished by

the pharmacy. Any mailing fees and delivery fees may be stated separately without repetition. The information shall not be false or misleading.

(O) "Wholesale distributor of dangerous drugs" or "wholesale distributor" means a person engaged in the sale of dangerous drugs at wholesale and includes any agent or employee of such a person authorized by the person to engage in the sale of dangerous drugs at wholesale.

(P) "Manufacturer of dangerous drugs" or "manufacturer" means a person, other than a pharmacist or prescriber, who manufactures dangerous drugs and who is engaged in the sale of those dangerous drugs.

(Q) "Terminal distributor of dangerous drugs" or "terminal distributor" means a person who is engaged in the sale of dangerous drugs at retail, or any person, other than a manufacturer, repackager, outsourcing facility, third-party logistics provider, wholesale distributor, or pharmacist, who has possession, custody, or control of dangerous drugs for any purpose other than for that person's own use and consumption. "Terminal distributor" includes pharmacies, hospitals, nursing homes, and laboratories and all other persons who procure dangerous drugs for sale or other distribution by or under the supervision of a pharmacist, licensed health professional authorized to prescribe drugs, or other person authorized by the state board of pharmacy.

(R) "Promote to the public" means disseminating a representation to the public in any manner or by any means, other than by labeling, for the purpose of inducing, or that is likely to induce, directly or indirectly, the purchase of a dangerous drug at retail.

(S) "Person" includes any individual, partnership, association, limited liability company, or corporation, the state, any political subdivision of the state, and any district, department, or agency of the state or its political subdivisions.

(T)(1) "Animal shelter" means a facility operated by a humane society or any society organized under Chapter 1717. of the Revised Code or a dog pound operated pursuant to Chapter 955. of the Revised Code.

(2) "County dog warden" means a dog warden or deputy dog warden appointed or employed under section 955.12 of the Revised Code.

(U) "Food" has the same meaning as in section 3715.01 of the Revised Code.

(V) "Pain management clinic" has the same meaning as in section 4731.054 of the Revised Code.

(W) "Investigational drug or product" means a drug or product that has successfully completed phase one of the United States food and drug administration clinical trials and remains under clinical trial, but has not been approved for general use by the United States food and drug administration. "Investigational drug or product" does not include controlled substances in

schedule I, as defined in section 3719.01 of the Revised Code.

(X) "Product," when used in reference to an investigational drug or product, means a biological product, other than a drug, that is made from a natural human, animal, or microorganism source and is intended to treat a disease or medical condition.

(Y) "Third-party logistics provider" means a person that provides or coordinates warehousing or other logistics services pertaining to dangerous drugs including distribution, on behalf of a manufacturer, wholesale distributor, or terminal distributor of dangerous drugs, but does not take ownership of the drugs or have responsibility to direct the sale or disposition of the drugs.

(Z) "Repackager of dangerous drugs" or "repackager" means a person that repacks and relabels dangerous drugs for sale or distribution.

(AA) "Outsourcing facility" means a facility that is engaged in the compounding and sale of sterile drugs and is registered as an outsourcing facility with the United States food and drug administration.

(BB) "Laboratory" means a laboratory licensed under this chapter as a terminal distributor of dangerous drugs and entrusted to have custody of any of the following drugs and to use the drugs for scientific and clinical purposes and for purposes of instruction: dangerous drugs that are not controlled substances, as defined in section 3719.01 of the Revised Code; dangerous drugs that are controlled substances, as defined in that section; and controlled substances in schedule I, as defined in that section.

(CC) "Overdose reversal drug" means both of the following:

(1) Naloxone;

(2) Any other drug that the state board of pharmacy, through rules adopted in accordance with Chapter 119. of the Revised Code, designates as a drug that is approved by the federal food and drug administration for the reversal of a known or suspected opioid-related overdose."

After line 5512, insert:

**"Sec. 4776.01.** As used in this chapter:

(A) "License" means an authorization evidenced by a license, certificate, registration, permit, card, or other authority that is issued or conferred by a licensing agency to a licensee or to an applicant for an initial license by which the licensee or initial license applicant has or claims the privilege to engage in a profession, occupation, or occupational activity, or, except in the case of the state dental board, to have control of and operate certain specific equipment, machinery, or premises, over which the licensing agency has jurisdiction.

(B) Except as provided in section 4776.20 of the Revised Code,

"licensee" means the person to whom the license is issued by a licensing agency. "Licensee" includes a person who, for purposes of section 3796.13 of the Revised Code, has complied with sections 4776.01 to 4776.04 of the Revised Code and has been determined by the division of ~~marijuana~~ cannabis control, as the applicable licensing agency, to meet the requirements for employment.

(C) Except as provided in section 4776.20 of the Revised Code, "licensing agency" means any of the following:

(1) The board authorized by Chapters 4701., 4717., 4725., 4729., 4730., 4731., 4732., 4734., 4740., 4741., 4747., 4751., 4753., 4755., 4757., 4759., 4760., 4761., 4762., 4772., 4774., 4778., 4779., and 4783. of the Revised Code to issue a license to engage in a specific profession, occupation, or occupational activity, or to have charge of and operate certain specific equipment, machinery, or premises.

(2) The state dental board, relative to its authority to issue a license pursuant to section 4715.12, 4715.16, 4715.21, or 4715.27 of the Revised Code;

(3) The division of marijuana control, relative to its authority under Chapter 3796. of the Revised Code and any rules adopted under that chapter with respect to a person who is subject to section 3796.13 of the Revised Code;

(4) The director of agriculture, relative to the director's authority to issue licenses under Chapter 928. of the Revised Code.

(D) "Applicant for an initial license" includes persons seeking a license for the first time and persons seeking a license by reciprocity, endorsement, or similar manner of a license issued in another state. "Applicant for an initial license" also includes a person who, for purposes of section 3796.13 of the Revised Code, is required to comply with sections 4776.01 to 4776.04 of the Revised Code.

(E) "Applicant for a restored license" includes persons seeking restoration of a license under section 4730.14, 4730.28, 4731.222, 4731.281, 4759.062, 4759.063, 4760.06, 4760.061, 4761.06, 4761.061, 4762.06, 4762.061, 4772.08, 4772.082, 4774.06, 4774.061, 4778.07, or 4778.071 of the Revised Code. "Applicant for a restored license" does not include a person seeking restoration of a license under section 4751.33 of the Revised Code.

(F) "Criminal records check" has the same meaning as in section 109.572 of the Revised Code."

In line 5648, after "Chapters" insert "3779.,"

In line 5651, delete "3779.03."

In line 5660, delete "rules"

In line 5661, delete "adopted" and insert "policies established"

In line 5775, delete "3779.,"

Delete lines 5824 through 6148

Delete lines 6347 through 6418

In line 6419, after "109.572" insert ", 121.04, 121.08"

In line 6420, after "715.013" insert ", 928.02, 928.03, 928.04, 2925.01, 3376.07, 3719.01, 3719.41, 3780.37, 3796.01, 3796.02, 3796.03, 3796.05, 3796.06, 3796.07, 3796.09, 3796.10, 3796.12, 3796.13, 3796.14, 3796.15, 3796.17, 3796.18, 3796.19, 3796.20, 3796.21, 3796.22, 3796.23, 3796.24, 3796.27, 3796.28, 3796.29, 3796.30, 3796.31, 4506.01, 4729.01, 4735.18, 4796.25, 5502.01, 5502.13, 5502.14, 5703.052, and 5713.30"; delete ",928.01, 928.03, 3376.07, 3780.37, 3796.01,"

Delete lines 6421 through 6425

In line 6421, after "3796.02" insert ", 3796.021"; after "3796.03" insert ", 3796.032"; after "3796.06" insert ", 3796.061"; after "3796.07" insert ", 3796.08"; after "3796.10" insert ", 3796.11"

In line 6422, after "3796.15" insert ", 3796.16"

In line 6424, after "4506.01" insert ", 4729.80"; after "4735.18" insert ", 4776.01"

In line 6426, delete "5703.50, 5703.70, 5703.77, 5713.30, and 5743.45"

In line 6428, after "sections" insert "928.01,"

After line 6434, insert:

**"Section 4.** That sections 3779.21, 3779.211, 3779.22, 3779.23, 3779.24, 3779.25, 3779.26, 3779.27, 3779.28, 3779.29, 3779.30, and 3779.99 of the Revised Code are hereby repealed, effective December 31, 2026."

Delete lines 6435 through 6440

After line 6440, insert:

**"Section 5.** That existing section 4506.01 of the Revised Code amended by Section 1 of this act be amended to read as follows:

**Sec. 4506.01.** As used in this chapter:

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

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

(2) Two hundred ten liters of breath;

(3) One hundred milliliters of urine.

(B) "Commercial driver's license" means a license issued in accordance with this chapter that authorizes an individual to drive a commercial motor vehicle.

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

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

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

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

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

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

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

(6) Any single vehicle or combination of vehicles that is designed to be operated and to travel on a public street or highway and is considered by the federal motor carrier safety administration to be a commercial motor vehicle, including, but not limited to, a motorized crane, a vehicle whose function is to pump cement, a rig for drilling wells, and a portable crane.

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

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

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

(3) Any drug of abuse.

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

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

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

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

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

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

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

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

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

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

(4) A change in the commercial driver's license, or commercial driver's license temporary instruction permit, holder's privileges as described in division (F)(1) of section 4506.13 of the Revised Code.

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

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

(L) "Driver's license" means a license issued by the bureau of motor

vehicles that authorizes an individual to drive.

(M) "Drug of abuse" means any controlled substance, dangerous drug as defined in section 4729.01 of the Revised Code, harmful intoxicant as defined in section 2925.01 of the Revised Code, ~~drinkable cannabinoid product as defined in section 3779.21 of the Revised Code~~, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes.

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

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

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

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

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

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

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

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

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

vehicle weight rating of the power unit plus the gross vehicle weight rating of each towed unit.

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

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

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

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

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

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

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

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

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

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

(EE) "Public safety vehicle" has the same meaning as in divisions (E) (1) and (3) of section 4511.01 of the Revised Code.

(FF) "Recreational vehicle" includes every vehicle that is defined as a

recreational vehicle in section 4501.01 of the Revised Code and is used exclusively for purposes other than engaging in business for profit.

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

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

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

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

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

(i) Texting while driving;

(ii) Using a handheld mobile telephone.

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

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

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

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

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

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

(e) Violation of section 4506.03 of the Revised Code or a substantially similar municipal ordinance or county or township resolution,

or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license being in the person's possession;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Section 6.** That existing section 4506.01 of the Revised Code as amended by Section 1 of this act is hereby repealed.

**Section 7.** Sections 5 and 6 of this act take effect December 31, 2026."

In line 6441, delete "5" and insert "8"

In line 6446, delete "of Marijuana Control"

In line 6459, delete "of Marijuana Control"

In line 6463, delete "Marijuana" and insert "Cannabis"

In line 6468, delete "6" and insert "9"

In line 6474, delete "7" and insert "10"

In line 6483, delete "8" and insert "11"

In line 6490, delete "9" and insert "12"

In line 6494, delete "Director of Budget and"

In line 6495, delete "Management" and insert "Tax Commissioner"

In line 6499, delete "10" and insert "13"

After line 6506, insert:

**"Section 11.** Should the federal government legalize hemp beverages at tetrahydrocannabinol limits greater than those allowable under the version of 7 U.S.C. 1639o, et seq., set to take effect on November 12, 2026, it is the intent of the General Assembly to review the federal enactment and consider a more robust regulatory framework of these products, including licensure, registration, taxation, and responsible consumer and child protections in an effort to legalize hemp beverages for sale and consumption in Ohio beyond December 31, 2026. Nothing in this section shall be interpreted to legalize drinkable cannabinoid products, as defined in section 3779.21 of the Revised Code, or hemp beverages beyond December 31, 2026."

Managers on the Part of the  
Senate

/S/ STEPHEN A. HUFFMAN  
STEPHEN A. HUFFMAN

/S/ SHANE WILKIN  
SHANE WILKIN

/S/ WILLIAM P. DEMORA

Managers on the Part of the  
House of Representatives

/S/ TEX FISCHER  
TEX FISCHER

/S/ BRIAN STEWART  
BRIAN STEWART

/S/ BRIDE SWEENEY

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

The yeas and nays were taken and resulted – yeas 52, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Bird	Callender	Click
Craig	Creech	Daniels	Deeter
Dovilla	Fischer	Fowler Arthur	Ghanbari
Hall, T.	Hiner	Holmes	Hoops
John	Johnson	King	Kishman
Klopfenstein	Lampton	LaRe	Manning
Mathews, A.	Mathews, T.	McClain	Miller, K.
Miller, M.	Moore	Newman	Odioso
Oelslager	Peterson	Plummer	Ray

Richardson	Ritter	Robb Blasdel	Roemer
Salvo	Santucci	Schmidt	Stewart
Thomas, D.	Thomas, J.	White, A.	Williams
Willis	Workman	Young	Huffman-52

Those who voted in the negative were: Representatives

Abdullahi	Baker	Barhorst	Brennan
Brent	Brewer	Brownlee	Bryant Bailey
Claggett	Dean	Glassburn	Gross
Hall, D.	Humphrey	Isaacsohn	Lawson-Rowe
Lorenz	McNally	Miller, J.	Mohamed
Piccolantonio	Robinson	Russo	Sigrist
Sims	Stephens	Swearingen	Sweeney
Synenberg	Teska	Thomas, C.	Tims
Upchurch			White, E.-34

The report of the committee of conference was agreed to.

Representative Manning moved that House Rule 67, pertaining to bills being placed on the calendar, be suspended and that **H. R. No. 243**-Representatives Richardson, Ghanbari be taken up for immediate consideration the third time.

The question being, shall the motion be agreed to?

The motion was agreed to without objection.

**H. R. No. 243**-Representatives Richardson, Ghanbari.

Cosponsors: Representatives Mathews, T., Lawson-Rowe, Dovilla, Holmes, Abrams, Barhorst, Brennan, Brent, Brewer, Callender, Click, Daniels, Deeter, Fischer, Fowler Arthur, Gross, Hall, D., Hiner, Hoops, John, Johnson, King, Kishman, Klopfenstein, LaRe, Lorenz, Mathews, A., Peterson, Piccolantonio, Ray, Robb Blasdel, Roemer, Santucci, Stephens, Stewart, Swearingen, Synenberg, Thomas, C., Thomas, J., White, A., White, E., Williams, Willis, Young

To request the Secretary of the Air Force select the 121st Air Refueling Wing at the Rickenbacker Air National Guard Base in Columbus, Ohio, as the preferred main operating base for the KC-46 Pegasus refueling aircraft, was taken up for consideration the third time.

The question being, "Shall the resolution be adopted?"

Representative Richardson moved to amend the title as follows:

Add the names: "Abrams, Barhorst, Brennan, Brent, Brewer, Callender, Click, Daniels, Deeter, Fischer, Fowler Arthur, Gross, Hall, D., Hiner, Hoops, John, Johnson, King, Kishman, Klopfenstein, LaRe, Lorenz, Mathews, A., Peterson, Piccolantonio, Ray, Robb Blasdel, Roemer, Santucci, Stephens, Stewart, Swearingen, Synenberg, Thomas, C., Thomas, J., White, A., White, E., Williams, Willis, Young."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The question being, "Shall the resolution be adopted?"

The yeas and nays were taken and resulted – yeas 86, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abdullahi	Abrams	Baker	Barhorst
Bird	Brennan	Brent	Brewer
Brownlee	Bryant Bailey	Callender	Claggett
Click	Craig	Creech	Daniels
Dean	Deeter	Dovilla	Fischer
Fowler Arthur	Ghanbari	Glassburn	Gross
Hall, D.	Hall, T.	Hiner	Holmes
Hoops	Humphrey	Isaacsohn	John
Johnson	King	Kishman	Klopfenstein
Lampton	LaRe	Lawson-Rowe	Lorenz
Manning	Mathews, A.	Mathews, T.	McClain
McNally	Miller, J.	Miller, K.	Miller, M.
Mohamed	Moore	Newman	Odioso
Oelslager	Peterson	Piccolantonio	Plummer
Ray	Richardson	Ritter	Robb Blasdel
Robinson	Roemer	Russo	Salvo
Santucci	Schmidt	Sigrist	Sims
Stephens	Stewart	Swearingen	Sweeney
Syenberg	Teska	Thomas, C.	Thomas, D.
Thomas, J.	Tims	Upchurch	White, A.
White, E.	Williams	Willis	Workman
Young			Huffman-86

The resolution was adopted.

On motion of Representative Manning, the House adjourned until Tuesday, November 25, 2025 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,  
Clerk.