

## As Introduced

136th General Assembly

Regular Session

H. B. No. 700

2025-2026

Representative Williams

To amend sections 117.01, 120.521, and 120.54 and  
to enact sections 9.631 and 3129.07 of the  
Revised Code to modify the membership of the  
board of directors of the Ohio Access to Justice  
Foundation and to prohibit the use of state  
funds for certain purposes.

1  
2  
3  
4  
5  
6

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

**Section 1.** That sections 117.01, 120.521, and 120.54 be  
amended and sections 9.631 and 3129.07 of the Revised Code be  
enacted to read as follows:

Sec. 9.631. Each person administering a state or local  
public benefit, as defined in division (c) of section 411 of the  
"Personal Responsibility and Work Opportunity Reconciliation Act  
of 1996," 8 U.S.C. 1621(c), as amended, shall comply with that  
section. This section does not apply when an individual applies  
for a state or local public benefit described in division (b) of  
that section or for a state or local public benefit for which  
the Revised Code affirmatively provides eligibility for persons  
described in division (a) of that section.

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

**Sec. 117.01.** As used in this chapter:

(A) "Color of office" means actually, purportedly, or

19  
20

allegedly done under any law, ordinance, resolution, order, or  
other pretension to official right, power, or authority. 21  
22

(B) "Public accountant" means any person who is authorized  
by Chapter 4701. of the Revised Code to use the designation of  
certified public accountant or who was registered prior to  
January 1, 1971, as a public accountant. 23  
24  
25  
26

(C) "Public money" means any money received, collected by,  
or due a public official under color of office, as well as any  
money collected by any individual on behalf of a public office  
or as a purported representative or agent of the public office. 27  
28  
29  
30

"Public money" includes the money in the access to justice  
foundation fund established under section 120.521 of the Revised  
Code. 31  
32  
33

"Public money" does not include either of the following: 34

(1) Money or revenue earned by or from a person's  
ownership, operation, or use of an asset, whether tangible or  
intangible, that either in whole or in part was sold, was  
leased, was licensed, was the granting of a franchise, or was  
otherwise transferred or conveyed by a public office to the  
person pursuant to an agreement, authorized by law, between the  
person and the public office in which the public office received  
consideration from the person for the asset that was sold,  
leased, licensed, franchised, or otherwise transferred or  
conveyed; 35  
36  
37  
38  
39  
40  
41  
42  
43  
44

(2) With respect to the transfer described in Chapter  
4313. of the Revised Code and the operation of the enterprise  
acquisition project, revenues or receipts of or from the  
enterprise acquisition project in the hands of the nonprofit  
corporation formed under section 187.01 of the Revised Code or 45  
46  
47  
48  
49

of a nonprofit entity the sole member of which is that nonprofit	50
corporation, but does include any taxes collected on the	51
spirituous liquor sales and then due the department of taxation	52
and amounts then due to the state general revenue fund pursuant	53
to section 4301.12 of the Revised Code. As used in this	54
division, "enterprise acquisition project" has the meaning	55
defined in section 4313.01 of the Revised Code.	56
(D) "Public office" means any state agency, public	57
institution, political subdivision, other organized body,	58
office, agency, institution, or entity established by the laws	59
of this state for the exercise of any function of government.	60
"Public office" does not include the nonprofit corporation	61
formed under section 187.01 of the Revised Code.	62
(E) "Public official" means any officer, employee, or duly	63
authorized representative or agent of a public office.	64
(F) "State agency" means every organized body, office,	65
agency, institution, or other entity established by the laws of	66
the state for the exercise of any function of state government.	67
(G) "Audit" means any of the following:	68
(1) Any examination, analysis, or inspection of the	69
state's or a public office's financial statements or reports;	70
(2) Any examination, analysis, or inspection of records,	71
documents, books, or any other evidence relating to either of	72
the following:	73
(a) The collection, receipt, accounting, use, or	74
expenditure of public money by a public office or by a private	75
institution, association, board, or corporation;	76
(b) The determination by the auditor of state, as required	77

by section 117.11 of the Revised Code, of whether a public 78  
office has complied with all the laws, rules, ordinances, or 79  
orders pertaining to the public office. 80

(3) Any other type of examination, analysis, or inspection 81  
of a public office, or of the specific funds or accounts of a 82  
private institution, association, board, or corporation into 83  
which public money has been placed or deposited, that is 84  
conducted according to generally accepted or governmental 85  
auditing standards established by rule pursuant to section 86  
117.19 of the Revised Code. 87

(H) "Person" has the meaning defined in section 1.59 of 88  
the Revised Code. 89

**Sec. 120.521.** (A) The state public defender shall 90  
establish a charitable, tax exempt foundation, named the Ohio 91  
access to justice foundation, to actively solicit and accept 92  
gifts, bequests, donations, and contributions for use in 93  
providing financial assistance to legal aid societies, enhancing 94  
or improving the delivery of civil legal services to indigents, 95  
and operating the foundation. The Ohio access to justice 96  
foundation shall deposit all gifts, bequests, donations, and 97  
contributions accepted by it into the access to justice 98  
foundation fund established under this section. If the state 99  
public defender, pursuant to section 120.52 of the Revised Code 100  
as it existed prior to June 30, 1995, established a charitable, 101  
tax exempt foundation named the Ohio access to justice 102  
foundation and if that foundation is in existence on the day 103  
before June 30, 1995, that foundation shall continue in 104  
existence and shall serve as the Ohio access to justice 105  
foundation described in this section. 106

(B) (1) There is hereby established the access to justice 107

foundation fund, which shall be under the custody and control of 108  
the Ohio access to justice foundation. The fund shall contain 109  
all moneys distributed to the Ohio access to justice foundation 110  
pursuant to section 120.53 of the Revised Code and all gifts, 111  
bequests, donations, and contributions accepted by the Ohio 112  
access to justice foundation under this section. 113

(2) The Ohio access to justice foundation shall distribute 114  
or use all moneys in the access to justice foundation fund for 115  
the charitable public purpose of providing financial assistance 116  
to legal aid societies that provide civil legal services to 117  
indigents, enhancing or improving the delivery of civil legal 118  
services to indigents, and operating the foundation. The Ohio 119  
access to justice foundation shall establish rules governing the 120  
administration of the access to justice foundation fund. 121

(3) The Ohio access to justice foundation shall not 122  
distribute or use any money in the access to justice foundation 123  
fund for the provision of legal services or assistance to any 124  
individual who is unlawfully present in the United States. No 125  
recipient of money from the access to justice foundation fund 126  
shall use the money for that purpose. 127

(4) The Ohio access to justice foundation shall include, 128  
in the annual report it is required to make to the governor, the 129  
general assembly, and the supreme court pursuant to division (G) 130  
(2) of section 120.53 of the Revised Code, an audited financial 131  
statement on the distribution and use of the access to justice 132  
foundation fund. No information contained in the statement shall 133  
identify or enable the identification of any person served by a 134  
legal aid society or in any way breach confidentiality. 135

(5) If the auditor of state determines, pursuant to an 136  
audit conducted under section 117.10 of the Revised Code, that a 137

<u>recipient of money from the access to justice foundation fund</u>	138
<u>has used any of that money for the provision of legal services</u>	139
<u>or assistance to any individual who is unlawfully present in the</u>	140
<u>United States, both of the following apply:</u>	141
<u>(a) The auditor of state shall include in the audit report</u>	142
<u>a finding for recovery of both of the following:</u>	143
<u>(i) The full amount of the money from the fund that was</u>	144
<u>used for that purpose;</u>	145
<u>(ii) Any additional amount of money the person received</u>	146
<u>from the fund on or after the first date on which the person</u>	147
<u>used any money from the fund for that purpose.</u>	148
<u>(b) The person is ineligible to receive any money from the</u>	149
<u>access to justice foundation fund, or to receive any grant of</u>	150
<u>state funds for any other reason, for a period of four years</u>	151
<u>after the date of the audit report.</u>	152
<u>(C) The board of directors of the Ohio access to justice</u>	153
<u>foundation shall include at least one voting member who is the</u>	154
<u>chief executive officer of a legal aid society. Membership on</u>	155
<u>the board of directors of the Ohio access to justice foundation</u>	156
<u>does not constitute holding another public office and does not</u>	157
<u>constitute grounds for resignation from the senate or house of</u>	158
<u>representatives under section 101.26 of the Revised Code.</u>	159
<u>(D) The Ohio access to justice foundation shall assist the</u>	160
<u>chancellor of higher education by determining the ratio, for</u>	161
<u>each county in the state, of attorneys to total population for</u>	162
<u>the purpose described in section 3333.132 of the Revised Code.</u>	163
<u>(E) A foundation is tax exempt for purposes of this</u>	164
<u>section if the foundation is exempt from federal income taxation</u>	165
<u>under subsection 501(a) of the "Internal Revenue Code of 1986,"</u>	166

100 Stat. 2085, 26 U.S.C. 501(a), as amended, and if the 167  
foundation has received from the internal revenue service a 168  
determination letter that is in effect stating that the 169  
foundation is exempt from federal income taxation under that 170  
subsection. 171

**Sec. 120.54.** (A) A legal aid society that receives 172  
financial assistance from the legal aid fund under section 173  
120.53 of the Revised Code shall use the financial assistance 174  
for only the following purposes: 175

(1) To defray the costs of providing legal services to 176  
indigents; 177

(2) To provide legal training and legal technical 178  
assistance to other eligible legal aid societies; and 179

(3) If the legal aid society has entered into an agreement 180  
pursuant to division (H) of section 120.53 of the Revised Code 181  
and in accordance with the description and list of conditions 182  
set forth in its application pursuant to division (B) (9) of that 183  
section, to provide funds for the services, programs, training, 184  
and legal technical assistance provided to the legal aid society 185  
under the contract. 186

(B) No financial assistance received by a legal aid 187  
society from the legal aid fund pursuant to section 120.53 of 188  
the Revised Code shall be used for the~~any~~ of the following: 189

(1) The provision of legal services in any criminal case 190  
or proceeding~~or in the~~; 191

(2) The provision of legal services or assistance to any 192  
individual who is unlawfully present in the United States; 193

(3) The provision of legal assistance in any fee 194

generating case. 195

(C) If the auditor of state determines, pursuant to an 196  
audit conducted under section 117.10 of the Revised Code, that a 197  
legal aid society has used any financial assistance received 198  
pursuant to section 120.53 of the Revised Code for the purpose 199  
described in division (B) (2) of this section, both of the 200  
following apply: 201

(1) The auditor of state shall include in the audit report 202  
a finding for recovery of both of the following: 203

(a) The full amount of the financial assistance the legal 204  
aid society used for the purpose described in division (B) (2) of 205  
this section; 206

(b) Any additional amount of financial assistance the 207  
legal aid society received pursuant to section 120.53 of the 208  
Revised Code on or after the first date on which the legal aid 209  
society used any financial assistance for the purpose described 210  
in division (B) (2) of this section. 211

(2) The legal aid society is ineligible to receive any 212  
financial assistance pursuant to section 120.53 of the Revised 213  
Code, or to receive any grant of state funds for any other 214  
reason, for a period of four years after the date of the audit 215  
report. 216

**Sec. 3129.07.** (A) No state agency or other entity that 217  
receives state funds shall provide any grants, loans, or other 218  
services to any entity that uses federal, state, or local funds 219  
to provide gender transition services to minors. 220

(B) If the auditor of state determines, pursuant to an 221  
audit conducted under section 117.10 of the Revised Code, that 222  
an entity that receives state funds has used federal, state, or 223

<u>local funds to provide gender transition services to minors,</u>	224
<u>both of the following apply:</u>	225
<u>(1) The auditor of state shall include in the audit report</u>	226
<u>a finding for recovery of both of the following:</u>	227
<u>(a) The full amount of any state funds used to provide</u>	228
<u>gender transition services to minors;</u>	229
<u>(b) Any additional amount of state funds the entity</u>	230
<u>received on or after the first date on which the entity used any</u>	231
<u>federal, state, or local funds to provide gender transition</u>	232
<u>services to minors.</u>	233
<u>(2) The entity is ineligible to receive any state funds or</u>	234
<u>other state services for a period of four years after the date</u>	235
<u>of the audit report.</u>	236
<b>Section 2.</b> That existing sections 117.01, 120.521, and	237
120.54 of the Revised Code are hereby repealed.	238