

\_\_\_\_\_ moved to amend as follows:

Engross the bill as directed by the commands in the amendments attached hereto, ignoring matter extraneous to those commands

INDEX

The following amendments are attached hereto:

Amendment No.	Subject
HC_136_1927-1	Abolish Elections Commission
HC_136_1938-1	1N5 Foundation
HC_136_1940	Absenteeism - partner with private entities
HC_136_1941-1	Motor vehicle franchise law exemption for trailers
HC_136_1942-3	OFCC building funding program
HC_136_1947-2	EdChoice scholarship reporting for chartered nonpublic schools
HC_136_1951	Title V and synthetic minor adjacent facilities

**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_1953-2	South Ridge Christian Academy and Agriculture Career Education Academy (ACE) Community School funding
HC_136_1954	Civil action for trespass - land with minerals
HC_136_1958	Electronic bingo machines operated by 501c(7) organizations
HC_136_1964	Regional transportation improvement projects
HC_136_1992	Civil Rights Commission - 30 Day Vote
HC_136_1995	Criminal Justice Services and Criminal Justice State Block Grant
HC_136_1996-2	THC research study
HC_136_1997	Adjustment to aggregate appropriations definition
HC_136_1998	Exempt pay schedules
HC_136_1999-2	Welcome Home Ohio - transfer from GRF
HC_136_2000-1	Receivership over an entity in fiscal emergency
HC_136_2003	Medicaid electronic visits

**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_2041-1	Girl Scouts Councils of Ohio
HC_136_2042	Wadsworth Historical Society
HC_136_2053	Pharmacy benefit managers
HC_136_2057-2	Ohio Unmanned Aviation STEM Program
HC_136_2063	ODH diabetes informational materials
HC_136_2064-1	St. Rita's
HC_136_2068-2	Alliance for Working Together funding
HC_136_2075	Village of Grand River sidewalks
HC_136_2086-1	Genome sequencing
HC_136_2087	School counselor professional development in building trades
HC_136_2091-1	Graduate medical education
HC_136_2093	School funding deductions
HC_136_2098-1	Combined notices

**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_2099	Provider billing discrimination
HC_136_2103	Group Homes
HC_136_2109-1	Computer science teacher licensure - waiver
HC_136_2117-1	S.U.C.C.E.S.S. for Autism
HC_136_2125-2	Star House - KID and ODH funding
HC_136_2129-1	Rural Transportation Grant Fund
HC_136_2130	Broadband internet access service
HC_136_2132	OPD and Outside Counsel in Revocation Hearings
HC_136_2133-1	Public Defender Commission
HC_136_2139	High Blend Ethanol Rebate Program
HC_136_2140	Reentry housing near schools
HC_136_2142	Medicaid wavier for incarcerated individuals
HC_136_2161-1	Pediatric therapy students funding



**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_2164	Financial literacy instruction exemptions
HC_136_2175	Online sale and in-store pickup of consumer fireworks
HC_136_2176-1	Canalway Partners
HC_136_2189	Community school reporting
HC_136_2194	SNAP benefits - prevent sugar sweetened beverages
HC_136_2198	Juvenile record sealing
HC_136_2200	Non-chartered school ESA
HC_136_2208	Instant bingo and ebingo hours
HC_136_2216	Sale of school facilities
HC_136_2217-1	Innocence Act
HC_136_2218	College-Level Examination Program
HC_136_2219	Child support payments
HC_136_2227	DYS housing juveniles serving adult sentences

**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_2230	Student transportation using mass transit system
HC_136_2239	Drone for First Responders pilot program
HC_136_2244	DRC efforts to obtain lethal injection drugs - remove
HC_136_2260-1	Pesticide Law
HC_136_2262	5-year forecasts
HC_136_2265	Menstrual products in public buildings
HC_136_2266	Applewood Centers
HC_136_2270	Save A Warrior and First Responders Bridge
HC_136_2271	State directed payment program appropriations
HC_136_2272-2	Children's Hunger Alliance
HC_136_2276	Village Dissolution
HC_136_2279-2	Senior Community Services
HC_136_2282	Legal Aid Fund

**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_2285-1	Student transportation via mass transit system
HC_136_2286-1	Ashland University - Academy of history and civics
HC_136_2288-1	Private room incentive - increase to 15,000
HC_136_2290	Funding for early childhood to post-secondary regional partnerships
HC_136_2291-3	Governor's scholarship program
HC_136_2293-2	Abortion data regarding minors
HC_136_2295-2	Showers Family Foundation
HC_136_2296	Traffic camera reporting
HC_136_2297	County budget commission
HC_136_2299	Low-alcohol coolers
HC_136_2309	Patrol Funding
HC_136_2314-1	U.S. Semiquincentennial
HC_136_2328-1	ESCs and bus safety grants

**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_2331	Appalachia Assistance
HC_136_2333	Dads2Be
HC_136_2335-2	Marijuana tax distribution
HC_136_2345-1	Boys and Girls Club
HC_136_2349-2	FFA, Urban agriculture, and agriculture literacy
HC_136_2366-6	Doula services
HC_136_2367	Medicaid provider payment rates - private insurer median rate
HC_136_2371-1	GRIT program
HC_136_2392	Midwest Interstate Passenger Rail Compact
HC_136_2393	Group VIII transition plan
HC_136_2398	Cash at school-affiliated events
HC_136_2412	The Nancy and David Wolf Holocaust and Humanity Center
HC_136_2413	Fairfield county lodging tax extension

**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_2417	Emergency Response Commission member appointment
HC_136_2418	Columbus Speech and Hearing Center
HC_136_2424	Public Employee Deferred Comp Program changes
HC_136_2438	Prohibit OCC from collecting fee from wireless providers
HC_136_2443	Township zoning; megaproject
HC_136_2447-1	Ohio EPA Division of Air Pollution Control fees
HC_136_2455	Prohibit Medicaid funds for counseling promoting gender transition
HC_136_2457	Collect and report ESA student assessment data
HC_136_2461-1	Best Buddies
HC_136_2472-1	Boardman Township flood mitigation
HC_136_2475-1	Governor's Merit Scholarship
HC_136_2479	Grand Lake St. Mary's
HC_136_2480	Medicaid - birth center transfer agreements

**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_2484	Roadwork Development Fund and Facilities Establishment Fund
HC_136_2490	Child Care Choice Voucher - TANF
HC_136_2491	Reinstate Stay in the Game
HC_136_2495	Ohio's Career-Technical Planning Lead Districts - study committee
HC_136_2497	Expense reporting structure
HC_136_2505-1	Commercial Truck Driver Student Aid Program
HC_136_2507-1	Mercer County Fairgrounds, Grand Event Center
HC_136_2512	Restore AIR as standalone entity
HC_136_2517-1	Software for inmate phone call transcription
HC_136_2519-1	Ohio Livestock Show & Sale Fund
HC_136_2522	Solid waste - community impact analysis and meetings
HC_136_2524-1	Restore Imagination Library funding
HC_136_2542	Address confidentiality

**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_2546	Proceeds of instant bingo and ebingo
HC_136_2550-2	Grants for housing projects
HC_136_2554	Ohio Technical Centers - support purposes
HC_136_2558	9-8-8 hotline system
HC_136_2561	Prohibition on Medicaid funds being used for diversity, equity, and inclusion initiatives
HC_136_2581-1	School district property tax reductions
HC_136_2583	Platinum Providers Act
HC_136_2585-1	County recorder electronic record modernization fund
HC_136_2588	Integrated Care Delivery System
HC_136_2599	ADAMH board contracts with hospitals
HC_136_2607	Mid-Ohio Cardiovascular Health Improvement Initiative
HC_136_2609	Helping Ohioans Stay in their Homes
HC_136_2610-1	Values-In-Action Foundation for the Kindland Initiative

**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_2615	Unused school facility purchase-charter schools
HC_136_2616	Special Olympics
HC_136_2617	Extend the sunset date for fee levied on sale of tires
HC_136_2631	State Land Royalty Fund
HC_136_2632	School district property tax reductions
HC_136_2633	School district property tax reductions
HC_136_2634	Released time religious instruction
HC_136_2654	Lead Abatement funding
HC_136_2658	Child Care Cred Program - cap eligibility to 400% FPL
HC_136_2664	Group VIII funds specify state share
HC_136_2665	Illegal conveyance of drugs of abuse
HC_136_2673	Housing Trust Fund fees
HC_136_2674	Resale of school district property by other schools



**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_2675	Selling alcoholic beverages in convention center's outdoor areas
HC_136_2677	Ohio Arts Council operating expenses
HC_136_2678	Transcranial Magnetic Stimulation funding
HC_136_2679	County engineer compensation and vacancy
HC_136_2681-1	Gaming opportunities
HC_136_2682	Providence House
HC_136_2683-1	LSC technical and corrective
HC_136_2684	Require all coroners to be appointed by county
HC_136_2686-2	Public Library Fund sunset; GRF library funding
HC_136_2689-1	Pay commission
HC_136_2690	Say Yes to Cleveland; University Circle
HC_136_2691	Local officials and judges - pay increase
HC_136_2692	Strategic square footage reduction

**HC\_136\_2698-1**

Amendment No.	Subject
HC_136_2693	Expedited processes for design build firms and construction managers at risk
HC_136_2694	Public Works Commission
HC_136_2695	Income tax estimated payment interest penalties

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 320 of the title, after "3513.259," insert "3517.14,  
3517.151, 3517.152, 3517.154, 3517.156, 3517.157, 3517.99, 3517.991,"

After line 2593, insert:

**"Sec. 109.02.** The attorney general is the chief law  
officer for the state and all its departments and shall be  
provided with adequate office space in Columbus. Except as  
provided in division (E) of section 120.06 and in sections  
101.55, 107.13, and ~~3517.152 to 3517.157~~ 3517.14 to 3517.18 of  
the Revised Code, no state officer or board, or head of a  
department or institution of the state shall employ, or be  
represented by, other counsel or attorneys at law. The attorney  
general shall appear for the state in the trial and argument of  
all civil and criminal causes in the supreme court in which the  
state is directly or indirectly interested. When required by the  
governor or the general assembly, the attorney general shall  
appear for the state in any court or tribunal in a cause in  
which the state is a party, or in which the state is directly  
interested. Upon the written request of the governor, the  
attorney general shall prosecute any person indicted for a  
crime."



After line 12307, insert:

**"Sec. 145.055.** ~~The secretary of state, or any person~~  
~~acting on personal knowledge and subject to the penalties of~~  
~~perjury, may file a~~ A ~~complaint with the Ohio elections~~  
~~commission alleging a violation of section 145.054 of the~~  
~~Revised Code may be filed in accordance with section 3517.14 of~~  
~~the Revised Code. The complaint shall be made on a form~~  
~~prescribed and provided by the commission.~~

~~On receipt of a complaint under this section, the~~  
~~commission shall hold a hearing open to the public to determine~~  
~~whether the violation alleged in the complaint has occurred. The~~  
~~commission may administer oaths and issue subpoenas to any~~  
~~person in the state compelling the attendance of witnesses and~~  
~~the production of relevant papers, books, accounts, and reports.~~  
~~On the refusal of any person to obey a subpoena or to be sworn~~  
~~or to answer as a witness, the commission may apply to the court~~  
~~of common pleas of Franklin county under section 2705.03 of the~~  
~~Revised Code. The court shall hold contempt proceedings in~~  
~~accordance with Chapter 2705. of the Revised Code.~~

~~The commission shall provide the person accused of the~~  
~~violation at least seven days prior notice of the time, date,~~  
~~and place of the hearing. The accused may be represented by an~~  
~~attorney and shall have an opportunity to present evidence, call~~  
~~witnesses, and cross-examine witnesses.~~

~~At the hearing, the commission shall determine whether the~~  
~~violation alleged in the complaint has occurred. If the~~  
~~commission determines that a violation of division (A) of~~  
~~section 145.054 of the Revised Code has occurred, the commission~~  
~~shall either impose a fine under section 145.99 of the Revised~~

~~Code or enter a finding that good cause has been shown not to  
impose the fine. If the commission determines that a violation  
of division (B) of section 145.054 of the Revised Code has  
occurred, the commission shall impose the fine described in  
section 145.99 of the Revised Code, refer the matter to the  
appropriate prosecutor, or enter a finding that good cause has  
been shown not to impose a fine or refer the matter to a  
prosecutor.~~

**Sec. 145.99.** (A) Whoever violates division (A) of section  
145.054 of the Revised Code shall be fined not more than one  
hundred dollars for each day of the violation.

(B) Whoever violates division (B) of section 145.054 of  
the Revised Code shall be imprisoned for not more than six  
months or fined not more than five thousand dollars, or both.

~~(C) Fines imposed by the Ohio elections commission under  
this section shall be paid into the Ohio elections commission  
fund created under section 3513.10 of the Revised Code."~~

After line 22112, insert:

**"Sec. 742.044.** ~~The secretary of state, or any person  
acting on personal knowledge and subject to the penalties of  
perjury, may file a~~ A complaint with the Ohio elections  
commission alleging a violation of section 742.043 of the  
Revised Code may be filed in accordance with section 3517.14 of  
the Revised Code. The complaint shall be made on a form  
~~prescribed and provided by the commission.~~

~~On receipt of a complaint under this section, the  
commission shall hold a hearing open to the public to determine  
whether the violation alleged in the complaint has occurred. The  
commission may administer oaths and issue subpoenas to any~~

~~person in the state compelling the attendance of witnesses and~~ 79  
~~the production of relevant papers, books, accounts, and reports.~~ 80  
~~On the refusal of any person to obey a subpoena or to be sworn~~ 81  
~~or to answer as a witness, the commission may apply to the court~~ 82  
~~of common pleas of Franklin county under section 2705.03 of the~~ 83  
~~Revised Code. The court shall hold contempt proceedings in~~ 84  
~~accordance with Chapter 2705. of the Revised Code.~~ 85

~~The commission shall provide the person accused of the~~ 86  
~~violation at least seven days prior notice of the time, date,~~ 87  
~~and place of the hearing. The accused may be represented by an~~ 88  
~~attorney and shall have an opportunity to present evidence, call~~ 89  
~~witnesses, and cross-examine witnesses.~~ 90

~~At the hearing, the commission shall determine whether the~~ 91  
~~violation alleged in the complaint has occurred. If the~~ 92  
~~commission determines that a violation of division (A) of~~ 93  
~~section 742.043 of the Revised Code has occurred, the commission~~ 94  
~~shall either impose a fine under section 742.99 of the Revised~~ 95  
~~Code or enter a finding that good cause has been shown not to~~ 96  
~~impose the fine. If the commission determines that a violation~~ 97  
~~of division (B) of section 742.043 of the Revised Code has~~ 98  
~~occurred, the commission shall impose the fine described in~~ 99  
~~section 742.99 of the Revised Code, refer the matter to the~~ 100  
~~appropriate prosecutor, or enter a finding that good cause has~~ 101  
~~been shown not to impose a fine or refer the matter to a~~ 102  
~~prosecutor.~~ 103

**Sec. 742.99.** (A) Whoever violates section 742.043 of the 104  
Revised Code shall be fined not more than one hundred dollars 105  
for each day of the violation. 106

(B) Whoever violates division (B) of section 742.043 of 107  
the Revised Code shall be imprisoned for not more than six 108

months or fined not more than five thousand dollars, or both. 109

~~(C) Fines imposed by the Ohio elections commission under 110  
this section shall be paid into the Ohio elections commission- 111  
fund created under section 3513.10 of the Revised Code." 112~~

After line 40503, insert: 113

**"Sec. 3307.074.** ~~The secretary of state, or any person- 114  
acting on personal knowledge and subject to the penalties of 115  
perjury, may file a A complaint with the Ohio elections- 116  
commission alleging a violation of section 3307.073 of the 117  
Revised Code may be filed in accordance with section 3517.14 of 118  
the Revised Code. ~~The complaint shall be made on a form- 119  
prescribed and provided by the commission. 120~~~~

~~On receipt of a complaint under this section, the 121  
commission shall hold a hearing open to the public to determine- 122  
whether the violation alleged in the complaint has occurred. The 123  
commission may administer oaths and issue subpoenas to any- 124  
person in the state compelling the attendance of witnesses and- 125  
the production of relevant papers, books, accounts, and reports. 126  
On the refusal of any person to obey a subpoena or to be sworn- 127  
or to answer as a witness, the commission may apply to the court 128  
of common pleas of Franklin county under section 2705.03 of the 129  
Revised Code. The court shall hold contempt proceedings in- 130  
accordance with Chapter 2705. of the Revised Code. 131~~

~~The commission shall provide the person accused of the 132  
violation at least seven days prior notice of the time, date, 133  
and place of the hearing. The accused may be represented by an 134  
attorney and shall have an opportunity to present evidence, call 135  
witnesses, and cross-examine witnesses. 136~~

~~At the hearing, the commission shall determine whether the 137~~

~~violation alleged in the complaint has occurred. If the~~ 138  
~~commission determines that a violation of division (A) of~~ 139  
~~section 3307.073 of the Revised Code has occurred, the~~ 140  
~~commission shall either impose a fine under section 3307.99 of~~ 141  
~~the Revised Code or enter a finding that good cause has been~~ 142  
~~shown not to impose the fine. If the commission determines that~~ 143  
~~a violation of division (B) of section 3307.073 of the Revised~~ 144  
~~Code has occurred, the commission shall impose the fine~~ 145  
~~described in section 3307.99 of the Revised Code, refer the~~ 146  
~~matter to the appropriate prosecutor, or enter a finding that~~ 147  
~~good cause has been shown not to impose a fine or refer the~~ 148  
~~matter to a prosecutor.~~ 149

**Sec. 3307.99.** (A) Whoever violates division (A) of section 150  
3307.073 of the Revised Code shall be fined not more than one 151  
hundred dollars for each day of the violation. 152

(B) Whoever violates division (B) of section 3307.073 of 153  
the Revised Code shall be imprisoned for not more than six 154  
months or fined not more than five thousand dollars, or both. 155

~~(C) Fines imposed by the Ohio elections commission under~~ 156  
~~this section shall be paid into the Ohio elections commission~~ 157  
~~fund created under section 3513.10 of the Revised Code.~~ 158

**Sec. 3309.074.** ~~The secretary of state, or any person~~ 159  
~~acting on personal knowledge and subject to the penalties of~~ 160  
~~perjury, may file a~~ A ~~complaint with the Ohio elections~~ 161  
~~commission alleging a violation of section 3309.073 of the~~ 162  
~~Revised Code~~ may be filed in accordance with section 3517.14 of 163  
the Revised Code. ~~The complaint shall be made on a form~~ 164  
~~prescribed and provided by the commission.~~ 165

~~A complaint shall be filed not later than two years after~~ 166



~~the occurrence of the act or failure to act that is the subject  
of the complaint, except that if the act or failure to act  
involves fraud, concealment, or misrepresentation and was not  
discovered during that two-year period, a complaint may be filed  
not later than one year after discovery of the act or failure to  
act.~~

~~On receipt of a complaint under this section, the  
commission shall hold a hearing open to the public to determine  
whether the violation alleged in the complaint has occurred. The  
commission may administer oaths and issue subpoenas to any  
person in the state compelling the attendance of witnesses and  
the production of relevant papers, books, accounts, and reports.  
On the refusal of any person to obey a subpoena or to be sworn  
or to answer as a witness, the commission may apply to the court  
of common pleas of Franklin county under section 2705.03 of the  
Revised Code. The court shall hold contempt proceedings in  
accordance with Chapter 2705. of the Revised Code.~~

~~The commission shall provide the person accused of the  
violation at least seven days prior notice of the time, date,  
and place of the hearing. The accused may be represented by an  
attorney and shall have an opportunity to present evidence, call  
witnesses, and cross-examine witnesses.~~

~~At the hearing, the commission shall determine whether the  
violation alleged in the complaint has occurred. If the  
commission determines that a violation of division (A) of  
section 3309.073 of the Revised Code has occurred, the  
commission shall either impose a fine under section 3309.99 of  
the Revised Code or enter a finding that good cause has been  
shown not to impose the fine. If the commission determines that  
a violation of division (B) of section 3309.073 of the Revised~~

~~Code has occurred, the commission shall impose the fine~~ 197  
~~described in section 3309.99 of the Revised Code, refer the~~ 198  
~~matter to the appropriate prosecutor, or enter a finding that~~ 199  
~~good cause has been shown to not impose a fine or refer the~~ 200  
~~matter to the appropriate prosecutor.~~ 201

**Sec. 3309.99.** (A) Whoever violates division (A) of section 202  
3309.073 of the Revised Code shall be fined not more than one 203  
hundred dollars for each day of the violation. 204

(B) Whoever violates division (B) of section 3309.073 of 205  
the Revised Code shall be imprisoned for not more than six 206  
months or fined not more than five thousand dollars, or both. 207

~~(C) Fines imposed by the Ohio elections commission under~~ 208  
~~this section shall be paid into the Ohio elections commission~~ 209  
~~fund created under section 3513.10 of the Revised Code."~~ 210

After line 57252, insert: 211

**"Sec. 3501.05.** The secretary of state shall do all of the 212  
following: 213

(A) Appoint all members of boards of elections; 214

(B) Issue instructions by directives and advisories in 215  
accordance with section 3501.053 of the Revised Code to members 216  
of the boards as to the proper methods of conducting elections. 217

(C) Prepare rules and instructions for the conduct of 218  
elections; 219

(D) Publish and furnish to the boards from time to time a 220  
sufficient number of indexed copies of all election laws then in 221  
force; 222

(E) Edit and issue all pamphlets concerning proposed laws 223

or amendments required by law to be submitted to the voters; 224

(F) Prescribe the form of registration cards, blanks, and 225  
records; 226

(G) Determine and prescribe the forms of ballots and the 227  
forms of all blanks, cards of instructions, pollbooks, tally 228  
sheets, certificates of election, and forms and blanks required 229  
by law for use by candidates, committees, and boards; 230

(H) Prepare the ballot title or statement to be placed on 231  
the ballot for any proposed law or amendment to the constitution 232  
to be submitted to the voters of the state; 233

(I) Except as otherwise provided in section 3519.08 of the 234  
Revised Code, certify to the several boards the forms of ballots 235  
and names of candidates for state offices, and the form and 236  
wording of state referendum questions and issues, as they shall 237  
appear on the ballot; 238

(J) Except as otherwise provided in division (I) (2) (b) of 239  
section 3501.38 of the Revised Code, give final approval to 240  
ballot language for any local question or issue approved and 241  
transmitted by boards of elections under section 3501.11 of the 242  
Revised Code; 243

(K) Receive all initiative and referendum petitions on 244  
state questions and issues and determine and certify to the 245  
sufficiency of those petitions; 246

(L) Require such reports from the several boards as are 247  
provided by law, or as the secretary of state considers 248  
necessary; 249

(M) Compel the observance by election officers in the 250  
several counties of the requirements of the election laws; 251

(N) (1) Except as otherwise provided in division (N) (2) of 252  
this section, investigate the administration of election laws, 253  
frauds, and irregularities in elections in any county, and 254  
report violations of election laws to the attorney general or 255  
prosecuting attorney, or both, for prosecution; 256

(2) ~~On and after August 24, 1995, report a~~ Investigate and 257  
adjudicate complaints regarding any alleged failure to comply 258  
with, or a violation of, a provision in sections 145.054, 259  
742.043, 3307.073, 3309.073, 3517.08 to 3517.13, 3517.20 to 260  
3517.22, 3599.03, ~~or~~ 3599.031, or 5505.045 of the Revised Code, 261  
~~whenever the secretary of state has or should have knowledge of~~ 262  
~~a failure to comply with or a violation of a provision in one of~~ 263  
~~those sections, by filing a complaint with the Ohio elections~~ 264  
~~commission under section 3517.153~~ in accordance with sections 265  
3517.14 to 3517.18 of the Revised Code. 266

(O) Make an annual report to the governor containing the 267  
results of elections, the cost of elections in the various 268  
counties, a tabulation of the votes in the several political 269  
subdivisions, and other information and recommendations relative 270  
to elections the secretary of state considers desirable; 271

(P) Prescribe and distribute to boards of elections a list 272  
of instructions indicating all legal steps necessary to petition 273  
successfully for local option elections under sections 4301.32 274  
to 4301.41, 4303.29, 4305.14, and 4305.15 of the Revised Code; 275

(Q) Adopt rules pursuant to Chapter 119. of the Revised 276  
Code for the removal by boards of elections of ineligible voters 277  
from the statewide voter registration database and, if 278  
applicable, from the poll list or signature pollbook used in 279  
each precinct, which rules shall provide for all of the 280  
following: 281

(1) A process for the removal of voters who have changed residence, which shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 and the National Voter Registration Act of 1993, including a program that uses the national change of address service provided by the United States postal system through its licensees;

(2) A process for the removal of ineligible voters under section 3503.21 of the Revised Code;

(3) A uniform system for marking or removing the name of a voter who is ineligible to vote from the statewide voter registration database and, if applicable, from the poll list or signature pollbook used in each precinct and noting the reason for that mark or removal.

(R) (1) Prescribe a general program for registering voters or updating voter registration information, such as name and residence changes, by boards of elections, designated agencies, public high schools and vocational schools, public libraries, and offices of county treasurers consistent with the requirements of section 3503.09 of the Revised Code;

(2) Prescribe a general program for registering voters or updating voter registration information through the registrar of motor vehicles and deputy registrars, consistent with the requirements of section 3503.11 of the Revised Code.

(S) Prescribe a program of distribution of voter registration forms through boards of elections, designated agencies, offices of the registrar and deputy registrars of motor vehicles, public high schools and vocational schools, public libraries, and offices of county treasurers;

(T) To the extent feasible, provide copies, at no cost and

upon request, of the voter registration form in post offices in 311  
this state; 312

(U) Adopt rules pursuant to section 111.15 of the Revised 313  
Code for the purpose of implementing the programs for 314  
registering voters through boards of elections, designated 315  
agencies, and the offices of the registrar and deputy registrars 316  
of motor vehicles consistent with this chapter; 317

(V) Establish the full-time position of Americans with 318  
Disabilities Act coordinator within the office of the secretary 319  
of state to do all of the following: 320

(1) Assist the secretary of state with ensuring that there 321  
is equal access to polling places for persons with disabilities; 322

(2) Assist the secretary of state with ensuring that each 323  
voter may cast the voter's ballot in a manner that provides the 324  
same opportunity for access and participation, including privacy 325  
and independence, as for other voters; 326

(3) Advise the secretary of state in the development of 327  
standards for the certification of voting machines, marking 328  
devices, and automatic tabulating equipment. 329

(W) Establish and maintain a computerized statewide 330  
database of all legally registered voters under section 3503.15 331  
of the Revised Code that complies with the requirements of the 332  
"Help America Vote Act of 2002," Pub. L. No. 107-252, 116 Stat. 333  
1666, and provide training in the operation of that system; 334

(X) Ensure that all directives, advisories, other 335  
instructions, or decisions issued or made during or as a result 336  
of any conference or teleconference call with a board of 337  
elections to discuss the proper methods and procedures for 338

conducting elections, to answer questions regarding elections, 339  
or to discuss the interpretation of directives, advisories, or 340  
other instructions issued by the secretary of state are posted 341  
on a web site of the office of the secretary of state as soon as 342  
is practicable after the completion of the conference or 343  
teleconference call, but not later than the close of business on 344  
the same day as the conference or teleconference call takes 345  
place. 346

(Y) Publish a report on a web site of the office of the 347  
secretary of state not later than one month after the completion 348  
of the canvass of the election returns for each primary and 349  
general election, identifying, by county, the number of absent 350  
voter's ballots cast and the number of those ballots that were 351  
counted, and the number of provisional ballots cast and the 352  
number of those ballots that were counted, for that election. 353  
The secretary of state shall maintain the information on the web 354  
site in an archive format for each subsequent election. 355

(Z) Conduct voter education outlining voter 356  
identification, absent voters ballot, provisional ballot, and 357  
other voting requirements; 358

(AA) Establish a procedure by which a registered elector 359  
may make available to a board of elections a more recent 360  
signature to be used in the poll list or signature pollbook 361  
produced by the board of elections of the county in which the 362  
elector resides; 363

(BB) Disseminate information, which may include all or 364  
part of the official explanations and arguments, by means of 365  
direct mail or other written publication, broadcast, or other 366  
means or combination of means, as directed by the Ohio ballot 367  
board under division (F) of section 3505.062 of the Revised 368

Code, in order to inform the voters as fully as possible 369  
concerning each proposed constitutional amendment, proposed law, 370  
or referendum; 371

(CC) Be the single state office responsible for the 372  
implementation of the "Uniformed and Overseas Citizens Absentee 373  
Voting Act," Pub. L. No. 99-410, 100 Stat. 924, 42 U.S.C. 374  
1973ff, et seq., as amended, in this state. The secretary of 375  
state may delegate to the boards of elections responsibilities 376  
for the implementation of that act, including responsibilities 377  
arising from amendments to that act made by the "Military and 378  
Overseas Voter Empowerment Act," Subtitle H of the "National 379  
Defense Authorization Act for Fiscal Year 2010," Pub. L. No. 380  
111-84, 123 Stat. 3190. 381

(DD) Adopt rules, under Chapter 119. of the Revised Code, 382  
to establish procedures and standards for determining when a 383  
board of elections shall be placed under the official oversight 384  
of the secretary of state, placing a board of elections under 385  
the official oversight of the secretary of state, a board that 386  
is under official oversight to transition out of official 387  
oversight, and the secretary of state to supervise a board of 388  
elections that is under official oversight of the secretary of 389  
state. 390

(EE) Perform other duties required by law. 391

Whenever a primary election is held under section 3513.32 392  
of the Revised Code or a special election is held under section 393  
3521.03 of the Revised Code to fill a vacancy in the office of 394  
representative to congress, the secretary of state shall 395  
establish a deadline, notwithstanding any other deadline 396  
required under the Revised Code, by which any or all of the 397  
following shall occur: the filing of a declaration of candidacy 398



and petitions or a statement of candidacy and nominating 399  
petition together with the applicable filing fee; the filing of 400  
protests against the candidacy of any person filing a 401  
declaration of candidacy or nominating petition; the filing of a 402  
declaration of intent to be a write-in candidate; the filing of 403  
campaign finance reports; the preparation of, and the making of 404  
corrections or challenges to, precinct voter registration lists; 405  
the receipt of applications for absent voter's ballots or 406  
uniformed services or overseas absent voter's ballots; the 407  
supplying of election materials to precincts by boards of 408  
elections; the holding of hearings by boards of elections to 409  
consider challenges to the right of a person to appear on a 410  
voter registration list; and the scheduling of programs to 411  
instruct or reinstruct election officers. 412

In the performance of the secretary of state's duties as 413  
the chief election officer, the secretary of state may 414  
administer oaths, issue subpoenas, summon witnesses, compel the 415  
production of books, papers, records, and other evidence, and 416  
fix the time and place for hearing any matters relating to the 417  
administration and enforcement of the election laws, including 418  
for the purposes described in division (N)(2) of this section. 419

In any controversy involving or arising out of the 420  
adoption of registration or the appropriation of funds for 421  
registration, the secretary of state may, through the attorney 422  
general, bring an action in the name of the state in the court 423  
of common pleas of the county where the cause of action arose or 424  
in an adjoining county, to adjudicate the question. 425

In any action involving the laws in Title XXXV of the 426  
Revised Code wherein the interpretation of those laws is in 427  
issue in such a manner that the result of the action will affect 428

the lawful duties of the secretary of state or of any board of 429  
elections, the secretary of state may, on the secretary of 430  
state's motion, be made a party. 431

The secretary of state may apply to any court that is 432  
hearing a case in which the secretary of state is a party, for a 433  
change of venue as a substantive right, and the change of venue 434  
shall be allowed, and the case removed to the court of common 435  
pleas of an adjoining county named in the application or, if 436  
there are cases pending in more than one jurisdiction that 437  
involve the same or similar issues, the court of common pleas of 438  
Franklin county. 439

Public high schools and vocational schools, public 440  
libraries, and the office of a county treasurer shall implement 441  
voter registration programs as directed by the secretary of 442  
state pursuant to this section. 443

**Sec. 3501.11.** Each board of elections shall exercise by a 444  
majority vote all powers granted to the board by Title XXXV of 445  
the Revised Code, shall perform all the duties imposed by law, 446  
and shall do all of the following: 447

(A) Establish, define, provide, rearrange, and combine 448  
election precincts; 449

(B) Fix and provide the places for registration and for 450  
holding primaries and elections; 451

(C) Provide for the purchase, preservation, and 452  
maintenance of booths, ballot boxes, books, maps, flags, blanks, 453  
cards of instructions, and other forms, papers, and equipment 454  
used in registration, nominations, and elections; 455

(D) Appoint and remove its director, deputy director, and 456

employees and all registrars, precinct election officials, and 457  
other officers of elections, fill vacancies, and designate the 458  
ward or district and precinct in which each shall serve; 459

(E) Make and issue rules and instructions, not 460  
inconsistent with law or the rules, directives, or advisories 461  
issued by the secretary of state, as it considers necessary for 462  
the guidance of election officers and voters; 463

(F) Advertise and contract for the printing of all ballots 464  
and other supplies used in registrations and elections; 465

(G) Provide for the issuance of all notices, 466  
advertisements, and publications concerning elections, except as 467  
otherwise provided in division (G) of section 3501.17 and 468  
divisions (F) and (G) of section 3505.062 of the Revised Code; 469

(H) Provide for the delivery of ballots, pollbooks, and 470  
other required papers and material to the polling places; 471

(I) Cause the polling places to be suitably provided with 472  
voting machines, marking devices, automatic tabulating 473  
equipment, stalls, and other required supplies. In fulfilling 474  
this duty, each board of a county that uses voting machines, 475  
marking devices, or automatic tabulating equipment shall conduct 476  
a full vote of the board during a public session of the board on 477  
the allocation and distribution of voting machines, marking 478  
devices, and automatic tabulating equipment for each precinct in 479  
the county. 480

~~(J) Investigate~~ (J) (1) Subject to division (J) (2) of this 481  
section, investigate irregularities, nonperformance of duties, 482  
or violations of Title XXXV of the Revised Code by election 483  
officers and other persons; administer oaths, issue subpoenas, 484  
summon witnesses, and compel the production of books, papers, 485

records, and other evidence in connection with any such 486  
investigation; and report the facts to the prosecuting attorney 487  
or the secretary of state; 488

(2) The board shall investigate and adjudicate complaints 489  
regarding any alleged failure to comply with, or violation of, a 490  
provision in sections 145.054, 742.043, 3307.073, 3309.073, 491  
3517.08 to 3517.991, 3599.03, 3599.031, or 5505.045 of the 492  
Revised Code, in accordance with sections 3517.14 to 3517.18 of 493  
the Revised Code. The board may administer oaths, issue 494  
subpoenas, summon witnesses, and compel the production of books, 495  
papers, records, and other evidence in connection with any such 496  
investigation or adjudication. 497

(K) (1) Review, examine, and certify the sufficiency and 498  
validity of petitions and nomination papers, and, after 499  
certification, return to the secretary of state all petitions 500  
and nomination papers that the secretary of state forwarded to 501  
the board; 502

(2) Examine each initiative petition, or a petition filed 503  
under section 307.94 or 307.95 of the Revised Code, received by 504  
the board to determine whether the petition falls within the 505  
scope of authority to enact via initiative and whether the 506  
petition satisfies the statutory prerequisites to place the 507  
issue on the ballot, as described in division (M) of section 508  
3501.38 of the Revised Code. The petition shall be invalid if 509  
any portion of the petition is not within the initiative power. 510

(L) Receive the returns of elections, canvass the returns, 511  
make abstracts of them, and transmit those abstracts to the 512  
proper authorities; 513

(M) Issue certificates of election on forms to be 514

- prescribed by the secretary of state; 515
- (N) Make an annual report to the secretary of state, on 516  
the form prescribed by the secretary of state, containing a 517  
statement of the number of voters registered, elections held, 518  
votes cast, appropriations received, expenditures made, and 519  
other data required by the secretary of state; 520
- (O) Prepare and submit to the proper appropriating officer 521  
a budget estimating the cost of elections for the ensuing fiscal 522  
year; 523
- (P) Perform other duties as prescribed by law or the 524  
rules, directives, or advisories of the secretary of state; 525
- (Q) Investigate and determine the residence qualifications 526  
of electors; 527
- (R) Administer oaths in matters pertaining to the 528  
administration of the election laws; 529
- (S) Prepare and submit to the secretary of state, whenever 530  
the secretary of state requires, a report containing the names 531  
and residence addresses of all incumbent county, municipal, 532  
township, and board of education officials serving in their 533  
respective counties; 534
- (T) Establish and maintain a voter registration database 535  
of all qualified electors in the county who offer to register; 536
- (U) Maintain voter registration records, make reports 537  
concerning voter registration as required by the secretary of 538  
state, and remove ineligible electors from voter registration 539  
lists in accordance with law and directives of the secretary of 540  
state; 541
- (V) Give approval to ballot language for any local 542

question or issue and transmit the language to the secretary of 543  
state for the secretary of state's final approval; 544

(W) Prepare and cause the following notice to be displayed 545  
in a prominent location in every polling place: 546

"NOTICE 547

Ohio law prohibits any person from voting or attempting to 548  
vote more than once at the same election. 549

Violators are guilty of a felony of the fourth degree and 550  
shall be imprisoned and additionally may be fined in accordance 551  
with law." 552

(X) In all cases of a tie vote or a disagreement in the 553  
board, if no decision can be arrived at, the director or 554  
chairperson shall submit the matter in controversy, not later 555  
than fourteen days after the tie vote or the disagreement, to 556  
the secretary of state, who shall summarily decide the question, 557  
and the secretary of state's decision shall be final. 558

(Y) Assist each designated agency, deputy registrar of 559  
motor vehicles, public high school and vocational school, public 560  
library, and office of a county treasurer in the implementation 561  
of a program for registering voters at all voter registration 562  
locations as prescribed by the secretary of state. Under this 563  
program, each board of elections shall direct to the appropriate 564  
board of elections any voter registration applications for 565  
persons residing outside the county where the board is located 566  
within five days after receiving the applications. 567

(Z) On any day on which an elector may vote in person at 568  
the office of the board or at another site designated by the 569  
board, consider the board or other designated site a polling 570

place for that day. All requirements or prohibitions of law that 571  
apply to a polling place shall apply to the office of the board 572  
or other designated site on that day. 573

(AA) Perform any duties with respect to voter registration 574  
and voting by uniformed services and overseas voters that are 575  
delegated to the board by law or by the rules, directives, or 576  
advisories of the secretary of state. 577

(BB) Prepare an election administration plan and submit it 578  
to the secretary of state not later than seventy-five days 579  
before each presidential primary election and not later than one 580  
hundred twenty days before each general election held in an 581  
even-numbered year. The election administration plan shall be on 582  
a template prescribed by the secretary of state and shall 583  
include all of the following: 584

(1) Precinct election official recruitment, training, and 585  
accountability; 586

(2) Resource allocation; 587

(3) Communication before and on the day of the election; 588

(4) Materials; 589

(5) Contingencies and continuity planning; 590

(6) Security; 591

(7) Voter registration; 592

(8) Absent voting; 593

(9) Polling places and accessibility; 594

(10) Ballot preparation; 595

(11) Pre-election testing; 596

(12) Reconciliation and audits; 597

(13) A master calendar; 598

(14) Any other topic prescribed by the secretary of 599  
state." 600

In line 57760, strike through "fees" and insert "fee" 601

In line 57761, strike through "divisions (A) and (B) of" 602

In line 57765, strike through "fees" and insert "fee" 603

In line 57766, strike through "divisions (A) and (B) of" 604

After line 57798, insert: 605

**"Sec. 3513.05.** Each person desiring to become a candidate 606  
for a party nomination at a primary election or for election to 607  
an office or position to be voted for at a primary election, 608  
except persons desiring to become joint candidates for the 609  
offices of governor and lieutenant governor and except as 610  
otherwise provided in section 3513.051 of the Revised Code, 611  
shall, not later than four p.m. of the ninetieth day before the 612  
day of the primary election, file a declaration of candidacy and 613  
petition and pay the ~~fees~~ fee required under ~~divisions (A) and~~ 614  
~~(B) of~~ section 3513.10 of the Revised Code. The declaration of 615  
candidacy and all separate petition papers shall be filed at the 616  
same time as one instrument. When the offices are to be voted 617  
for at a primary election, persons desiring to become joint 618  
candidates for the offices of governor and lieutenant governor 619  
shall, not later than four p.m. of the ninetieth day before the 620  
day of the primary election, comply with section 3513.04 of the 621  
Revised Code. The prospective joint candidates' declaration of 622  
candidacy and all separate petition papers of candidacies shall 623  
be filed at the same time as one instrument. The secretary of 624



state or a board of elections shall not accept for filing a 625  
declaration of candidacy and petition of a person seeking to 626  
become a candidate if that person, for the same election, has 627  
already filed a declaration of candidacy or a declaration of 628  
intent to be a write-in candidate, or has become a candidate by 629  
the filling of a vacancy under section 3513.30 of the Revised 630  
Code for any federal, state, or county office, if the 631  
declaration of candidacy is for a state or county office, or for 632  
any municipal or township office, if the declaration of 633  
candidacy is for a municipal or township office. 634

If the declaration of candidacy declares a candidacy which 635  
is to be submitted to electors throughout the entire state, the 636  
petition, including a petition for joint candidates for the 637  
offices of governor and lieutenant governor, shall be signed by 638  
at least one thousand qualified electors who are members of the 639  
same political party as the candidate or joint candidates, and 640  
the declaration of candidacy and petition shall be filed with 641  
the secretary of state; provided that the secretary of state 642  
shall not accept or file any such petition appearing on its face 643  
to contain signatures of more than three thousand electors. 644

Except as otherwise provided in this paragraph, if the 645  
declaration of candidacy is of one that is to be submitted only 646  
to electors within a district, political subdivision, or portion 647  
thereof, the petition shall be signed by not less than fifty 648  
qualified electors who are members of the same political party 649  
as the political party of which the candidate is a member. If 650  
the declaration of candidacy is for party nomination as a 651  
candidate for member of the legislative authority of a municipal 652  
corporation elected by ward, the petition shall be signed by not 653  
less than twenty-five qualified electors who are members of the 654

political party of which the candidate is a member.

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No such petition, except the petition for a candidacy that is to be submitted to electors throughout the entire state, shall be accepted for filing if it appears to contain on its face signatures of more than three times the minimum number of signatures. When a petition of a candidate has been accepted for filing by a board of elections, the petition shall not be deemed invalid if, upon verification of signatures contained in the petition, the board of elections finds the number of signatures accepted exceeds three times the minimum number of signatures required. A board of elections may discontinue verifying signatures on petitions when the number of verified signatures equals the minimum required number of qualified signatures.

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If the declaration of candidacy declares a candidacy for party nomination or for election as a candidate of a minor party, the minimum number of signatures on such petition is one-half the minimum number provided in this section, except that, when the candidacy is one for election as a member of the state central committee or the county central committee of a political party, the minimum number shall be the same for a minor party as for a major party.

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If a declaration of candidacy is one for election as a member of the state central committee or the county central committee of a political party, the petition shall be signed by five qualified electors of the district, county, ward, township, or precinct within which electors may vote for such candidate. The electors signing such petition shall be members of the same political party as the political party of which the candidate is a member.

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For purposes of signing or circulating a petition of

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candidacy for party nomination or election, an elector is 685  
considered to be a member of a political party if the elector 686  
voted in that party's primary election within the preceding two 687  
calendar years, or if the elector did not vote in any other 688  
party's primary election within the preceding two calendar 689  
years. 690

If the declaration of candidacy is of one that is to be 691  
submitted only to electors within a county, or within a district 692  
or subdivision or part thereof smaller than a county, the 693  
petition shall be filed with the board of elections of the 694  
county. If the declaration of candidacy is of one that is to be 695  
submitted only to electors of a district or subdivision or part 696  
thereof that is situated in more than one county, the petition 697  
shall be filed with the board of elections of the county within 698  
which the major portion of the population thereof, as 699  
ascertained by the next preceding federal census, is located. 700

A petition shall consist of separate petition papers, each 701  
of which shall contain signatures of electors of only one 702  
county. Petitions or separate petition papers containing 703  
signatures of electors of more than one county shall not thereby 704  
be declared invalid. In case petitions or separate petition 705  
papers containing signatures of electors of more than one county 706  
are filed, the board shall determine the county from which the 707  
majority of signatures came, and only signatures from such 708  
county shall be counted. Signatures from any other county shall 709  
be invalid. 710

Each separate petition paper shall be circulated by one 711  
person only, who shall be the candidate or a joint candidate or 712  
a member of the same political party as the candidate or joint 713  
candidates, and each separate petition paper shall be governed 714

by the rules set forth in section 3501.38 of the Revised Code. 715

The secretary of state shall promptly transmit to each 716  
board such separate petition papers of each petition 717  
accompanying a declaration of candidacy filed with the secretary 718  
of state as purport to contain signatures of electors of the 719  
county of such board. The board of the most populous county of a 720  
district shall promptly transmit to each board within such 721  
district such separate petition papers of each petition 722  
accompanying a declaration of candidacy filed with it as purport 723  
to contain signatures of electors of the county of each such 724  
board. The board of a county within which the major portion of 725  
the population of a subdivision, situated in more than one 726  
county, is located, shall promptly transmit to the board of each 727  
other county within which a portion of such subdivision is 728  
located such separate petition papers of each petition 729  
accompanying a declaration of candidacy filed with it as purport 730  
to contain signatures of electors of the portion of such 731  
subdivision in the county of each such board. 732

All petition papers so transmitted to a board and all 733  
petitions accompanying declarations of candidacy filed with a 734  
board shall, under proper regulations, be open to public 735  
inspection until four p.m. of the eightieth day before the day 736  
of the next primary election. Each board shall, not later than 737  
the seventy-eighth day before the day of that primary election, 738  
examine and determine the validity or invalidity of the 739  
signatures on the petition papers so transmitted to or filed 740  
with it and shall return to the secretary of state all petition 741  
papers transmitted to it by the secretary of state, together 742  
with its certification of its determination as to the validity 743  
or invalidity of signatures thereon, and shall return to each 744

other board all petition papers transmitted to it by such board, 745  
together with its certification of its determination as to the 746  
validity or invalidity of the signatures thereon. All other 747  
matters affecting the validity or invalidity of such petition 748  
papers shall be determined by the secretary of state or the 749  
board with whom such petition papers were filed. 750

Protests against the candidacy of any person filing a 751  
declaration of candidacy for party nomination or for election to 752  
an office or position, as provided in this section, may be filed 753  
by any qualified elector who is a member of the same political 754  
party as the candidate and who is eligible to vote at the 755  
primary election for the candidate whose declaration of 756  
candidacy the elector objects to, or by the controlling 757  
committee of that political party. The protest shall be in 758  
writing, and shall be filed not later than four p.m. of the 759  
seventy-fourth day before the day of the primary election. The 760  
protest shall be filed with the election officials with whom the 761  
declaration of candidacy and petition was filed. Upon the filing 762  
of the protest, the election officials with whom it is filed 763  
shall promptly fix the time for hearing it, and shall forthwith 764  
mail notice of the filing of the protest and the time fixed for 765  
hearing to the person whose candidacy is so protested. They 766  
shall also forthwith mail notice of the time fixed for such 767  
hearing to the person who filed the protest. At the time fixed, 768  
such election officials shall hear the protest and determine the 769  
validity or invalidity of the declaration of candidacy and 770  
petition. If they find that such candidate is not an elector of 771  
the state, district, county, or political subdivision in which 772  
the candidate seeks a party nomination or election to an office 773  
or position, or has not fully complied with this chapter, the 774  
candidate's declaration of candidacy and petition shall be 775

determined to be invalid and shall be rejected; otherwise, it 776  
shall be determined to be valid. That determination shall be 777  
final. 778

A protest against the candidacy of any persons filing a 779  
declaration of candidacy for joint party nomination to the 780  
offices of governor and lieutenant governor shall be filed, 781  
heard, and determined in the same manner as a protest against 782  
the candidacy of any person filing a declaration of candidacy 783  
singly. 784

The secretary of state shall, on the seventieth day before 785  
the day of a primary election, certify to each board in the 786  
state the forms of the official ballots to be used at the 787  
primary election, together with the names of the candidates to 788  
be printed on the ballots whose nomination or election is to be 789  
determined by electors throughout the entire state and who filed 790  
valid declarations of candidacy and petitions. 791

The board of the most populous county in a district 792  
comprised of more than one county but less than all of the 793  
counties of the state shall, on the seventieth day before the 794  
day of a primary election, certify to the board of each county 795  
in the district the names of the candidates to be printed on the 796  
official ballots to be used at the primary election, whose 797  
nomination or election is to be determined only by electors 798  
within the district and who filed valid declarations of 799  
candidacy and petitions. 800

The board of a county within which the major portion of 801  
the population of a subdivision smaller than the county and 802  
situated in more than one county is located shall, on the 803  
seventieth day before the day of a primary election, certify to 804  
the board of each county in which a portion of that subdivision 805

is located the names of the candidates to be printed on the 806  
 official ballots to be used at the primary election, whose 807  
 nomination or election is to be determined only by electors 808  
 within that subdivision and who filed valid declarations of 809  
 candidacy and petitions." 810

Delete lines 58145 to 58201 (remove R.C. 3513.10) and insert: 811

**"Sec. 3513.10.** (A) At the time of filing a declaration of 812  
 candidacy for nomination for any office, or a declaration of 813  
 intent to be a write-in candidate, each candidate, except joint 814  
 candidates for governor and lieutenant governor, shall pay a fee 815  
 as follows: 816

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A	For statewide office	\$100
B	For court of appeals judge	\$50
C	For court of common pleas judge	\$50
D	For county court judge	\$50
E	For municipal court judge	\$50
F	For district office, including member of the United States house of representatives and member of the general assembly	\$50
G	For county office	\$50
H	For city office	\$20
I	For village office	\$10

J	For township office	\$10
K	<del>For member of state board of education</del>	<del>\$20</del>
L	For member of local, city, or exempted village board of education or educational service center governing board	\$10

At the time of filing a declaration of candidacy or a declaration of intent to be a write-in candidate for the offices of governor and lieutenant governor, the joint candidates shall jointly pay to the secretary of state a fee of one hundred dollars.

~~(B) (1) At the same time the fee required under division (A) of this section is paid, each candidate shall pay an additional fee as follows:~~

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A	<del>For the joint candidates for governor and lieutenant governor</del>	<del>\$50</del>
B	<del>For statewide office</del>	<del>\$50</del>
C	<del>For district office, including member of the United States house of representatives and member of the general assembly</del>	<del>\$35</del>
D	<del>For member of state board of education</del>	<del>\$35</del>
E	<del>For court of appeals judge</del>	<del>\$30</del>
F	<del>For court of common pleas judge</del>	<del>\$30</del>



G	<del>For county court judge</del>	<del>\$30</del>
H	<del>For municipal court judge</del>	<del>\$30</del>
I	<del>For county office</del>	<del>\$30</del>
J	<del>For city office</del>	<del>\$25</del>
K	<del>For village office</del>	<del>\$20</del>
L	<del>For township office</del>	<del>\$20</del>
M	<del>For member of local, city, or exempted village board of education or educational service center governing board</del>	<del>\$20</del>

~~(2) Whoever seeks to propose a ballot question or issue to  
be submitted to the electors shall pay the following fee at the  
time the petition proposing the question or issue is filed:~~

~~(a) If the question or issue is to be submitted to the  
electors throughout the entire state, twenty-five dollars;~~

~~(b) If the question or issue is to be submitted to the  
electors of a county or of a district that consists of all or  
part of two or more counties but less than the entire state,  
fifteen dollars;~~

~~(c) If the question or issue is to be submitted to the  
electors of a city, twelve dollars and fifty cents;~~

~~(d) If the question or issue is to be submitted to the  
electors of a village, a township, a local, city, county, or  
exempted village school district, a precinct, or another  
district consisting of less than an entire county, ten dollars.~~

~~(C)~~ (B) No fee shall be required of candidates filing for  
the office of delegate or alternate to the national convention  
of political parties, member of the state central committee of a  
political party, or member of the county central committee of a  
political party.

~~(D)~~ (C) All fees required under division (A) of this  
section immediately shall be paid by the officer receiving them  
into the state treasury to the credit of the general revenue  
fund, in the case of fees received by the secretary of state,  
and into the county treasury to the credit of the county general  
fund, in the case of fees received by a board of elections.

~~(E) The officer who receives a fee required under division  
(B) of this section immediately shall pay the fee to the credit  
of the Ohio elections commission fund created by division (I) of  
section 3517.152 of the Revised Code.~~

~~(F) (1)~~ (D) (1) In no case shall a fee paid under this  
section be returned to a candidate.

(2) Whenever a section of law refers to a filing fee to be  
paid by a candidate or by a committee proposing a ballot  
question or issue to be submitted to the electors, that fee  
includes the ~~fees~~ fee required under ~~divisions~~ division (A) ~~and~~  
~~(B)~~ of this section.

~~(G)~~ (E) As used in ~~divisions~~ division (A) ~~and~~ ~~(B)~~ of this  
section, "statewide office" means the office of secretary of  
state, auditor of state, treasurer of state, attorney general,  
justice and chief justice of the supreme court, and member of  
the United States senate.

**Sec. 3513.261.** A nominating petition may consist of one or  
more separate petition papers, each of which shall be

substantially in the form prescribed in this section. If the  
petition consists of more than one separate petition paper, the  
statement of candidacy of the candidate or joint candidates  
named need be signed by the candidate or joint candidates on  
only one of such separate petition papers, but the statement of  
candidacy so signed shall be copied on each other separate  
petition paper before the signatures of electors are placed on  
it. Each nominating petition containing signatures of electors  
of more than one county shall consist of separate petition  
papers each of which shall contain signatures of electors of  
only one county; provided that petitions containing signatures  
of electors of more than one county shall not thereby be  
declared invalid. In case petitions containing signatures of  
electors of more than one county are filed, the board of  
elections shall determine the county from which the majority of  
the signatures came, and only signatures from this county shall  
be counted. Signatures from any other county shall be invalid.

All signatures on nominating petitions shall be written in  
ink or indelible pencil.

At the time of filing a nominating petition, the candidate  
designated in the nominating petition, and joint candidates for  
governor and lieutenant governor, shall pay to the election  
officials with whom it is filed the ~~fees~~fee specified for the  
office under ~~divisions (A) and (B) of~~ section 3513.10 of the  
Revised Code. The ~~fees~~fee shall be disposed of by those  
election officials in the manner that is provided in section  
3513.10 of the Revised Code for the disposition of other fees,  
and in no case shall a fee required under that section be  
returned to a candidate.

Candidates or joint candidates whose names are written on

the ballot, and who are elected, shall pay the same ~~fees~~fee 901  
under section 3513.10 of the Revised Code that candidates who 902  
file nominating petitions pay. Payment of these fees shall be a 903  
condition precedent to the granting of their certificates of 904  
election. 905

Each nominating petition shall contain a statement of 906  
candidacy that shall be signed by the candidate or joint 907  
candidates named in it or by an attorney in fact acting pursuant 908  
to section 3501.382 of the Revised Code. Such statement of 909  
candidacy shall contain a declaration made under penalty of 910  
election falsification that the candidate desires to be a 911  
candidate for the office named in it, and that the candidate is 912  
an elector qualified to vote for the office the candidate seeks. 913

The form of the nominating petition and statement of 914  
candidacy shall be substantially as follows: 915

"STATEMENT OF CANDIDACY 916

I, \_\_\_\_\_ (Name of 917  
candidate), the undersigned, hereby declare under penalty of 918  
election falsification that my voting residence is in 919  
\_\_\_\_\_ Precinct of the 920  
\_\_\_\_\_ (Township) or (Ward and City, or 921  
Village) in the county of \_\_\_\_\_ Ohio; that my post- 922  
office address is \_\_\_\_\_ (Street and 923  
Number, if any, or Rural Route and Number) of the 924  
\_\_\_\_\_ (City, Village, or post office) 925  
of \_\_\_\_\_, Ohio; and that I am a qualified elector 926  
in the precinct in which my voting residence is located. I 927  
hereby declare that I desire to be a candidate for election to 928  
the office of \_\_\_\_\_ in the \_\_\_\_\_ 929  
(State, District, County, City, Village, Township, or School 930

District) for the \_\_\_\_\_ (Full 931  
term or unexpired term ending \_\_\_\_\_) at the General 932  
Election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ 933

I further declare that I am an elector qualified to vote 934  
for the office I seek. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 935  
\_\_\_\_\_ 936

\_\_\_\_\_  
(Signature of candidate) 938

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 939  
FELONY OF THE FIFTH DEGREE. 940

I, \_\_\_\_\_, hereby constitute 941  
the persons named below a committee to represent me: 942

Name	Residence	
_____	_____	943
_____	_____	944
_____	_____	945
_____	_____	946
_____	_____	947
_____	_____	948

NOMINATING PETITION 949

We, the undersigned, qualified electors of the state of 950  
Ohio, whose voting residence is in the County, City, Village, 951  
Ward, Township or Precinct set opposite our names, hereby 952  
nominate \_\_\_\_\_ as a candidate for election to the 953  
office of \_\_\_\_\_ in the 954  
\_\_\_\_\_ (State, District, County, City, 955  
Village, Township, or School District) for the \_\_\_\_\_ 956

(Full term or unexpired term ending \_\_\_\_\_) to be 957  
 voted for at the general election next hereafter to be held, and 958  
 certify that this person is, in our opinion, well qualified to 959  
 perform the duties of the office or position to which the person 960  
 desires to be elected. 961  
 962

	1	2	3	4	5	6	7
A		Street					
B		Address					
C		or R.F.D.					
D		(Must use					
E		address on	City,				
F		file with	Village				
G		the board of	or			Date of	
H	Signature	elections)	Township Ward	Precinct	County	Signing	

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_, declares under penalty of election 963  
 falsification that such person is a qualified elector of the 964  
 state of Ohio and resides at the address appearing below such 965  
 person's signature hereto; that such person is the circulator of 966  
 the foregoing petition paper containing \_\_\_\_\_ 967  
 968  
 969  
 970

signatures; that such person witnessed the affixing of every 971  
signature; that all signers were to the best of such person's 972  
knowledge and belief qualified to sign; and that every signature 973  
is to the best of such person's knowledge and belief the 974  
signature of the person whose signature it purports to be or of 975  
an attorney in fact acting pursuant to section 3501.382 of the 976  
Revised Code. 977

\_\_\_\_\_ 978

(Signature of circulator) 979

\_\_\_\_\_ 980

(Address of circulator's 981

permanent residence 982

in this state) 983

\_\_\_\_\_ 984

(If petition is for a statewide 985

candidate, the name and address 986

of person employing circulator 987

to circulate petition, if any) 988

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 989  
FELONY OF THE FIFTH DEGREE." 990

The secretary of state shall prescribe a form of 991  
nominating petition for a group of candidates for the office of 992  
member of a board of education, township office, and offices of 993  
municipal corporations of under two thousand population. 994

The secretary of state shall prescribe a form of statement 995

of candidacy and nominating petition, which shall be 996  
substantially similar to the form of statement of candidacy and 997  
nominating petition set forth in this section, that will be 998  
suitable for joint candidates for the offices of governor and 999  
lieutenant governor. 1000

If such petition nominates a candidate whose election is 1001  
to be determined by the electors of a county or a district or 1002  
subdivision within the county, it shall be filed with the board 1003  
of such county. If the petition nominates a candidate whose 1004  
election is to be determined by the voters of a subdivision 1005  
located in more than one county, it shall be filed with the 1006  
board of the county in which the major portion of the population 1007  
of such subdivision is located. 1008

If the petition nominates a candidate whose election is to 1009  
be determined by the electors of a district comprised of more 1010  
than one county but less than all of the counties of the state, 1011  
it shall be filed with the board of elections of the most 1012  
populous county in such district. If the petition nominates a 1013  
candidate whose election is to be determined by the electors of 1014  
the state at large, it shall be filed with the secretary of 1015  
state. 1016

The secretary of state or a board of elections shall not 1017  
accept for filing a nominating petition of a person seeking to 1018  
become a candidate if that person, for the same election, has 1019  
already filed a declaration of candidacy, a declaration of 1020  
intent to be a write-in candidate, or a nominating petition, or 1021  
has become a candidate through party nomination at a primary 1022  
election or by the filling of a vacancy under section 3513.30 or 1023  
3513.31 of the Revised Code for any federal, state, or county 1024  
office, if the nominating petition is for a state or county 1025



office, or for any municipal or township office, for member of a 1026  
city, local, or exempted village board of education, or for 1027  
member of a governing board of an educational service center, if 1028  
the nominating petition is for a municipal or township office, 1029  
or for member of a city, local, or exempted village board of 1030  
education, or for member of a governing board of an educational 1031  
service center. 1032

**Sec. 3517.01.** (A) (1) A political party within the meaning 1033  
of Title XXXV of the Revised Code is any group of voters that 1034  
meets either of the following requirements: 1035

(a) Except as otherwise provided in this division, at the 1036  
most recent regular state election, the group polled for its 1037  
candidate for governor in the state or nominees for presidential 1038  
electors at least three per cent of the entire vote cast for 1039  
that office. A group that meets the requirements of this 1040  
division remains a political party for a period of four years 1041  
after meeting those requirements. 1042

(b) The group filed with the secretary of state, 1043  
subsequent to its failure to meet the requirements of division 1044  
(A) (1) (a) of this section, a party formation petition that meets 1045  
all of the following requirements: 1046

(i) The petition is signed by qualified electors equal in 1047  
number to at least one per cent of the total vote for governor 1048  
or nominees for presidential electors at the most recent 1049  
election for such office. 1050

(ii) The petition is signed by not fewer than five hundred 1051  
qualified electors from each of at least a minimum of one-half 1052  
of the congressional districts in this state. If an odd number 1053  
of congressional districts exists in this state, the number of 1054

districts that results from dividing the number of congressional 1055  
districts by two shall be rounded up to the next whole number. 1056

(iii) The petition declares the petitioners' intention of 1057  
organizing a political party, the name of which shall be stated 1058  
in the declaration, and of participating in the succeeding 1059  
general election, held in even-numbered years, that occurs more 1060  
than one hundred twenty-five days after the date of filing. 1061

(iv) The petition designates a committee of not less than 1062  
three nor more than five individuals of the petitioners, who 1063  
shall represent the petitioners in all matters relating to the 1064  
petition. Notice of all matters or proceedings pertaining to the 1065  
petition may be served on the committee, or any of them, either 1066  
personally or by registered mail, or by leaving such notice at 1067  
the usual place of residence of each of them. 1068

(2) No such group of electors shall assume a name or 1069  
designation that is similar, in the opinion of the secretary of 1070  
state, to that of an existing political party as to confuse or 1071  
mislead the voters at an election. 1072

(B) A campaign committee shall be legally liable for any 1073  
debts, contracts, or expenditures incurred or executed in its 1074  
name. 1075

(C) Notwithstanding the definitions found in section 1076  
3501.01 of the Revised Code, as used in this section and 1077  
sections 3517.08 to ~~3517.14, 3517.99, and 3517.992~~ 3517.991 of 1078  
the Revised Code: 1079

(1) "Campaign committee" means a candidate or a 1080  
combination of two or more persons authorized by a candidate 1081  
under section 3517.081 of the Revised Code to receive 1082  
contributions and make expenditures. 1083

(2) "Campaign treasurer" means an individual appointed by 1084  
a candidate under section 3517.081 of the Revised Code. 1085

(3) "Candidate" has the same meaning as in division (H) of 1086  
section 3501.01 of the Revised Code and also includes any person 1087  
who, at any time before or after an election, receives 1088  
contributions or makes expenditures or other use of 1089  
contributions, has given consent for another to receive 1090  
contributions or make expenditures or other use of 1091  
contributions, or appoints a campaign treasurer, for the purpose 1092  
of bringing about the person's nomination or election to public 1093  
office. When two persons jointly seek the offices of governor 1094  
and lieutenant governor, "candidate" means the pair of 1095  
candidates jointly. "Candidate" does not include candidates for 1096  
election to the offices of member of a county or state central 1097  
committee, presidential elector, and delegate to a national 1098  
convention or conference of a political party. 1099

(4) "Continuing association" means an association, other 1100  
than a campaign committee, political party, legislative campaign 1101  
fund, political contributing entity, or labor organization, that 1102  
is intended to be a permanent organization that has a primary 1103  
purpose other than supporting or opposing specific candidates, 1104  
political parties, or ballot issues, and that functions on a 1105  
regular basis throughout the year. "Continuing association" 1106  
includes organizations that are determined to be not organized 1107  
for profit under subsection 501 and that are described in 1108  
subsection 501(c)(3), 501(c)(4), or 501(c)(6) of the Internal 1109  
Revenue Code. 1110

(5) "Contribution" means a loan, gift, deposit, 1111  
forgiveness of indebtedness, donation, advance, payment, or 1112  
transfer of funds or anything of value, including a transfer of 1113

funds from an inter vivos or testamentary trust or decedent's 1114  
estate, and the payment by any person other than the person to 1115  
whom the services are rendered for the personal services of 1116  
another person, which contribution is made, received, or used 1117  
for the purpose of influencing the results of an election. Any 1118  
loan, gift, deposit, forgiveness of indebtedness, donation, 1119  
advance, payment, or transfer of funds or of anything of value, 1120  
including a transfer of funds from an inter vivos or 1121  
testamentary trust or decedent's estate, and the payment by any 1122  
campaign committee, political action committee, legislative 1123  
campaign fund, political party, political contributing entity, 1124  
or person other than the person to whom the services are 1125  
rendered for the personal services of another person, that is 1126  
made, received, or used by a state or county political party, 1127  
other than the moneys an entity may receive under sections 1128  
3517.101, 3517.1012, and 3517.1013 of the Revised Code, shall be 1129  
considered to be a "contribution" for the purpose of section 1130  
3517.10 of the Revised Code and shall be included on a statement 1131  
of contributions filed under that section. 1132

"Contribution" does not include any of the following: 1133

(a) Services provided without compensation by individuals 1134  
volunteering a portion or all of their time on behalf of a 1135  
person; 1136

(b) Ordinary home hospitality; 1137

(c) The personal expenses of a volunteer paid for by that 1138  
volunteer campaign worker; 1139

(d) Any gift given to an entity pursuant to section 1140  
3517.101 of the Revised Code; 1141

(e) Any contribution as defined in section 3517.1011 of 1142

the Revised Code that is made, received, or used to pay the 1143  
direct costs of producing or airing an electioneering 1144  
communication; 1145

(f) Any gift given to a state or county political party 1146  
for the party's restricted fund under division (A) (2) of section 1147  
3517.1012 of the Revised Code; 1148

(g) Any gift given to a state political party for deposit 1149  
in a Levin account pursuant to section 3517.1013 of the Revised 1150  
Code. As used in this division, "Levin account" has the same 1151  
meaning as in that section. 1152

(h) Any donation given to a transition fund under section 1153  
3517.1014 of the Revised Code. 1154

(6) "Expenditure" means the disbursement or use of a 1155  
contribution for the purpose of influencing the results of an 1156  
election or of making a charitable donation under division (G) 1157  
of section 3517.08 of the Revised Code. Any disbursement or use 1158  
of a contribution by a state or county political party is an 1159  
expenditure and shall be considered either to be made for the 1160  
purpose of influencing the results of an election or to be made 1161  
as a charitable donation under division (G) of section 3517.08 1162  
of the Revised Code and shall be reported on a statement of 1163  
expenditures filed under section 3517.10 of the Revised Code. 1164  
During the thirty days preceding a primary or general election, 1165  
any disbursement to pay the direct costs of producing or airing 1166  
a broadcast, cable, or satellite communication that refers to a 1167  
clearly identified candidate shall be considered to be made for 1168  
the purpose of influencing the results of that election and 1169  
shall be reported as an expenditure or as an independent 1170  
expenditure under section 3517.10 or 3517.105 of the Revised 1171  
Code, as applicable, except that the information required to be 1172

reported regarding contributors for those expenditures or 1173  
independent expenditures shall be the same as the information 1174  
required to be reported under divisions (D) (1) and (2) of 1175  
section 3517.1011 of the Revised Code. 1176

As used in this division, "broadcast, cable, or satellite 1177  
communication" and "refers to a clearly identified candidate" 1178  
have the same meanings as in section 3517.1011 of the Revised 1179  
Code. 1180

(7) "Personal expenses" includes, but is not limited to, 1181  
ordinary expenses for accommodations, clothing, food, personal 1182  
motor vehicle or airplane, and home telephone. 1183

(8) "Political action committee" means a combination of 1184  
two or more persons, the primary or major purpose of which is to 1185  
support or oppose any candidate, political party, or issue, or 1186  
to influence the result of any election through express 1187  
advocacy, and that is not a political party, a campaign 1188  
committee, a political contributing entity, or a legislative 1189  
campaign fund. "Political action committee" does not include 1190  
either of the following: 1191

(a) A continuing association that makes disbursements for 1192  
the direct costs of producing or airing electioneering 1193  
communications and that does not engage in express advocacy; 1194

(b) A political club that is formed primarily for social 1195  
purposes and that consists of one hundred members or less, has 1196  
officers and periodic meetings, has less than two thousand five 1197  
hundred dollars in its treasury at all times, and makes an 1198  
aggregate total contribution of one thousand dollars or less per 1199  
calendar year. 1200

(9) "Public office" means any state, county, municipal, 1201

township, or district office, except an office of a political 1202  
party, that is filled by an election and the offices of United 1203  
States senator and representative. 1204

(10) "Anything of value" has the same meaning as in 1205  
section 1.03 of the Revised Code. 1206

(11) "Beneficiary of a campaign fund" means a candidate, a 1207  
public official or employee for whose benefit a campaign fund 1208  
exists, and any other person who has ever been a candidate or 1209  
public official or employee and for whose benefit a campaign 1210  
fund exists. 1211

(12) "Campaign fund" means money or other property, 1212  
including contributions. 1213

(13) "Public official or employee" has the same meaning as 1214  
in section 102.01 of the Revised Code. 1215

(14) "Caucus" means all of the members of the house of 1216  
representatives or all of the members of the senate of the 1217  
general assembly who are members of the same political party. 1218

(15) "Legislative campaign fund" means a fund that is 1219  
established as an auxiliary of a state political party and 1220  
associated with one of the houses of the general assembly. 1221

(16) "In-kind contribution" means anything of value other 1222  
than money that is used to influence the results of an election 1223  
or is transferred to or used in support of or in opposition to a 1224  
candidate, campaign committee, legislative campaign fund, 1225  
political party, political action committee, or political 1226  
contributing entity and that is made with the consent of, in 1227  
coordination, cooperation, or consultation with, or at the 1228  
request or suggestion of the benefited candidate, committee, 1229

fund, party, or entity. The financing of the dissemination, 1230  
distribution, or republication, in whole or part, of any 1231  
broadcast or of any written, graphic, or other form of campaign 1232  
materials prepared by the candidate, the candidate's campaign 1233  
committee, or their authorized agents is an in-kind contribution 1234  
to the candidate and an expenditure by the candidate. 1235

(17) "Independent expenditure" means an expenditure by a 1236  
person advocating the election or defeat of an identified 1237  
candidate or candidates, that is not made with the consent of, 1238  
in coordination, cooperation, or consultation with, or at the 1239  
request or suggestion of any candidate or candidates or of the 1240  
campaign committee or agent of the candidate or candidates. As 1241  
used in division (C) (17) of this section: 1242

(a) "Person" means an individual, partnership, 1243  
unincorporated business organization or association, political 1244  
action committee, political contributing entity, separate 1245  
segregated fund, association, or other organization or group of 1246  
persons, but not a labor organization or a corporation unless 1247  
the labor organization or corporation is a political 1248  
contributing entity. 1249

(b) "Advocating" means any communication containing a 1250  
message advocating election or defeat. 1251

(c) "Identified candidate" means that the name of the 1252  
candidate appears, a photograph or drawing of the candidate 1253  
appears, or the identity of the candidate is otherwise apparent 1254  
by unambiguous reference. 1255

(d) "Made in coordination, cooperation, or consultation 1256  
with, or at the request or suggestion of, any candidate or the 1257  
campaign committee or agent of the candidate" means made 1258



pursuant to any arrangement, coordination, or direction by the 1259  
candidate, the candidate's campaign committee, or the 1260  
candidate's agent prior to the publication, distribution, 1261  
display, or broadcast of the communication. An expenditure is 1262  
presumed to be so made when it is any of the following: 1263

(i) Based on information about the candidate's plans, 1264  
projects, or needs provided to the person making the expenditure 1265  
by the candidate, or by the candidate's campaign committee or 1266  
agent, with a view toward having an expenditure made; 1267

(ii) Made by or through any person who is, or has been, 1268  
authorized to raise or expend funds, who is, or has been, an 1269  
officer of the candidate's campaign committee, or who is, or has 1270  
been, receiving any form of compensation or reimbursement from 1271  
the candidate or the candidate's campaign committee or agent; 1272

(iii) Except as otherwise provided in division (D) of 1273  
section 3517.105 of the Revised Code, made by a political party 1274  
in support of a candidate, unless the expenditure is made by a 1275  
political party to conduct voter registration or voter education 1276  
efforts. 1277

(e) "Agent" means any person who has actual oral or 1278  
written authority, either express or implied, to make or to 1279  
authorize the making of expenditures on behalf of a candidate, 1280  
or means any person who has been placed in a position with the 1281  
candidate's campaign committee or organization such that it 1282  
would reasonably appear that in the ordinary course of campaign- 1283  
related activities the person may authorize expenditures. 1284

(18) "Labor organization" means a labor union; an employee 1285  
organization; a federation of labor unions, groups, locals, or 1286  
other employee organizations; an auxiliary of a labor union, 1287

employee organization, or federation of labor unions, groups, 1288  
locals, or other employee organizations; or any other bona fide 1289  
organization in which employees participate and that exists for 1290  
the purpose, in whole or in part, of dealing with employers 1291  
concerning grievances, labor disputes, wages, hours, and other 1292  
terms and conditions of employment. 1293

(19) "Separate segregated fund" means a separate 1294  
segregated fund established pursuant to the Federal Election 1295  
Campaign Act. 1296

(20) "Federal Election Campaign Act" means the "Federal 1297  
Election Campaign Act of 1971," 86 Stat. 11, 2 U.S.C.A. 431, et 1298  
seq., as amended. 1299

(21) "Restricted fund" means the fund a state or county 1300  
political party must establish under division (A) (1) of section 1301  
3517.1012 of the Revised Code. 1302

(22) "Electioneering communication" has the same meaning 1303  
as in section 3517.1011 of the Revised Code. 1304

(23) "Express advocacy" means a communication that 1305  
contains express words advocating the nomination, election, or 1306  
defeat of a candidate or that contains express words advocating 1307  
the adoption or defeat of a question or issue, as determined by 1308  
a final judgment of a court of competent jurisdiction. 1309

(24) "Political committee" has the same meaning as in 1310  
section 3517.1011 of the Revised Code. 1311

(25) "Political contributing entity" means any entity, 1312  
including a corporation or labor organization, that may lawfully 1313  
make contributions and expenditures and that is not an 1314  
individual or a political action committee, continuing 1315

association, campaign committee, political party, legislative 1316  
campaign fund, designated state campaign committee, or state 1317  
candidate fund. For purposes of this division, "lawfully" means 1318  
not prohibited by any section of the Revised Code, or authorized 1319  
by a final judgment of a court of competent jurisdiction. 1320

(26) "Internet identifier of record" has the same meaning 1321  
as in section 9.312 of the Revised Code. 1322

(27) "Appropriate enforcement authority" means the 1323  
secretary of state or the board of elections, as applicable, 1324  
that has jurisdiction to hear a complaint under section 3517.14 1325  
of the Revised Code, and includes a hearing officer appointed to 1326  
adjudicate a complaint filed with the secretary of state under 1327  
section 3517.15 of the Revised Code. 1328

**Sec. 3517.08.** (A) The personal expenses of a candidate 1329  
paid for by the candidate, from the candidate's personal funds, 1330  
shall not be considered as a contribution by or an expenditure 1331  
by the candidate and shall not be reported under section 3517.10 1332  
of the Revised Code. 1333

(B) (1) An expenditure by a political action committee or a 1334  
political contributing entity shall not be considered a 1335  
contribution by the political action committee or the political 1336  
contributing entity or an expenditure by or on behalf of the 1337  
candidate if the purpose of the expenditure is to inform only 1338  
its members by means of mailed publications of its activities or 1339  
endorsements. 1340

(2) An expenditure by a political party shall not be 1341  
considered a contribution by the political party or an 1342  
expenditure by or on behalf of the candidate if the purpose of 1343  
the expenditure is to inform predominantly the party's members 1344

by means of mailed publications or other direct communication of 1345  
its activities or endorsements, or for voter contact such as 1346  
sample ballots, absent voter's ballots application mailings, 1347  
voter registration, or get-out-the-vote activities. 1348

(C) An expenditure by a continuing association, political 1349  
contributing entity, or political party shall not be considered 1350  
a contribution to any campaign committee or an expenditure by or 1351  
on behalf of any campaign committee if the purpose of the 1352  
expenditure is for the staff and maintenance of the continuing 1353  
association's, political contributing entity's, or political 1354  
party's headquarters, or for a political poll, survey, index, or 1355  
other type of measurement not on behalf of a specific candidate. 1356

(D) The expenses of maintaining a constituent office paid 1357  
for, from the candidate's personal funds, by a candidate who is 1358  
a member of the general assembly at the time of the election 1359  
shall not be considered a contribution by or an expenditure by 1360  
or on behalf of the candidate, and shall not be reported, if the 1361  
constituent office is not used for any candidate's campaign 1362  
activities. 1363

(E) The net contribution of each social or fund-raising 1364  
activity shall be calculated by totaling all contributions to 1365  
the activity minus the expenditures made for the activity. 1366

(F) An expenditure that purchases goods or services shall 1367  
be attributed to an election when the disbursement of funds is 1368  
made, rather than at the time the goods or services are used. 1369  
The secretary of state, under the procedures of Chapter 119. of 1370  
the Revised Code, shall establish rules for the attribution of 1371  
expenditures to a candidate when the candidate is a candidate 1372  
for more than one office during a reporting period and for 1373  
expenditures made in a year in which no election is held. The 1374

secretary of state shall further define by rule those 1375  
expenditures that are or are not by or on behalf of a candidate. 1376

(G) An expenditure for the purpose of a charitable 1377  
donation may be made if it is made to an organization that is 1378  
exempt from federal income taxation under subsection 501(a) and 1379  
described in subsection 501(c) (3), 501(c) (4), 501(c) (8), 501(c) 1380  
(10), or 501(c) (19) of the Internal Revenue Code or is approved 1381  
by advisory opinion of the ~~Ohio elections commission~~ secretary 1382  
of state as a legitimate charitable organization. Each 1383  
expenditure under this division shall be separately itemized on 1384  
statements made pursuant to section 3517.10 of the Revised Code. 1385

**Sec. 3517.081.** (A) Each candidate shall have no more than 1386  
one campaign committee for purposes of receiving contributions 1387  
and making expenditures. No campaign committee shall receive any 1388  
contribution or make any expenditure other than through the 1389  
campaign treasurer. The campaign treasurer shall file all 1390  
statements required of a candidate or campaign committee under 1391  
section 3517.10 of the Revised Code. 1392

The candidate shall designate the candidate or a member of 1393  
the candidate's campaign committee as the candidate's campaign 1394  
treasurer as required by division (D) of section 3517.10 of the 1395  
Revised Code. The campaign treasurer may appoint deputy campaign 1396  
treasurers as required. Deputy campaign treasurers may exercise 1397  
any of the powers and duties of a campaign treasurer when 1398  
specifically authorized to do so by the campaign treasurer or 1399  
the candidate. 1400

Each candidate shall file a written statement, as required 1401  
by division (D) of section 3517.10 of the Revised Code, setting 1402  
forth the full name and address of the campaign treasurer and 1403  
also of each deputy treasurer. Each candidate shall file 1404

supplemental statements giving the full name and address of each 1405  
deputy treasurer at the time of appointment. 1406

A candidate may remove the campaign treasurer or any 1407  
deputy campaign treasurer at any time. In the case of death, 1408  
resignation, or removal of the treasurer or deputy treasurer 1409  
before compliance with all obligations of a campaign treasurer, 1410  
the candidate shall fill the vacancy thus created in the same 1411  
manner as provided in the case of an original appointment. 1412

(B) (1) Two or more candidates may be the beneficiaries of 1413  
a single campaign committee if all of the following apply: 1414

(a) Each candidate is seeking nomination or election to 1415  
the same office at the same election. 1416

(b) The office for which each candidate is seeking 1417  
nomination or election is the office of member of a board, 1418  
commission, or other similar body of elected officials to which 1419  
multiple members are nominated or elected at the same election. 1420

(c) The number of candidates who will be the beneficiaries 1421  
of the campaign committee does not exceed the number of open 1422  
positions on the board, commission, or other similar body of 1423  
elected officials to which the candidates are seeking nomination 1424  
or election. 1425

(d) The candidates jointly designate one of the candidates 1426  
or one member of the campaign committee as the treasurer of that 1427  
campaign committee as required under division (A) of this 1428  
section. 1429

(e) The candidates jointly file the written statements 1430  
required under division (A) of this section. 1431

(2) Except as otherwise provided in this division, any 1432

penalty that may be imposed on a candidate under section 1433  
~~3517.992~~ 3517.99 of the Revised Code for a violation of this 1434  
chapter shall be imposed jointly and severally on each 1435  
beneficiary of a multi-beneficiary campaign committee. If the 1436  
~~Ohio elections commission~~ appropriate enforcement authority or 1437  
the appropriate prosecutor is able to determine that a specific 1438  
beneficiary of a multi-beneficiary campaign committee violated 1439  
this chapter, the applicable penalty under section ~~3517.992~~ 1440  
3517.99 of the Revised Code shall be imposed only on that 1441  
candidate and not on the other beneficiaries of that multi- 1442  
beneficiary campaign committee. 1443

(3) (a) If any of the following occur after a multi- 1444  
beneficiary campaign committee is established, that campaign 1445  
committee shall be terminated: 1446

(i) The beneficiaries of the campaign committee disagree 1447  
as to the designation or removal of a campaign treasurer. 1448

(ii) Any beneficiary of the campaign committee desires to 1449  
end the beneficiary's candidacy for the office for which the 1450  
beneficiaries are seeking nomination or election. 1451

(iii) Any beneficiary of the campaign committee desires to 1452  
form an individual campaign committee. 1453

(b) Prior to the termination of a multi-beneficiary 1454  
campaign committee in accordance with division (B) (3) (a) of this 1455  
section, any contributions received by that campaign committee 1456  
that have not been expended shall be disposed of in the manner 1457  
provided in division (C) of section 3517.109 of the Revised 1458  
Code. No contributions from the multi-beneficiary campaign 1459  
committee shall be contributed or transferred into any 1460  
candidate's individual campaign committee. 1461

(4) No candidate who has a campaign committee for which  
 that candidate is the sole beneficiary shall become the  
 beneficiary of a campaign committee with multiple beneficiaries  
 under division (B) (1) of this section unless the candidate first  
 terminates the candidate's individual campaign committee. Prior  
 to the termination of that individual campaign committee, any  
 contributions received by that campaign committee that have not  
 been expended shall be disposed of in the manner provided in  
 division (C) of section 3517.109 of the Revised Code. No  
 contributions from the candidate's individual campaign committee  
 shall be contributed or transferred into the multi-beneficiary  
 campaign committee."

In line 59495, strike through "(E) (2) (b) (i), (ii), or (iii)" and  
 insert "(E) (2) (b)"

In line 59514, strike through "any" and insert "one or both"

In line 59515, strike through "Giving the amount to the treasurer of  
 state for"

Strike through lines 59516 through 59518

In line 59519, strike through "(ii)"

In line 59522, strike through "(iii)" and insert "(ii)"

In line 59832, strike through "any" and insert "one or both"

In line 59833, strike through "Giving the amount to the treasurer of  
 state for"

Strike through lines 59834 through 59836

In line 59837, strike through "(2)"

In line 59840, strike through "(3)" and insert "(2)"

After line 59916, insert:



"Sec. 3517.1012. (A) (1) Each state and county political party shall establish a restricted fund that is separate from all other accounts of the political party.

(2) A state or county political party shall deposit into its restricted fund all gifts that are made to or accepted by the political party from a corporation or labor organization subject to the applicable limitations prescribed in division (X) of section 3517.13 of the Revised Code. A state or county political party may deposit into its restricted fund any gifts that are made to or accepted by the political party from a source other than a corporation or labor organization.

(3) Moneys in a state or county political party's restricted fund may be disbursed to pay costs incurred for any of the following purposes specified in division (A) of section 3517.18 of the Revised Code:

(a) The defraying of operating and maintenance costs associated with political party headquarters, including rental or leasing costs, staff salaries, office equipment and supplies, postage, and the purchase, lease, or maintenance of computer hardware and software;

(b) The organization of voter registration programs and get-out-the-vote campaigns and the costs associated with voter registration and get-out-the-vote activities, including, but not limited to, rental costs for booth spaces at fairs, festivals, or similar events if voter registration forms are available at those booths, printing costs for registration forms, mailing costs for communications soliciting voter registration, and payments for the services of persons conducting voter registration and get-out-the-vote activities;

<u>(c) The administration of party fund-raising drives;</u>	1518
<u>(d) Direct mail campaigns or other communications with the</u>	1519
<u>registered voters of a party that are not related to any</u>	1520
<u>particular candidate or election;</u>	1521
<u>(e) The preparation of reports required by law.</u>	1522
(B) Except as otherwise provided in this division, a state	1523
or county political party shall file deposit and disbursement	1524
statements, in the same manner as the party is required to file	1525
statements of contributions and expenditures under section	1526
3517.10 of the Revised Code, regarding all deposits made into,	1527
and all disbursements made from, the party's restricted fund.	1528
Deposit and disbursement statements filed in accordance with	1529
this division by a county political party shall be filed by	1530
electronic means of transmission to the office of the secretary	1531
of state at the times specified in division (A) of section	1532
3517.10 of the Revised Code for the filing of statements of	1533
contributions and expenditures if the county political party	1534
accepts gifts from a corporation or labor organization under	1535
division (A) (2) of this section. "	1536
In line 59978, strike through "3517.993" and insert " <u>3517.991</u> "	1537
In line 60007, strike through "3517.14" and insert " <u>3517.13</u> "	1538
In line 60093, strike through "3517.14" and insert " <u>3517.13</u> "	1539
In line 60108, strike through "3517.14" and insert " <u>3517.13</u> "	1540
In line 60115, strike through "Ohio elections commission" and insert	1541
" <u>appropriate enforcement authority</u> "; strike through "3517.153" and insert	1542
" <u>3517.14</u> "	1543
In line 60116, strike through "commission" and insert " <u>authority</u> "	1544

In line 60117, after "complaints" insert " <u>under that section</u> "	1545
In line 60121, strike through "If the official files a complaint with the"	1546 1547
Strike through lines 60122 and 60123	1548
In line 60127, strike through "3517.14" and insert " <u>3517.13</u> "	1549
After line 60144, insert:	1550
<b>"Sec. 3517.121.</b> Notwithstanding any contrary provision of	1551
the Revised Code:	1552
(A) As used in this section:	1553
(1) "Electioneering communication" has the same meaning as in section 3517.1011 of the Revised Code.	1554 1555
(2) "Foreign national" means any of the following, as applicable:	1556 1557
(a) In the case of an individual, an individual who is not a United States citizen or national;	1558 1559
(b) A government of a foreign country or of a political subdivision of a foreign country;	1560 1561
(c) A foreign political party;	1562
(d) A person, other than an individual, that is organized under the laws of, or has its principal place of business in, a foreign country.	1563 1564 1565
(B) No foreign national shall, directly or indirectly through any person or entity, do any of the following:	1566 1567
(1) Make a contribution, expenditure, or independent expenditure in support of or opposition to a candidate for any	1568 1569

elective office in this state, including an office of a 1570  
political party; 1571

(2) Make a contribution, expenditure, or independent 1572  
expenditure in support of or opposition to a statewide ballot 1573  
issue or question, regardless of whether the ballot issue or 1574  
question has yet been certified to appear on the ballot; 1575

(3) Make a disbursement for the direct cost of producing 1576  
or airing an electioneering communication; 1577

(4) Make a contribution to a candidate, campaign 1578  
committee, political action committee, political contributing 1579  
entity, legislative campaign fund, state candidate fund, 1580  
political party, or separate segregated fund, to any committee 1581  
created to support or oppose a ballot issue or question, or, to 1582  
the maximum extent permitted by law and by the constitutions of 1583  
the United States and of this state, to a continuing 1584  
association; 1585

(5) Promise, either expressly or implicitly, to make a 1586  
contribution, expenditure, independent expenditure, or 1587  
disbursement described in division (B) (1), (2), (3), or (4) of 1588  
this section. 1589

(C) No individual, candidate, campaign committee, 1590  
political action committee, political contributing entity, 1591  
legislative campaign fund, state candidate fund, political 1592  
party, separate segregated fund, or committee created to support 1593  
or oppose a ballot issue or question and, to the maximum extent 1594  
permitted by law and by the constitutions of the United States 1595  
and of this state, no continuing association shall, directly or 1596  
indirectly through any other person or entity, knowingly do 1597  
either of the following: 1598

(1) Solicit, accept, or receive any funds from a foreign 1599  
national for any purpose described in division (B) of this 1600  
section; 1601

(2) Make a contribution, expenditure, or independent 1602  
expenditure using any funds the person knows were received from 1603  
a foreign national for any purpose described in division (B) of 1604  
this section. 1605

(D) No person shall knowingly aid or facilitate a 1606  
violation of division (B) or (C) of this section. 1607

(E) Any complaint that alleges a violation of division (W) 1608  
of section 3517.13 of the Revised Code shall be treated as 1609  
instead alleging a violation of this section. 1610

(F) (1) Whoever knowingly violates division (B) of this 1611  
section is guilty of a misdemeanor of the first degree on a 1612  
first offense and is guilty of a felony of the fifth degree on a 1613  
second or subsequent offense. The violator also shall be fined 1614  
an amount equal to three times the amount involved in the 1615  
violation or ten thousand dollars, whichever amount is greater. 1616

(2) Whoever knowingly violates division (C) of this 1617  
section is guilty of a misdemeanor of the first degree on a 1618  
first offense and is guilty of a felony of the fifth degree on a 1619  
second or subsequent offense. The violator also shall be fined 1620  
an amount equal to three times the amount involved in the 1621  
violation or ten thousand dollars, whichever amount is greater, 1622  
and shall be required to return the total amount accepted in 1623  
violation of that division to the foreign national from whom it 1624  
was accepted. 1625

(3) Whoever knowingly violates division (D) of this 1626  
section is guilty of a misdemeanor of the first degree and shall 1627

be fined one thousand dollars. 1628

(G) (1) (a) Except as otherwise provided in division (G) (1) 1629  
(b) of this section, the attorney general has exclusive 1630  
authority to prosecute a violation of this section and has 1631  
exclusive supervision and control of all investigations, 1632  
prosecutions, and enforcement proceedings under this section. 1633

(b) If the attorney general is a victim or witness or 1634  
otherwise involved in an alleged violation of this section, the 1635  
attorney general shall refer the matter to the appropriate 1636  
prosecutor, as determined under division (A) (2) of section 1637  
~~3517.155~~ 3517.17 of the Revised Code, except that if applicable, 1638  
the attorney general shall make the determination described in 1639  
division (A) (2) (b) of that section instead of the ~~Ohio elections~~ 1640  
~~commission~~ appropriate enforcement authority. 1641

(2) Upon the occurrence of either of the following, the 1642  
attorney general shall investigate an alleged violation of this 1643  
section in consultation with the secretary of state: 1644

(a) The submission of a written request to the attorney 1645  
general by the governor, the secretary of state, or the general 1646  
assembly, ~~or the Ohio elections commission~~, alleging a violation 1647  
of this section; 1648

(b) The filing of a complaint with the attorney general by 1649  
an elector of this state, alleging a violation of this section. 1650

(3) If it appears to the attorney general, after 1651  
conducting an investigation under division (G) (2) of this 1652  
section, that there is probable cause to believe that a 1653  
violation of this section has occurred, the attorney general may 1654  
prosecute the violation in a court of competent jurisdiction. 1655

(H) When proceeding under this section, the attorney 1656  
general and any assistant or special counsel designated by the 1657  
attorney general for that purpose have all the rights, 1658  
privileges, and powers conferred by law on prosecuting 1659  
attorneys, including the power to appear before grand juries and 1660  
to interrogate witnesses before such grand juries. These powers 1661  
of the attorney general are in addition to any other applicable 1662  
powers of the attorney general." 1663

Delete lines 60145 through 60544 (remove R.C. 3517.13) and insert: 1664

**"Sec. 3517.13.** (A) (1) No campaign committee of a statewide 1665  
candidate shall fail to file a complete and accurate statement 1666  
required under division (A) (1) of section 3517.10 of the Revised 1667  
Code. 1668

(2) No campaign committee of a statewide candidate shall 1669  
fail to file a complete and accurate monthly statement, and no 1670  
campaign committee of a statewide candidate or a candidate for 1671  
the office of chief justice or justice of the supreme court 1672  
shall fail to file a complete and accurate two-business-day 1673  
statement, as required under section 3517.10 of the Revised 1674  
Code. 1675

As used in this division, "statewide candidate" has the 1676  
same meaning as in division (F) (2) of section 3517.10 of the 1677  
Revised Code. 1678

(B) No campaign committee shall fail to file a complete 1679  
and accurate statement required under division (A) (1) of section 1680  
3517.10 of the Revised Code. 1681

(C) No campaign committee shall fail to file a complete 1682  
and accurate statement required under division (A) (2) of section 1683  
3517.10 of the Revised Code. 1684

(D) No campaign committee shall fail to file a complete 1685  
and accurate statement required under division (A) (3) or (4) of 1686  
section 3517.10 of the Revised Code. 1687

(E) No person other than a campaign committee shall 1688  
knowingly fail to file a statement required under section 1689  
3517.10 or 3517.107 of the Revised Code. 1690

(F) No person shall make cash contributions to any person 1691  
totaling more than one hundred dollars in each primary, special, 1692  
or general election. 1693

(G) (1) No person shall knowingly conceal or misrepresent 1694  
contributions given or received, expenditures made, or any other 1695  
information required to be reported by a provision in sections 1696  
3517.08 to 3517.13 of the Revised Code. 1697

(2) (a) No person shall make a contribution to a campaign 1698  
committee, political action committee, political contributing 1699  
entity, legislative campaign fund, political party, or person 1700  
making disbursements to pay the direct costs of producing or 1701  
airing electioneering communications in the name of another 1702  
person. 1703

(b) A person does not make a contribution in the name of 1704  
another when either of the following applies: 1705

(i) An individual makes a contribution from a partnership 1706  
or other unincorporated business account, if the contribution is 1707  
reported by listing both the name of the partnership or other 1708  
unincorporated business and the name of the partner or owner 1709  
making the contribution as required under division (I) of 1710  
section 3517.10 of the Revised Code. 1711

(ii) A person makes a contribution in that person's 1712



spouse's name or in both of their names. 1713

(H) No person within this state, publishing a newspaper or 1714  
other periodical, shall charge a campaign committee for 1715  
political advertising a rate in excess of the rate such person 1716  
would charge if the campaign committee were a general rate 1717  
advertiser whose advertising was directed to promoting its 1718  
business within the same area as that encompassed by the 1719  
particular office that the candidate of the campaign committee 1720  
is seeking. The rate shall take into account the amount of space 1721  
used, as well as the type of advertising copy submitted by or on 1722  
behalf of the campaign committee. All discount privileges 1723  
otherwise offered by a newspaper or periodical to general rate 1724  
advertisers shall be available upon equal terms to all campaign 1725  
committees. 1726

No person within this state, operating a radio or 1727  
television station or network of stations in this state, shall 1728  
charge a campaign committee for political broadcasts a rate that 1729  
exceeds: 1730

(1) During the forty-five days preceding the date of a 1731  
primary election and during the sixty days preceding the date of 1732  
a general or special election in which the candidate of the 1733  
campaign committee is seeking office, the lowest unit charge of 1734  
the station for the same class and amount of time for the same 1735  
period; 1736

(2) At any other time, the charges made for comparable use 1737  
of that station by its other users. 1738

(I) Subject to divisions (K), (L), (M), and (N) of this 1739  
section, no agency or department of this state or any political 1740  
subdivision shall award any contract, other than one let by 1741

competitive bidding or a contract incidental to such contract or 1742  
which is by force account, for the purchase of goods costing 1743  
more than five hundred dollars or services costing more than 1744  
five hundred dollars to any individual, partnership, 1745  
association, including, without limitation, a professional 1746  
association organized under Chapter 1785. of the Revised Code, 1747  
estate, or trust if the individual has made or the individual's 1748  
spouse has made, or any partner, shareholder, administrator, 1749  
executor, or trustee or the spouse of any of them has made, as 1750  
an individual, within the two previous calendar years, one or 1751  
more contributions totaling in excess of one thousand dollars to 1752  
the holder of the public office having ultimate responsibility 1753  
for the award of the contract or to the public officer's 1754  
campaign committee. 1755

(J) Subject to divisions (K), (L), (M), and (N) of this 1756  
section, no agency or department of this state or any political 1757  
subdivision shall award any contract, other than one let by 1758  
competitive bidding or a contract incidental to such contract or 1759  
which is by force account, for the purchase of goods costing 1760  
more than five hundred dollars or services costing more than 1761  
five hundred dollars to a corporation or business trust, except 1762  
a professional association organized under Chapter 1785. of the 1763  
Revised Code, if an owner of more than twenty per cent of the 1764  
corporation or business trust or the spouse of that person has 1765  
made, as an individual, within the two previous calendar years, 1766  
taking into consideration only owners for all of that period, 1767  
one or more contributions totaling in excess of one thousand 1768  
dollars to the holder of a public office having ultimate 1769  
responsibility for the award of the contract or to the public 1770  
officer's campaign committee. 1771

(K) For purposes of divisions (I) and (J) of this section, 1772  
if a public officer who is responsible for the award of a 1773  
contract is appointed by the governor, whether or not the 1774  
appointment is subject to the advice and consent of the senate, 1775  
excluding members of boards, commissions, committees, 1776  
authorities, councils, boards of trustees, task forces, and 1777  
other such entities appointed by the governor, the office of the 1778  
governor is considered to have ultimate responsibility for the 1779  
award of the contract. 1780

(L) For purposes of divisions (I) and (J) of this section, 1781  
if a public officer who is responsible for the award of a 1782  
contract is appointed by the elected chief executive officer of 1783  
a municipal corporation, or appointed by the elected chief 1784  
executive officer of a county operating under an alternative 1785  
form of county government or county charter, excluding members 1786  
of boards, commissions, committees, authorities, councils, 1787  
boards of trustees, task forces, and other such entities 1788  
appointed by the chief executive officer, the office of the 1789  
chief executive officer is considered to have ultimate 1790  
responsibility for the award of the contract. 1791

(M) (1) Divisions (I) and (J) of this section do not apply 1792  
to contracts awarded by the board of commissioners of the 1793  
sinking fund, municipal legislative authorities, boards of 1794  
education, boards of county commissioners, boards of township 1795  
trustees, or other boards, commissions, committees, authorities, 1796  
councils, boards of trustees, task forces, and other such 1797  
entities created by law, by the supreme court or courts of 1798  
appeals, by county courts consisting of more than one judge, 1799  
courts of common pleas consisting of more than one judge, or 1800  
municipal courts consisting of more than one judge, or by a 1801

division of any court if the division consists of more than one 1802  
judge. This division shall apply to the specified entity only if 1803  
the members of the entity act collectively in the award of a 1804  
contract for goods or services. 1805

(2) Divisions (I) and (J) of this section do not apply to 1806  
actions of the controlling board. 1807

(N) (1) Divisions (I) and (J) of this section apply to 1808  
contributions made to the holder of a public office having 1809  
ultimate responsibility for the award of a contract, or to the 1810  
public officer's campaign committee, during the time the person 1811  
holds the office and during any time such person was a candidate 1812  
for the office. Those divisions do not apply to contributions 1813  
made to, or to the campaign committee of, a candidate for or 1814  
holder of the office other than the holder of the office at the 1815  
time of the award of the contract. 1816

(2) Divisions (I) and (J) of this section do not apply to 1817  
contributions of a partner, shareholder, administrator, 1818  
executor, trustee, or owner of more than twenty per cent of a 1819  
corporation or business trust made before the person held any of 1820  
those positions or after the person ceased to hold any of those 1821  
positions in the partnership, association, estate, trust, 1822  
corporation, or business trust whose eligibility to be awarded a 1823  
contract is being determined, nor to contributions of the 1824  
person's spouse made before the person held any of those 1825  
positions, after the person ceased to hold any of those 1826  
positions, before the two were married, after the granting of a 1827  
decree of divorce, dissolution of marriage, or annulment, or 1828  
after the granting of an order in an action brought solely for 1829  
legal separation. Those divisions do not apply to contributions 1830  
of the spouse of an individual whose eligibility to be awarded a 1831

contract is being determined made before the two were married, 1832  
after the granting of a decree of divorce, dissolution of 1833  
marriage, or annulment, or after the granting of an order in an 1834  
action brought solely for legal separation. 1835

(0) No beneficiary of a campaign fund or other person 1836  
shall convert for personal use, and no person shall knowingly 1837  
give to a beneficiary of a campaign fund or any other person, 1838  
for the beneficiary's or any other person's personal use, 1839  
anything of value from the beneficiary's campaign fund, 1840  
including, without limitation, payments to a beneficiary for 1841  
services the beneficiary personally performs, except as 1842  
reimbursement for any of the following: 1843

(1) Legitimate and verifiable prior campaign expenses 1844  
incurred by the beneficiary; 1845

(2) Legitimate and verifiable ordinary and necessary prior 1846  
expenses incurred by the beneficiary in connection with duties 1847  
as the holder of a public office, including, without limitation, 1848  
expenses incurred through participation in nonpartisan or 1849  
bipartisan events if the participation of the holder of a public 1850  
office would normally be expected; 1851

(3) Legitimate and verifiable ordinary and necessary prior 1852  
expenses incurred by the beneficiary while doing any of the 1853  
following: 1854

(a) Engaging in activities in support of or opposition to 1855  
a candidate other than the beneficiary, political party, or 1856  
ballot issue; 1857

(b) Raising funds for a political party, political action 1858  
committee, political contributing entity, legislative campaign 1859  
fund, campaign committee, or other candidate; 1860

(c) Participating in the activities of a political party, 1861  
political action committee, political contributing entity, 1862  
legislative campaign fund, or campaign committee; 1863

(d) Attending a political party convention or other 1864  
political meeting. 1865

For purposes of this division, an expense is incurred 1866  
whenever a beneficiary has either made payment or is obligated 1867  
to make payment, as by the use of a credit card or other credit 1868  
procedure or by the use of goods or services received on 1869  
account. 1870

(P) No beneficiary of a campaign fund shall knowingly 1871  
accept, and no person shall knowingly give to the beneficiary of 1872  
a campaign fund, reimbursement for an expense under division (O) 1873  
of this section to the extent that the expense previously was 1874  
reimbursed or paid from another source of funds. If an expense 1875  
is reimbursed under division (O) of this section and is later 1876  
paid or reimbursed, wholly or in part, from another source of 1877  
funds, the beneficiary shall repay the reimbursement received 1878  
under division (O) of this section to the extent of the payment 1879  
made or reimbursement received from the other source. 1880

(Q) No candidate or public official or employee shall 1881  
accept for personal or business use anything of value from a 1882  
political party, political action committee, political 1883  
contributing entity, legislative campaign fund, or campaign 1884  
committee other than the candidate's or public official's or 1885  
employee's own campaign committee, and no person shall knowingly 1886  
give to a candidate or public official or employee anything of 1887  
value from a political party, political action committee, 1888  
political contributing entity, legislative campaign fund, or 1889  
such a campaign committee, except for the following: 1890

(1) Reimbursement for legitimate and verifiable ordinary  
and necessary prior expenses not otherwise prohibited by law  
incurred by the candidate or public official or employee while  
engaged in any legitimate activity of the political party,  
political action committee, political contributing entity,  
legislative campaign fund, or such campaign committee. Without  
limitation, reimbursable expenses under this division include  
those incurred while doing any of the following:

(a) Engaging in activities in support of or opposition to  
another candidate, political party, or ballot issue;

(b) Raising funds for a political party, legislative  
campaign fund, campaign committee, or another candidate;

(c) Attending a political party convention or other  
political meeting.

(2) Compensation not otherwise prohibited by law for  
actual and valuable personal services rendered under a written  
contract to the political party, political action committee,  
political contributing entity, legislative campaign fund, or  
such campaign committee for any legitimate activity of the  
political party, political action committee, political  
contributing entity, legislative campaign fund, or such campaign  
committee.

Reimbursable expenses under this division do not include,  
and it is a violation of this division for a candidate or public  
official or employee to accept, or for any person to knowingly  
give to a candidate or public official or employee from a  
political party, political action committee, political  
contributing entity, legislative campaign fund, or campaign  
committee other than the candidate's or public official's or

employee's own campaign committee, anything of value for 1920  
activities primarily related to the candidate's or public 1921  
official's or employee's own campaign for election, except for 1922  
contributions to the candidate's or public official's or 1923  
employee's campaign committee. 1924

For purposes of this division, an expense is incurred 1925  
whenever a candidate or public official or employee has either 1926  
made payment or is obligated to make payment, as by the use of a 1927  
credit card or other credit procedure, or by the use of goods or 1928  
services on account. 1929

(R) (1) Division (O) or (P) of this section does not 1930  
prohibit a campaign committee from making direct advance or post 1931  
payment from contributions to vendors for goods and services for 1932  
which reimbursement is permitted under division (O) of this 1933  
section, except that no campaign committee shall pay its 1934  
candidate or other beneficiary for services personally performed 1935  
by the candidate or other beneficiary. 1936

(2) If any expense that may be reimbursed under division 1937  
(O), (P), or (Q) of this section is part of other expenses that 1938  
may not be paid or reimbursed, the separation of the two types 1939  
of expenses for the purpose of allocating for payment or 1940  
reimbursement those expenses that may be paid or reimbursed may 1941  
be by any reasonable accounting method, considering all of the 1942  
surrounding circumstances. 1943

(3) For purposes of divisions (O), (P), and (Q) of this 1944  
section, mileage allowance at a rate not greater than that 1945  
allowed by the internal revenue service at the time the travel 1946  
occurs may be paid instead of reimbursement for actual travel 1947  
expenses allowable. 1948



(S) (1) As used in division (S) of this section:	1949
(a) "State elective office" has the same meaning as in section 3517.092 of the Revised Code.	1950 1951
(b) "Federal office" means a federal office as defined in the Federal Election Campaign Act.	1952 1953
(c) "Federal campaign committee" means a principal campaign committee or authorized committee as defined in the Federal Election Campaign Act.	1954 1955 1956
(2) No person who is a candidate for state elective office and who previously sought nomination or election to a federal office shall transfer any funds or assets from that person's federal campaign committee for nomination or election to the federal office to that person's campaign committee as a candidate for state elective office.	1957 1958 1959 1960 1961 1962
(3) No campaign committee of a person who is a candidate for state elective office and who previously sought nomination or election to a federal office shall accept any funds or assets from that person's federal campaign committee for that person's nomination or election to the federal office.	1963 1964 1965 1966 1967
(T) (1) Except as otherwise provided in division (B) (6) (c) of section 3517.102 of the Revised Code, a state or county political party shall not disburse moneys from any account other than a state candidate fund to make contributions to any of the following:	1968 1969 1970 1971 1972
(a) A state candidate fund;	1973
(b) A legislative campaign fund;	1974
(c) A campaign committee of a candidate for the office of governor, lieutenant governor, secretary of state, auditor of	1975 1976

state, treasurer of state, attorney general, ~~member of the state~~ 1977  
~~board of education,~~ or member of the general assembly. 1978

(2) No state candidate fund, legislative campaign fund, or 1979  
campaign committee of a candidate for any office described in 1980  
division (T) (1) (c) of this section shall knowingly accept a 1981  
contribution in violation of division (T) (1) of this section. 1982

(U) No person shall fail to file a statement required 1983  
under section 3517.12 of the Revised Code. 1984

(V) No campaign committee shall fail to file a statement 1985  
required under division (K) (3) of section 3517.10 of the Revised 1986  
Code. 1987

(W) (1) No foreign national shall, directly or indirectly 1988  
through any other person or entity, make a contribution, 1989  
expenditure, or independent expenditure or promise, either 1990  
expressly or implicitly, to make a contribution, expenditure, or 1991  
independent expenditure in support of or opposition to a 1992  
candidate for any elective office in this state, including an 1993  
office of a political party. 1994

(2) No candidate, campaign committee, political action 1995  
committee, political contributing entity, legislative campaign 1996  
fund, state candidate fund, political party, or separate 1997  
segregated fund shall solicit or accept a contribution, 1998  
expenditure, or independent expenditure from a foreign national. 1999  
The secretary of state may direct any candidate, committee, 2000  
entity, fund, or party that accepts a contribution, expenditure, 2001  
or independent expenditure in violation of this division to 2002  
return the contribution, expenditure, or independent expenditure 2003  
or, if it is not possible to return the contribution, 2004  
expenditure, or independent expenditure, then to return instead 2005

the value of it, to the contributor. 2006

(3) As used in division (W) of this section, "foreign 2007  
national" has the same meaning as in section 441e(b) of the 2008  
Federal Election Campaign Act. 2009

(X) (1) No state or county political party shall transfer 2010  
any moneys from its restricted fund to any account of the 2011  
political party into which contributions may be made or from 2012  
which contributions or expenditures may be made. 2013

(2) (a) No state or county political party shall deposit a 2014  
contribution or contributions that it receives into its 2015  
restricted fund. 2016

(b) No state or county political party shall make a 2017  
contribution or an expenditure from its restricted fund. 2018

(3) (a) No corporation or labor organization shall make a 2019  
gift or gifts from the corporation's or labor organization's 2020  
money or property aggregating more than ten thousand dollars to 2021  
any one state or county political party for the party's 2022  
restricted fund in a calendar year. 2023

(b) No state or county political party shall accept a gift 2024  
or gifts for the party's restricted fund aggregating more than 2025  
ten thousand dollars from any one corporation or labor 2026  
organization in a calendar year. 2027

(4) No state or county political party shall transfer any 2028  
moneys in the party's restricted fund to any other state or 2029  
county political party. 2030

(5) No state or county political party shall knowingly 2031  
fail to file a statement required under section 3517.1012 of the 2032  
Revised Code. 2033

(Y) The administrator of workers' compensation and the 2034  
employees of the bureau of workers' compensation shall not 2035  
conduct any business with or award any contract, other than one 2036  
awarded by competitive bidding, for the purchase of goods 2037  
costing more than five hundred dollars or services costing more 2038  
than five hundred dollars to any individual, partnership, 2039  
association, including, without limitation, a professional 2040  
association organized under Chapter 1785. of the Revised Code, 2041  
estate, or trust, if the individual has made, or the 2042  
individual's spouse has made, or any partner, shareholder, 2043  
administrator, executor, or trustee, or the spouses of any of 2044  
those individuals has made, as an individual, within the two 2045  
previous calendar years, one or more contributions totaling in 2046  
excess of one thousand dollars to the campaign committee of the 2047  
governor or lieutenant governor or to the campaign committee of 2048  
any candidate for the office of governor or lieutenant governor. 2049

(Z) The administrator of workers' compensation and the 2050  
employees of the bureau of workers' compensation shall not 2051  
conduct business with or award any contract, other than one 2052  
awarded by competitive bidding, for the purchase of goods 2053  
costing more than five hundred dollars or services costing more 2054  
than five hundred dollars to a corporation or business trust, 2055  
except a professional association organized under Chapter 1785. 2056  
of the Revised Code, if an owner of more than twenty per cent of 2057  
the corporation or business trust, or the spouse of the owner, 2058  
has made, as an individual, within the two previous calendar 2059  
years, taking into consideration only owners for all of such 2060  
period, one or more contributions totaling in excess of one 2061  
thousand dollars to the campaign committee of the governor or 2062  
lieutenant governor or to the campaign committee of any 2063  
candidate for the office of governor or lieutenant governor. 2064

**Sec. ~~3517.153~~ 3517.14.** ~~(A) Upon the filing of a complaint with the Ohio elections commission, which shall be made by affidavit of any person, on personal knowledge, and subject to the penalties for perjury, or upon the filing of a complaint made by the secretary of state or an official at the board of elections, setting forth a failure to comply with or a violation of any provision in sections 3517.08 to 3517.13, 3517.20 to 3517.22, 3599.03, or 3599.031 of the Revised Code, the commission shall proceed in accordance with sections 3517.154 to 3517.157 of the Revised Code.~~

~~(B) The commission shall prescribe the form for complaints made under division (A) of this section. The secretary of state and boards of elections shall furnish the information that the commission requests. The commission or a member of the commission may administer oaths, and the commission may issue subpoenas to any person in the state compelling the attendance of witnesses and the production of relevant papers, books, accounts, and reports. Section 101.42 of the Revised Code governs the issuance of subpoenas insofar as applicable. Upon the refusal of any person to obey a subpoena or to be sworn or to answer as a witness, the commission may apply to the court of common pleas of Franklin county under section 2705.03 of the Revised Code. The court shall hold proceedings in accordance with Chapter 2705. of the Revised Code.~~

~~(C)~~ (A) (1) No prosecution shall commence for a violation of a provision in sections 145.054, 742.043, 3307.073, 3309.073, 3517.08 to 3517.12, 3517.13, 3517.17, 3517.18, 3517.20 to 3517.22, 3599.03, or 5505.045 of the Revised Code unless a complaint has been filed with the ~~commission~~ appropriate enforcement authority under this section and all

proceedings of the ~~commission or a panel of the commission, as~~ 2095  
~~appropriate, authority under sections 3517.154 to 3517.157~~ 2096  
3517.15 to 3517.18 of the Revised Code are completed. 2097

~~(D)~~ (2) A complaint alleging a violation of any of those 2098  
provisions by any of the following persons shall be filed with 2099  
the secretary of state: 2100

(a) A candidate for a statewide office, member of the 2101  
general assembly, or judge of a court of appeals or that 2102  
candidate's campaign committee; 2103

(b) A candidate for an office of a district or political 2104  
subdivision that has territory in more than one county or that 2105  
candidate's campaign committee; 2106

(c) A political party or legislative campaign fund; 2107

(d) A political action committee or political contributing 2108  
entity that is required to file statements with the secretary of 2109  
state under section 3517.11 of the Revised Code; 2110

(e) A candidate for the office of member of the public 2111  
employees retirement board, the board of trustees of the Ohio 2112  
police and fire pension fund, the state teachers retirement 2113  
board, the school employees retirement board, or the state 2114  
highway patrol retirement board or the candidate's campaign 2115  
committee; 2116

(f) Any person, other than a candidate, campaign 2117  
committee, political party, legislative campaign fund, political 2118  
action committee, or political contributing entity, that is not 2119  
domiciled in this state. 2120

(3) A complaint alleging a violation of any of those 2121  
provisions by any of the following persons shall be filed with 2122

<u>the board of elections of the applicable county:</u>	2123
<u>(a) A candidate for an office other than an office</u>	2124
<u>described in division (A) (2) of this section or the candidate's</u>	2125
<u>campaign committee;</u>	2126
<u>(b) A political action committee or political contributing</u>	2127
<u>entity that is required to file statements with the board under</u>	2128
<u>section 3517.11 of the Revised Code;</u>	2129
<u>(c) Any person, other than a candidate, campaign</u>	2130
<u>committee, political party, legislative campaign fund, political</u>	2131
<u>action committee, or political contributing entity, that is</u>	2132
<u>domiciled in the county.</u>	2133
<u>(B) (1) Any person who has personal knowledge of a failure</u>	2134
<u>to comply with, or a violation of, any provision of sections</u>	2135
<u>145.054, 742.043, 3517.08 to 3517.12, 3517.13, 3517.20 to</u>	2136
<u>3517.22, 3599.03, 3599.031, or 5505.045 of the Revised Code may</u>	2137
<u>file a complaint with the appropriate enforcement authority.</u>	2138
<u>(2) The secretary of state or a member of a board of</u>	2139
<u>elections may file a complaint with the appropriate enforcement</u>	2140
<u>authority, alleging a failure to comply with, or a violation of,</u>	2141
<u>any provision of sections 145.054, 742.043, 3307.073, 3309.073,</u>	2142
<u>3517.08 to 3517.12, 3517.13, 3517.20 to 3517.22, 3599.03,</u>	2143
<u>3599.031, or 5505.045 of the Revised Code.</u>	2144
<u>(3) A complaint filed under division (B) (1) or (2) of this</u>	2145
<u>section shall be on a form prescribed by the secretary of state</u>	2146
<u>and shall require the complainant to execute an affidavit under</u>	2147
<u>penalty of perjury.</u>	2148
<u>(4) A complaint shall be filed with the appropriate</u>	2149
<u>enforcement authority within two years after the occurrence of</u>	2150

the act or failure to act that is the subject of the complaint, 2151  
except that if the act or failure to act involves fraud, 2152  
concealment, or misrepresentation and was not discovered during 2153  
that two-year period, a complaint may be filed within one year 2154  
after discovery of such act or failure to act. 2155

(5) Whoever files a complaint with the appropriate 2156  
enforcement authority may withdraw it at the following times: 2157

(a) If the complaint receives an expedited hearing, at any 2158  
time before the hearing without the permission of the 2159  
appropriate enforcement authority, or at any time after the 2160  
hearing begins but only with the permission of the appropriate 2161  
enforcement authority; 2162

(b) If the complaint does not receive an expedited 2163  
hearing, at any time. 2164

(C) ~~The commission may recommend legislation and secretary~~ 2165  
of state may render advisory opinions concerning sections 2166  
149.054, 742.043, 3307.073, 3309.073, 3517.08, 3517.082, 2167  
3517.092, 3517.102, 3517.105, 3517.1014, 3517.13, 3517.20 to 2168  
3517.22, 3599.03, ~~and 3599.031,~~ and 5505.045 of the Revised Code 2169  
for persons ~~over~~ whose acts ~~it has or are~~ or may have 2170  
~~jurisdiction~~ be subject to those sections. When the ~~commission~~ 2171  
secretary of state renders an advisory opinion relating to a 2172  
specific set of circumstances involving any of those sections 2173  
stating that there is no violation of a provision in those 2174  
sections, the person to whom the opinion is directed or a person 2175  
who is similarly situated may reasonably rely on the opinion and 2176  
is immune from criminal prosecution and a civil action, 2177  
including, without limitation, a civil action for removal from 2178  
public office or employment, based on facts and circumstances 2179  
covered by the opinion. An advisory opinion issued by the Ohio 2180



elections commission that is in effect as of the effective date 2181  
of this amendment is considered an advisory opinion of the 2182  
secretary of state, unless and until the secretary of state 2183  
amends or rescinds the advisory opinion. 2184

~~(E)~~ (D) The commission shall establish a web site on which 2185  
it secretary of state shall post, at a minimum, on the secretary 2186  
of state's official web site all decisions and advisory opinions 2187  
issued by the commission secretary of state under this chapter, 2188  
all decisions issued by a board of elections under this chapter, 2189  
all decisions and advisory opinions issued by the Ohio elections 2190  
commission, and copies of each election law as it is amended by 2191  
the general assembly. The commission secretary of state shall 2192  
update the web site regularly to reflect any changes to those 2193  
decisions and advisory opinions and any new decisions and 2194  
advisory opinions. 2195

**Sec. 3517.15.** (A) (1) The secretary of state shall 2196  
designate a member of the staff of the secretary of state who is 2197  
an attorney in good standing before the supreme court of Ohio to 2198  
review complaints filed with the secretary of state under 2199  
section 3517.14 of the Revised Code. Upon the filing of a 2200  
complaint, the attorney shall review the complaint and make a 2201  
recommendation to the secretary of state for its disposition. 2202

(2) The attorney may join two or more complaints if the 2203  
attorney determines that the allegations in each complaint are 2204  
of the same or similar character, are based on the same act or 2205  
failure to act, or are based on two or more acts or failures to 2206  
act constituting parts of a common scheme or plan. If one 2207  
complaint contains two or more allegations, the attorney may 2208  
separate the allegations if they are not of the same or similar 2209  
character, if they are not based on the same act or failure to 2210

act, or if they are not based on two or more acts or failures to 2211  
act constituting parts of a common scheme or plan. If the 2212  
attorney separates the allegations in a complaint, the attorney 2213  
may make separate recommendations under division (A) (1) of this 2214  
section for each allegation. 2215

(3) After receiving the attorney's recommendation, the 2216  
secretary of state shall either refer the complaint for a 2217  
hearing under division (B) of this section or dismiss the 2218  
complaint. 2219

(B) (1) When the secretary of state refers a complaint for 2220  
a hearing, the secretary of state shall appoint a hearing 2221  
officer who is an attorney in good standing before the supreme 2222  
court of Ohio to adjudicate the matter in accordance with the 2223  
provisions of Chapter 119. of the Revised Code that are not 2224  
inconsistent with the requirements of this chapter and of rules 2225  
adopted by the secretary of state under this section. 2226

(2) If the hearing officer determines that the evidence is 2227  
insufficient to determine whether or not the failure to act or 2228  
the violation alleged in the complaint has occurred, the hearing 2229  
officer may request that an investigatory attorney appointed by 2230  
the secretary of state investigate the complaint. Upon that 2231  
request, an investigatory attorney shall make an investigation 2232  
in order to produce sufficient evidence for the hearing officer 2233  
to decide the matter. 2234

(3) Subject to division (B) (4) of this section, the 2235  
hearing officer shall dispose of the complaint under section 2236  
3517.17 of the Revised Code not later than one hundred eighty 2237  
days after the complaint is filed with the secretary of state. 2238

(4) If a complaint is filed during the period beginning on 2239

the ninetieth day before the day of an election and ending on 2240  
the day of the election, and the complaint involves a candidate 2241  
for nomination or election at that election, or involves a 2242  
ballot issue or question that appears on the ballot at that 2243  
election, the complaint shall receive an expedited hearing. The 2244  
hearing officer shall hold the first hearing on the complaint 2245  
not later than two business days after the complaint is referred 2246  
to the hearing officer, unless the hearing officer has good 2247  
cause to hold the hearing after that time, in which case the 2248  
hearing officer shall hold the first hearing not later than 2249  
seven business days after the complaint is referred to the 2250  
hearing officer. If practicable, the hearing officer shall 2251  
dispose of the complaint under section 3517.17 of the Revised 2252  
Code before the day of the election. 2253

(C) (1) The secretary of state shall adopt rules under 2254  
Chapter 119. of the Revised Code governing the procedures to be 2255  
used in hearing complaints under this section and section 2256  
3517.16 of the Revised Code. 2257

(2) The Rules of Evidence apply to all hearings conducted 2258  
under this section and section 3517.16 of the Revised Code. 2259

(3) The Rules of Civil Procedure apply to all hearings 2260  
conducted under this section and section 3517.16 of the Revised 2261  
Code, except as those rules are inconsistent with this chapter 2262  
or Chapter 119. of the Revised Code or with the rules adopted by 2263  
the secretary of state under this section. 2264

(D) (1) If any of the following apply to a complaint filed 2265  
with the secretary of state under section 3517.14 of the Revised 2266  
Code, the secretary of state shall proceed under division (D) (2) 2267  
of this section: 2268

<u>(a) The secretary of state is a party to the complaint.</u>	2269
<u>(b) A candidate for an office for which the secretary of</u>	2270
<u>state is also a candidate is a party to the complaint or is</u>	2271
<u>otherwise involved in the complaint.</u>	2272
<u>(c) The complaint involves a contribution, expenditure, or</u>	2273
<u>independent expenditure made to advocate the election or defeat</u>	2274
<u>of the secretary of state or a candidate for an office for which</u>	2275
<u>the secretary of state is also a candidate.</u>	2276
<u>(d) The secretary of state determines that the secretary</u>	2277
<u>of state otherwise has a conflict of interest with respect to</u>	2278
<u>the complaint or that the secretary of state should proceed</u>	2279
<u>under division (D) (2) of this section to avoid any appearance of</u>	2280
<u>impropriety.</u>	2281
<u>(2) Notwithstanding any contrary provision of divisions</u>	2282
<u>(A) and (B) of this section, when division (D) (1) of this</u>	2283
<u>section applies to a complaint, the secretary of state shall</u>	2284
<u>request the attorney general to appoint an independent attorney</u>	2285
<u>who is in good standing before the supreme court of Ohio to</u>	2286
<u>review the complaint and either refer the complaint for a</u>	2287
<u>hearing under division (B) of this section or dismiss the</u>	2288
<u>complaint. If the independent attorney refers the complaint for</u>	2289
<u>a hearing, the attorney general shall appoint an independent</u>	2290
<u>hearing officer who is an attorney in good standing before the</u>	2291
<u>supreme court of Ohio to hear and dispose of the complaint under</u>	2292
<u>division (B) of this section.</u>	2293
<u><b>Sec. 3517.16.</b> (A) (1) Upon the filing of a complaint with a</u>	2294
<u>board of elections under section 3517.14 of the Revised Code,</u>	2295
<u>the board shall appoint an attorney in good standing before the</u>	2296
<u>supreme court of Ohio to review the complaint and make a</u>	2297

recommendation to the board for its disposition. 2298

(2) The attorney may join two or more complaints if the 2299  
attorney determines that the allegations in each complaint are 2300  
of the same or similar character, are based on the same act or 2301  
failure to act, or are based on two or more acts or failures to 2302  
act constituting parts of a common scheme or plan. If one 2303  
complaint contains two or more allegations, the attorney may 2304  
separate the allegations if they are not of the same or similar 2305  
character, if they are not based on the same act or failure to 2306  
act, or if they are not based on two or more acts or failures to 2307  
act constituting parts of a common scheme or plan. If the 2308  
attorney separates the allegations in a complaint, the attorney 2309  
may make separate recommendations under division (A)(1) of this 2310  
section for each allegation. 2311

(3) After receiving the attorney's recommendation, the 2312  
board shall either hear the complaint under this section or 2313  
dismiss the complaint. The board shall determine whether to hear 2314  
or dismiss the complaint by the affirmative vote of at least 2315  
three of its members. The secretary of state shall not break any 2316  
tie vote under this division. 2317

(B)(1) When the board hears a complaint under this 2318  
section, it shall adjudicate the matter in accordance with all 2319  
of the following: 2320

(a) The provisions of Chapter 119. of the Revised Code 2321  
that are not inconsistent with the requirements of this chapter 2322  
and of rules adopted by the secretary of state under section 2323  
3517.15 of the Revised Code; 2324

(b) The rules adopted by the secretary of state under 2325  
section 3517.15 of the Revised Code; 2326

<u>(c) The Rules of Evidence;</u>	2327
<u>(d) The Rules of Civil Procedure, except as those rules</u>	2328
<u>are inconsistent with this chapter or Chapter 119. of the</u>	2329
<u>Revised Code or with the rules adopted by the secretary of state</u>	2330
<u>under section 3517.15 of the Revised Code.</u>	2331
<u>(2) The board shall appoint an attorney in good standing</u>	2332
<u>before the supreme court of Ohio to advise the board regarding</u>	2333
<u>the requirements of division (B) (1) of this section while it</u>	2334
<u>hears and adjudicates the complaint.</u>	2335
<u>(3) If the board determines that the evidence is</u>	2336
<u>insufficient to determine whether or not the failure to act or</u>	2337
<u>the violation alleged in the complaint has occurred, the board</u>	2338
<u>may appoint an investigatory attorney in good standing before</u>	2339
<u>the supreme court of Ohio to investigate the complaint. The</u>	2340
<u>investigatory attorney shall make an investigation in order to</u>	2341
<u>produce sufficient evidence for the board to decide the matter.</u>	2342
<u>(C) (1) Subject to division (C) (2) of this section, not</u>	2343
<u>later than one hundred eighty days after the complaint is filed</u>	2344
<u>with the board, the board shall dispose of the complaint under</u>	2345
<u>section 3517.17 of the Revised Code by the affirmative vote of</u>	2346
<u>at least three of its members. The secretary of state shall not</u>	2347
<u>break any tie vote under this division.</u>	2348
<u>(2) If a complaint is filed during the period beginning on</u>	2349
<u>the ninetieth day before the day of an election and ending on</u>	2350
<u>the day of the election, and the complaint involves a candidate</u>	2351
<u>for nomination or election at that election, or involves a</u>	2352
<u>ballot issue or question that appears on the ballot at that</u>	2353
<u>election, the complaint shall receive an expedited hearing. The</u>	2354
<u>board shall hold the first hearing on the complaint not later</u>	2355

than two business days after the complaint is filed with the  
board, unless the board has good cause to hold the hearing after  
that time, in which case the board shall hold the first hearing  
not later than seven business days after the complaint is filed  
with the board. If practicable, the board shall dispose of the  
complaint under section 3517.17 of the Revised Code before the  
day of the election.

(D) The board promptly shall certify a copy of each  
decision it makes under division (C) of this section to the  
secretary of state.

**Sec. 3517.155 3517.17.** (A) (1) ~~Except as otherwise provided~~  
~~in division (B) of this section, the Ohio elections commission~~  
~~shall hold its first hearing on a complaint filed with it, other~~  
~~than a complaint that receives an expedited hearing under~~  
~~section 3517.156 of the Revised Code, not later than ninety~~  
~~business days after the complaint is filed unless the commission~~  
~~has good cause to hold the hearing after that time, in which~~  
~~case it shall hold the hearing not later than one hundred eighty~~  
~~business days after the complaint is filed. At the hearing After~~  
hearing a complaint under section 3517.15 or 3517.16 of the  
Revised Code, as applicable, the commission appropriate  
enforcement authority shall determine whether or not the failure  
to act or the violation alleged in the complaint has occurred  
and shall do only one of the following, except as otherwise  
provided in division (B) of this section or in division (B) of  
section 3517.151 of the Revised Code:

(a) Enter a finding that good cause has been shown not to  
impose a fine or not to refer the matter to the appropriate  
prosecutor;

(b) Impose a fine under section ~~3517.993~~ 3517.18 of the

Revised Code; 2386

(c) Refer the matter to the appropriate prosecutor~~+~~. 2387

(2) As used in division (A) of this section, "appropriate 2388  
prosecutor" means a prosecutor as defined in section 2935.01 of 2389  
the Revised Code and ~~either one of the following, as applicable:~~ 2390

(a) ~~In~~ Subject to division (A) (2) (c) of this section, in 2391  
the case of a failure to comply with or a violation of law- 2392  
~~involving a campaign committee or the committee's candidate, a~~ 2393  
~~political party, a legislative campaign fund, a political action~~ 2394  
~~committee, or a political contributing entity, that is required~~ 2395  
~~to file a statement of contributions and expenditures with the~~ 2396  
~~secretary of state under division (A) of section 3517.11 of the~~ 2397  
~~Revised Code by a person who is domiciled in this state, the~~ 2398  
prosecutor of the county in which the person is domiciled; 2399

(b) Subject to division (A) (2) (c) of this section, in the 2400  
case of a failure to comply with or a violation of law by a 2401  
person who is not domiciled in this state, the prosecutor of 2402  
Franklin county; 2403

~~(b) In the case of a failure to comply with or a violation~~ 2404  
~~of law involving any other campaign committee or committee's~~ 2405  
~~candidate, or any other political party, political action~~ 2406  
~~committee, or political contributing entity either of the~~ 2407  
~~following as determined by the commission:~~ 2408

~~(i) The prosecutor of Franklin county;~~ 2409

~~(ii) The prosecutor of the county in which the candidacy~~ 2410  
~~or ballot question or issue is submitted to the electors or, if~~ 2411  
~~it is submitted in more than one county, the most populous of~~ 2412  
~~those counties.~~ 2413



~~(B) If the commission decides that the evidence is~~ 2414  
~~insufficient for it to determine whether or not the failure to~~ 2415  
~~act or the violation alleged in the complaint has occurred, the~~ 2416  
~~commission, by the affirmative vote of five members, may request~~ 2417  
~~that an investigatory attorney investigate the complaint. Upon~~ 2418  
~~that request, an investigatory attorney shall make an~~ 2419  
~~investigation in order to produce sufficient evidence for the~~ 2420  
~~commission to decide the matter. If the commission requests an~~ 2421  
~~investigation under this division, for good cause shown by the~~ 2422  
~~investigatory attorney, the commission may extend by sixty days~~ 2423  
~~the deadline for holding its first hearing on the complaint as~~ 2424  
~~required in division (A) of this section.~~ 2425

~~(C) The commission shall take one of the actions required~~ 2426  
~~under division (A) of this section not later than thirty days~~ 2427  
~~after the close of all the evidence presented.~~ 2428

~~(D) (1) (c) If the appropriate enforcement authority~~ 2429  
~~determines that the applicable prosecutor under division (A) (2)~~ 2430  
~~(a) or (b) of this section has a conflict of interest with~~ 2431  
~~respect to the matter, a special prosecutor appointed by the~~ 2432  
~~attorney general.~~ 2433

(B) (1) The ~~commission~~ appropriate enforcement authority 2434  
shall make any finding of a failure to comply with or a 2435  
violation of law in regard to a complaint that alleges a 2436  
violation of division (A) or (B) of section 3517.21, or division 2437  
(A) or (B) of section 3517.22 of the Revised Code by clear and 2438  
convincing evidence. The ~~commission~~ appropriate enforcement 2439  
authority shall make any finding of a failure to comply with or 2440  
a violation of law in regard to any other complaint by a 2441  
preponderance of the evidence. 2442

(2) If the ~~commission~~ appropriate enforcement authority 2443

finds a violation of division (B) of section 3517.21 or division 2444  
(B) of section 3517.22 of the Revised Code, it shall refer the 2445  
matter to the appropriate prosecutor under division (A) (1) (c) of 2446  
this section and shall not impose a fine under ~~division (A) (1)~~ 2447  
~~(b) of this section or section 3517.993~~ 3517.18 of the Revised 2448  
Code. 2449

~~(E) In an action before the commission or a panel of the~~ 2450  
~~commission, if~~ (C) If the allegations of the complainant are not 2451  
proved, and the ~~commission~~ appropriate enforcement authority 2452  
takes the action described in division (A) (1) (a) of this section 2453  
~~or a panel of the commission takes the action described in~~ 2454  
~~division (C) (1) of section 3517.156 of the Revised Code, the~~ 2455  
~~commission or a panel of the commission~~ authority may find that 2456  
the complaint is frivolous, and, if the ~~commission or panel~~ 2457  
authority so finds, the ~~commission~~ authority shall order the 2458  
complainant to pay reasonable attorney's fees and to pay the 2459  
costs of the ~~commission or panel~~ as determined by a majority of 2460  
~~the members of the commission~~ authority. ~~The costs paid to the~~ 2461  
~~commission or panel under this division shall be deposited into~~ 2462  
~~the Ohio elections commission fund.~~ 2463

(D) Notwithstanding any contrary provision of section 2464  
119.12 of the Revised Code, a party adversely affected by a 2465  
decision of the appropriate enforcement authority issued 2466  
pursuant to this section who is domiciled in this state may 2467  
appeal from the decision to the court of common pleas of the 2468  
county in which the party is domiciled. A party adversely 2469  
affected by a decision of the appropriate enforcement authority 2470  
issued pursuant to this section who is not domiciled in this 2471  
state may appeal from the decision to the court of common pleas 2472  
of Franklin county. 2473

**Sec. 3517.993 3517.18.** ~~This section authorizes the~~ 2474  
~~establishment of fines that may be imposed only with respect to~~ 2475  
~~acts or failures to act that occur on and after August 24, 1995.~~ 2476

(A) Except as otherwise provided in division ~~(D) (2)~~ (D) of 2477  
this section 3517.155 of the Revised Code, when section 3517.17 2478  
of the Revised Code authorizes the imposition of an 2479  
administrative fine, the ~~Ohio elections commission~~ appropriate 2480  
enforcement authority may impose an administrative fines under 2481  
~~division (A) (1) (b) of section 3517.155 of the Revised Code in~~ 2482  
~~accordance with the amounts set forth~~ fine that does not exceed 2483  
the maximum applicable fine a court could impose for the 2484  
violation under sections 3517.992, this chapter or under section 2485  
145.99, 742.99, 3307.99, 3309.99, 3599.03, and 3599.031, or 2486  
5505.99 of the Revised Code. 2487

(B) The ~~commission~~ appropriate enforcement authority may 2488  
suspend all or part of a fine it imposes under division (A) of 2489  
this section upon whatever terms and conditions the ~~commission~~ 2490  
authority considers just. 2491

(C) (1) The ~~commission~~ appropriate enforcement authority 2492  
shall consider any of the following circumstances in determining 2493  
whether to impose a maximum fine under division (A) of this 2494  
section: 2495

(a) Whether the violator has been found guilty of any 2496  
other violation of section 145.054, 742.043, 3307.073, 3309.073, 2497  
or 5505.045 or Title XXXV of the Revised Code; 2498

(b) Whether the violation was made knowingly or purposely; 2499

(c) Whether any relevant statements, addenda, or 2500  
affidavits required to be filed have not been filed; 2501

(d) Whether the violator has any outstanding fines imposed 2502  
for a violation of section 145.054, 742.043, 3307.073, 3309.073, 2503  
or 5505.045 or Title XXXV of the Revised Code; 2504

(e) Whether the violation occurred during the course of a 2505  
campaign. 2506

(2) The ~~commission~~ appropriate enforcement authority shall 2507  
consider any of the following circumstances in determining 2508  
whether to impose a minimal fine or no fine under division (A) 2509  
of this section: 2510

(a) Whether the violator previously has not been found 2511  
guilty of any other violation of section 145.054, 742.043, 2512  
3307.073, 3309.073, or 5505.045 or Title XXXV of the Revised 2513  
Code; 2514

(b) Whether the violator has promptly corrected the 2515  
violator's violation; 2516

(c) Whether the nature and circumstances of the violation 2517  
merit a minimum fine; 2518

(d) Whether there are substantial grounds tending to 2519  
excuse or justify the violation, although failing to establish a 2520  
defense to the violation; 2521

(e) Whether the violation was not purposely committed. 2522

(3) The circumstances set forth in divisions (C) (1) and 2523  
(2) of this section shall be considered by, but shall not 2524  
control the decision of, the ~~commission~~ appropriate enforcement 2525  
authority in imposing a fine. 2526

(D) Notwithstanding divisions (A), (B), and (C) of this 2527  
section, when section 3517.17 of the Revised Code authorizes the 2528  
imposition of an administrative fine with respect to an act or 2529

failure to act that occurred during the period beginning on 2530  
April 4, 1985, and ending on August 23, 1995, the appropriate 2531  
enforcement authority shall impose the applicable fine 2532  
established in the schedule of fines adopted by the Ohio 2533  
elections commission that was in effect at the time of the act 2534  
or failure to act. 2535

(E) (1) Fines imposed by the ~~commission~~ secretary of state 2536  
under this section shall be ~~paid~~ deposited into the ~~Ohio~~ 2537  
~~elections commission~~ state treasury to the credit of the 2538  
corporate and uniform commercial code filing fund created by 2539  
section 1309.528 of the Revised Code. 2540

(2) Fines imposed by a board of elections under this 2541  
section shall be deposited into the county's general fund. 2542

**Sec. 3517.20.** (A) As used in this section: 2543

(1) "Political publication for or against a candidate" 2544  
means a notice, placard, advertisement, sample ballot, brochure, 2545  
flyer, direct mailer, or other form of general publication that 2546  
is designed to promote the nomination, election, or defeat of a 2547  
candidate. 2548

(2) "Political publication for or against an issue" means 2549  
a notice, placard, advertisement, sample ballot, brochure, 2550  
flyer, direct mailer, or other form of general publication that 2551  
is designed to promote the adoption or defeat of a ballot issue 2552  
or question or to influence the voters in an election. 2553

(3) "Public political advertising" means newspapers, 2554  
magazines, outdoor advertising facilities, direct mailings, or 2555  
other similar types of general public political advertising, or 2556  
flyers, handbills, or other nonperiodical printed matter. 2557

(4) "Statewide candidate" has the same meaning as in 2558  
section 3517.102 of the Revised Code. 2559

(5) "Legislative candidate" means a candidate for the 2560  
office of member of the general assembly. 2561

(6) "Local candidate" means a candidate for an elective 2562  
office of a political subdivision of this state. 2563

(7) "Legislative campaign fund" has the same meaning as in 2564  
section 3517.01 of the Revised Code. 2565

(8) "Limited political action committee" means a political 2566  
action committee of fewer than ten members. 2567

(9) "Limited political contributing entity" means a 2568  
political contributing entity of fewer than ten members. 2569

(10) "Designated amount" means one hundred dollars in the 2570  
case of a local candidate or a local ballot issue, two hundred 2571  
fifty dollars in the case of a legislative candidate, or five 2572  
hundred dollars in the case of a statewide candidate or a 2573  
statewide ballot issue. 2574

(11) "To issue" includes to print, post, distribute, 2575  
reproduce for distribution, or cause to be issued, printed, 2576  
posted, distributed, or reproduced for distribution. 2577

(12) "Telephone bank" means more than five hundred 2578  
telephone calls of an identical or substantially similar nature 2579  
within any thirty-day period, whether those telephone calls are 2580  
made by individual callers or by recording. 2581

(B) (1) Except as otherwise provided in division (B) (2) of 2582  
this section, no entity shall do any of the following unless the 2583  
name of the entity appears in a conspicuous place on or is 2584  
contained or included within the publication, communication, or 2585

telephone call:	2586
(a) Issue a form of political publication in support of or	2587
opposition to a candidate or a ballot issue or question;	2588
(b) Make an expenditure for the purpose of financing	2589
political communications in support of or opposition to a	2590
candidate or a ballot issue or question through public political	2591
advertising;	2592
(c) Utter or cause to be uttered, over the broadcasting	2593
facilities of any radio or television station within this state,	2594
any communication in support of or opposition to a candidate or	2595
a ballot issue or question or any communication that is designed	2596
to influence the voters in an election;	2597
(d) Conduct a telephone bank for the purpose of supporting	2598
or opposing a candidate or a ballot issue or question or for the	2599
purpose of influencing the voters in an election.	2600
(2) A limited political action committee or limited	2601
political contributing entity may do any of the following	2602
without including its name in the publication or communication:	2603
(a) Issue a form of political publication in support of or	2604
opposition to a candidate or a ballot issue or question that	2605
does not cost in excess of the designated amount or that is not	2606
issued in cooperation, consultation, or concert with, or at the	2607
request or suggestion of, a candidate, a campaign committee, a	2608
legislative campaign fund, a political party, a political action	2609
committee with ten or more members, a political contributing	2610
entity with ten or more members, or a limited political action	2611
committee or limited political contributing entity that spends	2612
in excess of the designated amount on a related or the same or	2613
similar political publication in support of or opposition to a	2614

candidate or a ballot issue or question; 2615

(b) Make an expenditure that is not in excess of the 2616  
designated amount in support of or opposition to a candidate or 2617  
a ballot issue or question or make an expenditure that is not 2618  
made in cooperation, consultation, or concert with, or at the 2619  
request or suggestion of, a candidate, a campaign committee, a 2620  
legislative campaign fund, a political party, a political action 2621  
committee with ten or more members, a political contributing 2622  
entity with ten or more members, or a limited political action 2623  
committee or limited political contributing entity that spends 2624  
in excess of the designated amount in support of or opposition 2625  
to the same candidate or a ballot issue or question, for the 2626  
purpose of financing political communications in support of or 2627  
opposition to that candidate or a ballot issue or question 2628  
through public political advertising. 2629

(C) If more than one piece of printed matter or printed 2630  
political communications are mailed as a single packet, the 2631  
requirements of division (B) of this section are met if one of 2632  
the pieces of printed matter or printed political communications 2633  
in the packet contains the name of the organization or entity 2634  
that issues or is responsible for the printed matter or other 2635  
printed political communications. 2636

(D) This section does not apply to the transmittal of 2637  
personal correspondence that is not reproduced by machine for 2638  
general distribution. 2639

(E) The secretary of state, by rule, may exempt from the 2640  
requirements of this section, printed matter and certain other 2641  
kinds of printed communications such as campaign buttons, 2642  
balloons, pencils, or similar items, the size or nature of which 2643  
makes it unreasonable to add an identification or disclaimer. 2644



(F) The disclaimer or identification described in division 2645  
(B) of this section, when paid for by a candidate, legislative 2646  
campaign fund, or campaign committee, shall be identified by the 2647  
words "paid for by" followed by the name of the entity. The 2648  
identification or disclaimer may use reasonable abbreviations 2649  
for common terms such as "committee." 2650

The disclaimer "paid political advertisement" is not 2651  
sufficient to meet the requirements of this section. 2652

(G) (1) No person operating a broadcast station or an organ 2653  
of printed media shall broadcast or print a paid political 2654  
communication that does not contain the identification required 2655  
by this section. 2656

(2) Division (B) (1) (c) of this section does not apply to 2657  
any communications made on behalf of a radio or television 2658  
station or network by any employee of such radio or television 2659  
station or network while acting in the course of the employee's 2660  
employment. 2661

(H) (1) No candidate or entity shall use or cause to be 2662  
used a false, fictitious, or fraudulent name or address in the 2663  
making or issuing of a publication or communication included 2664  
within the provisions of this section. 2665

(2) No political action committee or political 2666  
contributing entity shall use or cause to be used, in the making 2667  
or issuing of a publication or communication included within the 2668  
provisions of this section, a name or address that would lead a 2669  
reasonable person to believe that the publication or 2670  
communication is made by or on behalf of a county political 2671  
party, unless the political action committee or political 2672  
contributing ~~committee~~ entity has obtained a written statement, 2673

signed by the chairperson of the county political party's 2674  
executive committee, granting the political action committee or 2675  
political contributing entity permission to act on behalf of or 2676  
represent the county political party. 2677

~~(I) Before a prosecution may commence under this section, 2678~~  
~~a complaint shall be filed with the Ohio elections commission 2679~~  
~~under section 3517.153 of the Revised Code. After the complaint 2680~~  
~~is filed, the commission shall proceed in accordance with 2681~~  
~~sections 3517.154 to 3517.157 of the Revised Code. 2682~~

**Sec. 3517.21.** (A) No person, during the course of any 2683  
campaign for nomination or election to public office or office 2684  
of a political party, shall knowingly and with intent to affect 2685  
the outcome of such campaign do any of the following: 2686

(1) Serve, or place another person to serve, as an agent 2687  
or employee in the election campaign organization of a candidate 2688  
for the purpose of acting to impede the conduct of the 2689  
candidate's campaign for nomination or election or of reporting 2690  
information to the employee's employer or the agent's principal 2691  
without the knowledge of the candidate or the candidate's 2692  
organization; 2693

(2) Promise, offer, or give any valuable thing or valuable 2694  
benefit to any person who is employed by or is an agent of a 2695  
candidate or a candidate's election campaign organization for 2696  
the purpose of influencing the employee or agent with respect to 2697  
the improper discharge of the employee's or agent's campaign 2698  
duties or to obtain information about the candidate or the 2699  
candidate's campaign organization. 2700

(B) No person, during the course of any campaign for 2701  
nomination or election to public office or office of a political 2702

party, by means of campaign materials, including sample ballots, 2703  
an advertisement on radio or television or in a newspaper or 2704  
periodical, a public speech, press release, or otherwise, shall 2705  
knowingly and with intent to affect the outcome of such campaign 2706  
do any of the following: 2707

(1) Use the title of an office not currently held by a 2708  
candidate in a manner that implies that the candidate does 2709  
currently hold that office or use the term "re-elect" when the 2710  
candidate has never been elected at a primary, general, or 2711  
special election to the office for which he or she is a 2712  
candidate; 2713

(2) Make a false statement concerning the formal schooling 2714  
or training completed or attempted by a candidate; a degree, 2715  
diploma, certificate, scholarship, grant, award, prize, or honor 2716  
received, earned, or held by a candidate; or the period of time 2717  
during which a candidate attended any school, college, community 2718  
technical school, or institution; 2719

(3) Make a false statement concerning the professional, 2720  
occupational, or vocational licenses held by a candidate, or 2721  
concerning any position the candidate held for which the 2722  
candidate received a salary or wages; 2723

(4) Make a false statement that a candidate or public 2724  
official has been indicted or convicted of a theft offense, 2725  
extortion, or other crime involving financial corruption or 2726  
moral turpitude; 2727

(5) Make a statement that a candidate has been indicted 2728  
for any crime or has been the subject of a finding by the Ohio 2729  
elections commission without disclosing the outcome of any legal 2730  
proceedings resulting from the indictment or finding; 2731

(6) Make a false statement that a candidate or official 2732  
has a record of treatment or confinement for mental disorder; 2733

(7) Make a false statement that a candidate or official 2734  
has been subjected to military discipline for criminal 2735  
misconduct or dishonorably discharged from the armed services; 2736

(8) Falsely identify the source of a statement, issue 2737  
statements under the name of another person without 2738  
authorization, or falsely state the endorsement of or opposition 2739  
to a candidate by a person or publication; 2740

(9) Make a false statement concerning the voting record of 2741  
a candidate or public official; 2742

(10) Post, publish, circulate, distribute, or otherwise 2743  
disseminate a false statement concerning a candidate, either 2744  
knowing the same to be false or with reckless disregard of 2745  
whether it was false or not, if the statement is designed to 2746  
promote the election, nomination, or defeat of the candidate. 2747

As used in this section, "voting record" means the 2748  
recorded "yes" or "no" vote on a bill, ordinance, resolution, 2749  
motion, amendment, or confirmation. 2750

~~(C) Before a prosecution may commence under this section,~~ 2751  
~~a complaint shall be filed with the Ohio elections commission~~ 2752  
~~under section 3517.153 of the Revised Code. After the complaint~~ 2753  
~~is filed, the commission shall proceed in accordance with~~ 2754  
~~sections 3517.154 to 3517.157 of the Revised Code.~~ 2755

**Sec. 3517.22.** (A) No person during the course of any 2756  
campaign in advocacy of or in opposition to the adoption of any 2757  
proposition or issue submitted to the voters shall knowingly and 2758  
with intent to affect the outcome of such campaign do any of the 2759

following: 2760

(1) Serve, or place another person to serve, as an agent 2761  
or employee in the election campaign organization of a committee 2762  
which advocates or is in opposition to the adoption of any 2763  
ballot proposition or issue for the purpose of acting to impede 2764  
the conduct of the campaign on the proposition or issue or of 2765  
reporting information to the employee's employer or the agent's 2766  
principal without the knowledge of the committee; 2767

(2) Promise, offer, or give any valuable thing or valuable 2768  
benefit to any person who is employed by or is an agent of a 2769  
committee in advocacy of or in opposition to the adoption of any 2770  
ballot proposition or issue, for the purpose of influencing the 2771  
employee or agent with respect to the improper discharge of the 2772  
employee's or agent's campaign duties or to obtain information 2773  
about the committee's campaign organization. 2774

(B) No person, during the course of any campaign in 2775  
advocacy of or in opposition to the adoption of any ballot 2776  
proposition or issue, by means of campaign material, including 2777  
sample ballots, an advertisement on radio or television or in a 2778  
newspaper or periodical, a public speech, a press release, or 2779  
otherwise, shall knowingly and with intent to affect the outcome 2780  
of such campaign do any of the following: 2781

(1) Falsely identify the source of a statement, issue 2782  
statements under the name of another person without 2783  
authorization, or falsely state the endorsement of or opposition 2784  
to a ballot proposition or issue by a person or publication; 2785

(2) Post, publish, circulate, distribute, or otherwise 2786  
disseminate, a false statement, either knowing the same to be 2787  
false or acting with reckless disregard of whether it was false 2788

or not, that is designed to promote the adoption or defeat of 2789  
any ballot proposition or issue. 2790

~~(C) Before a prosecution may commence under this section, 2791  
a complaint shall be filed with the Ohio elections commission 2792  
under section 3517.153 of the Revised Code. After the complaint 2793  
is filed, the commission shall proceed in accordance with 2794  
sections 3517.154 to 3517.157 of the Revised Code. 2795~~

**Sec. 3517.23.** The secretary of state shall adopt rules in 2796  
accordance with Chapter 119. of the Revised Code that are 2797  
necessary for the administration and enforcement of sections 2798  
3517.08 to 3517.13, ~~3517.18,~~ 3517.20 to 3517.22, 3599.03, and 2799  
3599.031 of the Revised Code and shall provide each candidate, 2800  
political action committee, political contributing entity, 2801  
legislative campaign fund, political party, and person making 2802  
disbursements to pay the direct costs of producing or airing 2803  
electioneering communications with written instructions and 2804  
explanations in order to ensure compliance with sections 3517.08 2805  
to 3517.13, 3517.20 to 3517.22, 3599.03, and 3599.031 of the 2806  
Revised Code. 2807

**Sec. ~~3517.992~~ 3517.99.** ~~This section establishes penalties 2808  
only with respect to acts or failures to act that occur on and 2809  
after August 24, 1995. Except as otherwise provided in section 2810  
3517.991 of the Revised Code: 2811~~

(A) (1) A candidate whose campaign committee violates 2812  
division (A), (B), (C), (D), or (V) of section 3517.13 of the 2813  
Revised Code, or a treasurer of a campaign committee who 2814  
violates any of those divisions, shall be fined not more than 2815  
one hundred dollars for each day of violation. 2816

(2) Whoever violates division (E) or (X) (5) of section 2817

3517.13 or division (E) (1) of section 3517.1014 of the Revised 2818  
Code shall be fined not more than one hundred dollars for each 2819  
day of violation. 2820

(B) An entity that violates division (G) (1) of section 2821  
3517.101 of the Revised Code shall be fined not more than one 2822  
hundred dollars for each day of violation. 2823

(C) Whoever violates division (G) (2) of section 3517.101, 2824  
division (G) of section 3517.13, or division (E) (2) or (3) of 2825  
section 3517.1014 of the Revised Code shall be fined not more 2826  
than ten thousand dollars or, if the offender is a person who 2827  
was nominated or elected to public office, shall forfeit the 2828  
nomination or the office to which the offender was elected, or 2829  
both. 2830

(D) Whoever violates division (F) of section 3517.13 of 2831  
the Revised Code shall be fined not more than three times the 2832  
amount contributed. 2833

(E) Whoever violates division (H) of section 3517.13 of 2834  
the Revised Code shall be fined not more than one hundred 2835  
dollars. 2836

(F) Whoever violates division (O), (P), or (Q) of section 2837  
3517.13 of the Revised Code is guilty of a misdemeanor of the 2838  
first degree. 2839

(G) A state or county committee of a political party that 2840  
violates division (B) (1) of section 3517.18 of the Revised Code 2841  
as that section existed before its repeal by H.B. 166 of the 2842  
133rd general assembly shall be fined not more than twice the 2843  
amount of the improper expenditure. 2844

(H) An entity that violates division (H) of section 2845

3517.101 of the Revised Code shall be fined not more than twice 2846  
the amount of the improper expenditure or use. 2847

(I) (1) Any individual who violates division (B) (1) of 2848  
section 3517.102 of the Revised Code and knows that the 2849  
contribution the individual makes violates that division shall 2850  
be fined an amount equal to three times the amount contributed 2851  
in excess of the amount permitted by that division. 2852

(2) Any political action committee that violates division 2853  
(B) (2) of section 3517.102 of the Revised Code shall be fined an 2854  
amount equal to three times the amount contributed in excess of 2855  
the amount permitted by that division. 2856

(3) Any campaign committee that violates division (B) (3) 2857  
or (5) of section 3517.102 of the Revised Code shall be fined an 2858  
amount equal to three times the amount contributed in excess of 2859  
the amount permitted by that division. 2860

(4) (a) Any legislative campaign fund that violates 2861  
division (B) (6) of section 3517.102 of the Revised Code shall be 2862  
fined an amount equal to three times the amount transferred or 2863  
contributed in excess of the amount permitted by that division, 2864  
as applicable. 2865

(b) Any state political party, county political party, or 2866  
state candidate fund of a state political party or county 2867  
political party that violates division (B) (6) of section 2868  
3517.102 of the Revised Code shall be fined an amount equal to 2869  
three times the amount transferred or contributed in excess of 2870  
the amount permitted by that division, as applicable. 2871

(c) Any political contributing entity that violates 2872  
division (B) (7) of section 3517.102 of the Revised Code shall be 2873  
fined an amount equal to three times the amount contributed in 2874



excess of the amount permitted by that division. 2875

(5) Any political party that violates division (B) (4) of 2876  
section 3517.102 of the Revised Code shall be fined an amount 2877  
equal to three times the amount contributed in excess of the 2878  
amount permitted by that division. 2879

(6) Notwithstanding divisions (I) (1), (2), (3), (4), and 2880  
(5) of this section, no violation of division (B) of section 2881  
3517.102 of the Revised Code occurs, and the secretary of state 2882  
shall not refer parties to the ~~Ohio elections commission~~ 2883  
appropriate enforcement authority, if the amount transferred or 2884  
contributed in excess of the amount permitted by that division 2885  
meets either of the following conditions: 2886

(a) It is completely refunded within five business days 2887  
after it is accepted. 2888

(b) It is completely refunded on or before the tenth 2889  
business day after notification to the recipient of the excess 2890  
transfer or contribution by the board of elections or the 2891  
secretary of state that a transfer or contribution in excess of 2892  
the permitted amount has been received. 2893

(J) (1) Any campaign committee that violates division (C) 2894  
(1), (2), (3), or (6) of section 3517.102 of the Revised Code 2895  
shall be fined an amount equal to three times the amount 2896  
accepted in excess of the amount permitted by that division. 2897

(2) (a) Any county political party that violates division 2898  
(C) (4) (a) (ii) or (iii) of section 3517.102 of the Revised Code 2899  
shall be fined an amount equal to three times the amount 2900  
accepted. 2901

(b) Any county political party that violates division (C) 2902

(4) (a) (i) of section 3517.102 of the Revised Code shall be fined 2903  
an amount from its state candidate fund equal to three times the 2904  
amount accepted in excess of the amount permitted by that 2905  
division. 2906

(c) Any state political party that violates division (C) 2907  
(4) (b) of section 3517.102 of the Revised Code shall be fined an 2908  
amount from its state candidate fund equal to three times the 2909  
amount accepted in excess of the amount permitted by that 2910  
division. 2911

(3) Any legislative campaign fund that violates division 2912  
(C) (5) of section 3517.102 of the Revised Code shall be fined an 2913  
amount equal to three times the amount accepted in excess of the 2914  
amount permitted by that division. 2915

(4) Any political action committee or political 2916  
contributing entity that violates division (C) (7) of section 2917  
3517.102 of the Revised Code shall be fined an amount equal to 2918  
three times the amount accepted in excess of the amount 2919  
permitted by that division. 2920

(5) Notwithstanding divisions (J) (1), (2), (3), and (4) of 2921  
this section, no violation of division (C) of section 3517.102 2922  
of the Revised Code occurs, and the secretary of state shall not 2923  
refer parties to the ~~Ohio elections commission~~ appropriate 2924  
enforcement authority, if the amount transferred or contributed 2925  
in excess of the amount permitted to be accepted by that 2926  
division meets either of the following conditions: 2927

(a) It is completely refunded within five business days 2928  
after its acceptance. 2929

(b) It is completely refunded on or before the tenth 2930  
business day after notification to the recipient of the excess 2931

transfer or contribution by the board of elections or the 2932  
secretary of state that a transfer or contribution in excess of 2933  
the permitted amount has been received. 2934

(K) (1) Any legislative campaign fund that violates 2935  
division (F) (1) of section 3517.102 of the Revised Code shall be 2936  
fined twenty-five dollars for each day of violation. 2937

(2) Any legislative campaign fund that violates division 2938  
(F) (2) of section 3517.102 of the Revised Code shall give to the 2939  
treasurer of state for deposit into the state treasury to the 2940  
credit of the ~~Ohio elections commission~~ general revenue fund all 2941  
excess contributions not disposed of as required by division (E) 2942  
of section 3517.102 of the Revised Code. 2943

(L) Whoever violates section 3517.105 of the Revised Code 2944  
shall be fined one thousand dollars. 2945

(M) (1) Whoever solicits a contribution in violation of 2946  
section 3517.092 or violates division (B) of section 3517.09 of 2947  
the Revised Code is guilty of a misdemeanor of the first degree. 2948

(2) Whoever knowingly accepts a contribution in violation 2949  
of division (B) or (C) of section 3517.092 of the Revised Code 2950  
shall be fined an amount equal to three times the amount 2951  
accepted in violation of either of those divisions and shall 2952  
return to the contributor any amount so accepted. Whoever 2953  
unknowingly accepts a contribution in violation of division (B) 2954  
or (C) of section 3517.092 of the Revised Code shall return to 2955  
the contributor any amount so accepted. 2956

(N) Whoever violates division (S) of section 3517.13 of 2957  
the Revised Code shall be fined an amount equal to three times 2958  
the amount of funds transferred or three times the value of the 2959  
assets transferred in violation of that division. 2960

(O) Any campaign committee that accepts a contribution or 2961  
contributions in violation of section 3517.108 of the Revised 2962  
Code, uses a contribution in violation of that section, or fails 2963  
to dispose of excess contributions in violation of that section 2964  
shall be fined an amount equal to three times the amount 2965  
accepted, used, or kept in violation of that section. 2966

(P) Any political party, state candidate fund, legislative 2967  
candidate fund, or campaign committee that violates division (T) 2968  
of section 3517.13 of the Revised Code shall be fined an amount 2969  
equal to three times the amount contributed or accepted in 2970  
violation of that section. 2971

(Q) A treasurer of a committee or another person who 2972  
violates division (U) of section 3517.13 of the Revised Code 2973  
shall be fined not more than two hundred fifty dollars. 2974

(R) Whoever violates division (I) or (J) of section 2975  
3517.13 of the Revised Code shall be fined not more than one 2976  
thousand dollars. Whenever a person is found guilty of violating 2977  
division (I) or (J) of section 3517.13 of the Revised Code, the 2978  
contract awarded in violation of either of those divisions shall 2979  
be rescinded if its terms have not yet been performed. 2980

(S) A candidate whose campaign committee violates or a 2981  
treasurer of a campaign committee who violates section 3517.081 2982  
of the Revised Code, and a candidate whose campaign committee 2983  
violates or a treasurer of a campaign committee or another 2984  
person who violates division (C) of section 3517.10 of the 2985  
Revised Code, shall be fined not more than five hundred dollars. 2986

(T) A candidate whose campaign committee violates or a 2987  
treasurer of a committee who violates division (B) of section 2988  
3517.09 of the Revised Code, or a candidate whose campaign 2989

committee violates or a treasurer of a campaign committee or 2990  
 another person who violates division (C) of section 3517.09 of 2991  
 the Revised Code shall be fined not more than one thousand 2992  
 dollars. 2993

(U) Whoever violates section 3517.20 of the Revised Code 2994  
 shall be fined not more than five hundred dollars. 2995

(V) Whoever violates section 3517.21 or 3517.22 of the 2996  
 Revised Code shall be imprisoned for not more than six months or 2997  
 fined not more than five thousand dollars, or both. 2998

~~(W) A campaign committee that is required to file a 2999  
 declaration of no limits under division (D) (2) of section 3000  
 3517.103 of the Revised Code that, before filing that 3001  
 declaration, accepts a contribution or contributions that exceed 3002  
 the limitations prescribed in section 3517.102 of the Revised 3003  
 Code, shall return that contribution or those contributions to 3004  
 the contributor. 3005~~

~~(X) Any campaign committee that fails to file the 3006  
 declaration of filing-day finances required by division (F) of 3007  
 section 3517.109 of the Revised Code shall be fined twenty-five 3008  
 dollars for each day of violation. 3009~~

~~(Y) (1) (X) (1) Any campaign committee that fails to dispose 3010  
 of excess funds or excess aggregate contributions under division 3011  
 (B) of section 3517.109 of the Revised Code in the manner 3012  
 required by division (C) of that section shall give to the 3013  
 treasurer of state for deposit into the Ohio elections 3014  
 commission general revenue fund created under division (I) of 3015  
 section 3517.152 of the Revised Code all funds not disposed of 3016  
 pursuant to that division. 3017~~

(2) Any treasurer of a transition fund that fails to 3018

dispose of assets remaining in the transition fund as required 3019  
 under division (H) (1) or (2) of section 3517.1014 of the Revised 3020  
 Code shall give to the treasurer of state for deposit into the 3021  
~~Ohio elections commission general revenue fund~~ all assets not 3022  
 disposed of pursuant to that division. 3023

~~(Z)~~ (Y) Any individual, campaign committee, political 3024  
 action committee, political contributing entity, legislative 3025  
 campaign fund, political party, treasurer of a transition fund, 3026  
 or other entity that violates any provision of sections 3517.09 3027  
 to 3517.12 of the Revised Code for which no penalty is provided 3028  
 for under any other division of this section shall be fined not 3029  
 more than one thousand dollars. 3030

~~(AA) (1)~~ (Z) (1) Whoever knowingly violates division (W) (1) 3031  
 of section 3517.13 of the Revised Code shall be fined an amount 3032  
 equal to three times the amount contributed, expended, or 3033  
 promised in violation of that division or ten thousand dollars, 3034  
 whichever amount is greater. 3035

(2) Whoever knowingly violates division (W) (2) of section 3036  
 3517.13 of the Revised Code shall be fined an amount equal to 3037  
 three times the amount solicited or accepted in violation of 3038  
 that division or ten thousand dollars, whichever amount is 3039  
 greater. 3040

~~(BB)~~ (AA) Whoever knowingly violates division (C) or (D) 3041  
 of section 3517.1011 of the Revised Code shall be fined not more 3042  
 than ten thousand dollars plus not more than one thousand 3043  
 dollars for each day of violation. 3044

~~(CC) (1)~~ (BB) (1) Subject to division ~~(CC) (2)~~ (BB) (2) of 3045  
 this section, whoever violates division (H) of section 3517.1011 3046  
 of the Revised Code shall be fined an amount up to three times 3047

the amount disbursed for the direct costs of airing the 3048  
communication made in violation of that division. 3049

(2) Whoever has been ordered by the ~~Ohio elections-~~ 3050  
~~commission~~ appropriate enforcement authority or by a court of 3051  
competent jurisdiction to cease making communications in 3052  
violation of division (H) of section 3517.1011 of the Revised 3053  
Code who again violates that division shall be fined an amount 3054  
equal to three times the amount disbursed for the direct costs 3055  
of airing the communication made in violation of that division. 3056

~~(DD) (1)~~ (CC) (1) Any corporation or labor organization that 3057  
violates division (X) (3) (a) of section 3517.13 of the Revised 3058  
Code shall be fined an amount equal to three times the amount 3059  
given in excess of the amount permitted by that division. 3060

(2) Any state or county political party that violates 3061  
division (X) (3) (b) of section 3517.13 of the Revised Code shall 3062  
be fined an amount equal to three times the amount accepted in 3063  
excess of the amount permitted by that division. 3064

~~(EE) (1)~~ (DD) (1) Any campaign committee or person who 3065  
violates division (C) (1) (b) or (c) of section 3517.1014 of the 3066  
Revised Code shall be fined an amount equal to three times the 3067  
amount donated in excess of the amount permitted by that 3068  
division. 3069

(2) Any officeholder or treasurer of a transition fund who 3070  
violates division (C) (3) (a) or (b) of section 3517.1014 of the 3071  
Revised Code shall be fined an amount equal to three times the 3072  
amount accepted in excess of the amount permitted by that 3073  
division. 3074

**Sec. 3517.991.** A person who is convicted of a violation of 3075  
this chapter or section 145.054, 742.043, 3307.073, 3309.073, 3076

3599.03, 3599.031, or 5505.045 of the Revised Code shall be 3077  
sentenced under the law as it existed at the time the violation 3078  
occurred." 3079

After line 101057, insert: 3080

**"Sec. 5505.046.** ~~The secretary of state, or any person~~ 3081  
~~acting on personal knowledge and subject to the penalties of~~ 3082  
~~perjury, may file a~~ A ~~complaint with the Ohio elections~~ 3083  
~~commission~~ alleging a violation of section 5505.045 of the 3084  
Revised Code may be filed in accordance with section 3517.14 of 3085  
the Revised Code. ~~The complaint shall be made on a form~~ 3086  
~~prescribed and provided by the commission.~~ 3087

~~On receipt of a complaint under this section, the~~ 3088  
~~commission shall hold a hearing open to the public to determine~~ 3089  
~~whether the violation alleged in the complaint has occurred. The~~ 3090  
~~commission may administer oaths and issue subpoenas to any~~ 3091  
~~person in the state compelling the attendance of witnesses and~~ 3092  
~~the production of relevant papers, books, accounts, and reports.~~ 3093  
~~On the refusal of any person to obey a subpoena or to be sworn~~ 3094  
~~or to answer as a witness, the commission may apply to the court~~ 3095  
~~of common pleas of Franklin county under section 2705.03 of the~~ 3096  
~~Revised Code. The court shall hold contempt proceedings in~~ 3097  
~~accordance with Chapter 2705. of the Revised Code.~~ 3098

~~The commission shall provide the person accused of the~~ 3099  
~~violation at least seven days prior notice of the time, date,~~ 3100  
~~and place of the hearing. The accused may be represented by an~~ 3101  
~~attorney and shall have an opportunity to present evidence, call~~ 3102  
~~witnesses, and cross-examine witnesses.~~ 3103

~~At the hearing, the commission shall determine whether the~~ 3104  
~~violation alleged in the complaint has occurred. If the~~ 3105



~~commission determines that a violation of division (A) of~~ 3106  
~~section 5505.045 of the Revised Code has occurred, the~~ 3107  
~~commission shall either impose a fine under section 5505.99 of~~ 3108  
~~the Revised Code or enter a finding that good cause has been~~ 3109  
~~shown not to impose the fine. If the commission determines that~~ 3110  
~~a violation of division (B) of section 5505.045 of the Revised~~ 3111  
~~Code has occurred, the commission shall impose the fine~~ 3112  
~~described in section 5505.99 of the Revised Code, refer the~~ 3113  
~~matter to the appropriate prosecutor, or enter a finding that~~ 3114  
~~good cause has been shown to not impose a fine or refer the~~ 3115  
~~matter to the appropriate prosecutor.~~ 3116

**Sec. 5505.99.** (A) Whoever violates division (A) of section 3117  
 5505.045 of the Revised Code shall be fined not more than one 3118  
 hundred dollars for each day of the violation. 3119

(B) Whoever violates division (B) of section 5505.045 of 3120  
 the Revised Code shall be imprisoned for not more than six 3121  
 months or fined not more than five thousand dollars, or both. 3122

~~(C) Fines imposed by the Ohio elections commission under~~ 3123  
~~this section shall be paid into the Ohio elections commission~~ 3124  
~~fund created under section 3513.10 of the Revised Code."~~ 3125

In line 113623, after "3513.259," insert "3517.14, 3517.151, 3126  
 3517.152, 3517.154, 3517.156, 3517.157, 3517.99, 3517.991," 3127

After line 124376, insert: 3128

**"Section 525.00.01.** (A) Notwithstanding any contrary 3129  
 provision of section 109.02, 145.055, 145.99, 742.044, 742.99, 3130  
 3307.074, 3307.99, 3309.074, 3309.99, 3501.05, 3501.11, 3513.04, 3131  
 3513.05, 3513.10, 3513.261, 3517.01, 3517.08, 3517.081, 3132  
 3517.102, 3517.109, 3517.1012, 3517.11, 3517.121, 3517.13, 3133  
 3517.20, 3517.21, 3517.22, 3517.23, 5505.046, or 5505.99 of the 3134

Revised Code as amended by this act, new section 3517.991 of the 3135  
 Revised Code as enacted by this act, or sections 3517.153 3136  
 (3517.14), 3517.155 (3517.17), 3517.992 (3517.99), and 3517.993 3137  
 (3517.18) as renumbered by this act; notwithstanding the repeal 3138  
 of sections 3517.14, 3517.151, 3517.152, 3517.154, 3517.156, 3139  
 3517.157, 3517.99, and 3517.991 by this act; and except as 3140  
 otherwise provided in division (B) of this section, the 3141  
 provisions of those sections that were in effect before the 3142  
 effective date of this section continue to apply to the Ohio 3143  
 Elections Commission until the Commission is abolished on 3144  
 January 1, 2026. The Commission shall continue to hear and issue 3145  
 decisions concerning complaints filed with the Commission before 3146  
 the effective date of this section in accordance with those 3147  
 provisions. 3148

(B) On and after the effective date of this section, both 3149  
 of the following apply: 3150

(1) No complaint may be filed with the Commission. Any 3151  
 complaint that could have been filed with the Commission before 3152  
 the effective date of this section may be filed with the 3153  
 appropriate enforcement authority under section 3517.153 3154  
 (3517.14) of the Revised Code, as amended and renumbered by this 3155  
 act. 3156

(2) The Commission shall not render advisory opinions or 3157  
 recommend legislation. 3158

(C) (1) The Commission is abolished on January 1, 2026. 3159

(2) On January 1, 2026, any complaint pending before the 3160  
 Commission under section 3517.155 of the Revised Code, as it 3161  
 existed before the effective date of this section, is 3162  
 transferred to the appropriate enforcement authority, as 3163

determined under section 3517.153 (3517.14) of the Revised Code, 3164  
as renumbered by this act, for disposition. The Commission shall 3165  
provide all records regarding the complaint to the appropriate 3166  
enforcement authority. 3167

(3) All other records of the Commission and all of its 3168  
other assets and liabilities shall be transferred to the 3169  
Secretary of State. The Secretary of State is successor to, and 3170  
assumes the obligations of, the Commission. 3171

(D) Except for the disposition of a complaint pending 3172  
before the Commission under section 3517.155 of the Revised 3173  
Code, as it existed before the effective date of this section, 3174  
or the rendering of an advisory opinion, any business commenced 3175  
but not completed by the Commission or its Executive Director on 3176  
January 1, 2026, shall be completed by the Secretary of State in 3177  
the same manner, and with the same effect, as if completed by 3178  
the Commission or by its Executive Director. No validation, 3179  
cure, right, privilege, remedy, obligation, or liability is lost 3180  
or impaired by reason of the transfer required by this section. 3181

(E) All employees of the Commission cease to hold their 3182  
positions of employment on January 1, 2026, or as soon as 3183  
possible thereafter. 3184

(F) On January 1, 2026, or as soon as possible thereafter, 3185  
the Director of Budget and Management shall transfer the cash 3186  
balance of the Ohio Elections Commission Fund (Fund 4P20) to the 3187  
Corporate and Uniform Commercial Code Filing Fund (Fund 5990). 3188  
Upon completion of the transfer, Fund 4P20 is abolished. The 3189  
Director shall cancel any existing encumbrances against 3190  
appropriation item 051601, Operating Support, and reestablish 3191  
them against appropriation item 050630, Elections Support 3192  
Supplement. The reestablished encumbrance amounts are hereby 3193

appropriated. 3194

(G) Whenever the Commission or its Executive Director is 3195  
referred to in any law, contract, or other document, the 3196  
reference shall be deemed to refer to the Secretary of State. 3197

(H) Except for the disposition of a complaint pending 3198  
before the Commission under section 3517.155 of the Revised 3199  
Code, as it existed before the effective date of this section, 3200  
or the rendering of an advisory opinion, no action or proceeding 3201  
pending on January 1, 2026, is affected by the transfer, and any 3202  
such action or proceeding shall be prosecuted or defended in the 3203  
name of the Secretary of State. In all such actions and 3204  
proceedings, the Secretary of State, on application to the 3205  
court, shall be substituted as a party." 3206

Update the title, amend, enact, or repeal clauses accordingly 3207

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS 3208

## **Abolish Ohio Elections Commission** 3209

R.C. 109.02, 145.055, 145.99, 742.044, 742.99, 3307.074, 3210  
3307.99, 3309.074, 3309.99, 3501.05, 3501.11, 3513.04, 3513.05, 3211  
3513.10, 3513.261, 3517.01, 3517.08, 3517.081, 3517.102, 3212  
3517.109, 3517.1012, 3517.11, 3517.121, 3517.13, 3517.153 3213  
(3517.14), 3517.15, 3517.16, 3517.155 (3517.17), 3517.993 3214  
(3517.18), 3517.20, 3517.21, 3517.22, 3517.23, 3517.991 3215  
(reenacted), 3517.992 (3517.99), 5505.046, and 5505.99; Section 3216  
525.00.01; and repeal of R.C. 3517.14, 3517.151, 3517.152, 3217

<b>3517.154, 3517.156, 3517.157, 3517.99, and 3517.991</b>	3218
Abolishes ELC as of January 1, 2026.	3219
Requires complaints regarding violations of the Campaign Finance Law to be heard by a hearing officer appointed by SOS or to be heard by a board of elections, depending on the violation, before any prosecution may commence.	3220 3221 3222 3223
Changes several procedural requirements regarding administrative hearings of those complaints and the prosecutor to whom a violation may be referred, but generally retains the current administrative and criminal penalties.	3224 3225 3226 3227
Requires ELC, between the bill's effective date and January 1, 2026, to continue to hear the matters pending before it based on the current law requirements, but prohibits any new complaints from being filed with ELC during that time, and instead requires them to be filed with SOS or the board of elections, as applicable.	3228 3229 3230 3231 3232 3233
Transfers any matters pending before ELC as of January 1, 2026, to SOS or a board of elections, as applicable, for disposition under the amendment.	3234 3235 3236
Allows SOS to issue advisory opinions regarding the Campaign Finance Law and specifies that existing ELC opinions are considered SOS opinions unless and until they are amended or rescinded.	3237 3238 3239 3240
Provides procedures for ELC to wind up its affairs and transfer its records, assets, and liabilities to SOS.	3241 3242
Removes a provision of the bill that would have increased candidate filing fees credited to the ELC Fund.	3243 3244
<b>ELC Fund cash balance transfer</b>	3245

<b>Section 525.00.01</b>	3246
Transfers the cash balance of the Ohio Elections	3247
Commission Fund (Fund 4P20) to the Corporate and Uniform	3248
Commercial Code Filing Fund (Fund 5990) on January 1, 2026, or	3249
as soon as possible thereafter. Abolishes Fund 4P20 after the	3250
transfer is complete.	3251
Cancels any existing encumbrances against Fund 4P20 ALI	3252
051601, Operating Support, and reestablishes them against Fund	3253
5990 ALI 050630, Elections Support Supplement, used by SOS.	3254
Appropriates the reestablished encumbrance amounts.	3255

Sub. H. B. No. 96

L\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 119271, in row P, delete "\$1,100,000" and insert "\$1,275,000 \$1,275,000" 1  
2

In the table on line 119271, in rows S and AW, add \$175,000 to each 3  
fiscal year 4

After line 119680, insert: 5

"Of the foregoing appropriation item 336519, Community Projects, 6  
\$175,000 in each fiscal year shall be distributed to the 1N5 Foundation to 7  
provide suicide prevention in schools." 8

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 9

**Department of Behavioral Health** 10

**Sections 337.10 and 337.117** 11

Increases GRF ALI 336519, Community Projects, by \$175,000 12  
in each fiscal year. Earmarks these funds for the 1N5 Foundation 13

Legislative Service Commission



hsuvwg26ixnrswhswwme8s

to provide suicide prevention in schools.

14



Sub. H. B. No. 96

I\_136\_0001-4

EDUCD25

\_\_\_\_\_ moved to amend as follows:

In line 53586, delete "and nonprofit agencies" and insert ",  
nonprofit, or private entities" 1 2

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 3

**Private entity assistance with reducing absences** 4

**R.C. 3321.191** 5

Clarifies that a public school may partner with private 6  
entities, in addition to public and nonprofit entities, to 7  
provide assistance to students and families in reducing 8  
absences. 9

\_\_\_\_\_ moved to amend as follows:

After line 77222, insert:

"**Sec. 4517.01.** As used in sections 4517.01 to 4517.65 of  
the Revised Code:

(A) "Persons" includes individuals, partnerships,  
associations, joint stock companies, corporations, sole  
proprietorships, limited liability companies, limited liability  
partnerships, business trusts, and any other legally recognized  
business entities or any combinations of individuals.

(B) "Motor vehicle" means motor vehicle as defined in  
section 4501.01 of the Revised Code and also includes "all-  
purpose vehicle" and "off-highway motorcycle" as those terms are  
defined in section 4519.01 of the Revised Code. "Motor vehicle"  
does not include a snowmobile as defined in section 4519.01 of  
the Revised Code or manufactured and mobile homes. "Motor  
vehicle" includes a "fifth wheel trailer," "park trailer,"  
"travel trailer," "tent-type fold-out camping trailer," and a  
"semitrailer" but does not otherwise include trailers as defined  
in section 4501.01 of the Revised Code.

(C) "New motor vehicle" means a motor vehicle, the legal



title to which has never been transferred by a manufacturer, 20  
remanufacturer, distributor, or dealer to an ultimate purchaser. 21

(D) "Ultimate purchaser" means, with respect to any new 22  
motor vehicle, the first person, other than a dealer purchasing 23  
in the capacity of a dealer, who in good faith purchases such 24  
new motor vehicle for purposes other than resale. 25

(E) "Business" includes any activities engaged in by any 26  
person for the object of gain, benefit, or advantage either 27  
direct or indirect, including activities conducted through the 28  
internet or another computer network. 29

(F) "Engaging in business" means commencing, conducting, 30  
or continuing in business, or liquidating a business when the 31  
liquidator thereof holds self out to be conducting such 32  
business; making a casual sale or otherwise making transfers in 33  
the ordinary course of business when the transfers are made in 34  
connection with the disposition of all or substantially all of 35  
the transferor's assets is not engaging in business. 36

(G) "Retail sale" or "selling at retail" means the act or 37  
attempted act of selling, bartering, exchanging, or otherwise 38  
disposing of a motor vehicle, including through use of the 39  
internet or another computer network, to an ultimate purchaser. 40

(H) "Retail installment contract" includes any contract in 41  
the form of a note, chattel mortgage, conditional sales 42  
contract, lease, agreement, or other instrument payable in one 43  
or more installments over a period of time and arising out of 44  
the retail sale of a motor vehicle. 45

(I) "Farm machinery" means all machines and tools used in 46  
the production, harvesting, and care of farm products. 47

(J) "Dealer" or "motor vehicle dealer" means any new motor vehicle dealer, any motor vehicle leasing dealer, any adaptive mobility dealer, and any used motor vehicle dealer.

(K) "New motor vehicle dealer" means any person engaged in the business of selling at retail, displaying, offering for sale, or dealing in new motor vehicles pursuant to a contract or agreement entered into with the manufacturer, remanufacturer, or distributor of the motor vehicles.

(L) "Used motor vehicle dealer" means any person engaged in the business of selling, displaying, offering for sale, or dealing in used motor vehicles, at retail or wholesale, but does not mean any new motor vehicle dealer selling, displaying, offering for sale, or dealing in used motor vehicles incidentally to engaging in the business of selling, displaying, offering for sale, or dealing in new motor vehicles, any person engaged in the business of dismantling, salvaging, or rebuilding motor vehicles by means of using used parts, or any public officer performing official duties.

(M) "Motor vehicle leasing dealer" means any person engaged in the business of regularly making available, offering to make available, or arranging for another person to use a motor vehicle pursuant to a bailment, lease, sublease, or other contractual arrangement under which a charge is made for its use at a periodic rate for a term of thirty days or more, and title to the motor vehicle is in and remains in the motor vehicle leasing dealer who originally leases it, irrespective of whether or not the motor vehicle is the subject of a later sublease, and not in the user, including any financial institution acting as a lessor for a lease or sublease. "Motor vehicle leasing dealer" does not include a new motor vehicle dealer that is not the

lessor and that only assists in arranging a lease on the 78  
lessor's behalf or a manufacturer or its affiliate leasing to 79  
its employees or to dealers. 80

(N) "Salesperson" means any person employed by a dealer to 81  
sell, display, and offer for sale, or deal in motor vehicles for 82  
a commission, compensation, or other valuable consideration, but 83  
does not mean any public officer performing official duties. 84

(O) "Casual sale" means any transfer of a motor vehicle by 85  
a person other than a new motor vehicle dealer, used motor 86  
vehicle dealer, adaptive mobility dealer, motor vehicle salvage 87  
dealer, as defined in division (A) of section 4738.01 of the 88  
Revised Code, salesperson, motor vehicle auction owner, 89  
manufacturer, or distributor acting in the capacity of a dealer, 90  
salesperson, auction owner, manufacturer, or distributor, to a 91  
person who purchases the motor vehicle for use as a consumer. 92

(P) "Motor vehicle auction owner" means any person who is 93  
engaged wholly or in part in the business of auctioning motor 94  
vehicles, but does not mean a construction equipment auctioneer 95  
or a construction equipment auction licensee. 96

(Q) "Manufacturer" means a person who manufactures, 97  
assembles, or imports motor vehicles, including motor homes, but 98  
does not mean a person who only assembles or installs a body, 99  
special equipment unit, finishing trim, or accessories on a 100  
motor vehicle chassis supplied by a manufacturer or distributor. 101

(R) "Tent-type fold-out camping trailer" means any vehicle 102  
intended to be used, when stationary, as a temporary shelter 103  
with living and sleeping facilities, and that is subject to the 104  
following properties and limitations: 105

(1) A minimum of twenty-five per cent of the fold-out 106

portion of the top and sidewalls combined must be constructed of 107  
canvas, vinyl, or other fabric, and form an integral part of the 108  
shelter. 109

(2) When folded, the unit must not exceed: 110

(a) Fifteen feet in length, exclusive of bumper and 111  
tongue; 112

(b) Sixty inches in height from the point of contact with 113  
the ground; 114

(c) Eight feet in width; 115

(d) One ton gross weight at time of sale. 116

(S) "Distributor" means any person authorized by a motor 117  
vehicle manufacturer to distribute new motor vehicles to 118  
licensed new motor vehicle dealers, but does not mean a person 119  
who only assembles or installs a body, special equipment unit, 120  
finishing trim, or accessories on a motor vehicle chassis 121  
supplied by a manufacturer or distributor. 122

(T) "Flea market" means a market place, other than a 123  
dealer's location licensed under this chapter, where a space or 124  
location is provided for a fee or compensation to a seller to 125  
exhibit and offer for sale or trade, motor vehicles to the 126  
general public. 127

(U) "Franchise" means any written agreement, contract, or 128  
understanding between any motor vehicle manufacturer or 129  
remanufacturer engaged in commerce and any new motor vehicle 130  
dealer that purports to fix the legal rights and liabilities of 131  
the parties to such agreement, contract, or understanding. 132

(V) "Franchisee" means a person who receives new motor 133  
vehicles from the franchisor under a franchise agreement and who 134

offers, sells, and provides service for such new motor vehicles 135  
to the general public. 136

(W) "Franchisor" means a new motor vehicle manufacturer, 137  
remanufacturer, or distributor who supplies new motor vehicles 138  
under a franchise agreement to a franchisee. 139

(X) "Dealer organization" means a state or local trade 140  
association the membership of which is comprised predominantly 141  
of new motor vehicle dealers. 142

(Y) "Factory representative" means a representative 143  
employed by a manufacturer, remanufacturer, or by a factory 144  
branch primarily for the purpose of promoting the sale of its 145  
motor vehicles, parts, or accessories to dealers or for 146  
supervising or contacting its dealers or prospective dealers. 147

(Z) "Administrative or executive management" means those 148  
individuals who are not subject to federal wage and hour laws. 149

(AA) "Good faith" means honesty in the conduct or 150  
transaction concerned and the observance of reasonable 151  
commercial standards of fair dealing in the trade as is defined 152  
in section 1301.201 of the Revised Code, including, but not 153  
limited to, the duty to act in a fair and equitable manner so as 154  
to guarantee freedom from coercion, intimidation, or threats of 155  
coercion or intimidation; provided however, that recommendation, 156  
endorsement, exposition, persuasion, urging, or argument shall 157  
not be considered to constitute a lack of good faith. 158

(BB) "Coerce" means to compel or attempt to compel by 159  
failing to act in good faith or by threat of economic harm, 160  
breach of contract, or other adverse consequences. Coerce does 161  
not mean to argue, urge, recommend, or persuade. 162

(CC) "Relevant market area" means any area within a radius of ten miles from the site of a potential new dealership, except that for manufactured home or recreational vehicle dealerships the radius shall be twenty-five miles. The ten-mile radius shall be measured from the dealer's established place of business that is used exclusively for the purpose of selling, displaying, offering for sale, or dealing in motor vehicles.

(DD) "Wholesale" or "at wholesale" means the act or attempted act of selling, bartering, exchanging, or otherwise disposing of a motor vehicle to a transferee for the purpose of resale and not for ultimate consumption by that transferee.

(EE) "Motor vehicle wholesaler" means any person licensed as a dealer under the laws of another state and engaged in the business of selling, displaying, or offering for sale used motor vehicles, at wholesale, but does not mean any motor vehicle dealer as defined in this section.

(FF) (1) "Remanufacturer" means a person who assembles or installs passenger seating, walls, a roof elevation, or a body extension on a conversion van with the motor vehicle chassis supplied by a manufacturer or distributor, a person who modifies a truck chassis supplied by a manufacturer or distributor for use as a public safety or public service vehicle, a person who modifies a motor vehicle chassis supplied by a manufacturer or distributor for use as a limousine or hearse, or a person who modifies an incomplete motor vehicle cab and chassis supplied by a new motor vehicle dealer or distributor for use as a tow truck, but does not mean either of the following:

(a) A person who assembles or installs passenger seating, a roof elevation, or a body extension on a recreational vehicle as defined in division (Q) and referred to in division (B) of



section 4501.01 of the Revised Code;	193
(b) An adaptive mobility dealer.	194
(2) For the purposes of division (FF)(1) of this section,	195
"public safety vehicle or public service vehicle" means a fire	196
truck, ambulance, school bus, street sweeper, garbage packing	197
truck, or cement mixer, or a mobile self-contained facility	198
vehicle.	199
(3) For the purposes of division (FF)(1) of this section,	200
"limousine" means a motor vehicle, designed only for the purpose	201
of carrying nine or fewer passengers, that a person modifies by	202
cutting the original chassis, lengthening the wheelbase by forty	203
inches or more, and reinforcing the chassis in such a way that	204
all modifications comply with all applicable federal motor	205
vehicle safety standards. No person shall qualify as or be	206
deemed to be a remanufacturer who produces limousines unless the	207
person has a written agreement with the manufacturer of the	208
chassis the person utilizes to produce the limousines to	209
complete properly the remanufacture of the chassis into	210
limousines.	211
(4) For the purposes of division (FF)(1) of this section,	212
"hearse" means a motor vehicle, designed only for the purpose of	213
transporting a single casket, that is equipped with a	214
compartment designed specifically to carry a single casket that	215
a person modifies by cutting the original chassis, lengthening	216
the wheelbase by ten inches or more, and reinforcing the chassis	217
in such a way that all modifications comply with all applicable	218
federal motor vehicle safety standards. No person shall qualify	219
as or be deemed to be a remanufacturer who produces hearses	220
unless the person has a written agreement with the manufacturer	221
of the chassis the person utilizes to produce the hearses to	222

complete properly the remanufacture of the chassis into hearses. 223

(5) For the purposes of division (FF)(1) of this section, 224  
 "mobile self-contained facility vehicle" means a mobile 225  
 classroom vehicle, mobile laboratory vehicle, bookmobile, 226  
 bloodmobile, testing laboratory, and mobile display vehicle, 227  
 each of which is designed for purposes other than for passenger 228  
 transportation and other than the transportation or displacement 229  
 of cargo, freight, materials, or merchandise. A vehicle is 230  
 remanufactured into a mobile self-contained facility vehicle in 231  
 part by the addition of insulation to the body shell, and 232  
 installation of all of the following: a generator, electrical 233  
 wiring, plumbing, holding tanks, doors, windows, cabinets, 234  
 shelving, and heating, ventilating, and air conditioning 235  
 systems. 236

(6) For the purposes of division (FF)(1) of this section, 237  
 "tow truck" means both of the following: 238

(a) An incomplete cab and chassis that are purchased by a 239  
 remanufacturer from a new motor vehicle dealer or distributor of 240  
 the cab and chassis and on which the remanufacturer then 241  
 installs in a permanent manner a wrecker body it purchases from 242  
 a manufacturer or distributor of wrecker bodies, installs an 243  
 emergency flashing light pylon and emergency lights upon the 244  
 mast of the wrecker body or rooftop, and installs such other 245  
 related accessories and equipment, including push bumpers, front 246  
 grille guards with pads and other custom-ordered items such as 247  
 painting, special lettering, and safety striping so as to create 248  
 a complete motor vehicle capable of lifting and towing another 249  
 motor vehicle. 250

(b) An incomplete cab and chassis that are purchased by a 251  
 remanufacturer from a new motor vehicle dealer or distributor of 252

the cab and chassis and on which the remanufacturer then 253  
installs in a permanent manner a car carrier body it purchases 254  
from a manufacturer or distributor of car carrier bodies, 255  
installs an emergency flashing light pylon and emergency lights 256  
upon the rooftop, and installs such other related accessories 257  
and equipment, including push bumpers, front grille guards with 258  
pads and other custom-ordered items such as painting, special 259  
lettering, and safety striping. 260

As used in division (FF) (6) (b) of this section, "car 261  
carrier body" means a mechanical or hydraulic apparatus capable 262  
of lifting and holding a motor vehicle on a flat level surface 263  
so that one or more motor vehicles can be transported, once the 264  
car carrier is permanently installed upon an incomplete cab and 265  
chassis. 266

(GG) "Operate as a new motor vehicle dealership" means 267  
engaging in activities such as displaying, offering for sale, 268  
and selling new motor vehicles at retail, operating a service 269  
facility to perform repairs and maintenance on motor vehicles, 270  
offering for sale and selling motor vehicle parts at retail, and 271  
conducting all other acts that are usual and customary to the 272  
operation of a new motor vehicle dealership. For the purposes of 273  
this chapter only, possession of either a valid new motor 274  
vehicle dealer franchise agreement or a new motor vehicle 275  
dealers license, or both of these items, is not evidence that a 276  
person is operating as a new motor vehicle dealership. 277

(HH) "Outdoor power equipment" means garden and small 278  
utility tractors, walk-behind and riding mowers, chainsaws, and 279  
tillers. 280

(II) "Remote service facility" means premises that are 281  
separate from a licensed new motor vehicle dealer's sales 282

facility by not more than one mile and that are used by the 283  
dealer to perform repairs, warranty work, recall work, and 284  
maintenance on motor vehicles pursuant to a franchise agreement 285  
entered into with a manufacturer of motor vehicles. A remote 286  
service facility shall be deemed to be part of the franchise 287  
agreement and is subject to all the rights, duties, obligations, 288  
and requirements of Chapter 4517. of the Revised Code that 289  
relate to the performance of motor vehicle repairs, warranty 290  
work, recall work, and maintenance work by new motor vehicle 291  
dealers. 292

(JJ) "Recreational vehicle" has the same meaning as in 293  
section 4501.01 of the Revised Code. 294

(KK) "Construction equipment auctioneer" means a person 295  
who holds both a valid auction firm license issued under Chapter 296  
4707. of the Revised Code and a valid construction equipment 297  
auction license issued under this chapter. 298

(LL) "Large construction or transportation equipment" 299  
means vehicles having a gross vehicle weight rating of more than 300  
ten thousand pounds and includes road rollers, traction engines, 301  
power shovels, power cranes, commercial cars and trucks, or farm 302  
trucks, and other similar vehicles obtained primarily from the 303  
construction, mining, transportation or farming industries. 304

(MM) "Local market conditions" includes, but is not 305  
limited to: 306

(1) Demographics in the franchisee's area; 307

(2) Geographical and market characteristics in the 308  
franchisee's area; 309

(3) Local economic circumstances; 310

(4) The proximity of other motor vehicle dealers of the same line-make;	311 312
(5) The proximity of motor vehicle manufacturing facilities;	313 314
(6) The buying patterns of motor vehicle purchasers;	315
(7) Customer drive time and drive distance.	316
(NN) "Established place of business" means a permanent, enclosed building or structure that meets all of the following requirements:	317 318 319
(1) It is either owned, leased, or rented by the motor vehicle dealer.	320 321
(2) It meets local zoning or municipal requirements.	322
(3) It is regularly occupied by at least one person.	323
(4) It is easily accessible to the public.	324
(5) The records and files necessary to conduct the business are generally kept and maintained at the location or are readily accessible and available for reasonable inspection from the location.	325 326 327 328
"Established place of business" does not mean a residence, tent, temporary stand, storage shed, lot, or any temporary quarters, unless authorized by the registrar of motor vehicles.	329 330 331
(OO) "Adaptive mobility dealer" means any person engaged in the business of all of the following:	332 333
(1) Selling at retail, displaying, offering for sale, delivering, and dealing in adaptive mobility vehicles;	334 335
(2) Selling and installing adaptive mobility equipment,	336

related accessories, and other goods and services to meet the 337  
 automotive adaptive mobility needs of drivers and passengers 338  
 with disabilities; 339

(3) Providing maintenance and repair services for adaptive 340  
 mobility vehicles and adaptive mobility equipment. 341

(PP) "Adaptive mobility equipment" means the mechanical or 342  
 electronic devices or parts that are designed to facilitate the 343  
 use of a motor vehicle by a person who is aging or a person with 344  
 disabilities, in accordance with 49 C.F.R. part 571, and that 345  
 are permanently attached to or incorporated into the motor 346  
 vehicle. " 347

After line 125521, insert: 348

"Section 4517.01 of the Revised Code as amended by both H.B. 33 and 349  
 H.B. 195 of the 135th General Assembly." 350

Update the title, amend, enact, or repeal clauses accordingly 351

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS 352

## **Trailers excluded from the Motor Vehicle Dealer Law 353**

### **R.C. 4517.01 354**

Excludes trailers from the Motor Vehicle Dealers Law, 355  
 except for fifth wheel trailers, park trailers, travel trailers, 356  
 tent-type fold-out camping trailers, or semitrailers. 357

\_\_\_\_\_ moved to amend as follows:

In the table on line 117533, after row I, insert:

"

1	2	3	4	5
---	---	---	---	---

A Revenue Distribution Fund Group

B	7047 230647 Project Support	\$20,000,000	\$0
---	-----------------------------	--------------	-----

C	Revenue Distribution Fund Group Total	\$20,000,000	\$0
---	---------------------------------------	--------------	-----

"

In the table on line 117533, in row J, add \$20,000,000 to fiscal year 2026

After line 117550, insert:

"PROJECT SUPPORT

(A) Notwithstanding section 5751.02 of the Revised Code, the forgoing appropriation item 230647, Project Support, shall be used by the Ohio Facilities Construction Commission to support the construction or renovation of a school building pursuant to division (B) of this section.



An amount equal to the unexpended, unencumbered balance of the  
foregoing appropriation item 230647, Project Support, at the end of fiscal  
year 2026 is hereby reappropriated for the same purpose in fiscal year  
2027.

(B) Upon application from a qualifying district, the Ohio  
Facilities Construction Commission shall provide funding to the district  
for a special facilities project to renovate or construct a school  
building. In calculating the amount of the funding, the Commission shall  
use the district's most recent percentile ranking under section 3318.011  
of the Revised Code to determine the state's share of the project cost,  
provided that the state's share shall not be less than ninety per cent of  
the cost of the project or exceed the amount of the appropriation.

If necessary, the Commission shall proportionately reduce the amount  
of funding for each qualifying district who applies so as not to exceed  
the amount appropriated for the purposes of this section.

A qualifying district shall apply to participate in the program not  
later than December 31, 2025, and in a form and manner prescribed by the  
Commission.

For the purposes of this section, "qualifying district" means a  
school district to which all of the following apply:

(1) The district operates at least one school building in a county  
with a population of more than one hundred thousand people and at least  
one school building in another county with a population of less than fifty  
thousand people.

(2) The district's classroom facilities project was deferred or  
lapsed.

(3) The existing building included in the special facilities project  
for which the district applies for funding was originally constructed



prior to June 30, 1925."

41

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

42

**Facilities Construction Commission**

43

**Sections 287.10 and 287.20**

44

Establishes Fund 7047 ALI 230647, Project Support, with an appropriation of \$20,000,000 in FY 2026, to be used by OFCC to support the construction or renovation of a school building as prescribed below.

45

46

47

48

Reappropriates an amount equal to the available balance of ALI 230647 at the end of FY 2026 for the same purpose in FY 2027.

49

50

51

Requires the OFCC to provide facilities funding to each district for which all of the following apply:

52

53

(1) The district operates at least one school building in a county with a population of more than 100,000 people and at least one school building in another county with a population of less than 50,000 people;

54

55

56

57

(2) The district's classroom facilities project was deferred or lapsed; and

58

59

(3) The existing building included in the project for which the district applies for funding was originally constructed prior to June 30, 1925.

60

61

62

Requires school districts to apply for funding by December 63  
31, 2025, in a form and manner prescribed by OFCC. 64

Requires OFCC to calculate the amount of state funding 65  
using the percentage based on the district's most recent equity 66  
ranking, but prohibits the state share from being less than 90% 67  
of the cost of the project. 68

Requires OFCC, if necessary, to proportionately reduce 69  
funding for each district so not to exceed the amount 70  
appropriated for this purpose. 71

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 38746, insert:

"Sec. 3301.165. (A) As used in this section:

(1) "Adjusted gross income" has the same meaning as in  
section 5747.01 of the Revised Code.

(2) "Federal poverty guidelines" has the same meaning as  
in section 5101.46 of the Revised Code.

(3) "Community school" means a community school  
established under Chapter 3314. of the Revised Code.

(4) "Scholarship student" means a student who is  
participating in a state scholarship program.

(5) "State scholarship programs" has the same meaning as  
in section 3301.0711 of the Revised Code.

(6) "STEM school" means a STEM school established under  
Chapter 3326. of the Revised Code.

(B) The department of education and workforce shall  
establish a system by which an individual may compare the  
performance data of scholarship students enrolled in a chartered



nonpublic school with the performance data of similar students 18  
enrolled in the school district in which the school is located 19  
or a community school, STEM school, or other chartered nonpublic 20  
school in that district. The department shall make the system 21  
available on its publicly accessible web site. 22

In calculating the performance of similar students under 23  
this section, the department shall consider age, grade, race and 24  
ethnicity, gender, and socioeconomic status. 25

(C) (1) Annually, the department shall post on its publicly 26  
accessible web site the number of students who receive an 27  
educational choice scholarship under section 3310.032 of the 28  
Revised Code and, as the data is available, students who receive 29  
educational choice scholarships under section 3310.03 of the 30  
Revised Code and the pilot project scholarship program 31  
established under sections 3313.974 to 3313.979 of the Revised 32  
Code disaggregated according to the following categories: 33

(a) Students with a family adjusted gross income at or 34  
below four hundred fifty per cent of the federal poverty 35  
guidelines; 36

(b) Students with a family adjusted gross income above 37  
four hundred fifty per cent of the federal poverty guidelines, 38  
but at or below five hundred per cent of the federal poverty 39  
guidelines; 40

(c) Students with a family adjusted gross income above 41  
five hundred per cent of the federal poverty guidelines, but at 42  
or below five hundred fifty per cent of the federal poverty 43  
guidelines; 44

(d) Students with a family adjusted gross income above 45  
five hundred fifty per cent of the federal poverty guidelines, 46

but at or below six hundred per cent of the federal poverty 47  
guidelines; 48

(e) Students with a family adjusted gross income above six 49  
hundred per cent of the federal poverty guidelines, but at or 50  
below six hundred fifty per cent of the federal poverty 51  
guidelines; 52

(f) Students with a family adjusted gross income above six 53  
hundred fifty per cent of the federal poverty guidelines, but at 54  
or below seven hundred per cent of the federal poverty 55  
guidelines; 56

(g) Students with a family adjusted gross income above 57  
seven hundred per cent of the federal poverty guidelines, but at 58  
or below seven hundred fifty per cent of the federal poverty 59  
guidelines; 60

(h) Students with a family adjusted gross income above 61  
seven hundred fifty per cent of the federal poverty guidelines. 62

The department may disaggregate data under division (C) (1) 63  
of this section according to other categories that the 64  
department determines are appropriate. 65

(2) The department of education and workforce shall 66  
request from the department of taxation any data necessary for 67  
the department of education and workforce to compute and post 68  
data as required under division (C) (1) of this section. 69

(D) Annually, the department shall post on its publicly 70  
accessible web site all of the following for each chartered 71  
nonpublic school: 72

(1) The school's total enrollment; 73

(2) The number of scholarship students enrolled in the 74

<u>school, disaggregated by whether, in the prior school year, the</u>	75
<u>students were enrolled in one of the following:</u>	76
<u>(a) That school;</u>	77
<u>(b) A different chartered nonpublic school;</u>	78
<u>(c) A nonchartered nonpublic school;</u>	79
<u>(d) A city, local, or exempted village school district;</u>	80
<u>(e) A community school;</u>	81
<u>(f) A STEM school;</u>	82
<u>(g) If the student was not enrolled in a district or</u>	83
<u>school in the prior school year, whether either of the following</u>	84
<u>apply to the student:</u>	85
<u>(i) The student, in the prior school year, was exempted</u>	86
<u>from attendance at school for the purpose of home education</u>	87
<u>under section 3321.042 of the Revised Code.</u>	88
<u>(ii) The student, in the current school year, is enrolling</u>	89
<u>in school in this state for the first time.</u>	90
<u>(3) The total amount of state support received by the</u>	91
<u>school through all of the following:</u>	92
<u>(a) State scholarship programs;</u>	93
<u>(b) Auxiliary services payments as described under</u>	94
<u>division (E) of section 3317.024 of the Revised Code;</u>	95
<u>(c) Administrative and clerical services cost</u>	96
<u>reimbursements as described in section 3317.063 of the Revised</u>	97
<u>Code."</u>	98
After line 40588, insert:	99

"Sec. 3310.15. (A) The department of education and 100  
workforce annually shall compile the scores attained by 101  
scholarship students to whom an assessment is administered under 102  
section 3310.14 of the Revised Code. The scores shall be 103  
aggregated as follows: 104

(1) By state, which shall include all students awarded a 105  
scholarship under the educational choice scholarship pilot 106  
program and who were required to take an assessment under 107  
section 3310.14 of the Revised Code; 108

(2) By school district, which shall include all 109  
scholarship students who were required to take an assessment 110  
under section 3310.14 of the Revised Code and for whom the 111  
district is the student's resident district; 112

(3) By chartered nonpublic school, which shall include all 113  
scholarship students enrolled in that school who were required 114  
to take an assessment under section 3310.14 of the Revised Code. 115

(B) The department shall disaggregate the student 116  
performance data described in division (A) of this section 117  
according to the following categories: 118

(1) Grade level; 119

(2) Race and ethnicity; 120

(3) Gender; 121

(4) Students who have participated in the scholarship 122  
program for three or more years; 123

(5) Students who have participated in the scholarship 124  
program for more than one year and less than three years; 125

(6) Students who have participated in the scholarship 126

program for one year or less; 127

(7) Economically disadvantaged students. 128

(C) The department shall post the student performance data 129  
required under divisions (A) and (B) of this section on its web 130  
site and, by the ~~first-fifteenth~~ day of ~~February-September~~ or 131  
the preceding Friday when that day falls on a Saturday or Sunday 132  
each year, shall distribute that data to the parent of each 133  
eligible student. In reporting student performance data under 134  
this division, the department shall not include any data that is 135  
statistically unreliable or that could result in the 136  
identification of individual students. For this purpose, the 137  
department shall not report performance data for any group that 138  
contains less than ten students. 139

Not later than July 1, 2025, the department shall develop 140  
a measure of student growth for scholarship students enrolled in 141  
chartered nonpublic schools. The measure of student growth shall 142  
be used to report data annually on student growth for students 143  
in grades four through eight during the school year in which 144  
data is reported. No data shall be reported for schools with 145  
fewer than ten scholarship students. The department shall make 146  
the growth reports available on its publicly accessible web 147  
site. 148

(D) The department shall provide the parent of each 149  
scholarship student with information comparing the student's 150  
performance on the assessments administered under section 151  
3310.14 of the Revised Code with the average performance of 152  
similar students enrolled in the building operated by the 153  
student's resident district that the scholarship student would 154  
otherwise attend. In calculating the performance of similar 155  
students, the department shall consider age, grade, race and 156



ethnicity, gender, and socioeconomic status. 157

**Sec. 3310.16.** (A) For the 2020-2021 school year and each 158  
school year thereafter, the department of education and 159  
workforce shall accept, process, and award scholarships each 160  
year for the educational choice scholarship pilot program under 161  
sections 3310.03 and 3310.032 of the Revised Code, as follows: 162

(1) The application period shall open on the first day of 163  
February prior to the first day of July of the school year for 164  
which a scholarship is sought. Not later than forty-five days 165  
after an applicant submits to the department of education and 166  
workforce a completed application, the department shall 167  
determine whether that applicant is eligible for a scholarship 168  
and notify the applicant whether or not the applicant is 169  
eligible. The department shall award a scholarship to each 170  
student with an approved application. However, for any 171  
application submitted on or after the fifteenth day of October 172  
of the school year for which a scholarship is sought, the 173  
department shall prorate the amount of the awarded scholarship 174  
based on how much of the school year remains after the date of 175  
the student's enrollment in the chartered nonpublic school. 176

(2) In each school year, the department shall accept 177  
applications for conditional approval of a scholarship sought 178  
for that year or the next school year. Not later than five days 179  
after receiving an application under this division, the 180  
department shall grant conditional approval to an applicant who 181  
is eligible for a scholarship and notify the applicant whether 182  
or not conditional approval is granted. 183

(B) If the department determines an application submitted 184  
under this section contains an error or deficiency, the 185  
department shall notify the applicant who submitted that 186

application not later than fourteen days after the application 187  
is submitted. 188

(C) The departments of education and workforce, job and 189  
family services, and taxation shall enter into a data sharing 190  
agreement so that, in administering this section, the department 191  
of education and workforce shall be able to determine, based on 192  
the address provided in a student's application, whether that 193  
student is eligible for an educational choice scholarship under 194  
section 3310.03 of the Revised Code and whether the student 195  
meets the residency requirements for an educational choice 196  
scholarship under section 3310.032 of the Revised Code. 197

(D) No city, local, or exempted village school district 198  
shall have access to an application submitted under this 199  
section. 200

(E) The department shall require each applicant to include 201  
the school and, if applicable the school district, in which the 202  
applicant is enrolled, or that the student is receiving home 203  
education, for the school year prior to the one for which an 204  
applicant submits an application under this section." 205

Update the title, amend, enact, or repeal clauses accordingly 206

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 207

**EdChoice scholarship reporting for chartered nonpublic 208**  
**schools 209**

**R.C. 3301.165, 3310.15, and 3310.16 210**

Requires DEW to:	211
(1) Establish a system for comparing the performance data	212
of state scholarship students enrolled at chartered nonpublic	213
schools with the data of similar students in nearby schools.	214
(2) Annually post on its website for each chartered	215
nonpublic school the school's total enrollment, the number of	216
state scholarship students, what kind of school each scholarship	217
student attended in the prior school year, and the amount of	218
state support the school received.	219
(3) Annually post on its website the total number of	220
students who receive EdChoice Expansion, and, as the data is	221
available, EdChoice and Cleveland Scholarships disaggregated by	222
family income.	223
(4) Require each EdChoice scholarship applicant to include	224
the school, and if applicable the school district, in which the	225
applicant was enrolled for the school year prior to the one for	226
which the applicant is submitting an application.	227
Changes the deadline for DEW to report student performance	228
data for EdChoice scholarship students from February 1 of the	229
following school year to September 15 of that year.	230

\_\_\_\_\_ moved to amend as follows:

After line 61181, insert:

"**Sec. 3704.011.** (A) In addition to any other exemption provided in this chapter or rules adopted under it, an air contaminant source is exempt from this chapter and rules adopted under it if the emissions of particulate matter, nitrogen oxides, organic compounds, sulfur dioxide, carbon monoxide, lead, or any other air contaminant from that source do not exceed ten pounds per day, as verified in accordance with division (C) of this section, provided that the exemption does not apply to any air contaminant source if any of the following applies:

(1) A requirement established under the federal Clean Air Act or regulations adopted under it limits the emissions from the source to less than ten pounds per day of an air contaminant or restricts the operation of the source in a manner equivalent to an emission limit of less than ten pounds per day;

(2) An emission limit adopted by the director of environmental protection to achieve and maintain the national ambient air quality standards or a rule adopted by the director to protect public health and welfare limits the emissions from



the source to less than ten pounds per day of an air contaminant 21  
or restricts the operation of the source in a manner equivalent 22  
to an emission limit of less than ten pounds per day; 23

(3) The source emits radionuclides; 24

(4) The source, alone or in combination with similar air 25  
contaminant sources at the same facility, would result in 26  
potential emissions of any air contaminant in excess of twenty- 27  
five tons per year; 28

(5) The source emits more than one ton per year of 29  
hazardous air pollutants. 30

(B) (1) Nothing in this section prohibits the director from 31  
adopting rules establishing emission limits or permit 32  
requirements, or requiring the submission of information for the 33  
purpose of developing those rules, for source categories 34  
described in divisions (A) (1) to (5) of this section. 35

(2) Nothing in this section affects the determination of 36  
whether a stationary source is a major source for purposes of 37  
the applicability of the Title V permit program to the source 38  
under section 3704.036 of the Revised Code or any requirement to 39  
list insignificant activities and emissions levels in a Title V 40  
permit application. 41

(3) Nothing in this section restricts the director's 42  
authority to require the submission of information as necessary 43  
to comply with the requirements of the federal Clean Air Act. 44

(C) If the potential to emit of an air contaminant source 45  
exceeds ten pounds per day of any type of air contaminant, the 46  
exemption provided in this section does not apply unless the 47  
owner or operator of the source maintains records that are 48

adequate to demonstrate that actual emissions have not exceeded 49  
ten pounds per day. If the source emits hazardous air 50  
pollutants, the exemption provided in this section does not 51  
apply unless the owner or operator of the source maintains 52  
records that are adequate to demonstrate that actual emissions 53  
of hazardous air pollutants have not exceeded one ton per year. 54

Records required under this division shall be maintained 55  
on and after October 29, 1993, preserved for a period of two 56  
years, and made available upon request to the director. The 57  
director may adopt, amend, and rescind rules to provide further 58  
specificity with regard to recordkeeping requirements under this 59  
division. 60

(D) (1) As used in this division, "synthetic minor 61  
facility" has the same meaning as in section 3745.11 of the 62  
Revised Code. 63

(2) Notwithstanding any other provision of law or rules to 64  
the contrary, the director shall not require a single Title V 65  
permit for adjacent Title V facilities owned and operated by the 66  
same person or a single operating permit for adjacent synthetic 67  
minor facilities owned and operated by the same person if both 68  
of the following apply: 69

(a) At least one of the adjacent facilities is involved in 70  
aerospace manufacturing or rework that is subject to emission 71  
standards set forth in rule 3745-21-19 of the Ohio 72  
administrative code; 73

(b) The adjacent facilities are or will be located in a 74  
county with a population between three hundred ninety thousand 75  
and three hundred ninety-five thousand according to the most 76  
recent federal decennial census published by the United States 77

census bureau. 78

The director shall issue a variance from any law, rule, or 79

policy requiring such adjacent facilities to operate under a 80

single Title V permit or single operating permit." 81

Update the title, amend, enact, or repeal clauses accordingly 82

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 83

**Title V and synthetic minor adjacent facilities** 84

**R.C. 3704.011** 85

Notwithstanding any other provision of law or rules to the 86

contrary, prohibits the OEPA Director from requiring a single 87

Title V (air pollution control) permit or a single synthetic 88

minor facility operating (PTIO) permit for adjacent facilities 89

owned and operated by the same person, if both of the following 90

apply: 91

1. At least one of the adjacent facilities is involved in 92

aerospace manufacturing or rework that is subject to emission 93

standards set forth in O.A.C. 3745-21-19; and 94

2. The adjacent facilities are or will be located in a 95

county with a population between 390,000 and 395,000 (which 96

currently applies to Butler County). 97

Requires the Director to issue a variance from any law, 98

rule, or policy requiring adjacent facilities to operate under a 99

single Title V permit or a single synthetic minor facility PTIO 100

permit.

101



Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 123909, insert:

**"Section 506.10. ONE TIME STRATEGIC COMMUNITY INVESTMENTS**

Notwithstanding Section 200.30 of H.B. 2 of the 135th General Assembly, the Office of Budget and Management shall not provide a grant from appropriation item 042509, One Time Strategic Community Investments, to the Chardon High School Athletic Boosters for the Chardon Memorial Stadium Restroom and Concession Project. If any amount has been released prior to the effective date of this section, Chardon High School Athletic Boosters shall promptly return the unexpended portion of that amount, as of the effective date of this section, to the state treasury to the credit of the One Time Strategic Community Investments Fund (Fund 5AY1). The Office of Budget and Management shall distribute the amount returned by Chardon High School Athletic Boosters, if any, as follows: forty per cent to South Ridge Christian Academy for school building and roof renovations and sixty per cent to Agricultural Career Education Academy for DOPR career-technical program and infrastructure projects. This amount is hereby appropriated."

Legislative Service Commission



xpsegjhffkj jknmsbkgmsn

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	21
<b>Office of Budget and Management</b>	22
<b>Section 506.10</b>	23
Notwithstanding an earmark of \$250,000 in FY 2025 from Fund	24
5AY1 ALI 042509, One Time Strategic Community Investments, to	25
Chardon High School Athletic Boosters for the Chardon Memorial	26
Stadium Restroom and Concession Project in Section 200.30 of	27
H.B. 2 of the 135th General Assembly. Prohibits OBM from	28
providing the grant. Requires Chardon High School Athletic	29
Boosters to promptly return any unexpended amount that has	30
already been released. Appropriates that amount and requires OBM	31
to distribute it as follows: 40% to South Ridge Christian	32
Academy for school building and roof renovations and 60% to	33
Agricultural Career Education Academy for DOPR career-technical	34
program and infrastructure projects.	35

Sub. H. B. No. 96

I\_136\_0001-4

LOCCD4

\_\_\_\_\_ moved to amend as follows:

After line 101002, insert:

"(F) The general assembly, in enacting this section and section  
5303.34 of the Revised Code, intends to abrogate the common law causes of  
action and remedies involving claims for the unlawful extraction,  
exploitation, or conversion of the minerals of another person."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Civil actions for extracting/exploiting another's minerals**

**R.C. 5303.35**

Codifies that it is the intent of the General Assembly to  
abrogate the common law causes of action and remedies related to  
unlawful extraction, exploitation, or conversion of another  
person's mineral rights by creating the bill's civil action  
proceedings.

Legislative Service Commission



j4escsehgwf5t23zhtbl2x

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 33382, strike through "or" and insert ","; after "fraternal" 1  
insert ", or sporting" 2

After line 33387, insert: 3

**"Sec. 2915.08.** (A) (1) Except as otherwise permitted under 4  
section 2915.092 of the Revised Code, annually before the first 5  
day of January, a charitable organization that desires to 6  
conduct bingo shall apply to the attorney general for one or 7  
more of the following types of licenses to conduct bingo, as 8  
appropriate: 9

(a) A type I license to conduct bingo as described in 10  
division (O) (1) of section 2915.01 of the Revised Code; 11

(b) A type II license to conduct instant bingo, electronic 12  
instant bingo, or both at a bingo session; 13

(c) A type III license to conduct instant bingo, 14  
electronic instant bingo, or both other than at a bingo session, 15  
in accordance with sections 2915.093 to 2915.095 or sections 16  
2915.13 to 2915.15 of the Revised Code, as applicable. 17

(2) A veteran's organization~~or~~, fraternal organization, 18

or sporting organization that is authorized under section 19  
2915.14 of the Revised Code to conduct electronic instant bingo 20  
may be issued only one license to conduct electronic instant 21  
bingo at any one time. The organization may conduct electronic 22  
instant bingo under that license at only one location specified 23  
on the license, which shall be the organization's principal 24  
place of business. 25

(B) The application shall be accompanied by a license fee 26  
as follows: 27

(1) If the charitable organization was not licensed to 28  
conduct bingo under this chapter before July 1, 2003, a fee 29  
established by the attorney general by rule adopted pursuant to 30  
section 111.15 of the Revised Code. 31

(2) If the charitable organization was licensed to conduct 32  
bingo under this chapter before July 1, 2003, the following 33  
applicable fee: 34

(a) For a type I license for a charitable organization 35  
that wishes to conduct bingo during twenty-six or more weeks in 36  
any calendar year, a license fee of two hundred dollars; 37

(b) For a type II or type III license for a charitable 38  
organization that previously has not been licensed under this 39  
chapter to conduct instant bingo or electronic instant bingo and 40  
that wishes to conduct bingo during twenty-six or more weeks in 41  
any calendar year, a license fee of five hundred dollars; 42

(c) For a type II or type III license for a charitable 43  
organization that previously has been licensed under this 44  
chapter to conduct instant bingo or electronic instant bingo and 45  
that desires to conduct bingo during twenty-six or more weeks in 46  
any calendar year, a license fee that is based upon the gross 47

profits received by the charitable organization from the 48  
operation of instant bingo or electronic instant bingo during 49  
the one-year period ending on the thirty-first day of October of 50  
the year immediately preceding the year for which the license is 51  
sought, and that is one of the following: 52

(i) Five hundred dollars, if the total is fifty thousand 53  
dollars or less; 54

(ii) One thousand two hundred fifty dollars plus one- 55  
fourth per cent of the gross profit, if the total is more than 56  
fifty thousand dollars but less than two hundred fifty thousand 57  
one dollars; 58

(iii) Two thousand two hundred fifty dollars plus one-half 59  
per cent of the gross profit, if the total is more than two 60  
hundred fifty thousand dollars but less than five hundred 61  
thousand one dollars; 62

(iv) Three thousand five hundred dollars plus one per cent 63  
of the gross profit, if the total is more than five hundred 64  
thousand dollars but less than one million one dollars; 65

(v) Five thousand dollars plus one per cent of the gross 66  
profit, if the total is one million one dollars or more. 67

~~(e)~~(d) For a type I, type II, or type III license for a 68  
charitable organization that desires to conduct bingo during 69  
fewer than twenty-six weeks in any calendar year, a reduced 70  
license fee established by the attorney general by rule adopted 71  
pursuant to section 111.15 of the Revised Code. 72

(C) The application shall be in the form prescribed by the 73  
attorney general, shall be signed and sworn to by the applicant, 74  
and shall contain all of the following: 75

- (1) The name and post-office address of the applicant; 76
- (2) A statement that the applicant is a charitable 77  
organization and that it has been in continuous existence as a 78  
charitable organization in this state for two years immediately 79  
preceding the making of the application; 80
- (3) The location at which the organization will conduct 81  
bingo, which location shall be within the county in which the 82  
principal place of business of the applicant is located, the 83  
days of the week and the times on each of those days when bingo 84  
will be conducted, whether the organization owns, leases, or 85  
subleases the premises, and a copy of the rental agreement if it 86  
leases or subleases the premises; 87
- (4) A statement of the applicant's previous history, 88  
record, and association that is sufficient to establish that the 89  
applicant is a charitable organization, and a copy of a 90  
determination letter that is issued by the Internal Revenue 91  
Service and states that the organization is tax exempt under 92  
subsection 501(a) and described in subsection 501(c) (3), 501(c) 93  
(4), 501(c) (7), 501(c) (8), 501(c) (10), or 501(c) (19) of the 94  
Internal Revenue Code; 95
- (5) A statement as to whether the applicant has ever had 96  
any previous application refused, whether it previously has had 97  
a license revoked or suspended, and the reason stated by the 98  
attorney general for the refusal, revocation, or suspension; 99
- (6) A statement of the charitable purposes for which the 100  
net profit derived from bingo described in division (O) (1) of 101  
section 2915.01 of the Revised Code will be used, or a statement 102  
of how the net profit derived from instant bingo or electronic 103  
instant bingo will be distributed in accordance with section 104

2915.101 of the Revised Code, as applicable; 105

(7) Other necessary and reasonable information that the 106  
attorney general may require by rule adopted pursuant to section 107  
111.15 of the Revised Code; 108

(8) If the applicant is a charitable trust as defined in 109  
section 109.23 of the Revised Code, a statement as to whether it 110  
has registered with the attorney general pursuant to section 111  
109.26 of the Revised Code or filed annual reports pursuant to 112  
section 109.31 of the Revised Code, and, if it is not required 113  
to do either, the exemption in section 109.26 or 109.31 of the 114  
Revised Code that applies to it; 115

(9) If the applicant is a charitable organization as 116  
defined in section 1716.01 of the Revised Code, a statement as 117  
to whether it has filed with the attorney general a registration 118  
statement pursuant to section 1716.02 of the Revised Code and a 119  
financial report pursuant to section 1716.04 of the Revised 120  
Code, and, if it is not required to do both, the exemption in 121  
section 1716.03 of the Revised Code that applies to it; 122

(10) In the case of an applicant seeking to qualify as a 123  
youth athletic park organization, a statement issued by a board 124  
or body vested with authority under Chapter 755. of the Revised 125  
Code for the supervision and maintenance of recreation 126  
facilities in the territory in which the organization is 127  
located, certifying that the playing fields owned by the 128  
organization were open for use to all residents of that 129  
territory, regardless of race, color, creed, religion, sex, or 130  
national origin, for athletic activities by youth athletic 131  
organizations that do not discriminate on the basis of race, 132  
color, creed, religion, sex, or national origin, and that the 133  
fields were not used for any profit-making activity at any time 134



during the year. That type of board or body is authorized to 135  
issue the statement upon request and shall issue the statement 136  
if it finds that the applicant's playing fields were so used. 137

(D) The attorney general, within thirty days after 138  
receiving a timely filed application from a charitable 139  
organization that has been issued a license under this section 140  
that has not expired and has not been revoked or suspended, 141  
shall send a temporary permit to the applicant specifying the 142  
date on which the application was filed with the attorney 143  
general and stating that, pursuant to section 119.06 of the 144  
Revised Code, the applicant may continue to conduct bingo until 145  
a new license is granted or, if the application is rejected, 146  
until fifteen days after notice of the rejection is mailed to 147  
the applicant. The temporary permit does not affect the validity 148  
of the applicant's application and does not grant any rights to 149  
the applicant except those rights specifically granted in 150  
section 119.06 of the Revised Code. The issuance of a temporary 151  
permit by the attorney general pursuant to this division does 152  
not prohibit the attorney general from rejecting the applicant's 153  
application because of acts that the applicant committed, or 154  
actions that the applicant failed to take, before or after the 155  
issuance of the temporary permit. 156

(E) Within thirty days after receiving an initial license 157  
application from a charitable organization to conduct bingo, the 158  
attorney general shall conduct a preliminary review of the 159  
application and notify the applicant regarding any deficiencies. 160  
Once an application is deemed complete, or beginning on the 161  
thirtieth day after the application is filed, if the attorney 162  
general failed to notify the applicant of any deficiencies, the 163  
attorney general shall have an additional sixty days to conduct 164

an investigation and either grant, grant with limits, 165  
restrictions, or probationary conditions, or deny the 166  
application based on findings established and communicated in 167  
accordance with divisions (F) and (I) of this section. As an 168  
option to granting, granting with limits, restrictions, or 169  
probationary conditions, or denying an initial license 170  
application, the attorney general may grant a temporary license 171  
and request additional time to conduct the investigation if the 172  
attorney general has cause to believe that additional time is 173  
necessary to complete the investigation and has notified the 174  
applicant in writing about the specific concerns raised during 175  
the investigation. 176

(F) (1) The attorney general shall adopt rules to enforce 177  
sections 2915.01, 2915.02, and 2915.07 to 2915.15 of the Revised 178  
Code to ensure that bingo is conducted in accordance with those 179  
sections and to maintain proper control over the conduct of 180  
bingo. Except as otherwise provided in this section, the rules 181  
shall be adopted pursuant to Chapter 119. of the Revised Code. 182  
The attorney general shall license charitable organizations to 183  
conduct bingo in conformance with this chapter and with the 184  
licensing provisions of Chapter 119. of the Revised Code. 185

(2) If any of the following applies to an organization, 186  
the attorney general may refuse to grant a license to the 187  
organization, may revoke or suspend the organization's license, 188  
or may place limits, restrictions, or probationary conditions on 189  
the organization's license for a limited or indefinite period, 190  
as determined by the attorney general: 191

(a) The organization fails or has failed at any time to 192  
meet any requirement of section 109.26, 109.31, or 1716.02, or 193  
sections 2915.07 to 2915.15 of the Revised Code, or violates or 194

has violated any provision of sections 2915.02 or 2915.07 to 195  
2915.13 of the Revised Code or any rule adopted by the attorney 196  
general pursuant to this chapter. 197

(b) The organization makes or has made an incorrect or 198  
false statement that is material to the granting of the license 199  
in an application filed under this section. 200

(c) The organization submits or has submitted any 201  
incorrect or false information relating to an application if the 202  
information is material to the granting of the license. 203

(d) The organization maintains or has maintained any 204  
incorrect or false information that is material to the granting 205  
of the license in the records required to be kept pursuant to 206  
section 2915.10 of the Revised Code, if applicable. 207

(e) The attorney general has good cause to believe that 208  
the organization will not conduct bingo in accordance with 209  
sections 2915.07 to 2915.15 of the Revised Code or with any rule 210  
adopted by the attorney general pursuant to this chapter. 211

(3) If the attorney general has good cause to believe that 212  
any director or officer of the organization has breached the 213  
director's or officer's fiduciary duty to, or committed theft or 214  
any other type of misconduct related to, the organization or any 215  
other charitable organization that has been issued a bingo 216  
license under this chapter, the attorney general may refuse to 217  
grant a license to the organization, may impose limits, 218  
restrictions, or probationary conditions on the license, or may 219  
revoke or suspend the organization's license for a period not to 220  
exceed five years. 221

(4) The attorney general may impose a civil fine on an 222  
organization licensed or permitted under this chapter for 223

failure to comply with any restrictions, limits, or probationary 224  
conditions on its license, and for failure to comply with this 225  
chapter or any rule adopted under this chapter, according to a 226  
schedule of fines that the attorney general shall adopt in 227  
accordance with Chapter 119. of the Revised Code. 228

(5) For the purposes of division (F) of this section, any 229  
action of an officer, trustee, agent, representative, or bingo 230  
game operator of an organization is an action of the 231  
organization. 232

(G) The attorney general may grant licenses to charitable 233  
organizations that are branches, lodges, or chapters of national 234  
charitable organizations. 235

(H) The attorney general shall send notice of any of the 236  
following actions in writing to the prosecuting attorney and 237  
sheriff of the county in which the charitable organization is 238  
located and to any other law enforcement agency in that county 239  
that so requests, of all of the following: 240

- (1) The issuance of a license under this section; 241
- (2) The issuance of an amended license under this section; 242
- (3) The rejection of an application for and refusal to 243  
grant a license under this section; 244
- (4) The revocation of any license previously issued under 245  
this section; 246
- (5) The suspension of any license previously issued under 247  
this section; 248
- (6) The placing of any limits, restrictions, or 249  
probationary conditions placed on a license issued under this 250  
section. 251

(I) A license issued by the attorney general under this 252  
 section shall set forth the information contained on the 253  
 application of the charitable organization that the attorney 254  
 general determines is relevant, including, but not limited to, 255  
 the location at which the organization will conduct bingo, 256  
 whether the license is a type I, type II, or type III license, 257  
 and the days of the week and the times on each of those days 258  
 when bingo will be conducted. If the attorney general refuses to 259  
 grant, places limits, restrictions, or probationary conditions 260  
 on, or revokes or suspends a license, the attorney general shall 261  
 notify the applicant in writing and specifically identify the 262  
 reason for the refusal, revocation, limit, restriction, 263  
 probationary condition, or suspension in narrative form and, if 264  
 applicable, by identifying the section of the Revised Code 265  
 violated. The failure of the attorney general to give the 266  
 written notice of the reasons for the refusal, revocation, 267  
 limit, restriction, probationary condition, or suspension or a 268  
 mistake in the written notice does not affect the validity of 269  
 the attorney general's refusal to grant, or the revocation or 270  
 suspension of, or limit, restriction, probationary condition on, 271  
 a license. If the attorney general fails to give the written 272  
 notice or if there is a mistake in the written notice, the 273  
 applicant may bring an action to compel the attorney general to 274  
 comply with this division or to correct the mistake, but the 275  
 attorney general's order refusing to grant, or placing a limit, 276  
 restriction, or probationary condition on, or revoking or 277  
 suspending, a license shall not be enjoined during the pendency 278  
 of the action. 279

(J) (1) (a) Except as otherwise provided in division (J) (2) 280  
 of this section, a charitable organization that has been issued 281  
 a license under this section but that cannot conduct bingo at 282

the location, or on the day of the week or at the time, 283  
specified on the license due to circumstances that make it 284  
impractical to do so, or that desires to conduct instant bingo 285  
other than at a bingo session at additional locations not 286  
identified on the license, may apply in writing, together with 287  
an application fee of two hundred fifty dollars, to the attorney 288  
general, at least thirty days prior to a change in or addition 289  
of a location, day of the week, or time, and request an amended 290  
license. 291

(b) As applicable, the application shall describe the 292  
causes making it impractical for the organization to conduct 293  
bingo in conformity with its license and shall indicate the 294  
location, days of the week, and times on each of those days when 295  
it desires to conduct bingo and, as applicable, shall indicate 296  
the additional locations at which it desires to conduct instant 297  
bingo other than at a bingo session. 298

(c) Except as otherwise provided in division (J) (3) of 299  
this section, the attorney general shall issue the amended 300  
license in accordance with division (I) of this section, and the 301  
organization shall surrender its original license to the 302  
attorney general. 303

(2) (a) A charitable organization that has been issued a 304  
license under this section to conduct electronic instant bingo 305  
but that cannot conduct electronic instant bingo at the 306  
location, or on the day of the week or at the time, specified on 307  
the license due to circumstances that make it impractical to do 308  
so, may apply in writing, together with an application fee of 309  
two hundred fifty dollars, to the attorney general, at least 310  
thirty days prior to a change in a location, day of the week, or 311  
time, and request an amended license. A charitable organization 312

may not apply for an amended license to conduct electronic 313  
instant bingo at any additional location. 314

(b) The application shall describe the causes making it 315  
impractical for the organization to conduct electronic instant 316  
bingo in conformity with its license and shall indicate the 317  
location, days of the week, and times on each of those days when 318  
it desires to conduct electronic instant bingo. 319

(c) Except as otherwise provided in division (J) (3) of 320  
this section, the attorney general shall issue the amended 321  
license in accordance with division (I) of this section, and the 322  
organization shall surrender its original license to the 323  
attorney general. 324

(3) The attorney general may refuse to grant an amended 325  
license under division (J) (1) or (2) of this section according 326  
to the terms of division (F) of this section. 327

(K) The attorney general may enter into a written contract 328  
with any other state agency to delegate to that state agency the 329  
powers prescribed to the attorney general under Chapter 2915. of 330  
the Revised Code. 331

(L) The attorney general, by rule adopted pursuant to 332  
section 111.15 of the Revised Code, may adopt rules to determine 333  
the requirements for a charitable organization that is exempt 334  
from federal income taxation under subsection 501(a) and 335  
described in subsection 501(c) (3) of the Internal Revenue Code 336  
to be in good standing in the state. " 337

**"Sec. 2915.14.** (A) No charitable organization shall 338  
conduct electronic instant bingo unless all of the following are 339  
true: 340

(1) The organization is a veteran's organization described 341  
in division (J) of section 2915.01 of the Revised Code, ~~or is a~~ 342  
fraternal organization described in division (L) of section 343  
2915.01 of the Revised Code, or a sporting organization 344  
described in division (YY) of section 2915.01 of the Revised 345  
Code, and the organization qualified as a veteran's organization 346  
~~or,~~ fraternal organization, or sporting organization as 347  
applicable, on or before June 30, 2021. 348

(2) The organization is a veteran's organization described 349  
in subsection 501(c)(4) of the Internal Revenue Code or is, and 350  
has received from the internal revenue service a determination 351  
letter that is currently in effect stating that the organization 352  
is, exempt from federal income taxation under subsection 501(a), 353  
and is described in subsection 501(c)(7), 501(c)(8), 501(c)(10), 354  
or 501(c)(19) of the Internal Revenue Code. 355

(3) The organization has not conducted a raffle in 356  
violation of division (B) of section 2915.092 of the Revised 357  
Code using an electronic raffle machine, as described in Ohio 358  
Veterans and Fraternal Charitable Coalition v. DeWine, Case No. 359  
13-CV-13610 (C.P. Franklin Co. February 23, 2018), at any time 360  
on or after January 1, 2022. 361

(B) No charitable organization that conducts electronic 362  
instant bingo shall do any of the following: 363

(1) Possess an electronic instant bingo system that was 364  
not obtained in accordance with this chapter or with any rule 365  
adopted under this chapter; 366

(2) Conduct electronic instant bingo on any day, at any 367  
time, or on any premises not specified on the organization's 368  
type II or type III license issued under section 2915.08 of the 369



Revised Code;	370
(3) Hold more than one valid license to conduct electronic instant bingo at any one time;	371 372
(4) Conduct electronic instant bingo on more than one premises or on any premises other than the charitable organization's principal place of business;	373 374 375
(5) Operate more than ten electronic bingo systems at the premises on which the charitable organization conducts electronic instant bingo under its license;	376 377 378
(6) Fail to display both of the following conspicuously at the premises on which the charitable organization conducts electronic instant bingo:	379 380 381
(a) The charitable organization's bingo license;	382
(b) The serial number of each deal of electronic instant bingo tickets being sold.	383 384
(7) Permit any person the charitable organization knows, or should have known, to be under eighteen years of age to play electronic instant bingo;	385 386 387
(8) Sell or provide to any person an electronic instant bingo ticket for a price different from the price displayed on the game flare for that deal, except that the charitable organization may give a participant who wins an electronic instant bingo game an electronic instant bingo ticket as a prize in place of a cash prize;	388 389 390 391 392 393
(9) Fail, once an electronic instant bingo deal is begun, to continue to sell tickets in that deal until all prizes have been awarded;	394 395 396

(10) Permit any person whom the organization knows, or 397  
should have known, has been convicted of a felony or gambling 398  
offense in any jurisdiction to be a bingo game operator in the 399  
conduct of electronic instant bingo; 400

(11) Permit a bingo game operator to play electronic 401  
instant bingo; 402

(12) (a) Except as otherwise provided in division (B) (12) 403  
(b) of this section, pay compensation to a bingo game operator 404  
for conducting electronic instant bingo. 405

(b) Division (B) (12) (a) of this section does not prohibit 406  
an employee of a veteran's organization or fraternal 407  
organization from redeeming electronic instant bingo tickets or 408  
vouchers for the organization's members or invited guests, so 409  
long as no portion of the employee's compensation is paid from 410  
any bingo receipts. 411

(13) Pay consulting fees to any person in relation to 412  
electronic instant bingo. 413

(C) No person shall sell, offer to sell, or otherwise 414  
provide or offer to provide an electronic instant bingo system 415  
to any person for use in this state unless the electronic 416  
instant bingo system has been approved under section 2915.15 of 417  
the Revised Code. 418

(D) The attorney general shall adopt rules under Chapter 419  
119. of the Revised Code to ensure the integrity of electronic 420  
instant bingo, including, but not limited to, rules governing 421  
all of the following: 422

(1) The requirements to receive a license or endorsement 423  
to conduct electronic instant bingo; 424

- (2) The location and number of electronic instant bingo systems in use, which shall not exceed ten at the single licensed location per organization; 425  
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427
- (3) The times when electronic instant bingo may be offered; 428  
429
- (4) Signage requirements in facilities where electronic instant bingo is offered; 430  
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- (5) Electronic instant bingo device and system specifications, including reveal features and game themes; 432  
433
- (6) Procedures and standards for the review, approval, inspection, and monitoring of electronic instant bingo systems, as described in section 2915.15 of the Revised Code; 434  
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- (7) Procedures and standards for the review and approval of any changes to technology, systems, or games licensed or permitted under this chapter; 437  
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- (8) The fees to be charged under section 2915.15 of the Revised Code for review, approval, inspection, and monitoring of electronic instant bingo systems; 440  
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- (9) Procedures allowing the attorney general to seek a summary suspension of a license to conduct electronic instant bingo or a license to manufacture or distribute electronic instant bingo systems if the attorney general has good cause to believe that the person or organization licensed to conduct electronic instant bingo, or the person or organization licensed to manufacture or distribute electronic instant bingo systems, or any of the organization's employees, officers, directors, agents, representatives, or partners, has violated this chapter or a rule adopted under this chapter. 443  
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(E) Whoever knowingly violates division (A), (B), or (C)	453
of this section or a rule adopted under division (D) of this	454
section is guilty of illegal electronic instant bingo conduct.	455
Illegal electronic instant bingo conduct is a misdemeanor of the	456
first degree, except that if the offender previously has been	457
convicted of a violation of division (A) or (B) of this section	458
or of a rule adopted under division (D) of this section, illegal	459
instant bingo conduct is a felony of the fifth degree. "	460
Update the title, amend, enact, or repeal clauses accordingly	461

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	462
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<b>Electronic instant bingo</b>	463
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<b>R.C. 2915.01, 2915.08, and 2915.14</b>	464
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Permits sporting organizations to conduct electronic	465
instant bingo.	466

\_\_\_\_\_ moved to amend as follows:

After line 101778, insert:

**"Sec. 5595.01.** As used in this chapter:

(A) "Regional transportation improvement project" or  
"project" means a regional transportation improvement project  
undertaken pursuant to section 5595.02 of the Revised Code.

(B) "Transportation improvement" means the construction,  
repair, maintenance, or expansion of streets, highways, parking  
facilities, rail tracks and necessarily related rail facilities,  
bridges, tunnels, overpasses, underpasses, interchanges,  
approaches, culverts, and other means of transportation, and the  
erection and maintenance of traffic signs, markers, lights, and  
signals.

(C) "Opportunity corridor improvement" means a public  
infrastructure improvement, as defined by section 5709.40 of the  
Revised Code, the primary purpose of which is to enhance or  
assist one or more transportation improvements or to create or  
facilitate economic development opportunities described in the  
memorandum of understanding or to otherwise benefit real  
property located, or businesses that are operating or will



operate, within the development area, and that is funded at 20  
least in part with private funds. "Opportunity corridor 21  
improvement" includes ~~the~~ both of the following: 22

(1) The establishment, acquisition, ownership, control, 23  
management, sale, or transfer of a business under division (E) 24  
of section 5595.041 of the Revised Code; 25

(2) The facilities that are required for the gathering, 26  
transmission, and distribution of utilities, including water, 27  
sewer, gas, oil, gas or oil derivatives, electric, hydrogen, and 28  
communications. 29

(D) "Development area" means all parcels of real property 30  
located within two thousand five hundred feet of the outermost 31  
boundary of the right-of-way associated with any transportation 32  
improvement or economic development opportunity described in the 33  
memorandum of understanding. For the purpose of this division, a 34  
parcel is located within two thousand five hundred feet of the 35  
right-of-way if the distance between any portion of the parcel 36  
and any portion of the right-of-way is two thousand five hundred 37  
feet or less. 38

(E) "Right-of-way" means land, property, or the interest 39  
therein, usually in the configuration of a strip, acquired for 40  
or devoted to transportation or economic development purposes. 41  
"Right-of-way" includes the roadway, shoulders or berm, ditch, 42  
and slopes extending to the right-of-way limits under the 43  
control of the state or local authority. 44

(F) "Qualified RTIP" means a regional transportation 45  
improvement project undertaken before ~~the effective date of this~~ 46  
~~amendment~~ October 3, 2023, or a regional transportation 47  
improvement project undertaken after the completion of a 48

feasibility study.

(G) "Memorandum of understanding" means a memorandum of understanding between the governing board of a qualified RTIP and the department of transportation under section 5595.041 of the Revised Code.

(H) "Feasibility study" means a study that contains both of the following:

(1) An economic feasibility assessment, approved by the department of development, that demonstrates the financial viability of the transportation improvement or opportunity corridor improvement;

(2) A technical feasibility assessment, approved by the department of transportation, that demonstrates the ease of construction of the transportation improvement or opportunity corridor improvement.

**Sec. 5595.02.** (A) The boards of county commissioners of two or more counties may undertake a regional transportation improvement project for the purpose of completing transportation improvements within the territory of the counties. The project shall be administered by a governing board in accordance with a cooperative agreement.

~~(B)~~ (B) (1) The cooperative agreement shall provide for the creation of a governing board consisting of ~~one~~ the following individuals:

(a) One county commissioner from each county that is a party to the agreement or a designee appointed by the board of county commissioners of the county for the purpose of serving on the governing board, ~~and the~~ ;

(b) The county engineer of each such county or a designee 77  
appointed by the county engineer for the purpose of serving on 78  
the governing board; 79

(c) The chief executive officer of the JobsOhio network 80  
partner that covers the majority of the area encompassed by the 81  
regional transportation improvement project or a designee 82  
appointed by the chief executive officer for the purpose of 83  
serving on the governing board. Membership 84

(2) Membership on the board is not a direct or indirect 85  
interest in a contract or expenditure of money by the county. 86  
The board is a public body for the purposes of section 121.22 of 87  
the Revised Code and a public office for the purposes of section 88  
149.43 of the Revised Code. Chapter 2744. of the Revised Code 89  
applies to the board. 90

(C) The governing board of a regional transportation 91  
improvement project is a body both corporate and politic, and 92  
the exercise by it of the powers conferred by this chapter in 93  
the financing, construction, maintenance, repair, and operation 94  
of transportation improvements are essential governmental 95  
functions. 96

(D) A board of county commissioners, in accordance with 97  
the cooperative agreement, may make appropriations to pay costs 98  
incurred by the governing board in the exercise of its functions 99  
under this chapter so long as such costs are approved by the 100  
director of transportation under section 5595.12 of the Revised 101  
Code. 102

**Sec. 5595.04.** The governing board of a regional 103  
transportation improvement project may do any of the following: 104

(A) Make and enter into all contracts and agreements 105



necessary or incidental to the performance of its functions and 106  
the execution of its powers under this chapter and in accordance 107  
with the cooperative agreement and, if applicable, the 108  
memorandum of understanding. The procuring of goods and awarding 109  
of contracts with a cost in excess of fifty thousand dollars 110  
shall be done in accordance with the competitive bidding 111  
procedures established for boards of county commissioners by 112  
sections 307.86 to 307.91 of the Revised Code. 113

(B) Sue and be sued in its own name, plead and be 114  
impleaded, provided any actions against the governing board or 115  
the regional transportation improvement project shall be brought 116  
in the court of common pleas of a county that is a party to the 117  
cooperative agreement or in the court of common pleas of the 118  
county in which the cause of action arose, and all summonses, 119  
exceptions, and notices shall be served on the governing board 120  
by leaving a copy thereof at its principal office with a member 121  
of the governing board or an employee or agent thereof; 122

(C) Employ or retain persons as are necessary in the 123  
judgment of the governing board to carry out the project, and 124  
fix their compensation; 125

(D) Acquire by purchase, lease, lease-purchase, lease with 126  
option to purchase, or otherwise any property necessary, 127  
convenient, or proper for the construction, maintenance, repair, 128  
or operation of one or more transportation improvements and, if 129  
applicable, one or more opportunity corridor improvements. The 130  
governing board may pledge net revenues, to the extent permitted 131  
by this chapter with respect to bonds, to secure payments to be 132  
paid by the governing board under such a lease, lease-purchase 133  
agreement, or lease with option to purchase. Title to real and 134  
personal property shall be held in the name of the governing 135

board. Except as provided under section 5595.041 of the Revised Code, the governing board is not authorized to acquire property by appropriation.

(E) Issue securities to pay for the costs of transportation improvements and opportunity corridor improvements pursuant to section 5595.05 of the Revised Code;

(F) If the regional transportation project ~~was undertaken pursuant to section 5595.02 of the Revised Code before March 23, 2018, the effective date of the amendment of this section by S.B. 8 of the 132nd general assembly~~ is a qualified RTIP:

(1) Create a transportation financing district and declare improvements to parcels within the district to be a public purpose and exempt from taxation as provided under section 5709.48 of the Revised Code;

(2) Negotiate and enter into voluntary agreements under section 5709.481 of the Revised Code that impose assessments on real property located in a transportation financing district."

After line 102935, insert:

**"Sec. 5709.48.** (A) As used in this section and sections 5709.481, 5709.49, and 5709.50 of the Revised Code:

(1) "Regional transportation improvement project" has the same meaning as in section 5595.01 of the Revised Code.

(2) "Improvements" means the increase in the assessed value of any real property that would first appear on the tax list and duplicate of real and public utility property after the effective date of the resolution adopted under this section were it not for the exemption granted by that resolution.

(3) "Qualified RTIP" has the same meaning as in section

5595.01 of the Revised Code.

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(B) For the purposes described in division (A) of section 5595.06 of the Revised Code, the governing board of a regional transportation improvement project that ~~was undertaken pursuant to section 5595.02 of the Revised Code before March 23, 2018~~ is a qualified RTIP, may, by resolution, create a transportation financing district and declare improvements to parcels within the district to be a public purpose and exempt from taxation.

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(C) A transportation financing district shall consist of all territory of all counties that are participants in the regional transportation improvement project funded by the district, except that the district shall not include parcels used primarily for residential purposes, parcels that are currently exempt from taxation under this section or section 5709.40, 5709.41, 5709.45, 5709.73, or 5709.77 of the Revised Code, or parcels excluded from the district under division (G) of this section.

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(D) A resolution creating a transportation financing district shall specify all of the following:

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(1) The county treasurer's permanent parcel number associated with each parcel included in the district;

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(2) (a) The percentage of improvements to be exempted from taxation and the duration of the exemption.

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(b) Except as provided in division (E) of this section, the percentage of improvements to be exempted shall not exceed seventy-five per cent, and the duration of the exemption shall not exceed ten years.

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(c) In no case may the life of the exemption exceed the

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remaining number of years the cooperative agreement for the 192  
regional transportation improvement district, described under 193  
section 5595.03 of the Revised Code, is in effect. 194

(3) A plan for the district that describes the principal 195  
purposes and goals to be served by the district and explains how 196  
the use of service payments provided for by section 5709.49 of 197  
the Revised Code will economically benefit owners of property 198  
within the district. 199

(E) Subject to division (D) (2) (c) of this section, 200  
improvements to parcels located in a transportation financing 201  
district may be exempted from taxation for up to thirty years, 202  
and the percentage of improvements that may be exempted may 203  
equal up to one hundred per cent, if either of the following 204  
apply: 205

(1) The governing board, before adopting a resolution 206  
under division (B) of this section, obtains the approval under 207  
division (F) of this section of the board of education of each 208  
city, local, and exempted village school district within the 209  
territory of the proposed transportation financing district. 210

(2) In the resolution creating the transportation 211  
financing district, the governing board agrees to compensate 212  
each city, local, or exempted village, and joint vocational 213  
school district or districts in which the transportation 214  
financing district is located for the full amount of taxes that 215  
would have been payable to the school district or districts if 216  
the improvements had not been exempted from taxation. 217

(F) (1) A governing board seeking the approval of a school 218  
district for the purpose of division (E) (1) of this section 219  
shall send notice of the proposed resolution to the school 220

district not later than forty-five business days before it 221  
intends to adopt the resolution. The notice shall include a copy 222  
of the proposed resolution and shall indicate the date on which 223  
the governing board intends to adopt the resolution. 224

The board of education, by resolution adopted by a 225  
majority of the board, may approve the exemption for the period 226  
or for the exemption percentage specified in the notice; may 227  
disapprove the exemption for the number of years in excess of 228  
ten, may disapprove the exemption for the percentage of the 229  
improvements to be exempted in excess of seventy-five per cent, 230  
or both; or may approve the exemption on the condition that the 231  
governing board and the board of education negotiate an 232  
agreement providing for compensation equal in value to a 233  
percentage of the amount of taxes exempted or some other 234  
mutually agreeable compensation. If a mutually acceptable 235  
compensation agreement is negotiated between the governing board 236  
and the board of education, the governing board shall compensate 237  
the joint vocational school district within which the district 238  
is located at the same rate and under the same terms received by 239  
the city, local, or exempted village school district. 240

(2) The board of education shall certify a resolution 241  
adopted under division (F)(1) of this section to the governing 242  
board not later than fourteen days before the date the governing 243  
board intends to adopt the resolution as indicated in the 244  
notice. If the board of education approves the ordinance or 245  
negotiates a mutually acceptable compensation agreement, the 246  
governing board may enact the resolution in its current form. If 247  
the board of education disapproves of the ordinance and fails to 248  
negotiate a mutually acceptable compensation agreement, the 249  
resolution is subject to the limitations prescribed by divisions 250

(D) (2) (b) and (c) of this section. If the board of education 251  
fails to certify a resolution within the time prescribed by this 252  
division, the governing board may adopt the resolution and 253  
declare the improvements a public purpose for the period of time 254  
specified in the resolution, or, in the case of exemption 255  
percentages proposed in excess of seventy-five per cent, for the 256  
exemption percentage specified in the resolution. 257

The governing board may adopt the resolution at any time 258  
after the board of education certifies its resolution approving 259  
the exemption, or, if the board of education approves the 260  
exemption on the condition that a mutually acceptable 261  
compensation agreement be negotiated, at any time after the 262  
compensation agreement is agreed to by the board of education 263  
and the governing board. 264

(3) A board of education may adopt a resolution waiving 265  
its right to approve or receive notice of transportation 266  
financing districts proposed under this section. If a board of 267  
education has adopted such a resolution, the terms of that 268  
resolution supersede the requirements of division (F) (1) of this 269  
section. The governing board may negotiate an agreement with a 270  
board of education providing for some mutually agreeable 271  
compensation in exchange for the board of education adopting 272  
such a resolution. If a board of education has adopted such an 273  
ordinance or resolution, it shall certify a copy to the 274  
governing board. If the board of education rescinds such a 275  
resolution, it shall certify notice of the rescission to the 276  
governing board. 277

(4) If the governing board is not required by division (F) 278  
of this section to notify the board of education of the 279  
governing board's intent to create a transportation financing 280

district, the governing board shall comply with the notice 281  
requirements imposed under section 5709.83 of the Revised Code, 282  
unless the board of education has adopted a resolution under 283  
that section waiving its right to receive such a notice. 284

(G) The governing board shall notify and obtain the 285  
approval of every real property owner whose property is included 286  
in the proposed transportation financing district. The approval 287  
shall include a signed agreement between the property owner and 288  
the governing board that specifies the projects and purposes for 289  
which the service payments made by the owner under section 290  
5709.49 of the Revised Code will be used. Such an agreement does 291  
not supersede any compensation agreement between the governing 292  
board and a school district under division (F) of this section. 293  
If the property owner and the governing board do not reach an 294  
agreement under this division, the parcel shall be excluded from 295  
the district. 296

(H) (1) Upon adopting a resolution creating a 297  
transportation financing district, the governing board shall 298  
send a copy of the resolution and documentation sufficient to 299  
prove that the requirements of divisions (F) and (G) of this 300  
section have been met to the director of development. The 301  
director shall evaluate the resolution and documentation to 302  
determine if the governing board has fully complied with the 303  
requirements of this section. If the director approves the 304  
resolution, the director shall send notice of approval to the 305  
governing board. If the director does not approve the 306  
resolution, the director shall send a notice of denial to the 307  
governing board that includes the reason or reasons for the 308  
denial. If the director does not make a determination within 309  
ninety days after receiving a resolution under this section, the 310

director is deemed to have approved the resolution. No 311  
 resolution creating a transportation financing district is 312  
 effective without actual or constructive approval by the 313  
 director under this section. 314

(2) An exemption from taxation granted under this section 315  
 commences with the tax year specified in the resolution so long 316  
 as the year specified in the resolution commences after the 317  
 effective date of the resolution. If the resolution specifies a 318  
 year commencing before the effective date of the resolution or 319  
 specifies no year whatsoever, the exemption commences with the 320  
 tax year in which an exempted improvement first appears on the 321  
 tax list and that commences after the effective date of the 322  
 resolution. 323

(3) Except as otherwise provided in this division, the 324  
 exemption ends on the date specified in the resolution as the 325  
 date the improvement ceases to be a public purpose or the 326  
 regional transportation improvement project funded by the 327  
 service payments dissolves under section 5595.13 of the Revised 328  
 Code, whichever occurs first. Exemptions shall be claimed and 329  
 allowed in the same manner as in the case of other real property 330  
 exemptions. If an exemption status changes during a year, the 331  
 procedure for the apportionment of the taxes for that year is 332  
 the same as in the case of other changes in tax exemption status 333  
 during the year. 334

(I) The resolution creating a transportation financing 335  
 district may be amended at any time by majority vote of the 336  
 governing board and with the approval of the director of 337  
 development obtained in the same manner as approval of the 338  
 original resolution. Such an amendment may include adding a 339  
 parcel to the district that was previously excluded under 340



division (G) of this section, so long as the governing board and 341  
the owner of the parcel reach an agreement on the use of service 342  
payments as provided under that division." 343  
Update the title, amend, enact, or repeal clauses accordingly 344

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 345

#### **Regional transportation improvement projects (RTIP)** 346

#### **R.C. 5595.01, 5595.02, 5595.04, and 5709.48** 347

Expands what constitutes a "qualified RTIP" to include 348  
those that are undertaken after the completion of a feasibility 349  
study in addition to those undertaken prior to October 3, 2023, 350  
as under current law. 351

Requires the feasibility study to include both an economic 352  
feasibility assessment, approved by DEV, and a technical 353  
feasibility assessment, approved by DOT. 354

Specifies that opportunity corridor improvements, which 355  
may be undertaken by an RTIP under current law, include 356  
facilities that are required for the gathering, transmission, 357  
and distribution of utilities. 358

Expands the membership of the RTIP governing board to 359  
include the Chief Executive Officer (CEO) of the JobsOhio 360  
network partner that covers the majority of the area encompassed 361  
by the RTIP or the CEO's designee. 362

Expands the RTIPs that may form a transportation financing 363

district (TFD) from RTIPS undertaken before March 23, 2018, to	364
any qualified RTIP. (A TFD is a designated area in which	365
improvements are exempted from property taxes for a period of	366
time in exchange for making payments in lieu of taxes to fund	367
RTIP infrastructure.)	368

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 70964, insert:

"Sec. 4112.055. (A) (1) Aggrieved persons may enforce the rights granted by division (H) of section 4112.02 of the Revised Code by filing a civil action in the court of common pleas of the county in which the alleged unlawful discriminatory practice occurred within one year after it allegedly occurred. Upon application by an aggrieved person, upon a proper showing, and under circumstances that it considers just, a court of common pleas may appoint an attorney for the aggrieved person and authorize the commencement of a civil action under this division without the payment of costs.

Each party to a civil action under this division has the right to a jury trial of the action. To assert the right, a party shall demand a jury trial in the manner prescribed in the Rules of Civil Procedure. If a party demands a jury trial in that manner, the civil action shall be tried to a jury.

(2) (a) If a complaint is issued by the commission under division (B) (5) of section 4112.05 of the Revised Code for one or more alleged unlawful discriminatory practices described in division (H) of section 4112.02 of the Revised Code, the



complainant, any aggrieved person on whose behalf the complaint 21  
is issued, or the respondent may elect, following receipt of the 22  
relevant notice described in division (B) (5) of section 4112.05 23  
of the Revised Code, to proceed with the administrative hearing 24  
process under that section or to have the alleged unlawful 25  
discriminatory practices covered by the complaint addressed in a 26  
civil action commenced in accordance with divisions (A) (1) and 27  
(2) (b) of this section. An election to have the alleged unlawful 28  
discriminatory practices so addressed shall be made in a writing 29  
that is sent by certified mail, return receipt requested, to the 30  
commission, to the civil rights section of the office of the 31  
attorney general, and to the other parties to the pending 32  
administrative process within thirty days after the electing 33  
complainant, aggrieved person, or respondent received the 34  
relevant notice described in division (B) (5) of section 4112.05 35  
of the Revised Code. 36

(b) ~~Upon receipt of~~ Not more than thirty days after 37  
receiving a timely mailed election to have the alleged unlawful 38  
discriminatory practices addressed in a civil action, the 39  
commission shall authorize the office of the attorney general to 40  
commence and maintain the civil action in the court of common 41  
pleas of the county in which the alleged unlawful discriminatory 42  
practices occurred. Notwithstanding the period of limitations 43  
specified in division (A) (1) of this section, the office of the 44  
attorney general shall commence the civil action within thirty 45  
days after the receipt of the commission's authorization to 46  
commence the civil action. 47

Notwithstanding the period of limitations specified in 48  
division (A) (1) of this section, if the commission fails to 49  
authorize the office of the attorney general to commence and 50

maintain a civil action as required under this division, or the 51  
attorney general fails to commence a civil action as required 52  
under this division, the complainant or any aggrieved person may 53  
commence the action not less than thirty days, but not more than 54  
sixty days, after the date an election is mailed under division 55  
(A) (2) (a) of this section. 56

(c) Upon commencement of the civil action in accordance 57  
with division (A) (2) (b) of this section, the commission shall 58  
prepare an order dismissing the complaint in the pending 59  
administrative matter and serve a copy of the order upon the 60  
complainant, each aggrieved person on whose behalf the complaint 61  
was issued, and the respondent. 62

(d) If an election to have the alleged unlawful 63  
discriminatory practices addressed in a civil action is not 64  
filed in accordance with division (A) (2) (a) of this section, the 65  
commission shall continue with the administrative hearing 66  
process described in section 4112.05 of the Revised Code. 67

(e) With respect to the issues to be determined in a civil 68  
action commenced in accordance with division (A) (2) (b) of this 69  
section, any aggrieved person may intervene as a matter of right 70  
in that civil action. 71

(B) If the court or the jury in a civil action under this 72  
section finds that a violation of division (H) of section 73  
4112.02 of the Revised Code is about to occur, the court may 74  
order any affirmative action it considers appropriate, including 75  
a permanent or temporary injunction or temporary restraining 76  
order. 77

(C) Any sale, encumbrance, or rental consummated prior to 78  
the issuance of any court order under the authority of this 79

section and involving a bona fide purchaser, encumbrancer, or 80  
tenant without actual notice of the existence of a charge under 81  
division (H) of section 4112.02 of the Revised Code or a civil 82  
action under this section is not affected by the court order. 83

(D) If the court or the jury in a civil action under this 84  
section finds that a violation of division (H) of section 85  
4112.02 of the Revised Code has occurred, the court shall award 86  
to the plaintiff or to the complainant or aggrieved person on 87  
whose behalf the office of the attorney general commenced or 88  
maintained the civil action, whichever is applicable, actual 89  
damages, reasonable attorney's fees, court costs incurred in the 90  
prosecution of the action, expert witness fees, and other 91  
litigation expenses, and may grant other relief that it 92  
considers appropriate, including a permanent or temporary 93  
injunction, a temporary restraining order, or other order and 94  
punitive damages. 95

(E) Any civil action brought under this section shall be 96  
heard and determined as expeditiously as possible. 97

(F) The court in a civil action under this section shall 98  
notify the commission of any finding pertaining to 99  
discriminatory housing practices within fifteen days after the 100  
entry of the finding." 101

Update the title, amend, enact, or repeal clauses accordingly 102

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 103

<b>Housing discrimination--civil action</b>	104
<b>R.C. 4112.055</b>	105
Requires CIV to authorize the AGO to file a civil suit in	106
a housing discrimination claim not more than 30 days after	107
receiving a timely notice from a party to a housing	108
discrimination complaint that the party is electing to pursue	109
the complaint in court rather than through the CIV complaint	110
procedure.	111
Allows a complainant or an aggrieved person named in a	112
housing discrimination complaint to file a civil suit not less	113
than 30 days, but not more than 60 days, after a party to the	114
complaint elects to proceed in court, provided one of the	115
following applies:	116
--CIV fails to authorize the AGO to file the suit as	117
required under continuing law;	118
--The AGO fails to file the suit within 30 days of CIV	119
authorization as required under continuing law.	120

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 10098, delete " <u>all</u> "	1
In line 10100, delete " <u>, unless such money is</u> "	2
In line 10101, delete " <u>specifically directed elsewhere by the court</u> "	3
After line 10101, insert:	4
<u>"Beginning January 15, 2027, any money received under the settlement</u>	5
<u>agreement in State of Ohio v. McKesson Corp., Case No. CVH20180055 (C.P.</u>	6
<u>Madison Co., settlement agreement of October 7, 2021) shall be certified</u>	7
<u>by the attorney general and remitted to the office of budget and</u>	8
<u>management for deposit in the fund. The director of budget and management</u>	9
<u>shall notify the speaker of the house of representatives and president of</u>	10
<u>the senate when money is deposited into the fund."</u>	11
After line 114467, insert:	12
<b>"Section 221.30.</b> On January 15, 2027, or as soon as	13
possible thereafter, the Attorney General shall certify and	14
remit to the Director of Budget and Management the balance of	15
all proceeds received by the state under the settlement	16
agreement in State of Ohio v. McKesson Corp., Case No.	17
CVH20180055 (C.P. Madison Co., settlement agreement of October	18



7, 2021). Upon certification, the Director of Budget and Management shall remit the amounts certified to the Targeted Addiction Assistance Fund (Fund 5TZ0), created in section 126.67 of the Revised Code."

Update the title, amend, enact, or repeal clauses accordingly

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS

#### **Targeted Addiction Assistance Fund**

#### **R.C. 126.67**

Clarifies that the Targeted Addiction Assistance Fund consists of money awarded to the state to address the effects of the opioid crisis, removing the provision stating "unless such money is specifically directed elsewhere by the court."

Specifies that, beginning January 15, 2027, any money received under the settlement agreement in *State of Ohio v. McKesson Corp.*, Case No. CVH20180055 (C.P. Madison Co., settlement agreement of October 7, 2021) must be certified by the Attorney General and sent to OBM for deposit in the Targeted Addiction Assistance Fund.

Requires the OBM Director to notify the Speaker of the House and President of the Senate when money is deposited into the fund.

#### **Attorney General**

**Section 221.30**

42

Requires the Attorney General, on January 15, 2027, or as  
soon as possible thereafter, to certify and remit to the OBM  
Director the balance all proceeds received by the state under  
the settlement agreement in *State of Ohio v. McKesson Corp.*,  
Case No. CVH20180055 (C.P. Madison Co., settlement agreement of  
October 7, 2021).

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Requires the OBM Director to remit the amounts certified  
to the Targeted Addiction Assistance Fund (Fund 5TZ0), created  
in section 126.67 of the Revised Code.

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Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 119271, in row P, delete "\$1,100,000 1  
\$1,100,000" and insert "\$1,400,000 \$1,400,000" 2

In the table on line 119271, in rows S and AW, add \$300,000 to each 3  
fiscal year 4

After line 119680, insert: 5

"Of the foregoing appropriation item 336519, Community Projects, 6  
\$300,000 in each fiscal year shall be used in accordance with the section 7  
of this act entitled "HIGH-THC CANNABIS IMPACT RESEARCH STUDY." 8

After line 125069, insert: 9

**"Section 751.00.01. HIGH-THC CANNABIS IMPACT RESEARCH 10  
STUDY 11**

(A) As used in this section, "cannabis" and "THC" have the 12  
same meanings as in section 3780.01 of the Revised Code. 13

(B) The Department of Behavioral Health, in collaboration 14  
with the Department of Commerce, shall conduct a study in 15  
partnership with a qualified Ohio public university or research 16  
consortium selected by the Department of Behavioral Health to 17  
assess the potential health risks and benefits of cannabis and 18

hemp-derived product use and to review state-level program 19  
evaluations from other states and peer-reviewed research 20  
regarding the following: 21

(1) Physical, behavioral, cognitive, and 22  
neurodevelopmental effects of chronic or early use of high- 23  
potency THC cannabis products, particularly among individuals 24  
under the age of twenty-five; 25

(2) Cannabis-induced psychosis and schizophrenia; 26

(3) Cannabis hyperemesis syndrome; 27

(4) The relationship between cannabis use and depression, 28  
anxiety, and suicidal ideation; 29

(5) The relationship between cannabis use and cognitive 30  
and neurodevelopmental impairments such as decline in memory and 31  
executive functioning; 32

(6) Disproportionate impacts of cannabis use on vulnerable 33  
populations, including youth and individuals with a history of 34  
trauma or mental illness; 35

(7) Health benefits of cannabis and hemp-derived products, 36  
including potential therapeutic uses and recommended guidelines 37  
for potency and usage. 38

(C) The Department of Behavioral Health shall submit two 39  
reports to the Governor and the General Assembly in accordance 40  
with section 101.68 of the Revised Code and shall publish a copy 41  
of each report on the Department's web site. The initial report 42  
shall be submitted by June 30, 2026, and the final report shall 43  
be submitted by June 30, 2027. Each report shall include the 44  
following: 45

(1) A comparative analysis of THC regulations, potency 46

limits, and health outcomes from other states' cannabis	47
programs;	48
(2) A synthesis of peer-reviewed research and reputable	49
state program data;	50
(3) Recommendations for cannabis regulation, prevention	51
education, public education campaigns, and outreach efforts for	52
stakeholders such as the General Assembly, state agencies,	53
employers, educators, and the general public.	54
(D) The Department of Behavioral Health shall seek the	55
input of the following as necessary to complete the report	56
required by division (C) of this section:	57
(1) The Department of Health;	58
(2) RecoveryOhio;	59
(3) The Bureau of Workers' Compensation;	60
(4) The Department of Public Safety;	61
(5) The Attorney General;	62
(6) The State Medical Board;	63
(7) Cannabis industry representatives;	64
(8) Prevention consultants certified by the Chemical	65
Dependency Professionals Board."	66

The motion was \_\_\_\_\_ agreed to.

<b>High-THC Cannabis Impact Research Study</b>	68
<b>Section 751.00.01</b>	69
Requires the Department of Behavioral Health to	70
collaborate with the Department of Commerce and a public	71
university or research consortium to assess cannabis regulation	72
and the health risks and benefits of cannabis use.	73
Requires the Department to submit a report to the Governor	74
and General Assembly by June 30, 2026, and June 30, 2027, and to	75
publish the report on the Department's website.	76
<b>Department of Behavioral Health</b>	77
<b>Section 337.10 and 337.117</b>	78
Increases GRF ALI 336519, Community Projects, by \$300,000	79
in each fiscal year. Requires the increase in funds to be used	80
for the High-THC Cannabis Impact Research Study.	81

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 309 of the title, after "103.73," insert "107.034," 1

In line 1476, delete everything after the underlined comma 2

In line 1477, delete "Revised Code and" 3

After line 1567, insert: 4

"(J) As used in this section, "rate of inflation" means the 5  
percentage increase or decrease in the consumer price index over a one- 6  
year period, based on the most recent consumer price index for all urban 7  
consumers, midwest region, all items, as determined by the bureau of labor 8  
statistics of the United States department of labor or, if that index is 9  
no longer published, a generally available comparable index." 10

After line 2503, insert: 11

"**Sec. 107.032.** As used in sections 107.033 to 107.035 of 12  
the Revised Code: 13

(A) "Aggregate general revenue fund appropriations" means 14  
all appropriations made by the general assembly either directly 15  
from the general revenue fund ~~appropriations made by the general~~ 16  
~~assembly or indirectly from any nongeneral revenue fund~~ 17  
supported by cash transfers from the general revenue fund except 18



for the following:	19
(1) Appropriations of money received from the federal government;	20 21
(2) Appropriations made for tax relief or refunds of taxes and other overpayments;	22 23
(3) Appropriations of money received as gifts.	24
(B) <del>"Rate of inflation" means the percentage increase or decrease in the consumer price index over a one-year period, based on the most recent consumer price index for all urban consumers, midwest region, all items, as determined by the bureau of labor statistics of the United States department of labor or, if that index is no longer published, a generally available comparable index.</del>	25 26 27 28 29 30 31
<del>(C) "Rate of population change" means the percentage increase or decrease in the population of this state over a one-year period, based on the most recent population data available for the state published by the bureau of the census of the United States department of commerce, or its successor in responsibility, in the population estimates program, or its successive equivalent.</del>	32 33 34 35 36 37 38
<del>(D) "Recast fiscal year" means fiscal years 2012, 2016, 2020, and each fourth fiscal year thereafter.</del>	39 40
<b>Sec. 107.033.</b> As part of the state budget the governor submits to the general assembly under section 107.03 of the Revised Code, the governor shall include the state appropriation limitations the general assembly shall not exceed when making aggregate general revenue fund appropriations for each respective fiscal year of the biennium covered by that budget.	41 42 43 44 45 46



The aggregate general revenue fund appropriations the governor  
proposes in the state budget also shall not exceed those  
limitations for each respective fiscal year of the biennium  
covered by that budget. As part of this submission, the governor  
shall identify all nongeneral revenue fund appropriation line  
items that are subject to the state appropriation limitation for  
the current fiscal year. If the governor decides to continue  
funding any of those nongeneral revenue fund line items, the  
governor shall, to the greatest extent possible, propose funding  
for those nongeneral revenue fund line items from the general  
revenue fund for each respective fiscal year of the biennium  
covered by that budget. Also as part of this submission, the  
governor shall include a table listing any remaining nongeneral  
revenue fund appropriation line items that are subject to the  
state appropriation limitation for the current fiscal year and  
for each respective fiscal year of the biennium covered by that  
budget.

~~(A) For fiscal year 2008, the state appropriation  
limitation is the sum of the following:~~

~~(1) The aggregate general revenue fund appropriations for  
fiscal year 2007; plus~~

~~(2) The aggregate general revenue fund appropriations for  
fiscal year 2007 multiplied by either three and one-half per-  
cent, or the sum of the rate of inflation plus the rate of  
population change, whichever is greater.~~

~~(B) For each fiscal year thereafter that is not a recast  
fiscal year, the state appropriation limitation is the sum of  
the following:~~

~~(1) The state appropriation limitation for the previous~~

fiscal year; plus	76
(2) The state appropriation limitation for the previous	77
fiscal year multiplied by <del>either three and one-half per cent, or</del>	78
<del>the sum of the rate of inflation plus the rate of population</del>	79
<del>change, whichever is greater.</del>	80
<del>(C)</del> (B) For each recast fiscal year, the state	81
appropriation limitation is the sum of the following:	82
(1) The aggregate general revenue fund appropriations for	83
the previous fiscal year; plus	84
(2) The aggregate general revenue fund appropriations for	85
the previous fiscal year multiplied by <del>either three and one-half</del>	86
<del>per cent, or the sum of the rate of inflation plus the rate of</del>	87
<del>population change, whichever is greater.</del>	88
<del>(D)</del> (C) The state appropriation limitation for a fiscal	89
year shall be increased by the amount of a nongeneral revenue	90
fund appropriation made in the immediately preceding fiscal	91
year, if all of the following apply to the nongeneral revenue	92
fund appropriation:	93
(1) It was made on or after July 1, 2013.	94
(2) It is included in the aggregate general revenue fund	95
appropriations proposed for that fiscal year.	96
(3) It is being made for the first time from the general	97
revenue fund.	98
<u>(D) The main operating appropriations act shall contain a</u>	99
<u>list of all nongeneral revenue fund appropriation line items</u>	100
<u>subject to the state appropriation limitations under this</u>	101
<u>section.</u>	102

Sec. 107.034. For the purpose of calculations made on and 103  
after the effective date of this section, any tax revenue 104  
credited to the general revenue fund under section 113.09 of the 105  
Revised Code any time during fiscal years 2026 and 2027 shall be 106  
considered a general revenue fund tax source to fund general 107  
revenue fund appropriations for each succeeding fiscal year with 108  
respect to the determination of the state appropriation 109  
limitations under section 107.033 of the Revised Code, even if 110  
that tax revenue is subsequently credited to a nongeneral 111  
revenue fund account. An appropriation made from that nongeneral 112  
revenue fund account shall be considered as if it were made from 113  
the general revenue fund." 114

In line 14785, delete "as" 115

In line 14786, delete everything before "as" 116

After line 14881, insert: 117

"(H) As used in this section, "rate of inflation" means the 118  
percentage increase or decrease in the consumer price index over a one- 119  
year period, based on the most recent consumer price index for all urban 120  
consumers, midwest region, all items, as determined by the bureau of labor 121  
statistics of the United States department of labor or, if that index is 122  
no longer published, a generally available comparable index." 123

In line 113615, after "103.73," insert "107.034," 124

After line 124729, insert: 125

**"Section 701.00.01.** When calculating the state 126  
 appropriation limitation for fiscal year 2028, the Governor 127  
 shall determine the limitation taking into account the 128  
 amendments to or enactments of sections 107.032 to 107.034 of 129  
 the Revised Code contained in Section 101.01 of this act." 130

After line 125480, insert: 131

"**Section 820.00.01.** Sections 107.032 to 107.034 of the 132  
Revised Code, as amended or enacted by Section 101.01 of this 133  
act, and section 107.034 of the Revised Code, as repealed by 134  
Section 105.01 of this act, take effect July 1, 2026." 135

Update the title, amend, enact, or repeal clauses accordingly. 136

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 137

#### **State Appropriation Limitations** 138

**R.C. 107.032 and 107.033; R.C. 107.034 (repealed and 139  
reenacted); conforming changes in R.C. 9.334 and 153.693; 140  
Sections 701.00.01 and 820.00.30 141**

Starting with FY 2028, makes the following changes 142  
regarding calculation of the state appropriation limitations 143  
(SAL): 144

1. Eliminates the alternative growth factor (the sum of 145  
the inflation and Ohio population change rates) so that the SAL 146  
will be calculated using a 3.5% growth factor only; 147

2. Modifies the appropriations included in the calculation 148  
of aggregate GRF appropriations to include appropriations made 149  
to another fund supported by cash transfers from the GRF, in 150  
addition to appropriations made directly from the GRF as 151  
provided under current law; 152

3. Provides that any tax revenue credited to the GRF 153

during FY 2026 and 2027 is a GRF tax source funding GRF 154  
appropriations for the succeeding fiscal year with respect to 155  
determination of the SAL, even if that tax revenue is later 156  
credited to a non-GRF fund, and designates that appropriations 157  
made from any such non-GRF fund must be considered as though 158  
they were made from the GRF for purposes of calculating the SAL; 159

4. Requires the Governor, as part of the executive budget 160  
submission to the General Assembly, to do all of the following: 161

--Identify all non-GRF ALIs that are subject to the SAL 162  
for the current FY; 163

--Propose funding non-GRF ALIs from the GRF for each 164  
respective FY of the biennium covered by the budget, to the 165  
greatest extent possible, if the Governor decides to continue 166  
funding any of those non-GRF ALIs; and 167

--Submit a table of all non-GRF ALIs that are subject to 168  
the SAL for the current FY and for each respective FY of the 169  
biennium covered by that budget and provide a list of these ALIs 170  
in the main operating appropriations bill. 171

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 123574, delete "Notwithstanding" 1

Delete lines 123575 through 123582 2

In line 124626, after "701.30." insert "(A) As used in this section, 3  
 "exempt employee" has the same meaning as in section 124.152 of the 4  
 Revised Code, as amended by this act. 5

(B) Effective July 1, 2025, any exempt employee paid in accordance 6  
 with section 124.152 of the Revised Code who is being paid a salary or 7  
 wage at step 6 of pay range 17 of the version of pay schedule E-1 that was 8  
 in effect before the effective date of this section is eligible to move to 9  
 step 7 of pay range 17 in the pay schedule, provided the exempt employee 10  
 did not advance a step within the twelve-month period immediately 11  
 preceding the date on which the pay schedule takes effect. A step increase 12  
 pursuant to this division applies to the first day of the pay period 13  
 immediately following the pay period that includes July 1, 2025. 14

(C) An exempt employee paid in accordance with section 124.152 of 15  
 the Revised Code who is being paid a salary or wage at step 6 of pay range 16  
 17 of the version of pay schedule E-1 that was in effect before the 17  
 effective date of this section who is ineligible under division (B) of 18  
 this section to move up to step 7 of pay range 17 in the pay schedule is 19

eligible for advancement in accordance with division (G) of section 124.15 20  
of the Revised Code." 21

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 22

**Exempt employee salary schedules and LSC corrective** 23

**Sections 503.15 and 701.30** 24

Removes OBM Director's authority to increase GRF and non- 25  
GRF appropriations on or after July 1, 2025, to the extent 26  
necessary to effectuate increases the bill makes to exempt state 27  
employee salaries. 28

Inserts language that was intended to be in the substitute 29  
bill, but that was inadvertently omitted during the drafting 30  
process, governing advancement of covered employees from step 6 31  
to step 7 of pay range 17 of the exempt employee salary 32  
schedule. 33

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 114939, in row AC, delete "\$43,125,000 1  
\$43,125,000" and insert "\$45,625,000 \$45,625,000" 2

In the table on line 114939, in rows AU and CO, add \$2,500,000 in 3  
each fiscal year 4

In line 115215, delete "\$21,562,500" and insert "\$22,812,500" 5

In line 115219, delete "\$21,562,500" and insert "\$22,812,500" 6

After line 115222, insert: 7

"On July 1, 2025, or as soon as possible thereafter, the Director of 8  
Budget and Management shall transfer \$50,000,000 cash from the Local 9  
Government Tangible Property Tax Replacement Fund (Fund 7081) to the 10  
Welcome Home Ohio Fund (Fund 5AP1)." 11

After line 115284, insert: 12

"On July 1 of each fiscal year, or as soon as possible thereafter, 13  
the Director of Budget and Management shall transfer \$20,000,000 cash from 14  
the Local Government Tangible Property Tax Replacement Fund (Fund 7081) to 15  
the Building Demolition and Site Revitalization Fund (Fund 5YF0)." 16

Delete lines 123997 through 124001 17



Delete lines 124007 through 124011 18

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS 19

## **Department of Development** 20

### **Sections 259.10, 259.30, and 512.10** 21

Increases Fund 5AP1 ALI 1956H3, Welcome Home Ohio Program, 22  
by \$2,500,000 in each fiscal year. Increases each of the 23  
earmarks by \$1,250,000 in each fiscal year for the Welcome Home 24  
Ohio - Purchasing (WHO-P) program and the Welcome Home Ohio - 25  
Rehab/Construction (WHO-RC) program. 26

Requires that the OBM Director transfer \$50,000,000 cash 27  
in FY 2026 from the Local Government Tangible Property Tax 28  
Replacement Fund (Fund 7081) to the Welcome Home Ohio Fund (Fund 29  
5AP1). 30

Removes a transfer of \$45,000,000 cash in FY 2026 from the 31  
General Revenue Fund to Fund 5AP1. 32

Requires that the OBM Director transfer \$20,000,000 cash 33  
in each fiscal year from the Local Government Tangible Property 34  
Tax Replacement Fund (Fund 7081) to the Building Demolition and 35  
Site Revitalization Fund (Fund 5YF0). 36

Removes a transfer of \$20,000,000 cash in each fiscal year 37  
from the General Revenue Fund to Fund 5YF0. 38

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 3701, insert:

"Sec. 118.29. (A) The financial supervisor, or the  
legislative authority of a municipal corporation, board of  
county commissioners, or board of township trustees of a  
municipal corporation, county, or township in fiscal emergency,  
may make a referral to the attorney general for the creation of  
a receivership over the municipal corporation, county, or  
township in fiscal emergency if both the following conditions  
are met:

(1) The municipal corporation, county, or township  
satisfies either of the following:

(a) It has been in a state of fiscal emergency for a  
continuous period of ten years.

(b) It has been in a state of fiscal emergency at least  
twice in a period of ten years, and the combined period of  
fiscal emergency is at least five years.

(2) The municipal corporation, county, or township has  
demonstrated one or more of the following, as determined by the  
financial supervisor:

Legislative Service Commission



gxccatapjgragqxo6kmsej

(a) Failure to comply with the applicable budgetary and 20  
spending processes in Chapter 5705. of the Revised Code; 21

(b) Failure to ensure that appropriations comply with the 22  
financial plan in accordance with section 118.13 of the Revised 23  
Code; 24

(c) Assuming debt without the approval of the financial 25  
planning and supervision commission in violation of section 26  
118.15 of the Revised Code; 27

(d) Undertaking administrative or legislative action that 28  
is not in accordance with the terms of the financial plan or, 29  
when applicable, without permission of the commission. 30

(B) Upon receipt of a referral, the attorney general shall 31  
promptly file a petition for a receivership with the court of 32  
claims. The judge that has served the longest on the court as of 33  
the date the petition is filed promptly shall appoint a 34  
receiver. The appointed receiver shall satisfy the requirements 35  
of section 2735.02 of the Revised Code and shall comply with 36  
section 2735.03 of the Revised Code. With the approval of the 37  
court, the receiver may request reasonable fees for work 38  
performed including, but not limited to, costs associated with 39  
retaining legal counsel, accountants, or other similar advisors 40  
that the receiver considers necessary in the performance of the 41  
receiver's duties. The fees shall be paid from funds 42  
appropriated to the office of budget and management during the 43  
period of fiscal emergency. 44

(C) A receiver appointed under this section has all of the 45  
following powers and duties in addition to the powers stated in 46  
section 2735.04 of the Revised Code: 47

(1) Consult with the legislative authority of the 48

municipal corporation, board of county commissioners, or board 49  
of township trustees to make recommendations or, if necessary, 50  
to assume responsibility for implementing cost reductions and 51  
revenue increases to achieve a balanced budget and carry out the 52  
financial plan, and to make reductions in force or spending to 53  
resolve the fiscal emergency conditions; 54

(2) Ensure the municipal corporation, county, or township 55  
in fiscal emergency complies with all aspects of the financial 56  
plan approved by the commission in accordance with section 57  
118.06 of the Revised Code, or as amended in accordance with 58  
this chapter. If no financial plan has been approved by the 59  
commission in accordance with section 118.06 of the Revised 60  
Code, the receiver, after consulting with the legislative 61  
authority of the municipal corporation, board of county 62  
commissioners, or board of township trustees, shall make 63  
recommendations, or assume, if necessary, the responsibility for 64  
crafting and submitting the financial plan to the financial 65  
planning and supervision commission. 66

(3) Ensure the municipal corporation, county, or township 67  
in fiscal emergency complies with any other relevant aspects of 68  
this chapter; 69

(4) Provide monthly, written reports about the progress 70  
toward resolving the conditions of fiscal emergency to the 71  
financial planning and supervision commission, to the 72  
legislative authority of the municipal corporation, board of 73  
county commissioners, or board of township trustees, and to the 74  
mayor or city manager in the case of a municipal corporation; 75

(5) Appear at least quarterly to present information about 76  
progress toward resolving the conditions of fiscal emergency at 77  
an open meeting and, if allowable under section 121.22 of the 78

Revised Code, in executive session, of the legislative authority 79  
of municipal corporation, board of county commissioners, or 80  
board of township trustees; 81

(6) Appear at least quarterly to present information about 82  
progress toward resolving the conditions of fiscal emergency at 83  
an open meeting and, if allowable under section 121.22 of the 84  
Revised Code, in executive session, of the financial planning 85  
and supervision commission of the municipal corporation, county, 86  
or township in fiscal emergency; 87

(7) At the receiver's initiative or upon invitation, 88  
attend executive sessions of the legislative authority of the 89  
municipal corporation, board of county commissioners, or board 90  
of township trustees; 91

(8) Exercise any other powers granted to the receiver by 92  
the court necessary to perform the duties stated in this 93  
section. 94

(D) (1) If, in the judgment of the receiver, the criteria 95  
required to file for bankruptcy under the "Federal Bankruptcy 96  
Act," 11 U.S.C. 101, et seq., are satisfied and no reasonable 97  
alternative exists to eliminate the fiscal emergency condition 98  
within three years, the receiver may present findings and submit 99  
a written recommendation on filing for bankruptcy to the 100  
financial planning and supervision commission and the 101  
legislative authority of the municipal corporation, board of 102  
county commissioners, or board of township trustees. Beginning 103  
sixty days after submitting the recommendation, the receiver may 104  
initiate bankruptcy proceedings unless both of the following 105  
occur: 106

(a) The legislative authority or board adopts an ordinance 107

or resolution, effective within sixty days of receipt of the 108  
recommendation, opposing the recommendation. The ordinance or 109  
resolution shall specify the legislative authority's or board's 110  
plan to satisfy and discharge the debts and liabilities included 111  
in the receiver's recommendation for bankruptcy within seven 112  
years of the adoption of the ordinance or resolution and 113  
promptly alleviate the fiscal emergency conditions using 114  
expenditure reductions or available and future tax revenue, 115  
including necessary tax rate increases, of the municipal 116  
corporation, county, or township. 117

(b) After reviewing the ordinance or resolution under 118  
division (D)(1)(a) of this section, the financial planning and 119  
supervision commission determines the plan is sufficient to 120  
satisfy and discharge the debts and liabilities included in the 121  
receiver's recommendation for bankruptcy within seven years of 122  
the adoption of the resolution and promptly alleviate the fiscal 123  
emergency conditions. 124

If the financial planning and supervision commission 125  
determines that the plan is not sufficient, the receiver may 126  
initiate bankruptcy proceedings notwithstanding the ordinance or 127  
resolution opposing the recommendation. 128

(2) If the financial planning and supervision commission 129  
determines under division (D)(1) of this section that the plan 130  
is sufficient and the plan requires voted taxes authorized under 131  
another Revised Code section, the legislative authority of the 132  
municipal corporation, board of county commissioners, or board 133  
of trustees shall direct the board of elections to submit the 134  
tax question to the electors at the next general election or at 135  
a special election conducted on the day of the next primary 136  
election in the municipal corporation, township, or county 137

occurring not less than ninety days after the resolution is 138  
certified to the board, as applicable under the provision 139  
authorizing the tax question. If the taxes are not approved by 140  
the electors, the receiver may initiate bankruptcy proceedings, 141  
notwithstanding the resolution or ordinance opposing bankruptcy. 142  
If the taxes are approved by the electors, the legislative 143  
authority of the municipal corporation, board of county 144  
commissioners, or board of trustees shall implement the plan to 145  
satisfy and discharge the debts and liabilities included in the 146  
receiver's recommendation for bankruptcy within seven years of 147  
the adoption of the ordinance or resolution and promptly 148  
alleviate the fiscal emergency conditions. 149

(E) The court shall terminate the receivership when the 150  
municipal corporation, county, or township has corrected and 151  
eliminated all of the fiscal emergency conditions determined 152  
pursuant to section 118.04 of the Revised Code, and no new 153  
fiscal emergency conditions have occurred. 154

(F) Conditions in division (A) of this section may be 155  
applied retroactively in a remedial nature." 156

After line 32577, insert: 157

**"Sec. 2743.03.** (A) (1) There is hereby created a court of 158  
claims. Except as provided under section 107.43 of the Revised 159  
Code, the court of claims is a court of record and has 160  
exclusive, original jurisdiction of all civil actions against 161  
the state permitted by the waiver of immunity contained in 162  
section 2743.02 of the Revised Code and exclusive jurisdiction 163  
of the causes of action of all parties in civil actions that are 164  
removed to the court of claims. The court shall have full equity 165  
powers in all actions within its jurisdiction and may entertain 166  
and determine all counterclaims, cross-claims, and third-party 167

claims. 168

(2) If the claimant in a civil action as described in 169  
division (A)(1) of this section also files a claim for a 170  
declaratory judgment, injunctive relief, or other equitable 171  
relief against the state that arises out of the same 172  
circumstances that gave rise to the civil action described in 173  
division (A)(1) of this section, the court of claims has 174  
exclusive, original jurisdiction to hear and determine that 175  
claim in that civil action. This division does not affect, and 176  
shall not be construed as affecting, the original jurisdiction 177  
of another court of this state to hear and determine a civil 178  
action in which the sole relief that the claimant seeks against 179  
the state is a declaratory judgment, injunctive relief, or other 180  
equitable relief. 181

(3) In addition to its exclusive, original jurisdiction as 182  
conferred by divisions (A)(1) and (2) of this section, the court 183  
of claims has exclusive, original jurisdiction as follows: 184

(a) As described in division (F) of section 2743.02, 185  
division (B) of section 3335.03, and division (C) of section 186  
5903.02 of the Revised Code; 187

(b) Under section 2743.75 of the Revised Code to hear 188  
complaints alleging a denial of access to public records in 189  
violation of division (B) of section 149.43 of the Revised Code, 190  
regardless of whether the public office or person responsible 191  
for public records is an office or employee of the state or of a 192  
political subdivision; 193

(c) Under section 118.29 of the Revised Code to appoint a 194  
receiver. 195

(B) The court of claims shall sit in Franklin county, its 196



hearings shall be public, and it shall consist of incumbent 197  
 justices or judges of the supreme court, courts of appeals, or 198  
 courts of common pleas, or retired justices or judges eligible 199  
 for active duty pursuant to division (C) of Section 6 of Article 200  
 IV, Ohio Constitution, sitting by temporary assignment of the 201  
 chief justice of the supreme court. The chief justice may direct 202  
 the court to sit in any county for cases on removal upon a 203  
 showing of substantial hardship and whenever justice dictates. 204

(C) (1) A civil action against the state shall be heard and 205  
 determined by a single judge. Upon application by the claimant 206  
 or the state, the chief justice of the supreme court may assign 207  
 a panel of three judges to hear and determine a civil action 208  
 presenting novel or complex issues of law or fact. Concurrence 209  
 of two members of the panel is necessary for any judgment or 210  
 order. 211

(2) Whenever the chief justice of the supreme court 212  
 believes an equitable resolution of a case will be expedited, 213  
 the chief justice may appoint magistrates in accordance with 214  
 Civil Rule 53 to hear the case. 215

(3) When any dispute under division (B) of section 153.12 216  
 of the Revised Code is brought to the court of claims, upon 217  
 request of either party to the dispute, the chief justice of the 218  
 supreme court shall appoint a single referee or a panel of three 219  
 referees. The referees need not be attorneys, but shall be 220  
 persons knowledgeable about construction contract law, a member 221  
 of the construction industry panel of the American arbitration 222  
 association, or an individual or individuals deemed qualified by 223  
 the chief justice to serve. No person shall serve as a referee 224  
 if that person has been employed by an affected state agency or 225  
 a contractor or subcontractor involved in the dispute at any 226

time in the preceding five years. Proceedings governing referees 227  
shall be in accordance with Civil Rule 53, except as modified by 228  
this division. The referee or panel of referees shall submit its 229  
report, which shall include a recommendation and finding of 230  
fact, to the judge assigned to the case by the chief justice, 231  
within thirty days of the conclusion of the hearings. Referees 232  
appointed pursuant to this division shall be compensated on a 233  
per diem basis at the same rate as is paid to judges of the 234  
court and also shall be paid their expenses. If a single referee 235  
is appointed or a panel of three referees is appointed, then, 236  
with respect to one referee of the panel, the compensation and 237  
expenses of the referee shall not be taxed as part of the costs 238  
in the case but shall be included in the budget of the court. If 239  
a panel of three referees is appointed, the compensation and 240  
expenses of the two remaining referees shall be taxed as costs 241  
of the case. 242

All costs of a case shall be apportioned among the 243  
parties. The court may not require that any party deposit with 244  
the court cash, bonds, or other security in excess of two 245  
hundred dollars to guarantee payment of costs without the prior 246  
approval in each case of the chief justice. 247

(4) An appeal from a decision of the attorney general 248  
pursuant to sections 2743.51 to 2743.72 of the Revised Code 249  
shall be heard and determined by the court of claims. 250

(D) The Rules of Civil Procedure shall govern practice and 251  
procedure in all actions in the court of claims, except insofar 252  
as inconsistent with this chapter. The supreme court may 253  
promulgate rules governing practice and procedure in actions in 254  
the court as provided in Section 5 of Article IV, Ohio 255  
Constitution. 256

(E) (1) A party who files a counterclaim against the state 257  
or makes the state a third-party defendant in an action 258  
commenced in any court, other than the court of claims, shall 259  
file a petition for removal in the court of claims. The petition 260  
shall state the basis for removal, be accompanied by a copy of 261  
all process, pleadings, and other papers served upon the 262  
petitioner, and shall be signed in accordance with Civil Rule 263  
11. A petition for removal based on a counterclaim shall be 264  
filed within twenty-eight days after service of the counterclaim 265  
of the petitioner. A petition for removal based on third-party 266  
practice shall be filed within twenty-eight days after the 267  
filing of the third-party complaint of the petitioner. 268

(2) Within seven days after filing a petition for removal, 269  
the petitioner shall give written notice to the parties, and 270  
shall file a copy of the petition with the clerk of the court in 271  
which the action was brought originally. The filing effects the 272  
removal of the action to the court of claims, and the clerk of 273  
the court where the action was brought shall forward all papers 274  
in the case to the court of claims. The court of claims shall 275  
adjudicate all civil actions removed. The court may remand a 276  
civil action to the court in which it originated upon a finding 277  
that the removal petition does not justify removal, or upon a 278  
finding that the state is no longer a party. 279

(3) Bonds, undertakings, or security and injunctions, 280  
attachments, sequestrations, or other orders issued prior to 281  
removal remain in effect until dissolved or modified by the 282  
court of claims." 283

Update the title, amend, enact, or repeal clauses accordingly 284

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	285
<b>Local fiscal emergency receivership</b>	286
<b>R.C. 118.29 and 2743.03</b>	287
Establishes a process for the creation of a receivership	288
for counties, townships, and municipal corporations in fiscal	289
emergency.	290
Grants the court of claims jurisdiction to appoint a	291
receiver for counties, townships, and municipal corporations in	292
fiscal emergency.	293

Sub. H. B. No. 96

I\_136\_0001-4

MCDCD48

\_\_\_\_\_ moved to amend as follows:

In line 98007, after "(1)" delete the balance of the line

Delete lines 98008 through 98031 and insert:

"The electronic visit verification system shall not exceed the  
minimum requirements specified in 42 U.S.C. 1396b.

(2) The department of medicaid and the department of developmental  
disabilities shall provide education and technical assistance to medicaid  
providers subject to the electronic visit verification system to aid them  
in complying with the system.

(3) When a medicaid provider described in division (B) (2) of this  
section submits a claim to the department of medicaid, the department of  
developmental disabilities, a medicaid managed care organization, or any  
other entity authorized to pay a medicaid claim subject to the electronic  
visit verification system and the claim is not supported by information in  
the system, all of the following apply:

(a) The department, organization, or entity shall not deny the  
claim.

(b) The department, organization, or entity shall notify the



medicaid provider that the claim is not supported by information in the 18  
system. 19

(c) The department, organization, or entity shall offer the medicaid 20  
provider the opportunity to review and correct both the claim and data in 21  
the system. 22

(4) The department of medicaid, the department of developmental 23  
disabilities, a medicaid managed care organization, or any other entity 24  
authorized to conduct a post-payment audit or review may consider 25  
information in the electronic visit verification system as part of its 26  
audit or review protocol, but shall not conduct an audit or review based 27  
solely on information in the system." 28

Update the title, amend, enact, or repeal clauses accordingly 29

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 30

#### **Electronic visit verification system** 31

#### **R.C. 5164.451** 32

Revises in the following ways the substitute bill's 33  
provisions establishing duties on, and granting authority to, 34  
ODM and Medicaid managed care organizations (MCOs) in the event 35  
the ODM Director establishes an electronic visit verification 36  
(EVV) system in rule: 37

(1) Prohibits the EVV system from exceeding minimum 38  
requirements specified in federal law; 39

(2) Maintains the requirement that ODM provide education 40  
and technical assistance to Medicaid providers to aid them in 41  
complying with the EVV system, but extends the requirement to 42  
the Department of Developmental Disabilities; 43

(3) Maintains provisions requiring a Medicaid provider to 44  
be notified if a claim submitted is not supported by information 45  
in the EVV system, while eliminating provisions granting an 46  
opportunity for a Medicaid provider to submit other 47  
documentation or evidence of a visit during a post-payment 48  
review and specifically authorizing ODM and Medicaid MCOs to 49  
recover amounts paid for visits that did not occur; 50

(4) Instead requires ODM, the Department, a Medicaid MCO, 51  
or other entity to offer the provider the opportunity to review 52  
and correct such a claim and data in the EVV system and also 53  
prohibits ODM, the Department of Developmental Disabilities, a 54  
Medicaid MCO, or other entity authorized to pay a Medicaid claim 55  
from denying a claim that is not supported by information in the 56  
EVV system; 57

(5) Replaces a provision authorizing ODM and a Medicaid 58  
MCO to utilize EVV system information to conduct a post-payment 59  
review to determine if a visit for which a claim was submitted 60  
occurred with one authorizing ODM, the Department of 61  
Developmental Disabilities, a Medicaid MCO, or other entity 62  
authorized to conduct a post-payment audit or review to consider 63  
information in the EVV system as part of its audit or review 64  
protocol, but prohibiting an audit or review based solely on 65  
information in the EVV system. 66

Sub. H. B. No. 96

L\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 115638, in row AB, delete "\$2,000,000 1  
\$2,000,000" and insert "\$2,400,000 \$2,400,000" 2

In the table on line 115638, in rows AC and BZ, add \$400,000 to each 3  
fiscal year. 4

After line 116913, insert: 5

"Of the foregoing appropriation item 200597, Program and Project 6  
Support, \$400,000 in each fiscal year shall be distributed to the Girl 7  
Scout Councils of Ohio to support the Trailblazers in Training: Preparing 8  
Girls for Tomorrow's Workforce program." 9

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 10

**Department of Education and Workforce** 11

**Sections 265.10 and 265.275** 12

Increases GRF ALI 200597, Program and Project Support, by 13

Legislative Service Commission



nxyazckzryhtjqllydj8o



\$400,000 in each fiscal year, and earmarks the increases to	14
support the Trailblazers in Training: Preparing Girls for	15
Tomorrow's Workforce program.	16

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 117908, in row K, delete the first "\$700,000" 1  
and insert "\$850,000" 2

In the table on line 117908, in rows L and Q, add \$150,000 to fiscal 3  
year 2026 4

After line 117932, insert: 5

"Of the foregoing appropriation item 360508, State Historical 6  
Grants, \$150,000 in fiscal year 2026 shall be used for the Wadsworth Area 7  
Historical Society and the preservation of St. Mark's Episcopal Church 8  
located in Wadsworth, Ohio." 9

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 10

**Ohio History Connection** 11

**Sections 297.10 and 297.20** 12

Increases GRF ALI 360508, State Historical Grants, by 13

Legislative Service Commission



\$150,000 in FY 2026 and earmarks the increase to the Wadsworth	14
Area Historical Society for the preservation of St. Mark's	15
Episcopal Church located in Wadsworth, Ohio.	16

. B. No.  
I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 70964, insert:

**"Sec. 3959.01.** As used in this chapter:

(A) "Administration fees" means any amount charged a covered person for services rendered. "Administration fees" includes commissions earned or paid by any person relative to services performed by an administrator.

(B) "Administrator" means any person who adjusts or settles claims on, residents of this state in connection with life, dental, health, prescription drugs, or disability insurance or self-insurance programs. "Administrator" includes a pharmacy benefit manager. "Administrator" does not include any of the following:

(1) An insurance agent or solicitor licensed in this state whose activities are limited exclusively to the sale of insurance and who does not provide any administrative services;

(2) Any person who administers or operates the workers' compensation program of a self-insuring employer under Chapter 4123. of the Revised Code;

(3) Any person who administers pension plans for the benefit of the person's own members or employees or administers pension plans for the benefit of the members or employees of any other person;

(4) Any person that administers an insured plan or a self-insured plan that provides life, dental, health, or disability benefits exclusively for the person's own members or employees;

(5) Any health insuring corporation holding a certificate of authority under Chapter 1751. of the Revised Code or an insurance company that is authorized to write life or sickness and accident insurance in this state.

(C) "Actual acquisition cost" means the amount that a drug wholesaler charges a pharmacy for a drug product as listed on the pharmacy's billing invoice.

(D) "Aggregate excess insurance" means that type of coverage whereby the insurer agrees to reimburse the insured employer or trust for all benefits or claims paid during an agreement period on behalf of all covered persons under the plan or trust which exceed a stated deductible amount and subject to a stated maximum.

~~(D)~~ (E) "Contracted pharmacy" or "pharmacy" means a pharmacy located in this state participating in either the network of a pharmacy benefit manager or in a health care or pharmacy benefit plan through a direct contract or through a contract with a pharmacy services administration organization, group purchasing organization, or another contracting agent.

~~(E)~~ (F) "Contributions" means any amount collected from a covered person to fund the self-insured portion of any plan in accordance with the plan's provisions, summary plan

descriptions, and contracts of insurance. 48

~~(F)~~ (G) "Drug product reimbursement" means the amount paid 49  
by a pharmacy benefit manager to a contracted pharmacy for the 50  
cost of the drug dispensed to a patient and does not include a 51  
dispensing or professional fee. 52

~~(G)~~ (H) "Drug wholesaler" means a wholesale drug 53  
distributor accredited by a nationally recognized nonprofit 54  
organization that represents the interests of state boards of 55  
pharmacy and to which the state board of pharmacy is a member. 56

(I) "Fiduciary" has the meaning set forth in section 57  
1002(21) (A) of the "Employee Retirement Income Security Act of 58  
1974," 88 Stat. 829, 29 U.S.C. 1001, as amended. 59

~~(H)~~ (J) "Fiscal year" means the twelve-month accounting 60  
period commencing on the date the plan is established and ending 61  
twelve months following that date, and each corresponding 62  
twelve-month accounting period thereafter as provided for in the 63  
summary plan description. 64

~~(I)~~ (K) "Insurer" means an entity authorized to do the 65  
business of insurance in this state or, for the purposes of this 66  
section, a health insuring corporation authorized to issue 67  
health care plans in this state. 68

~~(J)~~ (L) "Managed care organization" means an entity that 69  
provides medical management and cost containment services and 70  
includes a medicaid managed care organization, as defined in 71  
section 5167.01 of the Revised Code. 72

~~(K)~~ (M) "Maximum allowable cost" means a maximum drug 73  
product reimbursement for an individual drug or for a group of 74  
therapeutically and pharmaceutically equivalent multiple source 75

drugs that are listed in the United States food and drug 76  
administration's approved drug products with therapeutic 77  
equivalence evaluations, commonly referred to as the orange 78  
book. 79

~~(L)~~—(N) "Maximum allowable cost list" means a list of the 80  
drugs for which a pharmacy benefit manager imposes a maximum 81  
allowable cost, either directly or by setting forth a method for 82  
how the maximum allowable cost is calculated. 83

~~(M)~~—(O) "Multiple employer welfare arrangement" has the 84  
same meaning as in section 1739.01 of the Revised Code. 85

~~(N)~~—(P) "National drug code number" or "national drug 86  
code" means the number registered for a drug pursuant to the 87  
listing system established by the United States food and drug 88  
administration under the "Drug Listing Act of 1972," 21 U.S.C. 89  
360. 90

(Q) "Ohio pharmacy" means a pharmacy, including an 91  
independent pharmacy, that is incorporated or organized in this 92  
state under Title XVII of the Revised Code. 93

(R) "Pharmacy benefit manager" means an entity that 94  
contracts with pharmacies on behalf of an employer, a multiple 95  
employer welfare arrangement, public employee benefit plan, 96  
state agency, insurer, managed care organization, or other 97  
third-party payer to provide pharmacy health benefit services or 98  
administration. "Pharmacy benefit manager" includes the state 99  
pharmacy benefit manager selected under section 5167.24 of the 100  
Revised Code. 101

~~(O)~~—(S) "Plan" means any arrangement in written form for 102  
the payment of life, dental, health, or disability benefits to 103  
covered persons defined by the summary plan description and 104

includes a drug benefit plan administered by a pharmacy benefit manager. 105  
106

~~(P)~~ (T) "Plan sponsor" means the person who establishes the plan. 107  
108

~~(Q)~~ (U) "Self-insurance program" means a program whereby an employer provides a plan of benefits for its employees without involving an intermediate insurance carrier to assume risk or pay claims. "Self-insurance program" includes but is not limited to employer programs that pay claims up to a prearranged limit beyond which they purchase insurance coverage to protect against unpredictable or catastrophic losses. 109  
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~~(R)~~ (V) "Specific excess insurance" means that type of coverage whereby the insurer agrees to reimburse the insured employer or trust for all benefits or claims paid during an agreement period on behalf of a covered person in excess of a stated deductible amount and subject to a stated maximum. 116  
117  
118  
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120

~~(S)~~ (W) "Summary plan description" means the written document adopted by the plan sponsor which outlines the plan of benefits, conditions, limitations, exclusions, and other pertinent details relative to the benefits provided to covered persons thereunder. 121  
122  
123  
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~~(T)~~ (X) "Third-party payer" has the same meaning as in section 3901.38 of the Revised Code. 126  
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**Sec. 3959.111.** (A) (1) (a) In each contract between a pharmacy benefit manager and a pharmacy, the pharmacy shall be given the right to obtain from the pharmacy benefit manager, within ten days after any request, a current list of the sources used to determine maximum allowable cost pricing. In each contract between a pharmacy benefit manager and a pharmacy, the 128  
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pharmacy benefit manager shall be obligated to update and 134  
implement the pricing information at least every seven days and 135  
provide a means by which contracted pharmacies may promptly 136  
review maximum allowable cost pricing updates in an electronic 137  
format that is readily available, accessible, and secure and 138  
that can be easily searched. 139

Subject to division (A)(1) of this section, a pharmacy 140  
benefit manager shall utilize the most up-to-date pricing data 141  
when calculating drug product reimbursements for all contracting 142  
pharmacies within one business day of any price update or 143  
modification. 144

(b) A pharmacy benefit manager shall maintain a written 145  
procedure to eliminate products from the list of drugs subject 146  
to maximum allowable cost pricing in a timely manner. The 147  
written procedure, and any updates, shall promptly be made 148  
available to a pharmacy upon request. 149

(2) In each contract between a pharmacy benefit manager 150  
and a pharmacy, a pharmacy benefit manager shall be obligated to 151  
ensure that all of the following conditions are met prior to 152  
placing a prescription drug on a maximum allowable cost list: 153

(a) The drug is listed as "A" or "B" rated in the most 154  
recent version of the United States food and drug 155  
administration's approved drug products with therapeutic 156  
equivalence evaluations, or has an "NR" or "NA" rating or 157  
similar rating by nationally recognized reference. 158

(b) The drug is generally available for purchase by 159  
pharmacies in this state from a national or regional wholesaler 160  
and is not obsolete. 161

(3) Each contract between a pharmacy benefit manager and a 162

pharmacy shall include an electronic process to appeal, 163  
investigate, and resolve disputes regarding maximum allowable 164  
cost pricing that includes all of the following: 165

(a) A twenty-one-day limit on the right to appeal 166  
following the initial claim; 167

(b) A requirement that the appeal be investigated and 168  
resolved within twenty-one days after the appeal; 169

(c) A telephone number at which the pharmacy may contact 170  
the pharmacy benefit manager to speak to a person responsible 171  
for processing appeals; 172

(d) A requirement that a pharmacy benefit manager provide 173  
a reason for any appeal denial, including the national drug code 174  
and the identity of the national or regional wholesalers from 175  
whom the drug was generally available for purchase at or below 176  
the benchmark price determined by the pharmacy benefit manager; 177

(e) A requirement that if the appeal is upheld or granted, 178  
then the pharmacy benefit manager shall adjust the drug product 179  
reimbursement to the pharmacy's upheld appeal price; 180

(f) A requirement that a pharmacy benefit manager make an 181  
adjustment not later than one day after the date of 182  
determination of the appeal. The adjustment shall be retroactive 183  
to the date the appeal was made and shall apply to all situated 184  
pharmacies as determined by the pharmacy benefit manager. This 185  
requirement does not prohibit a pharmacy benefit manager from 186  
retroactively adjusting a claim for the appealing pharmacy or 187  
for any other similarly situated pharmacies. 188

(B) (1) (a) A pharmacy benefit manager shall disclose to the 189  
plan sponsor whether or not the pharmacy benefit manager uses 190

the same maximum allowable cost list when billing a plan sponsor 191  
as it does when reimbursing a pharmacy. 192

(b) If a pharmacy benefit manager uses multiple maximum 193  
allowable cost lists, the pharmacy benefit manager shall 194  
disclose in the aggregate to a plan sponsor any differences 195  
between the amount paid to a pharmacy and the amount charged to 196  
a plan sponsor. 197

(2) The disclosures required under division (B) (1) of this 198  
section shall be made within ten days of a pharmacy benefit 199  
manager and a plan sponsor signing a contract or on a quarterly 200  
basis. 201

(3) (a) Division (B) of this section does not apply to 202  
plans governed by the "Employee Retirement Income Security Act 203  
of 1974," 29 U.S.C. 1001, et seq. or medicare part D. 204

(b) As used in this division, "medicare part D" means the 205  
voluntary prescription drug benefit program established under 206  
Part D of Title XVIII of the "Social Security Act," 42 U.S.C. 207  
1395w-101, et seq. 208

(C) Except as otherwise provided in division (F) of this 209  
section, a pharmacy benefit manager shall reimburse an Ohio 210  
pharmacy for drug products dispensed on or after the ninety- 211  
first day following the effective date of the amendment an 212  
amount that is not less than either of the following: 213

(1) The amount that the pharmacy benefit manager 214  
reimburses an affiliated pharmacy for providing the same drug 215  
product; 216

(2) The sum of the following: 217

(a) A drug product reimbursement not less than the Ohio 218

pharmacy's actual acquisition cost for the drug dispensed; 219

(b) A dispensing fee not less than the minimum dispensing 220  
reimbursement in effect for the date the drug is dispensed, as 221  
determined by the superintendent of insurance under this 222  
section. 223

(D) An Ohio pharmacy may decline to provide a drug product 224  
to an individual or pharmacy benefit manager if the Ohio 225  
pharmacy would be paid less than the amount required by division 226  
(C) of this section. 227

(E) (1) Not later than ninety days after the effective date 228  
of this amendment, the superintendent of insurance shall 229  
determine a minimum dispensing reimbursement to be paid for each 230  
drug product based on data collected by the department of 231  
medicaid through the survey conducted pursuant to section 232  
5164.752 of the Revised Code. 233

(2) The superintendent shall publish the amount of the 234  
minimum dispensing reimbursement and the dates to which it 235  
applies on a publicly accessible web site maintained by the 236  
department of insurance. 237

(3) The superintendent shall update the minimum dispensing 238  
reimbursement each time the department of medicaid publishes the 239  
survey conducted pursuant to section 5164.752 of the Revised 240  
Code. 241

(F) (1) Division (C) of this section does not apply to the 242  
extent that it conflicts with a contract or agreement entered 243  
into before the effective date of this amendment except that, if 244  
such a contract or agreement is amended or renewed after the 245  
effective date of this amendment, the contract or agreement 246  
shall conform to the requirements of that division. Division (C) 247

of this section does not prohibit a pharmacy benefit manager 248  
from paying drug product reimbursements or dispensing 249  
reimbursements in excess of the amounts required by that 250  
division. 251

(2) Divisions (C) and (D) of this section do not apply 252  
with respect to the state pharmacy benefit manager established 253  
pursuant to section 5167.12 of the Revised Code. 254

(G) Notwithstanding division (B) (5) of section 3959.01 of 255  
the Revised Code, a health insuring corporation or a sickness 256  
and accident insurer shall comply with the requirements of this 257  
section and is subject to the penalties under section 3959.12 of 258  
the Revised Code if the corporation or insurer is a pharmacy 259  
benefit manager, as defined in section 3959.01 of the Revised 260  
Code. 261

~~(D)~~ (H) No pharmacy benefit manager shall retaliate 262  
against an Ohio pharmacy that reports an alleged violation of, 263  
or exercises a right or remedy under, this section by doing any 264  
of the following: 265

(1) Terminating or refusing to renew a contract with the 266  
Ohio pharmacy without providing notice to the Ohio pharmacy at 267  
least ninety days in advance; 268

(2) Subjecting the Ohio pharmacy to increased audits 269  
without providing notice to the Ohio pharmacy and a detailed 270  
description of the reason for the audit at least ninety days in 271  
advance; 272

(3) Failing to promptly pay the Ohio pharmacy in 273  
accordance with sections 3901.381 to 3901.3814 of the Revised 274  
Code. 275

(I) If an Ohio pharmacy believes that a pharmacy benefit manager has violated this section, in addition to any other remedies provided by law, the Ohio pharmacy may file a formal complaint and provide evidence related to the complaint to the superintendent of insurance. 276  
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(J) The superintendent of insurance shall adopt rules as necessary to implement the requirements of this section in accordance with Chapter 119. of the Revised Code for the purposes of implementing and administering this section. Notwithstanding any provision of section 121.95 of the Revised Code to the contrary, a regulatory restriction contained in a rule adopted by the superintendent in accordance with this section is not subject to sections 121.95 to 121.953 of the Revised Code. 281  
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**Sec. 3959.121.** (A) The superintendent of insurance shall evaluate any complaint filed by an Ohio pharmacy pursuant to section 3959.111 of the Revised Code. 290  
291  
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(B) (1) If the superintendent determines, based on a complaint filed by an Ohio pharmacy or other information available to the superintendent, that a pharmacy benefit manager has violated section 3959.111 of the Revised Code, the superintendent shall do both of the following: 293  
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295  
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297

(a) Issue a notice of violation to the pharmacy benefit manager that clearly explains the violation; 298  
299

(b) Impose an administrative penalty on the pharmacy benefit manager of one thousand dollars for each violation. 300  
301

(2) Each day that a violation continues after the pharmacy benefit manager receives notice of the violation under division (B) (1) (a) of this section is considered a separate violation for 302  
303  
304

the purposes of the administrative penalty under division (B) (1) 305  
(b) of this section. 306

(C) Before imposing an administrative penalty under this 307  
section, the superintendent shall afford the pharmacy benefit 308  
manager an opportunity for an adjudication hearing under Chapter 309  
119. of the Revised Code. At the hearing, the pharmacy benefit 310  
manager may challenge the superintendent's determination that a 311  
violation occurred, the superintendent's imposition of an 312  
administrative penalty, or both. The pharmacy benefit manager 313  
may appeal the superintendent's determination and the imposition 314  
of the administrative penalty in accordance with section 119.12 315  
of the Revised Code. 316

(D) An administrative penalty collected under this section 317  
shall be deposited into the state treasury to the credit of the 318  
department of insurance operating fund created by section 319  
3901.021 of the Revised Code." 320

Update the title, amend, enact, or repeal clauses accordingly. 321

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS 322

## **Pharmacy benefit managers** 323

### **R.C. 3959.01, 3959.111, and 3959.121** 324

Requires pharmacy benefit managers (PBMs), other than the 325  
state PBM, to reimburse Ohio-incorporated pharmacies that 326  
dispense a drug product for the "actual acquisition cost," i.e., 327  
the amount paid to the drug wholesaler, plus a minimum 328

dispensing fee determined by the Superintendent of Insurance.	329
Prohibits a PBM from reimbursing an Ohio pharmacy less	330
than the amount the PBM reimburses its affiliated pharmacies for	331
providing the same drug product.	332
Allows an Ohio pharmacy to decline to provide a drug	333
product if the pharmacy would be reimbursed less than the	334
required amount.	335
Prohibits a PBM from retaliating against an Ohio pharmacy	336
that reports an alleged violation of, or exercises a remedy	337
under the provision by doing any of the following:	338
- Terminating or refusing to renew a contract without	339
providing notice at least 90 days in advance;	340
- Increasing audits of the pharmacy without providing	341
notice and a detailed description of the reason for the audits	342
at least 90 days in advance;	343
- Failing to comply with prompt pay laws.	344
Establishes a procedure by which an Ohio pharmacy may file	345
a formal complaint alleging a violation and the Superintendent	346
may impose an administrative penalty on the PBM of \$1,000 per	347
day for each violation.	348
Allows the Superintendent to adopt rules to implement and	349
administer the provisions and exempts those rules from	350
requirements, under continuing law, related to reducing	351
regulatory restrictions.	352



Sub. H. B. No. 96

I\_136\_0001-4

DOTCD71

\_\_\_\_\_ moved to amend as follows:

In the table on line 120421, in row AG, delete "\$28,785,000 1  
\$13,500,000" and insert "\$29,535,000 \$14,250,000" 2

In the table on line 120421, in rows BH and CH, add \$750,000 to each 3  
fiscal year 4

After line 121689, insert: 5

"(N) Of the foregoing appropriation item 235533, Program and Project 6  
Support, \$750,000 in each fiscal year shall be used by the Chancellor of 7  
Higher Education to continue support and expansion of the Clark County 8  
unmanned and general aviation STEM pilot programs in all Ohio counties." 9

In the table on line 123007, in row C, delete "\$4,500,000" and 10  
insert "\$3,000,000" 11

In the table on line 123007, in rows G and L, subtract \$1,500,000 12  
from fiscal year 2026 13

In line 123010, delete "\$4,000,000" and insert "\$2,500,000" 14

The motion was \_\_\_\_\_ agreed to.

Legislative Service Commission



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<u>SYNOPSIS</u>	15
<b>Department of Higher Education</b>	16
<b>Sections 381.10 and 381.410</b>	17
Increases GRF ALI 235533, Program and Project Support, by	18
\$750,000 in each fiscal year and earmarks the same amount to be	19
used by the Chancellor to continue support and expansion of the	20
Clark County unmanned and general aviation STEM pilot programs	21
in all Ohio counties.	22
<b>Department of Transportation</b>	23
<b>Sections 411.10 and 411.20</b>	24
Reduces GRF ALI 772456, Unmanned Aerial Systems Center, by	25
\$1,500,000 in FY 2026 and reduces the earmark from this ALI for	26
the Drones for First Responders Pilot Program by the same	27
amount.	28

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 43569, insert:

"Sec. 3313.7118. Each public school, as defined in section 3301.28 of the Revised Code, and chartered nonpublic school that serves elementary school students shall provide either an electronic or paper copy of the informational materials described in section 3707.61 of the Revised Code to each student's parent or guardian on the student's enrollment in elementary school."

After line 45323, insert:

"(m) The school will comply with section 3313.7118 of the Revised Code if it serves elementary school students."

In line 53784, after "3313.7117," insert "3313.7118,"

After line 63623, insert:

"Sec. 3707.61. (A) The department of health shall create informational materials on type 1 diabetes for parents, guardians, educators, and other persons having care or charge of children. The materials shall include pertinent information to inform and educate parents, guardians, educators, and other



caretakers about type 1 diabetes in children, including the 19  
following: 20

(1) A description of type 1 diabetes; 21

(2) A description of type 1 diabetes risk factors and 22  
warning signs; 23

(3) A recommendation that the parents or guardian of a 24  
student who is displaying type 1 diabetes warning signs should 25  
immediately consult with the student's primary care provider to 26  
determine if immediate screening is appropriate; 27

(4) A description of the type 1 diabetes screening 28  
process, the significance of the three stages of type 1 29  
diabetes, and the implications of test results identifying the 30  
presence of each stage; 31

(5) A recommendation that, following a diagnosis of type 1 32  
diabetes, the student's parents or guardian should consult with 33  
the student's primary care provider to develop an appropriate 34  
treatment plan, which may include consultation with and 35  
examination by a specialty care provider, including a properly 36  
qualified endocrinologist. 37

(B) The department shall make the informational materials 38  
available on its internet web site in a format suitable for easy 39  
downloading and printing." 40

Update the title, amend, enact, or repeal clauses accordingly 41

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	42
<b>Type 1 diabetes information</b>	43
<b>R.C. 3313.7118, 3314.03, 3326.11, and 3707.61</b>	44
Requires the ODH to create informational materials on type	45
1 diabetes for parents, guardians, educators, and other persons	46
having care or charge of children.	47
Requires public schools, community schools, STEM schools,	48
and private schools that serve elementary school students to	49
provide a paper or electronic copy of the informational	50
materials to each student's parent or guardian.	51

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 37548, strike through "and" and insert an underlined comma; 1  
after "deaf" insert ", and Rita community school" 2

After line 53658, insert: 3

"**Sec. 3325.01.** Ohio deaf and blind education services is 4  
hereby established and shall include the state school for the 5  
deaf and the state school for the blind. Ohio deaf and blind 6  
education services shall operate under the control and 7  
supervision of the department of education and workforce. The 8  
department shall appoint a superintendent for Ohio deaf and 9  
blind education services, who shall supervise the state school 10  
for the deaf and the state school for the blind. The 11  
superintendent of Ohio deaf and blind education services shall 12  
serve at the pleasure of the department. The superintendent of 13  
Ohio deaf and blind education services may create additional 14  
divisions to meet the educational needs of students throughout 15  
the state who are deaf, hard of hearing, blind, visually 16  
impaired, or deafblind, or have multiple disabilities if one of 17  
the disabilities is vision related, hearing related, or related 18  
to communication such that the student would benefit from the 19  
use of American sign language. 20

**Sec. 3325.011.** Subject to the regulations adopted by the 21  
department of education and workforce, the state school for the 22  
deaf shall be open to receive persons who are deaf, hard of 23  
hearing, and deafblind residents of this state, including 24  
persons who have multiple disabilities if one of the 25  
disabilities is hearing related, who, in the judgment of the 26  
director of education and workforce and the superintendent of 27  
Ohio deaf and blind education services, due to such disability, 28  
cannot be educated in the public school system and are suitable 29  
persons to receive instructions according to the methods 30  
employed in such school. 31

**Sec. 3325.012.** Subject to the regulations adopted by the 32  
department of education and workforce, Rita community school 33  
shall be open to receive persons who are deaf, hard of hearing, 34  
and deafblind residents of this state, including persons who 35  
have multiple disabilities if one of the disabilities is related 36  
to communication such that the person would benefit from the use 37  
of American sign language, and who, in the judgment of the 38  
director of education and workforce and the superintendent of 39  
Ohio deaf and blind education services, due to such disability, 40  
cannot be educated in the public school system and is a suitable 41  
person to receive instructions according to the methods employed 42  
in such school. 43

Rita community school shall be considered a division of 44  
the Ohio deaf and blind education services. The school shall not 45  
be considered a community school for the purposes of Chapter 46  
3314. of the Revised Code. 47

**Sec. 3325.03.** The superintendent of Ohio deaf and blind 48  
education services may return any pupil under the 49  
superintendent's jurisdiction to the pupil's resident school 50

district if, in the opinion of the superintendent and the 51  
 director of education and workforce, that pupil is not making 52  
 sufficient progress to justify continuance as a pupil at the 53  
 state school for the deaf~~or~~, the state school for the blind, 54  
or Rita community school." 55

In line 53661, strike through "or" and insert an underlined comma 56

In line 53662, after "deaf" insert ", or Rita community school" 57

In line 53694, strike through "or" and insert an underlined comma; 58  
 after "deaf" insert ", or Rita community school" 59

In line 53733, strike through "residing at" and insert "attending" 60

In line 53734, strike through "or" and insert an underlined comma; 61  
 after "deaf" insert ", or Rita community school" 62

After line 53735, insert: 63

**"Sec. 3325.09.** (A) Ohio deaf and blind education services 64  
 shall institute and establish career-technical education and 65  
 work training programs for secondary and post-secondary students 66  
 who are blind, visually impaired, deaf, hard of hearing, ~~or~~ 67  
deafblind, or have multiple disabilities if one of the 68  
disabilities is vision related, hearing related, or related to 69  
communication such that the student would benefit from the use 70  
of American sign language. These programs shall develop 71  
 communication, mobility, and work skills and assist students in 72  
 becoming productive members of society so that they can 73  
 contribute to their communities and living environments. 74

(B) Ohio deaf and blind education services may use any 75  
 gifts, donations, or bequests it receives under section 3325.10 76  
 or 3325.15 of the Revised Code for one or more of the following 77  
 purposes that are related to career-technical and work training 78



programs for secondary and post-secondary students who are 79  
 blind, visually impaired, deaf, hard of hearing, ~~or deafblind,~~ 80  
or have multiple disabilities if one of the disabilities is 81  
vision related, hearing related, or related to communication 82  
such that the student would benefit from the use of American 83  
sign language: 84

- (1) Room and board; 85
- (2) Training in mobility and orientation; 86
- (3) Activities that teach daily living skills; 87
- (4) Rehabilitation technology; 88
- (5) Activities that teach group and individual social and 89  
 interpersonal skills; 90
- (6) Work placement in the community by the school or a 91  
 community agency; 92
- (7) Transportation to and from work sites or locations of 93  
 community interaction; 94
- (8) Supervision and management of programs and services. 95

(C) For the purposes of division (B) of this section, Ohio 96  
 deaf and blind education services shall use funds received under 97  
 section 3325.10 or 3325.15 of the Revised Code only for the 98  
 school for which the funds were designated. 99

**Sec. 3325.11.** There is hereby created in the state 100  
 treasury Ohio deaf and blind education services student activity 101  
 and work-study fund. Moneys received from donations, bequests, 102  
 the vocational programs of the state school for the blind ~~and,~~ 103  
 the state school for the deaf, and Rita community school, and 104  
 any other moneys designated for deposit in the fund by the 105

superintendent of Ohio deaf and blind education services, shall 106  
be credited to the fund. Notwithstanding section 3325.01 of the 107  
Revised Code, the approval of the department of education and 108  
workforce is not required to designate money for deposit into 109  
the fund. Ohio deaf and blind education services shall use money 110  
in the fund for the state school for the blind, the state school 111  
for the deaf, Rita community school, and Ohio deaf and blind 112  
education services' operating expenses, including, but not 113  
limited to, personal services, maintenance, and equipment 114  
related to student support, activities, and vocational programs, 115  
and for providing scholarships to students for further training 116  
upon graduation. 117

**Sec. 3325.12.** Money deposited with the superintendent of 118  
Ohio deaf and blind education services by parents, relatives, 119  
guardians, and friends for the special benefit of any pupil at 120  
the state school for the blind~~or~~, the state school for the 121  
deaf, or Rita community school, shall remain in the hands of the 122  
superintendent for use accordingly. The superintendent shall 123  
deposit the money into one or more personal deposit funds. The 124  
superintendent shall keep itemized book accounts of the receipt 125  
and disposition of the money, which books shall be open at all 126  
times to the inspection of the director of education and 127  
workforce. The superintendent of Ohio deaf and blind education 128  
services shall adopt procedures governing the deposit, transfer, 129  
withdrawal, or investment of the money and the investment 130  
earnings of the money. 131

Whenever a pupil ceases to be enrolled in the state school 132  
for the blind~~or~~, the state school for the deaf, or Rita 133  
community school, if personal money of the pupil remains in the 134  
hands of the superintendent of Ohio deaf and blind education 135

services and no demand is made upon the superintendent by the 136  
pupil or the pupil's parent or guardian, the superintendent 137  
shall hold the money in a personal deposit fund for a period of 138  
at least one year. During that time, the superintendent shall 139  
make every effort possible to locate the pupil or the pupil's 140  
parent or guardian. If, at the end of this period, no demand has 141  
been made for the money of a pupil in the state school for the 142  
blind, the superintendent shall dispose of the money by 143  
transferring it to the state school for the blind educational 144  
program expense fund established by section 3325.17 of the 145  
Revised Code. If at the end of this period, no demand has been 146  
made for the money of a pupil in the state school for the deaf, 147  
the superintendent shall dispose of the money by transferring it 148  
to the state school for the deaf educational program expenses 149  
fund established by section 3325.16 of the Revised Code. If at 150  
the end of this period, no demand has been made for the money of 151  
a pupil in Rita community school, the superintendent shall 152  
dispose of the money by transferring it to the Rita community 153  
school educational program expenses fund established under 154  
section 3325.18 of the Revised Code. 155

**Sec. 3325.13.** Ohio deaf and blind education services 156  
employees food service fund is hereby created in the state 157  
treasury. The fund shall consist of payments received from 158  
employees who make purchases from the food service program of 159  
the state school for the blind~~or,~~ state school for the deaf, 160  
or Rita community school. Notwithstanding section 3325.01 of the 161  
Revised Code, the approval of the department of education and 162  
workforce is not required to designate money for deposit into 163  
the fund. Ohio deaf and blind education services shall use money 164  
in the fund to pay costs associated with Ohio deaf and blind 165  
education services' food service program. 166

**Sec. 3325.15.** Ohio deaf and blind education services may  
receive and administer any federal funds relating to the  
education of deaf, hard of hearing, or deafblind students, or  
students who have multiple disabilities if one of the  
disabilities is hearing related or related to communication such  
that the student would benefit from the use of American sign  
language. Ohio deaf and blind education services also may accept  
and administer any gifts, donations, or bequests given to it for  
programs or services relating to the education of deaf~~or~~, hard  
of hearing, or deafblind students~~and~~, or students who have  
multiple disabilities if one of the disabilities is hearing  
related or related to communication such that the student would  
benefit from the use of American sign language, the state school  
for the deaf, or Rita community school."

After line 53769, insert:

**"Sec. 3325.18.** The Rita community school educational  
program expenses fund is created in the state treasury. Money  
received by Ohio deaf and blind education services for Rita  
community school from donations, bequests, student fundraising  
activities, fees charged for camps and workshops, gate receipts  
from athletic contests, the student work experience program  
operated by the school, and any other money designated for  
deposit in the fund by the superintendent of Ohio deaf and blind  
education services shall be credited to the fund. All investment  
earnings on money in the fund shall be credited to the fund.  
Notwithstanding section 3325.01 of the Revised Code, the  
approval of the department of education and workforce is not  
required to designate money for deposit into the fund. Ohio deaf  
and blind education services shall use money in the fund for  
educational programs, after-school activities, and expenses

<u>associated with student activities and clubs at Rita community</u>	197
<u>school."</u>	198
After line 56509, insert:	199
 "Sec. 3365.01. As used in this chapter:	200
(A) "Articulated credit" means post-secondary credit that	201
is reflected on the official record of a student at an	202
institution of higher education only upon enrollment at that	203
institution after graduation from a secondary school.	204
(B) "Default ceiling amount" means one of the following	205
amounts, whichever is applicable:	206
(1) For a participant enrolled in a college operating on a	207
semester schedule, the amount calculated according to the	208
following formula:	209
$((0.83 \times \text{formula amount}) / 30)$	210
X number of enrolled credit hours	211
(2) For a participant enrolled in a college operating on a	212
quarter schedule, the amount calculated according to the	213
following formula:	214
$((0.83 \times \text{formula amount}) / 45)$	215
X number of enrolled credit hours	216
(C) "Default floor amount" means twenty-five per cent of	217
the default ceiling amount.	218
(D) "Eligible out-of-state college" means any institution	219
of higher education that is located outside of Ohio and is	220
approved by the chancellor of higher education to participate in	221
the college credit plus program.	222

(E) "Fee" means any course-related fee and any other fee imposed by the college, but not included in tuition, for participation in the program established by this chapter.	223 224 225
(F) "Formula amount" means \$6,020.	226
(G) "Governing entity" means any of the following:	227
(1) A board of education of a school district;	228
(2) A governing authority of a community school established under Chapter 3314. of the Revised Code;	229 230
(3) A governing body of a STEM school established under Chapter 3326. of the Revised Code;	231 232
(4) A board of trustees of a college-preparatory boarding school established under Chapter 3328. of the Revised Code;	233 234
(5) When referring to the state school for the deaf <del> or,</del> <u>the state school for the blind, or Rita community school,</u> the department of education and workforce;	235 236 237
(6) When referring to an institution operated by the department of youth services, the superintendent of that institution.	238 239 240
(H) "Home-educated participant" means a student who is exempt from the compulsory attendance law for the purpose of home education under section 3321.042 of the Revised Code, and is participating in the program established by this chapter.	241 242 243 244
(I) "Maximum per participant charge amount" means one of the following amounts, whichever is applicable:	245 246
(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula:	247 248 249

((formula amount / 30)	250
X number of enrolled credit hours)	251
(2) For a participant enrolled in a college operating on a	252
quarter schedule, the amount calculated according to the	253
following formula:	254
((formula amount / 45)	255
X number of enrolled credit hours)	256
(J) "Nonpublic secondary school" means a chartered school	257
for which minimum standards are prescribed by the director of	258
education and workforce pursuant to division (D) of section	259
3301.07 of the Revised Code.	260
(K) "Number of enrolled credit hours" means the number of	261
credit hours for a course in which a participant is enrolled	262
during the previous term after the date on which a withdrawal	263
from a course would have negatively affected the participant's	264
transcripted grade, as prescribed by the college's established	265
withdrawal policy.	266
(L) "Parent" has the same meaning as in section 3313.64 of	267
the Revised Code.	268
(M) "Participant" means any student enrolled in a college	269
under the program established by this chapter.	270
(N) "Partnering college" means a college with which a	271
public or nonpublic secondary school has entered into an	272
agreement in order to offer the program established by this	273
chapter.	274
(O) "Partnering secondary school" means a public or	275
nonpublic secondary school with which a college has entered into	276

an agreement in order to offer the program established by this 277  
chapter. 278

(P) "Private college" means any of the following: 279

(1) A nonprofit institution holding a certificate of 280  
authorization pursuant to Chapter 1713. of the Revised Code; 281

(2) An institution holding a certificate of registration 282  
from the state board of career colleges and schools and program 283  
authorization for an associate or bachelor's degree program 284  
issued under section 3332.05 of the Revised Code; 285

(3) A private institution exempt from regulation under 286  
Chapter 3332. of the Revised Code as prescribed in section 287  
3333.046 of the Revised Code. 288

(Q) "Public college" means a "state institution of higher 289  
education" in section 3345.011 of the Revised Code, excluding 290  
the northeast Ohio medical university. 291

(R) "Public secondary school" means a school serving 292  
grades nine through twelve in a city, local, or exempted village 293  
school district, a joint vocational school district, a community 294  
school established under Chapter 3314. of the Revised Code, a 295  
STEM school established under Chapter 3326. of the Revised Code, 296  
a college-preparatory boarding school established under Chapter 297  
3328. of the Revised Code, the state school for the deaf, the 298  
state school for the blind, Rita community school, or an 299  
institution operated by the department of youth services. 300

(S) "School year" has the same meaning as in section 301  
3313.62 of the Revised Code. 302

(T) "Secondary grade" means any of grades nine through 303  
twelve. 304



(U) "Standard rate" means the amount per credit hour  
assessed by the college for an in-state student who is enrolled  
in an undergraduate course at that college, but who is not  
participating in the college credit plus program, as prescribed  
by the college's established tuition policy.

(V) "Transcribed credit" means post-secondary credit that  
is conferred by an institution of higher education and is  
reflected on a student's official record at that institution  
upon completion of a course.

**Sec. 3365.032.** (A) For purposes of this section:

(1) The "expulsion of a student" or "expelling a student"  
means the following:

(a) For a public secondary school that is a school  
operated by a city, local, exempted village, or joint vocational  
school district, community school established under Chapter  
3314. of the Revised Code, or STEM school established under  
Chapter 3326. of the Revised Code, the expulsion of a student or  
the act of expelling a student under division (B) of section  
3313.66 of the Revised Code;

(b) For a public secondary school that is a college-  
preparatory boarding school, the expulsion of a student or the  
act of expelling a student in accordance with the school's  
bylaws adopted pursuant to section 3328.13 of the Revised Code;

(c) For a public secondary school that is the state school  
for the deaf-~~or~~, the state school for the blind, or Rita  
community school, the expulsion of a student or the act of  
expelling a student in accordance with rules adopted by the  
department of education and workforce.

(2) A "policy to deny high school credit for courses taken under the college credit plus program during an expulsion" means the following:

(a) For a public secondary school that is a school operated by a city, local, exempted village, or joint vocational school district, community school established under Chapter 3314. of the Revised Code, or STEM school established under Chapter 3326. of the Revised Code, a policy adopted under section 3313.613 of the Revised Code;

(b) For a college-preparatory boarding school established under Chapter 3328. of the Revised Code, a policy adopted in accordance with the school's bylaws adopted pursuant to section 3328.13 of the Revised Code;

(c) For the state school for the deaf-~~or~~, the state school for the blind, or Rita community school, a policy adopted in accordance with any rules adopted by the department requiring such a policy.

(B) When a public secondary school expels a student, the superintendent, or equivalent, shall send a written notice of the expulsion to any college in which the expelled student is enrolled under section 3365.03 of the Revised Code at the time the expulsion is imposed. The notice shall indicate the date the expulsion is scheduled to expire. The notice also shall indicate whether the school has adopted a policy to deny high school credit for courses taken under the college credit plus program during an expulsion. If the expulsion is extended, the superintendent, or equivalent, shall notify the college of the extension.

(C) A college may withdraw its acceptance under section

3365.03 of the Revised Code of a student who is expelled from 362  
school. As provided in section 3365.03 of the Revised Code, 363  
regardless of whether the college withdraws its acceptance of 364  
the student for the college term in which the student is 365  
expelled, the student is ineligible to enroll in a college under 366  
that section for subsequent college terms during the period of 367  
the expulsion, unless the student enrolls in another public 368  
school or a participating nonpublic school during that period. 369

If a college withdraws its acceptance of an expelled 370  
student who elected either option of division (A) (1) or (2) of 371  
section 3365.06 of the Revised Code, the college shall refund 372  
tuition and fees paid by the student in the same proportion that 373  
it refunds tuition and fees to students who voluntarily withdraw 374  
from the college at the same time in the term. 375

If a college withdraws its acceptance of an expelled 376  
student who elected the option of division (B) of section 377  
3365.06 of the Revised Code, the public school shall not award 378  
high school credit for the college courses in which the student 379  
was enrolled at the time the college withdrew its acceptance, 380  
and any reimbursement under section 3365.07 of the Revised Code 381  
for the student's attendance prior to the withdrawal shall be 382  
the same as would be paid for a student who voluntarily withdrew 383  
from the college at the same time in the term. If the withdrawal 384  
results in the college's receiving no reimbursement, the college 385  
or secondary school may require the student to return or pay for 386  
any textbooks and materials it provided the student free of 387  
charge. 388

(D) When a student who elected the option of division (B) 389  
of section 3365.06 of the Revised Code is expelled from a public 390  
school that has adopted a policy to deny high school credit for 391

courses taken under the college credit plus program during an 392  
expulsion, that election is automatically revoked for all 393  
college courses in which the student is enrolled during the 394  
college term in which the expulsion is imposed. Any 395  
reimbursement under section 3365.07 of the Revised Code for the 396  
student's attendance prior to the expulsion shall be the same as 397  
would be paid for a student who voluntarily withdrew from the 398  
college at the same time in the term. If the revocation results 399  
in the college's receiving no reimbursement, the college or 400  
secondary school may require the student to return or pay for 401  
any textbooks and materials it provided the student free of 402  
charge. 403

Not later than five days after receiving an expulsion 404  
notice from the superintendent, or equivalent, of a public 405  
school that has adopted a policy to deny high school credit for 406  
courses taken under the college credit plus program during an 407  
expulsion, the college shall send a written notice to the 408  
expelled student that the student's election of division (B) of 409  
section 3365.06 of the Revised Code is revoked. If the college 410  
elects not to withdraw its acceptance of the student, the 411  
student shall pay all applicable tuition and fees for the 412  
college courses and shall pay for any textbooks and materials 413  
that the college or secondary school provided to the student. 414

**Sec. 3365.07.** The department of education and workforce 415  
shall calculate and pay state funds to colleges for participants 416  
in the college credit plus program under division (B) of section 417  
3365.06 of the Revised Code pursuant to this section. For a 418  
nonpublic secondary school participant, a nonchartered nonpublic 419  
secondary school participant, or a home-educated participant, 420  
the department shall pay state funds pursuant to this section 421

only if that participant is awarded funding according to rules 422  
adopted by the chancellor of higher education, in consultation 423  
with the department of education and workforce, pursuant to 424  
section 3365.071 of the Revised Code. The program shall be the 425  
sole mechanism by which state funds are paid to colleges for 426  
students to earn transcribed credit for college courses while 427  
enrolled in both a secondary school and a college, with the 428  
exception of state funds paid to colleges according to an 429  
agreement described in division (A)(1) of section 3365.02 of the 430  
Revised Code. 431

(A) For each public or nonpublic secondary school 432  
participant enrolled in a public college: 433

(1) If no agreement has been entered into under division 434  
(A)(2) of this section, both of the following shall apply: 435

(a) The department shall pay to the college the applicable 436  
amount as follows: 437

(i) For a participant enrolled in a college course 438  
delivered on the college campus, at another location operated by 439  
the college, or online, the lesser of the default ceiling amount 440  
or the college's standard rate; 441

(ii) For a participant enrolled in a college course 442  
delivered at the participant's secondary school but taught by 443  
college faculty, the lesser of fifty per cent of the default 444  
ceiling amount or the college's standard rate; 445

(iii) For a participant enrolled in a college course 446  
delivered at the participant's secondary school and taught by a 447  
high school teacher who has met the credential requirements 448  
established for purposes of the program in rules adopted by the 449  
chancellor, the default floor amount. 450

(b) The participant's secondary school shall pay for 451  
textbooks, and the college shall waive payment of all other fees 452  
related to participation in the program. 453

(2) The governing entity of a participant's secondary 454  
school and the college may enter into an agreement to establish 455  
an alternative payment structure for tuition, textbooks, and 456  
fees. Under such an agreement, payments for each participant 457  
made by the department shall be not less than the default floor 458  
amount, unless approved by the chancellor, and not more than 459  
either the default ceiling amount or the college's standard 460  
rate, whichever is less. The chancellor may approve an agreement 461  
that includes a payment below the default floor amount, as long 462  
as the provisions of the agreement comply with all other 463  
requirements of this chapter to ensure program quality. If no 464  
agreement is entered into under division (A) (2) of this section, 465  
both of the following shall apply: 466

(a) The department shall pay to the college the applicable 467  
default amounts prescribed by division (A) (1) (a) of this 468  
section, depending upon the method of delivery and instruction. 469

(b) In accordance with division (A) (1) (b) of this section, 470  
the participant's secondary school shall pay for textbooks, and 471  
the college shall waive payment of all other fees related to 472  
participation in the program. 473

(3) No participant that is enrolled in a public college 474  
shall be charged for any tuition, textbooks, or other fees 475  
related to participation in the program. 476

(B) For each public secondary school participant enrolled 477  
in a private college: 478

(1) If no agreement has been entered into under division 479

(B) (2) of this section, the department shall pay to the college 480  
the applicable amount calculated in the same manner as in 481  
division (A) (1) (a) of this section. 482

(2) The governing entity of a participant's secondary 483  
school and the college may enter into an agreement to establish 484  
an alternative payment structure for tuition, textbooks, and 485  
fees. Under such an agreement, payments shall be not less than 486  
the default floor amount, unless approved by the chancellor, and 487  
not more than either the default ceiling amount or the college's 488  
standard rate, whichever is less. 489

If an agreement is entered into under division (B) (2) of 490  
this section, both of the following shall apply: 491

(a) The department shall make a payment to the college for 492  
each participant that is equal to the default floor amount, 493  
unless approved by the chancellor to pay an amount below the 494  
default floor amount. The chancellor may approve an agreement 495  
that includes a payment below the default floor amount, as long 496  
as the provisions of the agreement comply with all other 497  
requirements of this chapter to ensure program quality. 498

(b) Payment for costs for the participant that exceed the 499  
amount paid by the department pursuant to division (B) (2) (a) of 500  
this section shall be negotiated by the school and the college. 501  
The agreement may include a stipulation permitting the charging 502  
of a participant. 503

However, under no circumstances shall: 504

(i) Payments for a participant made by the department 505  
under division (B) (2) of this section exceed the lesser of the 506  
default ceiling amount or the college's standard rate; 507

(ii) The amount charged to a participant under division 508  
(B) (2) of this section exceed the difference between the maximum 509  
per participant charge amount and the default floor amount; 510

(iii) The sum of the payments made by the department for a 511  
participant and the amount charged to that participant under 512  
division (B) (2) of this section exceed the following amounts, as 513  
applicable: 514

(I) For a participant enrolled in a college course 515  
delivered on the college campus, at another location operated by 516  
the college, or online, the maximum per participant charge 517  
amount; 518

(II) For a participant enrolled in a college course 519  
delivered at the participant's secondary school but taught by 520  
college faculty, one hundred twenty-five dollars; 521

(III) For a participant enrolled in a college course 522  
delivered at the participant's secondary school and taught by a 523  
high school teacher who has met the credential requirements 524  
established for purposes of the program in rules adopted by the 525  
chancellor, one hundred dollars. 526

(iv) A participant that is identified as economically 527  
disadvantaged according to rules adopted by the department be 528  
charged under division (B) (2) of this section for any tuition, 529  
textbooks, or other fees related to participation in the 530  
program. 531

(C) For each nonpublic secondary school participant 532  
enrolled in a private or eligible out-of-state college, the 533  
department shall pay to the college the applicable amount 534  
calculated in the same manner as in division (A) (1) (a) of this 535  
section. Payment for costs for the participant that exceed the 536



amount paid by the department shall be negotiated by the 537  
governing body of the nonpublic secondary school and the 538  
college. 539

However, under no circumstances shall: 540

(1) The payments for a participant made by the department 541  
under this division exceed the lesser of the default ceiling 542  
amount or the college's standard rate. 543

(2) Any nonpublic secondary school participant, who is 544  
enrolled in that secondary school with a scholarship awarded 545  
under either the educational choice scholarship pilot program, 546  
as prescribed by sections 3310.01 to 3310.17, or the pilot 547  
project scholarship program, as prescribed by sections 3313.974 548  
to 3313.979 of the Revised Code, and who qualifies as a low- 549  
income student, as determined by a method established by the 550  
department be charged for any tuition, textbooks, or other fees 551  
related to participation in the college credit plus program. 552

(D) For each nonchartered nonpublic secondary school 553  
participant and each home-educated participant enrolled in a 554  
public, private, or eligible out-of-state college, the 555  
department shall pay to the college the lesser of the default 556  
ceiling amount or the college's standard rate, if that 557  
participant is enrolled in a college course delivered on the 558  
college campus, at another location operated by the college, or 559  
online. 560

(E) Not later than thirty days after the end of each term, 561  
each college expecting to receive payment for the costs of a 562  
participant under this section shall notify the department of 563  
the number of enrolled credit hours for each participant. 564

(F) The department shall make the applicable payments 565

under this section to each college, which provided proper 566  
notification to the department under division (E) of this 567  
section, for the number of enrolled credit hours for 568  
participants enrolled in the college under division (B) of 569  
section 3365.06 of the Revised Code. Except in cases involving 570  
incomplete participant information or a dispute of participant 571  
information, payments shall be made by the last day of January 572  
for participants who were enrolled during the fall term and by 573  
the last day of July for participants who were enrolled during 574  
the spring term. The department shall not make any payments to a 575  
college under this section if a participant withdrew from a 576  
course prior to the date on which a withdrawal from the course 577  
would have negatively affected the participant's transcribed 578  
grade, as prescribed by the college's established withdrawal 579  
policy. 580

(1) Payments made for public secondary school participants 581  
under this section shall be deducted as follows: 582

(a) For a participant enrolled in a school district, from 583  
the school foundation payments made to the participant's school 584  
district. If the participant is enrolled in a joint vocational 585  
school district, a portion of the amount shall be deducted from 586  
the payments to the joint vocational school district and a 587  
portion shall be deducted from the payments to the participant's 588  
city, local, or exempted village school district in accordance 589  
with the full-time equivalency of the student's enrollment in 590  
each district. 591

(b) For a participant enrolled in a community school 592  
established under Chapter 3314. of the Revised Code, from the 593  
payments made to that school under section 3317.022 of the 594  
Revised Code; 595

(c) For a participant enrolled in a STEM school, from the 596  
payments made to that school under section 3317.022 of the 597  
Revised Code; 598

(d) For a participant enrolled in a college-preparatory 599  
boarding school, from the payments made to that school under 600  
section 3328.34 of the Revised Code; 601

(e) For a participant enrolled in the state school for the 602  
~~deaf-or,~~ the state school for the blind, or Rita community 603  
school, from the amount paid to that school with funds 604  
appropriated by the general assembly for support of Ohio deaf 605  
and blind education services; 606

(f) For a participant enrolled in an institution operated 607  
by the department of youth services, from the amount paid to 608  
that institution with funds appropriated by the general assembly 609  
for support of that institution. 610

Amounts deducted under divisions (F)(1)(a) to (f) of this 611  
section shall be calculated in accordance with rules adopted by 612  
the chancellor, in consultation with the department of education 613  
and workforce, pursuant to division (B) of section 3365.071 of 614  
the Revised Code 615

(2) Payments made for nonpublic secondary school 616  
participants, nonchartered nonpublic secondary school 617  
participants, and home-educated participants under this section 618  
shall be deducted from moneys appropriated by the general 619  
assembly for such purpose. Payments shall be allocated and 620  
distributed in accordance with rules adopted by the chancellor, 621  
in consultation with the department of education and workforce, 622  
pursuant to division (A) of section 3365.071 of the Revised 623  
Code. 624

(G) Any public college that enrolls a student under 625  
division (B) of section 3365.06 of the Revised Code may include 626  
that student in the calculation used to determine its state 627  
share of instruction funds appropriated to the department of 628  
higher education by the general assembly." 629

After line 114059, insert: 630

**"Section 207.60.** It is the intent of the General Assembly 631  
that the State of Ohio purchase St. Rita School for the Deaf for 632  
an amount to be determined. The Department of Administrative 633  
Services shall determine the amount of funding needed for the 634  
state to purchase the building in which St. Rita School for the 635  
Deaf is housed and the accompanying twenty acres of land on 636  
which the building is located so that the school may become a 637  
public school under the supervision of the Ohio Deaf and Blind 638  
Education Services in accordance with Chapter 3325. of the 639  
Revised Code, as amended by this act." 640

In the table on line 122784, in row C, delete "\$32,700,258" and 641  
insert "\$33,200,258" 642

In the table on line 122784, in rows D and S, add \$500,000 to fiscal 643  
year 2026 644

After the table in line 122784, insert: 645

**"Section 391.20. OPERATIONS** 646

Of the foregoing appropriation item 226321, Operations, up 647  
to \$500,000 in fiscal year 2026 shall be used by the 648  
Superintendent of the Ohio Deaf and Blind Education Services to 649  
transition the staff, contracts, subscriptions, and equipment of 650  
St. Rita School for the Deaf to a public school known as Rita 651  
Community School under the supervision of the Ohio Deaf and 652

Blind Education Services in accordance with Chapter 3325. of the 653  
 Revised Code as amended by this act. The transition shall be 654  
 completed by June 30, 2026, and the school shall be fully under 655  
 the supervision of the Ohio Deaf and Blind Education Services 656  
 beginning with the 2026-2027 school year." 657  
 Update the title, amend, enact, or repeal clauses accordingly 658

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 659

**Services and funding for students with multiple hearing,** 660  
**vision, or communication related disabilities** 661

**R.C 3325.01, 3325.011, 3325.09, and 3325.15** 662

Permits the ODBES Superintendent to create additional 663  
 divisions to meet the educational needs of students throughout 664  
 the state who have multiple disabilities if one of the 665  
 disabilities is vision related, hearing related, or related to 666  
 communication such that the student would benefit from the use 667  
 of American Sign Language ("ASL"). 668

Generally includes students with multiple disabilities as 669  
 described above in all continuing law provisions regarding 670  
 services and funding overseen by ODBES for students who are 671  
 blind, visually impaired, deaf, hard of hearing, or deafblind. 672

**Rita Community School** 673

**R.C. 3301.0711, 3325.01 3325.012, 3325.03, 3325.08,** 674  
**3325.11, 3325.12, 3325.13, 3325.18, 3365.01, 3365.032, and** 675

<b>3365.07</b>	676
Designates Rita Community School as a division of ODBES	677
and subjects the school to regulations for student admissions	678
adopted by DEW.	679
Clarifies that Rita Community School is not considered a	680
"community school" (also known as a charter school nationally)	681
under continuing law.	682
Subjects students in Rita Community School to the same	683
assessment requirements as other public school students.	684
Permits students at Rita Community School to participate	685
in the College Credit Plus Program in the same manner as	686
students at the State School for the Deaf and the State School	687
for the Blind.	688
Requires the Superintendent to grant a diploma or honor's	689
diploma to a student enrolled in Rita Community School who	690
fulfills the requirements for that diploma that apply to	691
students enrolled in the State School for the Blind or the State	692
School for the Deaf under continuing law.	693
Requires ODBES to use funds in the Ohio Deaf and Blind	694
Education Services Student Activity and Work-Study Fund for Rita	695
Community School in addition to the fund's other purposes under	696
continuing law.	697
Requires purchases from the food service program of Rita	698
Community School to be paid into the Ohio Deaf and Blind	699
Education Services Employees Food Service Fund for the purposes	700
of that fund under continuing law.	701
Permits ODBES to receive and administer any gifts,	702
donations, or bequests given to it for Rita Community School.	703

<b>Money deposited with the Superintendent for a student of</b>	704
<b>Rita Community School</b>	705
Requires money deposited with the Superintendent by	706
parents, relatives, guardians, and friends for the special	707
benefit of any pupil at Rita Community School to remain in the	708
hands of the Superintendent accordingly.	709
Requires the Superintendent to deposit that money into one	710
or more personal deposit funds for the student and to keep	711
itemized accounts of the receipt and disposition of the money.	712
Requires the Superintendent, if a student is no longer	713
enrolled in Rita Community School and has not claimed the money	714
for at least one year, to transfer that money to the Rita	715
Community School Educational Program Expenses Fund.	716
<b>Rita Community School Educational Program Expenses Fund</b>	717
Establishes the Rita Community School Educational Program	718
Expenses Fund to be used for educational programs, after-school	719
activities, and expenses associated with student activities and	720
clubs at Rita Community School.	721
<b>Department of Administrative Services</b>	722
<b>Section 207.60</b>	723
Declares the intent of the General Assembly that the State	724
of Ohio purchase St. Rita School for the Deaf for an amount to	725
be determined. Requires the Department of Administrative	726
Services to determine the amount of funding needed for the state	727
to purchase the building in which the school is housed and the	728
accompanying twenty acres of land on which the building is	729
located so that the school may become a public school under the	730
supervision of the Ohio Deaf and Blind Education Services.	731

<b>Deaf and Blind Education Services</b>	732
<b>Sections 391.10 and 391.20</b>	733
Increases GRF ALI 226321, Operations, by \$500,000 in FY	734
2026 and earmarks the increase for the transition of St. Rita	735
School for the Deaf to a public school (Rita Community School)	736
under the supervision of Ohio Deaf and Blind Education Services.	737



Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 115638, after row N, insert:

"

	1	2	3	4	5
A	GRF	200457	STEM Initiatives	\$500,000	\$500,000

"

In the table on line 115638, in rows AC and BZ, add  
\$500,000 to each fiscal year

After line 115924, insert:

**"Section 265.125. STEM INITIATIVES**

The foregoing appropriation item 200457, STEM Initiatives,  
shall be distributed to the Alliance for Working Together  
Foundation to support the expansion of STEAM to Career  
programming for youth and adult students."

The motion was \_\_\_\_\_ agreed to.

Legislative Service Commission



k2csyvpskkk364ackjudfs

<u>SYNOPSIS</u>	13
<b>Department of Education and Workforce</b>	14
<b>Sections 265.10 and 265.125</b>	15
Appropriates \$500,000 in each fiscal year to GRF ALI	16
200457, STEM Initiatives, and requires the funds to be	17
distributed to the Alliance for Working Together Foundation to	18
expand STEAM to Career programming for youth and adult students.	19

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 114939, in row M, delete "\$2,515,000" and  
insert "\$2,530,000"

In the table on line 114939, in rows T and CO, add \$15,000  
to fiscal year 2026

After line 115113, insert:

"Of the foregoing appropriation item 195503, Local  
Development Projects, \$15,000 in fiscal year 2026 shall be  
granted to the Village of Grand River for sidewalk improvements  
and repairs."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Department of Development**

**Sections 259.10 and 259.20**

Increases GRF ALI 195503, Local Development Projects, by

Legislative Service Commission



pb9jouvxkks8yqdhvmw5zv

\$15,000 in FY 2026. Earmarks the increase for the Village of	14
Grand River for sidewalk improvements and repairs.	15

\_\_\_\_\_ moved to amend as follows:

After line 97856, insert:

"Sec. 5164.093. (A) As used in this section, "rapid whole genome sequencing" means an investigation of the entire human genome, including coding and non-coding regions and mitochondrial deoxyribonucleic acid, to identify disease-causing genetic changes, and includes patient-only whole genome sequencing and duo and trio whole genome sequencing of the patient and biological parent or parents.

(B) Beginning one year after the effective date of this section, and subject to approval from the centers for medicare and medicaid services, the medicaid program shall reimburse medicaid providers for rapid whole genome sequencing for patients who are Medicaid recipients and meet all of the following criteria:

(1) The patient is under one year of age.

(2) The patient has a complex or acute illness of unknown etiology that is not confirmed to be caused by an environmental exposure, toxic ingestion, infection with normal response to therapy, or trauma.

(3) The patient is receiving hospital services in an 20  
intensive care unit or other high acuity care unit within a 21  
hospital. 22

(C) A laboratory performing the rapid whole genome 23  
sequencing provided pursuant to this section shall return the 24  
preliminary positive results within seven days and final results 25  
within fifteen days from the date of receipt of the sample. 26

(D) Payment provided pursuant to this section may be 27  
subject to any of the following evidence-based medical necessity 28  
criteria: 29

(1) The patient has symptoms that suggest a broad 30  
differential diagnosis that would require an evaluation by 31  
multiple genetic tests if rapid whole genome sequencing is not 32  
performed. 33

(2) The patient's treating health care provider has 34  
determined that timely identification of a molecular diagnosis 35  
is necessary to guide clinical decision-making and testing 36  
results may guide the treatment or management of the patient's 37  
condition. 38

(3) The patient has a family genetic history related to 39  
the patient's condition. 40

(4) The patient has a complex or acute illness of unknown 41  
etiology including at least one of the following conditions: 42

(a) Congenital anomalies involving at least two organ 43  
systems or complex or multiple congenital anomalies in one organ 44  
system; 45

(b) Specific organ malformations highly suggestive of a 46  
genetic etiology; 47

<u>(c) Abnormal laboratory tests or abnormal chemistry</u>	48
<u>profiles suggesting the presence of a genetic disease, complex</u>	49
<u>metabolic disorder, or inborn error of metabolism;</u>	50
<u>(d) Refractory or severe hypoglycemia or hyperglycemia;</u>	51
<u>(e) Abnormal response to therapy related to an underlying</u>	52
<u>medical condition affecting vital organs or bodily systems;</u>	53
<u>(f) Severe muscle weakness, rigidity, or spasticity;</u>	54
<u>(g) A high-risk stratification for a brief, resolved,</u>	55
<u>unexplained, and recurrent event that is any of the following:</u>	56
<u>(i) An event without respiratory infection;</u>	57
<u>(ii) A witnessed seizure-like event;</u>	58
<u>(iii) A cardiopulmonary resuscitation event.</u>	59
<u>(h) Refractory seizures;</u>	60
<u>(i) Abnormal cardiac diagnostic testing results suggestive</u>	61
<u>of possible channelopathies, arrhythmias, cardiomyopathies,</u>	62
<u>myocarditis, or structural heart disease;</u>	63
<u>(j) Abnormal diagnostic imaging studies suggestive of an</u>	64
<u>underlying genetic condition;</u>	65
<u>(k) Abnormal physiologic function studies suggestive of an</u>	66
<u>underlying genetic etiology.</u>	67
<u>(E) The director may add conditions to those specified in</u>	68
<u>division (D) (4) of this section based on new medical evidence</u>	69
<u>and may provide coverage for rapid whole genome sequencing or</u>	70
<u>other next-generation sequencing and genetic testing in addition</u>	71
<u>to the reimbursement required under this section.</u>	72
<u>(F) (1) Except as provided in division (F) (2) of this</u>	73

section, genetic data generated as a result of performing rapid 74  
whole genome sequencing pursuant to this section shall have a 75  
primary use of assisting the ordering health care professional 76  
and treating care team to diagnose and treat the patient, and as 77  
protected health information it shall be subject to the 78  
requirements applicable to protected health information set 79  
forth in the "Health Insurance Portability and Accountability 80  
Act of 1996," 42 U.S.C. 1320d et seq., the "Health Information 81  
Technology for Economic and Clinical Health Act of 2009," 42 82  
U.S.C. 17921 et seq., and any other applicable law regarding 83  
protected health information. 84

(2) Genetic data generated from rapid whole genome 85  
sequencing reimbursed under this section can be used in 86  
scientific research if consent for such use of the data has been 87  
expressly given by the patient's legal guardian. The patient, 88  
the patient's legal guardian, or the patient's health care 89  
provider with the patient or the patient's guardian's consent, 90  
may request access to the results of the testing for use in 91  
other clinical settings. A health care provider may only charge 92  
a fee to the patient based on the direct costs of producing the 93  
results in a format usable in other clinical settings. A patient 94  
or a patient's legal guardian shall have the right to rescind 95  
the original consent to the use of the data in scientific 96  
research at any time, and upon receipt of a written revocation 97  
of the consent the health care provider or other entity using 98  
the data shall cease use and expunge the data from any data 99  
repository where it is held. 100

(G) The director shall take any actions necessary to 101  
implement the provisions of this section, including: 102

(1) Adopting rules authorized by section 5166.02 of the 103



<u>Revised Code;</u>	104
<u>(2) Any other administrative action determined to be</u>	105
<u>necessary to implement the requirements of this section."</u>	106
In the table on line 118754, in row D, delete "\$20,211,230,933	107
\$21,720,593,421" and insert "\$20,211,530,933 \$21,720,893,421"	108
In the table on line 118754, in row E, delete "\$5,617,062,390	109
\$5,985,395,603" and insert "\$5,617,145,790 \$5,985,478,373"	110
In the table on line 118754, in row F, delete "\$14,594,168,543	111
\$15,735,197,818" and insert "\$14,594,385,143 \$15,735,415,048"	112
In the table on line 118754, in rows H and AD, add \$300,000 to each	113
fiscal year	114
Update the title, amend, enact, or repeal clauses accordingly	115

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	116
<b>Medicaid reimbursement of rapid whole genome sequencing</b>	117
<b>R.C. 5164.093</b>	118
Requires the ODM Director to provide Medicaid	119
reimbursement for rapid whole genome sequencing to infants under	120
one year old with complex or acute unexplained illnesses.	121
<b>Department of Medicaid</b>	122
<b>Section 333.10</b>	123
Increases GRF ALI 651525, Medicaid Health Care Services,	124

by \$300,000 (\$83,400 state share) in FY 2026 and by \$300,000	125
(\$82,770 state share) in FY 2027.	126

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 318 of the title, after "3317.24," insert "3319.2213," 1

In line 113622, after "3317.24," insert "3319.2213," 2

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 3

**School counselor licensure--construction trade training** 4

**R.C. 3319.2213 (repealed)** 5

Eliminates law that requires: 6

(1) The State Board of Education to develop a mandatory 7  
training program on building and construction trades career 8  
pathways; and 9

(2) Each licensed school counselor serving students in 10  
grades 7-12 to complete four hours of that training every five 11  
years. 12

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 117659, in row R, delete "\$12,187,500 1  
\$12,187,500" and insert "\$13,187,500 \$13,187,500" 2

In the table on line 117659, in rows Z and BW, add \$1,000,000 to 3  
each fiscal year 4

After line 117765, insert: 5

"Of the foregoing appropriation item 440485, Health Program Support, 6  
\$1,000,000 in each fiscal year shall be distributed to hospitals and used 7  
to support graduate medical education residency slots for residents placed 8  
in family medicine or psychiatry fields. The Department shall establish 9  
requirements regarding the distribution of funds, including the 10  
requirement that funds are used to support residents placed in family 11  
medicine or psychiatry slots." 12

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 13

**Department of Health** 14

Legislative Service Commission

  
fuyjxgxvjkdhwegxjyqbgw

<b>Sections 291.10 and 291.20</b>	15
Increases GRF ALI 440485, Health Program Support, by	16
\$1,000,000 in each fiscal year. Requires the increase in funds	17
to be distributed to hospitals and used to support graduate	18
medical education residency slots for residents placed in family	19
medicine or psychiatry fields. Requires ODH to establish	20
requirements regarding the distribution of funds, including the	21
requirement that funds are used to support residents placed in	22
family medicine or psychiatry slots.	23

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 116728, insert:

"(J) Notwithstanding anything in the Revised Code to the contrary,  
for fiscal years 2026 and 2027, the Department, when required by law to  
deduct or withhold funds from state payments made to a traditional school  
district, joint vocational school district, or community or STEM school,  
shall deduct those funds from payments made to the district or school  
under this section.

This division does not apply to a newly opened community school."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**School funding deductions**

**Section 265.235**

Requires DEW, when required by law to deduct or withhold  
funds from state payments for a traditional school district,  
JVSD, community school, or STEM school for FY 2026 or FY 2027,

Legislative Service Commission



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to deduct those funds from the temporary foundation funding paid	15
to that district or school under the bill.	16
Clarifies the provision does not apply to a newly opened	17
community school.	18

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 1270, insert:

"Sec. 9.24. (A) Except as may be allowed under division  
(F) of this section, no state agency and no political  
subdivision shall award a contract as described in division (G)  
(1) of this section for goods, services, or construction, paid  
for in whole or in part with state funds, to a person against  
whom a finding for recovery has been issued by the auditor of  
state on and after January 1, 2001, if the finding for recovery  
is unresolved.

A contract is considered to be awarded when it is entered  
into or executed, irrespective of whether the parties to the  
contract have exchanged any money.

(B) For purposes of this section, a finding for recovery  
is unresolved unless one of the following criteria applies:

(1) The money identified in the finding for recovery is  
paid in full to the state agency or political subdivision to  
whom the money was owed;

(2) The debtor has entered into a repayment plan that is  
approved by the attorney general and the state agency or



political subdivision to whom the money identified in the 20  
finding for recovery is owed. A repayment plan may include a 21  
provision permitting a state agency or political subdivision to 22  
withhold payment to a debtor for goods, services, or 23  
construction provided to or for the state agency or political 24  
subdivision pursuant to a contract that is entered into with the 25  
debtor after the date the finding for recovery was issued. 26

(3) The attorney general waives a repayment plan described 27  
in division (B) (2) of this section for good cause; 28

(4) The debtor and state agency or political subdivision 29  
to whom the money identified in the finding for recovery is owed 30  
have agreed to a payment plan established through an enforceable 31  
settlement agreement. 32

(5) The state agency or political subdivision desiring to 33  
enter into a contract with a debtor certifies, and the attorney 34  
general concurs, that all of the following are true: 35

(a) Essential services the state agency or political 36  
subdivision is seeking to obtain from the debtor cannot be 37  
provided by any other person besides the debtor; 38

(b) Awarding a contract to the debtor for the essential 39  
services described in division (B) (5) (a) of this section is in 40  
the best interest of the state; 41

(c) Good faith efforts have been made to collect the money 42  
identified in the finding of recovery. 43

(6) The debtor has commenced an action to contest the 44  
finding for recovery and a final determination on the action has 45  
not yet been reached; 46

(7) The debt has been discharged in bankruptcy or is no 47

longer owed based on a final nonappealable court order; 48

(8) Another reason deemed by the attorney general to 49  
constitute good cause for resolving the finding for recovery. 50

(C) The attorney general shall submit an initial report to 51  
the auditor of state, not later than December 1, 2003, 52  
indicating the status of collection for all findings for 53  
recovery issued by the auditor of state for calendar years 2001, 54  
2002, and 2003. Beginning on January 1, 2004, the attorney 55  
general shall submit to the auditor of state, on the first day 56  
of every January, April, July, and October, a list of all 57  
findings for recovery that have been resolved in accordance with 58  
division (B) of this section during the calendar quarter 59  
preceding the submission of the list and a description of the 60  
means of resolution. The attorney general shall notify the 61  
auditor of state when a judgment is issued against an entity 62  
described in division (F)(1) of this section. 63

(D) The auditor of state shall maintain a database, 64  
accessible to the public, listing persons against whom an 65  
unresolved finding for recovery has been issued, and the amount 66  
of the money identified in the unresolved finding for recovery. 67  
The auditor of state shall have this database operational on or 68  
before January 1, 2004. The initial database shall contain the 69  
information required under this division for calendar years 70  
2001, 2002, and 2003. 71

Beginning January 15, 2004, the auditor of state shall 72  
update the database by the fifteenth day of every January, 73  
April, July, and October to reflect resolved findings for 74  
recovery that are reported to the auditor of state by the 75  
attorney general on the first day of the same month pursuant to 76  
division (C) of this section. 77

(E) Before awarding a contract as described in division 78  
(G) (1) of this section for goods, services, or construction, 79  
paid for in whole or in part with state funds, a state agency or 80  
political subdivision shall verify that the person to whom the 81  
state agency or political subdivision plans to award the 82  
contract has no unresolved finding for recovery issued against 83  
the person. A state agency or political subdivision shall verify 84  
that the person does not appear in the database described in 85  
division (D) of this section or shall obtain other proof that 86  
the person has no unresolved finding for recovery issued against 87  
the person. 88

(F) The prohibition of division (A) of this section and 89  
the requirement of division (E) of this section do not apply 90  
with respect to the companies, payments, or agreements described 91  
in divisions (F) (1) and (2) of this section, or in the 92  
circumstance described in division (F) (3) of this section. 93

(1) A bonding company or a company authorized to transact 94  
the business of insurance in this state, a self-insurance pool, 95  
joint self-insurance pool, risk management program, or joint 96  
risk management program, unless a court has entered a final 97  
judgment against the company and the company has not yet 98  
satisfied the final judgment. 99

(2) To medicaid provider agreements under the medicaid 100  
program. 101

(3) When federal law dictates that a specified entity 102  
provide the goods, services, or construction for which a 103  
contract is being awarded, regardless of whether that entity 104  
would otherwise be prohibited from entering into the contract 105  
pursuant to this section. 106

(G) (1) This section applies only to contracts for goods, 107  
services, or construction that satisfy the criteria in either 108  
division (G) (1) (a) or (b) of this section. This section may 109  
apply to contracts for goods, services, or construction that 110  
satisfy the criteria in division (G) (1) (c) of this section, 111  
provided that the contracts also satisfy the criteria in either 112  
division (G) (1) (a) or (b) of this section. 113

(a) The cost for the goods, services, or construction 114  
provided under the contract is estimated to exceed twenty-five 115  
thousand dollars. 116

(b) The aggregate cost for the goods, services, or 117  
construction provided under multiple contracts entered into by 118  
the particular state agency and a single person or the 119  
particular political subdivision and a single person within the 120  
fiscal year preceding the fiscal year within which a contract is 121  
being entered into by that same state agency and the same single 122  
person or the same political subdivision and the same single 123  
person, exceeded fifty thousand dollars. 124

(c) The contract is a renewal of a contract previously 125  
entered into and renewed pursuant to that preceding contract. 126

(2) This section does not apply to employment contracts. 127

(H) As used in this section: 128

(1) "State agency" has the same meaning as in section 9.66 129  
of the Revised Code. 130

(2) "Political subdivision" means a political subdivision 131  
as defined in section 9.82 of the Revised Code that has received 132  
more than fifty thousand dollars of state money in the current 133  
fiscal year or the preceding fiscal year. 134

(3) "Finding for recovery" means a determination issued by the auditor of state, contained in a report the auditor of state gives to the attorney general pursuant to section 117.28 of the Revised Code, that public money has been illegally expended, public money has been collected but not been accounted for, public money is due but has not been collected, or public property has been converted or misappropriated.

(4) "Debtor" means a person against whom a finding for recovery has been issued.

(5) "Person" means the person named in the finding for recovery.

(6) "State money" does not include funds the state receives from another source and passes through to a political subdivision."

Update the title, amend, enact, or repeal clauses accordingly

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS

#### **Findings for recovery**

#### **R.C. 9.24**

Specifies the following are resolved findings of recovery for purposes of the existing prohibition against contracting with a person against whom a finding of recovery by the state is unresolved:

-The debt has been discharged in bankruptcy or is no

longer owed based on a final nonappealable court order.	158
-Another reason deemed by the Attorney General to	159
constitute good cause for resolving the finding for recovery.	160

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 70731, insert:

**"Sec. 3902.631.** (A) A health benefit plan issued, amended,  
or renewed on or after the effective date of this section that  
provides coverage for a health service that a certified  
registered nurse anesthetist is authorized to perform pursuant  
to section 4723.43 of the Revised Code shall not differentiate  
in the reimbursement rate for such a service based on whether  
the service was provided by a certified registered nurse  
anesthetist or by a physician licensed under under Chapter 4731.  
of the Revised Code.

(B) Nothing in this section shall be construed as  
prohibiting a health benefit plan from establishing variable  
reimbursement rates based on quality or performance measures."

Update the title, amend, enact, or repeal clauses accordingly

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

Legislative Service Commission



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<b>Discrimination in reimbursement for services provided by</b>	16
<b>certified registered nurse anesthetists</b>	17
<b>R.C. 3902.631</b>	18
Prohibits a health benefit plan (i.e., an insurer) from	19
varying the reimbursement rate for a covered service that a	20
certified registered nurse anesthetist is authorized to provide	21
based on whether the service was provided by a certified	22
registered nurse anesthetist or a physician.	23
Specifies that this requirement does not prohibit an	24
insurer from establishing varying reimbursement rates based on	25
quality or performance measures.	26



\_\_\_\_\_ moved to amend as follows:

After line 86757, insert:

**"Sec. 5103.0520.** (A) As used in this section, "group home"  
has the same meaning as "group home for children" in section  
5103.05 of the Revised Code.

(B) Not later than two hundred seventy days after the  
effective date of this section, the director of children and  
youth shall adopt rules in accordance with Chapter 119. of the  
Revised Code to establish requirements regarding all of the  
following for group homes:

(1) The use of the Ohio professional registry, as operated  
by the Ohio child care resource and referral association or its  
successor organization or entity, to complete background checks  
or criminal records checks pursuant to section 2151.86,  
5103.037, 5103.0310, or 5103.053 of the Revised Code for any  
owner, board president, administrator, officer, operator, staff,  
volunteer, intern, and subcontractor of a group home;

(2) Training on behavioral intervention, including the use  
of de-escalation, for all new and existing individuals working  
at a group home;

(3) The supervision of children, including a ratio of at

least one staff person for every five children or, if the group 21  
home accepts placement of fewer than five children, one staff 22  
person for every four children. 23

(C) The operator of a group home shall comply with the 24  
ratio requirements established in rules adopted under division 25  
(B) (3) of this section as a requirement for certification. 26

(D) The director of children and youth may suspend or 27  
revoke the certificate of a group home in accordance with 28  
Chapter 119. of the Revised Code for any violation under this 29  
section or rules adopted under this section." 30

After line 125069, insert: 31

**"Section 751.00.01. PLACEMENT OF CHILDREN IN GROUP HOMES** 32

(A) As used in this section, "group home" has the same 33  
 meaning as "group home for children" in section 5103.05 of the 34  
 Revised Code. 35

(B) The operator of a group home shall not displace a 36  
 child who is placed in the group home as of the effective date 37  
 of this section in order to comply with the ratio requirements 38  
 established in rules adopted under division (B) (3) of section 39  
 5103.0520 of the Revised Code. The operator shall not accept the 40  
 placement of additional children until the group home has 41  
 complied with the ratio requirements." 42

Update the title, amend, enact, or repeal clauses accordingly 43

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	44
<b>Requirements for group homes</b>	45
<b>R.C. 5103.0520 and section 751.00.01</b>	46
Requires the DCY Director to adopt rules in accordance	47
with Chapter 119. of the Revised Code to establish requirements	48
regarding the following for group homes for children:	49
- The use of the Ohio Professional Registry for the	50
completion of background checks and criminal records checks for	51
individuals overseeing or working within a group home;	52
- Training on behavioral intervention;	53
- Supervision of children, including staff-to-children	54
ratio requirements.	55
Prohibits a group home operator from displacing a child in	56
order to meet the ratio requirements.	57
Allows the DCY Director to revoke or suspend the	58
certification of a group home for a violation of these	59
requirements.	60

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 329 of the title, delete "and" and insert a comma

1

In line 331 of the title, after "amended" insert ", and to amend  
Section 733.61 of H.B. 166 of the 133rd General Assembly, as subsequently  
amended, to codify it as section 3313.6033 of the Revised Code,"

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After line 52966, insert:

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**"Sec. 3319.236.** (A) Except as provided in section  
3313.6033 of the Revised Code or in division (B) or (E) of this  
section, a school district shall require an individual to hold a  
valid educator license in computer science, or have a license  
endorsement in computer technology and a passing score on a  
content examination in the area of computer science, to teach  
computer science courses.

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(B) A school district may employ an individual, for the  
purpose of teaching computer science courses, who holds a valid  
educator license, provided the individual meets the requirements  
established by rules of the state board of education to qualify  
for a supplemental teaching license for teaching computer  
science. The rules shall require an applicant for a supplemental  
teaching license to pass a content examination in the area of

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computer science. The rules also shall permit an individual, 20  
after at least two years of successfully teaching computer 21  
science courses under the supplemental teaching license, to 22  
advance to a standard educator license in computer science by 23  
completing a pedagogy course applicable to the grade levels in 24  
which the individual is teaching. However, the rules may exempt 25  
an individual teaching computer science from the requirement to 26  
complete a pedagogy course if the individual previously 27  
completed a pedagogy course applicable to the grade levels in 28  
which the individual is teaching. 29

(C) In order for an individual to teach advanced placement 30  
computer science courses, a school district shall require the 31  
individual to also complete a professional development program 32  
endorsed or provided by the organization that creates and 33  
administers national advanced placement examinations. For this 34  
purpose, the individual may complete the program at any time 35  
during the calendar year. 36

(D) Notwithstanding section 3301.012 of the Revised Code, 37  
as used in this section, "computer science courses" means any 38  
courses that are reported in the education management 39  
information system established under section 3301.0714 of the 40  
Revised Code as computer science courses and which are aligned 41  
to computer science standards adopted by the department of 42  
education and workforce. 43

(E) The state board of education shall adopt rules to 44  
create a computer science teaching license for industry 45  
professionals to teach computer science to specific grades. The 46  
holder of a computer science teaching license for industry 47  
professionals shall be limited to teaching forty hours in a week 48  
in the subject area of computer science. The superintendent of 49

public instruction shall consult with the chancellor of higher 50  
education in creating and revising the requirements for computer 51  
science teacher licensure. 52

(F) Licenses issued under this section shall specify 53  
whether the educator is licensed to teach grades kindergarten 54  
through twelve, pre-kindergarten through five, grades four 55  
through nine, or grades seven through twelve." 56

After line 113631, insert: 57

**"Section 107.00.01.** That Section 733.61 of H.B. 166 of the 58  
133rd General Assembly (as amended by H.B. 33 of the 135th 59  
General Assembly) be amended and codified as section 3313.6033 60  
of the Revised Code to read as follows: 61

**Sec. ~~733.61~~ 3313.6033.** (A) Notwithstanding section 62  
3319.236 of the Revised Code, ~~for the 2019-2020 school year~~ 63  
~~through the 2024-2025 school year only,~~ a school district, 64  
community school established under Chapter 3314. of the Revised 65  
Code, or science, technology, engineering, and mathematics 66  
school established under Chapter 3326. of the Revised Code may 67  
permit an individual who holds a valid educator license in any 68  
of grades kindergarten through twelve to teach a computer 69  
science course if, ~~prior to teaching the course~~ in the last five 70  
years, the individual ~~completes~~ has completed a professional 71  
development program approved by the district superintendent or 72  
school principal that provides content knowledge specific to the 73  
course the individual will teach. To continue teaching computer 74  
science under this section, an individual shall complete the 75  
professional development program every five years in accordance 76  
with the educator licensure recertification process. The 77  
superintendent or principal shall approve any professional 78  
development program endorsed by the organization that creates 79

and administers the national ~~Advanced Placement~~ advanced  
placement examinations as appropriate for the course the  
individual will teach.

(B) Nothing in this section shall permit an individual  
described in division (A) of this section to teach a computer  
science course in a school district or school other than the  
school district or school that employed the individual at the  
time the individual completed the professional development  
program required by that division.

~~(C) Beginning July 1, 2025, a school district or public  
school shall permit an individual to teach a computer science  
course only in accordance with section 3319.236 of the Revised  
Code.~~

~~(D)~~ Notwithstanding section 3301.012 of the Revised Code,  
as used in this section, "computer science course" means any  
course that is reported in the education management information  
system established under section 3301.0714 of the Revised Code  
as a computer science course.

**Section 107.00.02.** That existing Section 733.61 of H.B.  
166 of the 133rd General Assembly (as amended by H.B. 33 of the  
135th General Assembly) is hereby repealed."

Update the title, amend, enact, or repeal clauses accordingly

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 102

**Computer science educator licensure exemption** 103

R.C. 3313.6033 (codifying Section 733.61 of H.B. 166 of	104
the 133rd General Assembly) and 3319.236	105
Makes permanent an exception set to expire after the 2024-	106
2025 school year that permits a licensed teacher who completes	107
specified professional development to teach computer science	108
without otherwise being licensed in that subject area.	109



Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 120421, in row AG, delete "\$28,785,000 1  
\$13,500,000" and insert "\$28,835,000 \$13,550,000" 2

In the table on line 120421, in rows BH and CH, add \$50,000 to each 3  
fiscal year 4

After line 121689, insert: 5

"(N) Of the foregoing appropriation item 235533, Program and Project 6  
Support, \$50,000 in each fiscal year shall be distributed to 7  
S.U.C.C.E.S.S. for Autism to expand an interprofessional pilot program for 8  
the purpose of training professionals in The S.U.C.C.E.S.S. Approach, a 9  
comprehensive neurodevelopmental learning model for all students." 10

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 11

**Department of Higher Education** 12

**Sections 381.10 and 381.410** 13

Legislative Service Commission



Increases GRF ALI 235533, Program and Project Support, by	14
\$50,000 in each fiscal year and earmarks the same amount to be	15
distributed to S.U.C.C.E.S.S. for Autism to expand an	16
interprofessional pilot program for the purpose of training	17
professionals in The S.U.C.C.E.S.S. Approach, a comprehensive	18
neurodevelopmental learning model for all students.	19

\_\_\_\_\_ moved to amend as follows:

In the table on line 117659, row X, delete "\$2,504,474 \$2,505,903" 1  
and insert "\$2,754,474 \$2,755,903" 2

In the table on line 117659, in rows Z and BW, add \$250,000 to each 3  
fiscal year 4

After line 117800, insert: 5

"Of the foregoing appropriation item 440672, Youth Homelessness, 6  
\$250,000 in each fiscal year shall be distributed to the Star House for 7  
its Drop-In Centers and its Carol Stewart Village, or its other expansion 8  
projects, to provide services for homeless youth." 9

In line 117801, after "The" insert "remainder of"; delete 10  
"foregoing" 11

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 12

**Department of Health** 13

Legislative Service Commission



7pdznxgwmrbz7oqa7dnwnu

<b>Sections 291.10 and 291.20</b>	14
Increases GRF ALI 440672, Youth Homelessness, by \$250,000	15
in each fiscal year. Earmarks these funds for the Star House for	16
its Drop-In Centers and its Carol Stewart Village, or its other	17
expansion projects, to provide services for homeless youth.	18

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 115638, in row Q, delete "\$873,585,414 1  
\$940,979,701" and insert "\$874,035,414 \$941,429,701" 2

In the table on line 115638, in rows AC and BZ, add \$450,000 to each 3  
fiscal year. 4

After line 115998, insert: 5

"Of the foregoing appropriation item 200502, Pupil Transportation, 6  
up to \$450,000 in each fiscal year shall be used to provide rural 7  
transportation grants pursuant to the section of this act entitled "RURAL 8  
TRANSPORTATION GRANT PROGRAM."" 9

After line 117288, insert: 10

**"Section 265.600. RURAL TRANSPORTATION GRANT PROGRAM 11**

(A) (1) The Rural Transportation Grant Program is created 12  
for fiscal years 2026 and 2027. The Department of Education and 13  
Workforce shall award rural transportation grants each fiscal 14  
year to dropout prevention and recovery community schools that 15  
meet both of the following requirements: 16

(a) More than seventy-five per cent of the school's 17  
students are economically disadvantaged, as determined by the 18

department; 19

(b) The school's territory is located in three counties 20  
and contains more than twelve school districts. 21

(2) The Department shall determine the amount of each 22  
grant awarded, but no grant shall exceed four hundred fifty 23  
thousand dollars for any fiscal year. 24

(B) Schools shall use grants awarded under this section to 25  
transport students." 26

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 27

**Rural Transportation Grant Program** 28

**Section 265.600** 29

Requires DEW to award rural transportation grants each 30  
fiscal year to dropout prevention and recovery community schools 31  
that meet both of the following requirements: 32

(1) More than 75% of the school's students are 33  
economically disadvantaged; and 34

(2) The school's territory is located in three counties 35  
and contains more than 12 school districts. 36

Limits the amount of each grant to \$450,000 for any fiscal 37  
year. 38

Requires schools to use grants awarded under the fund for 39  
student transportation. 40

<b>Department of Education and Workforce</b>	41
<b>Sections 265.10 and 265.150</b>	42
Increases GRF ALI 200502, Pupil Transportation, by	43
\$450,000 in each fiscal year and earmarks the increases for the	44
rural transportation grants described above.	45

\_\_\_\_\_ moved to amend as follows:

After line 83918, insert:

**"Sec. 4927.01.** (A) As used in this chapter:

(1) "Basic local exchange service" means residential-end-user access to and usage of telephone-company-provided services over a single line or small-business-end-user access to and usage of telephone-company-provided services over the primary access line of service, which in the case of residential and small-business access and usage is not part of a bundle or package of services, that does both of the following:

(a) Enables a customer to originate or receive voice communications within a local service area as that area exists on September 13, 2010, or as that area is changed with the approval of the public utilities commission;

(b) Consists of all of the following services:

(i) Local dial tone service;

(ii) For residential end users, flat-rate telephone exchange service;

(iii) Touch tone dialing service;





(iv) Access to and usage of 9-1-1 services, where such services are available;	19 20
(v) Access to operator services and directory assistance;	21
(vi) Provision of a telephone directory in any reasonable format, which includes, at the telephone company's option, an internet-accessible database of directory listings, for no additional charge and a listing in that directory, with reasonable accommodations made for private listings, and for a telephone company that no longer offers a printed directory, provision of reasonable customer notice of the available options to obtain directory information;	22 23 24 25 26 27 28 29
(vii) Per call, caller identification blocking services;	30
(viii) Access to telecommunications relay service; and	31
(ix) Access to toll presubscription, interexchange or toll providers or both, and networks of other telephone companies.	32 33
"Basic local exchange service" excludes any voice service to which customers are transitioned following a withdrawal of basic local exchange service under section 4927.10 of the Revised Code.	34 35 36 37
(2) "Bundle or package of services" means one or more telecommunications services or other services offered together as one service option at a single price.	38 39 40
(3) "Carrier access" means access to and usage of telephone company-provided facilities that enable end user customers originating or receiving voice grade, data, or image communications, over a local exchange telephone company network operated within a local service area, to access interexchange or other networks and includes special access.	41 42 43 44 45 46

(4) "Federal poverty level" means the income level 47  
represented by the poverty guidelines as revised annually by the 48  
United States department of health and human services in 49  
accordance with section 673(2) of the "Omnibus Reconciliation 50  
Act of 1981," 95 Stat. 511, 42 U.S.C. 9902, as amended, for a 51  
family size equal to the size of the family of the person whose 52  
income is being determined. 53

(5) "Incumbent local exchange carrier" means, with respect 54  
to an area, the local exchange carrier that: 55

(a) On February 8, 1996, provided telephone exchange 56  
service in such area; and 57

(b) (i) On February 8, 1996, was deemed to be a member of 58  
the exchange carrier association pursuant to 47 C.F.R. 59  
69.601(b); or 60

(ii) Is a person or entity that, on or after February 8, 61  
1996, became a successor or assign of a member described in 62  
division (A) (5) (b) (i) of this section. 63

(6) "Internet protocol-enabled services" means any 64  
services, capabilities, functionalities, or applications that 65  
are provided using internet protocol or a successor protocol to 66  
enable an end user to send or receive communications in internet 67  
protocol format or a successor format, regardless of how any 68  
particular such service is classified by the federal 69  
communications commission, and includes voice over internet 70  
protocol service. 71

(7) "Interstate-access component" means the portion of 72  
carrier access that is within the jurisdiction of the federal 73  
communications commission. 74

(8) "Local exchange carrier" means any person engaged in 75  
the provision of telephone exchange service, or the offering of 76  
access to telephone exchange service or facilities for the 77  
purpose of originating or terminating telephone toll service. 78

(9) "Local service area" means the geographic area that 79  
may encompass more than one exchange area and within which a 80  
telephone customer, by paying the rate for basic local exchange 81  
service, may complete calls to other telephone customers without 82  
being assessed long distance toll charges. 83

(10) "Small business" means a nonresidential service 84  
customer with three or fewer service access lines. 85

(11) "Telecommunications" means the transmission, between 86  
or among points specified by the user, of information of the 87  
user's choosing, without change in the form or content of the 88  
information as sent and received. 89

(12) "Telecommunications carrier" has the same meaning as 90  
in the "Telecommunications Act of 1996," 110 Stat. 60, 47 U.S.C. 91  
153. 92

(13) "Telecommunications service" means the offering of 93  
telecommunications for a fee directly to the public, or to such 94  
classes of users as to be effectively available directly to the 95  
public, regardless of the facilities used. 96

(14) "Telephone company" means a company described in 97  
division (A) of section 4905.03 of the Revised Code that is a 98  
public utility under section 4905.02 of the Revised Code. 99

(15) "Telephone exchange service" means telecommunications 100  
service that is within a telephone exchange, or within a 101  
connected system of telephone exchanges within the same exchange 102

area operated to furnish to subscribers intercommunicating 103  
service of the character ordinarily furnished by a single 104  
exchange, and that is covered by the exchange service charge; or 105  
comparable service provided through a system of switches, 106  
transmission equipment, or other facilities, or combination 107  
thereof, by which a customer can originate and terminate a 108  
telecommunications service. 109

(16) "Telephone toll service" means telephone service 110  
between stations in different exchange areas for which there is 111  
made a separate charge not included in contracts with customers 112  
for exchange service. 113

(17) "Voice over internet protocol service" means a 114  
service that enables real-time, two-way, voice communications 115  
that originate or terminate from the user's location using 116  
internet protocol or a successor protocol, including, but not 117  
limited to, any such service that permits an end user to receive 118  
calls from and terminate calls to the public switched network. 119

(18) "Voice service" includes all of the applicable 120  
functionalities described in 47 C.F.R. 54.101(a). "Voice 121  
service" is not the same as basic local exchange service. 122

(19) "Wireless service" means federally licensed 123  
commercial mobile service as defined in the "Telecommunications 124  
Act of 1996," 110 Stat. 61, 151, 153, 47 U.S.C. 332(d) and 125  
further defined as commercial mobile radio service in 47 C.F.R. 126  
20.3. Under division (A)(19) of this section, commercial mobile 127  
radio service is specifically limited to mobile telephone, 128  
mobile cellular telephone, paging, personal communications 129  
services, and specialized mobile radio service provided by a 130  
common carrier in this state and excludes fixed wireless 131  
service. 132

(20) "Wireless service provider" means a facilities-based provider of wireless service to one or more end users in this state.

(21) "Broadband internet access service" has the same meaning as in 47 C.F.R. 8.1.

(B) The definitions of this section shall be applied consistent with the definitions in the "Telecommunications Act of 1996," 110 Stat. 56, 47 U.S.C. 151 et seq., as amended, and with federal decisions interpreting those definitions.

**Sec. 4927.22.** (A) Notwithstanding any provision of the Revised Code, other than division (B) of this section:

(1) Broadband internet access service is not subject to regulation by the public utilities commission.

(2) No agency, commission, or political subdivision of this state shall enact, adopt, or enforce, either directly or indirectly, any law, rule, regulation, ordinance, standard, order or other provision having the force or effect of law that regulates, or has the effect of regulating, the entry, rates, terms or conditions of any broadband internet access service, or otherwise treats providers of broadband internet access services as public utilities or telecommunications carriers.

(B) This section shall not be construed to do either of the following:

(1) Restrict any authority delegated to the commission or to any state agency to administer a state or federal grant program under state or federal statute, rule, or order;

(2) Restrict the application to broadband internet access service, or providers thereof, of any law that applies generally

to the conduct of business in the state relating to consumer 161  
protection and fair competition." 162

In line 125456, after "4743.05," insert "4927.01, 4927.22," 163

Update the title, amend, enact, or repeal clauses accordingly 164

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 165

**Broadband internet access service exempt from regulation** 166

**R.C. 4927.01 and 4927.22; Section 820.20** 167

Exempts broadband internet access service from PUCO 168  
regulation. 169

Prohibits a state agency, commission, or political 170  
subdivision from enacting, adopting, or enforcing any provision 171  
having the force or effect of law that regulates or has the 172  
effect of regulating broadband internet access service. 173

Provides that the above prohibition does not (1) restrict 174  
any authority delegated to PUCO or any state agency to 175  
administer a state or federal grant program; or (2) restrict the 176  
application of a law relating to consumer protection and fair 177  
competition concerning broadband internet access service. 178

Sub. H. B. No. 96

I\_136\_0001-4

DRC001, DRC002

PUBCD7

\_\_\_\_\_ moved to amend as follows:

After line 3701 insert:

"**Sec. 120.06.** (A) (1) The state public defender, when  
designated by the court or requested by a county public defender  
or joint county public defender, may provide legal  
representation in all courts throughout the state to indigent  
adults and juveniles who are charged with the commission of an  
offense or act for which the penalty or any possible  
adjudication includes the potential loss of liberty.

(2) The state public defender may provide legal  
representation to any indigent person who, while incarcerated in  
any state correctional institution, is charged with a felony  
offense, for which the penalty or any possible adjudication that  
may be imposed by a court upon conviction includes the potential  
loss of liberty.

(3) The state public defender may provide legal  
representation to any person incarcerated in any correctional  
institution of the state, in any matter in which the person



asserts the person is unlawfully imprisoned or detained. 18

(4) The state public defender, in any case in which the 19  
state public defender has provided legal representation or is 20  
requested to do so by a county public defender or joint county 21  
public defender, may provide legal representation on appeal. 22

~~(5) The~~ (5) (a) Except as provided in division (A) (5) (b) of 23  
this section, the state public defender, when designated by the 24  
court or requested by a county public defender, joint county 25  
public defender, or the director of rehabilitation and 26  
correction, shall provide legal representation in parole and 27  
probation revocation matters or matters relating to the 28  
revocation of community control or post-release control under a 29  
community control sanction or post-release control sanction, 30  
unless the state public defender finds that the alleged parole 31  
or probation violator or alleged violator of a community control 32  
sanction or post-release control sanction has the financial 33  
capacity to retain the alleged violator's own counsel. 34

(b) If the state public defender determines that the state 35  
public defender does not have the capacity to provide the legal 36  
representation described in division (A) (5) (a) of this section, 37  
the state public defender may contract with private legal 38  
counsel to provide the legal representation described in that 39  
division. 40

(6) If the state public defender contracts with a county 41  
public defender commission, a joint county public defender 42  
commission, or a board of county commissioners for the provision 43  
of services, under authority of division (C) (7) of section 44  
120.04 of the Revised Code, the state public defender shall 45  
provide legal representation in accordance with the contract. 46



(B) The state public defender shall not be required to 47  
prosecute any appeal, postconviction remedy, or other proceeding 48  
pursuant to division (A) (3), (4), or (5) of this section, unless 49  
the state public defender first is satisfied that there is 50  
arguable merit to the proceeding. 51

(C) A court may appoint counsel or allow an indigent 52  
person to select the indigent's own personal counsel to assist 53  
the state public defender as co-counsel when the interests of 54  
justice so require. When co-counsel is appointed to assist the 55  
state public defender, the co-counsel shall receive any 56  
compensation that the court may approve, not to exceed the 57  
amounts provided for in section 2941.51 of the Revised Code. 58

(D) (1) When the state public defender is designated by the 59  
court or requested by a county public defender or joint county 60  
public defender to provide legal representation for an indigent 61  
person in any case, other than pursuant to a contract entered 62  
into under authority of division (C) (7) of section 120.04 of the 63  
Revised Code, the state public defender shall send to the county 64  
in which the case is filed a bill detailing the actual cost of 65  
the representation that separately itemizes legal fees and 66  
expenses. The county, upon receipt of an itemized bill from the 67  
state public defender pursuant to this division, shall pay the 68  
state public defender one hundred per cent of the amount 69  
identified as legal fees and expenses in the itemized bill. 70

(2) Upon payment of the itemized bill under division (D) 71  
(1) of this section, the county may submit the cost of the legal 72  
fees and expenses to the state public defender for reimbursement 73  
pursuant to section 120.33 of the Revised Code. 74

(3) When the state public defender provides investigation 75  
or mitigation services to private appointed counsel or to a 76

county or joint county public defender as approved by the 77  
appointing court, other than pursuant to a contract entered into 78  
under authority of division (C) (7) of section 120.04 of the 79  
Revised Code, the state public defender shall send to the county 80  
in which the case is filed a bill itemizing the actual cost of 81  
the services provided. The county, upon receipt of an itemized 82  
bill from the state public defender pursuant to this division, 83  
shall pay one hundred per cent of the amount as set forth in the 84  
itemized bill. Upon payment of the itemized bill received 85  
pursuant to this division, the county may submit the cost of the 86  
investigation and mitigation services to the state public 87  
defender for reimbursement pursuant to section 120.33 of the 88  
Revised Code. 89

(4) There is hereby created in the state treasury the 90  
county representation fund for the deposit of moneys received 91  
from counties under this division. All moneys credited to the 92  
fund shall be used by the state public defender to provide legal 93  
representation for indigent persons when designated by the court 94  
or requested by a county or joint county public defender or to 95  
provide investigation or mitigation services, including 96  
investigation or mitigation services to private appointed 97  
counsel or a county or joint county public defender, as approved 98  
by the court. 99

(5) If the state public defender determines that the state 100  
public defender does not have the capacity to provide the legal 101  
representation described in division (A) (5) (a) of this section 102  
and the state public defender contracts with private legal 103  
counsel to provide the legal representation, the state public 104  
defender shall directly pay private legal counsel's fees and 105  
expenses from the indigent defense support fund pursuant to 106

section 120.08 of the Revised Code. 107

(E) (1) Notwithstanding any contrary provision of sections 108  
 109.02, 109.07, 109.361 to 109.366, and 120.03 of the Revised 109  
 Code that pertains to representation by the attorney general, an 110  
 assistant attorney general, or special counsel of an officer or 111  
 employee, as defined in section 109.36 of the Revised Code, or 112  
 of an entity of state government, the state public defender may 113  
 elect to contract with, and to have the state pay pursuant to 114  
 division (E) (2) of this section for the services of, private 115  
 legal counsel to represent the Ohio public defender commission, 116  
 the state public defender, assistant state public defenders, 117  
 other employees of the commission or the state public defender, 118  
 and attorneys described in division (C) of section 120.41 of the 119  
 Revised Code in a malpractice or other civil action or 120  
 proceeding that arises from alleged actions or omissions related 121  
 to responsibilities derived pursuant to this chapter, or in a 122  
 civil action that is based upon alleged violations of the 123  
 constitution or statutes of the United States, including section 124  
 1983 of Title 42 of the United States Code, 93 Stat. 1284 125  
 (1979), 42 U.S.C.A. 1983, as amended, and that arises from 126  
 alleged actions or omissions related to responsibilities derived 127  
 pursuant to this chapter, if the state public defender 128  
 determines, in good faith, that the defendant in the civil 129  
 action or proceeding did not act manifestly outside the scope of 130  
 the defendant's employment or official responsibilities, with 131  
 malicious purpose, in bad faith, or in a wanton or reckless 132  
 manner. If the state public defender elects not to contract 133  
 pursuant to this division for private legal counsel in a civil 134  
 action or proceeding, then, in accordance with sections 109.02, 135  
 109.07, 109.361 to 109.366, and 120.03 of the Revised Code, the 136  
 attorney general shall represent or provide for the 137

representation of the Ohio public defender commission, the state 138  
public defender, assistant state public defenders, other 139  
employees of the commission or the state public defender, or 140  
attorneys described in division (C) of section 120.41 of the 141  
Revised Code in the civil action or proceeding. 142

(2) (a) Subject to division (E) (2) (b) of this section, 143  
payment from the state treasury for the services of private 144  
legal counsel with whom the state public defender has contracted 145  
pursuant to division (E) (1) of this section shall be 146  
accomplished only through the following procedure: 147

(i) The private legal counsel shall file with the attorney 148  
general a copy of the contract; a request for an award of legal 149  
fees, court costs, and expenses earned or incurred in connection 150  
with the defense of the Ohio public defender commission, the 151  
state public defender, an assistant state public defender, an 152  
employee, or an attorney in a specified civil action or 153  
proceeding; a written itemization of those fees, costs, and 154  
expenses, including the signature of the state public defender 155  
and the state public defender's attestation that the fees, 156  
costs, and expenses were earned or incurred pursuant to division 157  
(E) (1) of this section to the best of the state public 158  
defender's knowledge and information; a written statement 159  
whether the fees, costs, and expenses are for all legal services 160  
to be rendered in connection with that defense, are only for 161  
legal services rendered to the date of the request and 162  
additional legal services likely will have to be provided in 163  
connection with that defense, or are for the final legal 164  
services rendered in connection with that defense; a written 165  
statement indicating whether the private legal counsel 166  
previously submitted a request for an award under division (E) 167

(2) of this section in connection with that defense and, if so, 168  
the date and the amount of each award granted; and, if the fees, 169  
costs, and expenses are for all legal services to be rendered in 170  
connection with that defense or are for the final legal services 171  
rendered in connection with that defense, a certified copy of 172  
any judgment entry in the civil action or proceeding or a signed 173  
copy of any settlement agreement entered into between the 174  
parties to the civil action or proceeding. 175

(ii) Upon receipt of a request for an award of legal fees, 176  
court costs, and expenses and the requisite supportive 177  
documentation described in division (E)(2)(a)(i) of this 178  
section, the attorney general shall review the request and 179  
documentation; determine whether any of the limitations 180  
specified in division (E)(2)(b) of this section apply to the 181  
request; and, if an award of legal fees, court costs, or 182  
expenses is permissible after applying the limitations, prepare 183  
a document awarding legal fees, court costs, or expenses to the 184  
private legal counsel. The document shall name the private legal 185  
counsel as the recipient of the award; specify the total amount 186  
of the award as determined by the attorney general; itemize the 187  
portions of the award that represent legal fees, court costs, 188  
and expenses; specify any limitation applied pursuant to 189  
division (E)(2)(b) of this section to reduce the amount of the 190  
award sought by the private legal counsel; state that the award 191  
is payable from the state treasury pursuant to division (E)(2) 192  
(a)(iii) of this section; and be approved by the inclusion of 193  
the signatures of the attorney general, the state public 194  
defender, and the private legal counsel. 195

(iii) The attorney general shall forward a copy of the 196  
document prepared pursuant to division (E)(2)(a)(ii) of this 197

section to the director of budget and management. The award of 198  
legal fees, court costs, or expenses shall be paid out of the 199  
state public defender's appropriations, to the extent there is a 200  
sufficient available balance in those appropriations. If the 201  
state public defender does not have a sufficient available 202  
balance in the state public defender's appropriations to pay the 203  
entire award of legal fees, court costs, or expenses, the 204  
director shall make application for a transfer of appropriations 205  
out of the emergency purposes account or any other appropriation 206  
for emergencies or contingencies in an amount equal to the 207  
portion of the award that exceeds the sufficient available 208  
balance in the state public defender's appropriations. A 209  
transfer of appropriations out of the emergency purposes account 210  
or any other appropriation for emergencies or contingencies 211  
shall be authorized if there are sufficient moneys greater than 212  
the sum total of then pending emergency purposes account 213  
requests, or requests for releases from the other appropriation. 214  
If a transfer of appropriations out of the emergency purposes 215  
account or other appropriation for emergencies or contingencies 216  
is made to pay an amount equal to the portion of the award that 217  
exceeds the sufficient available balance in the state public 218  
defender's appropriations, the director shall cause the payment 219  
to be made to the private legal counsel. If sufficient moneys do 220  
not exist in the emergency purposes account or other 221  
appropriation for emergencies or contingencies to pay an amount 222  
equal to the portion of the award that exceeds the sufficient 223  
available balance in the state public defender's appropriations, 224  
the private legal counsel shall request the general assembly to 225  
make an appropriation sufficient to pay an amount equal to the 226  
portion of the award that exceeds the sufficient available 227  
balance in the state public defender's appropriations, and no 228

payment in that amount shall be made until the appropriation has 229  
been made. The private legal counsel shall make the request 230  
during the current biennium and during each succeeding biennium 231  
until a sufficient appropriation is made. 232

(b) An award of legal fees, court costs, and expenses 233  
pursuant to division (E) of this section is subject to the 234  
following limitations: 235

(i) The maximum award or maximum aggregate of a series of 236  
awards of legal fees, court costs, and expenses to the private 237  
legal counsel in connection with the defense of the Ohio public 238  
defender commission, the state public defender, an assistant 239  
state public defender, an employee, or an attorney in a 240  
specified civil action or proceeding shall not exceed fifty 241  
thousand dollars. 242

(ii) The private legal counsel shall not be awarded legal 243  
fees, court costs, or expenses to the extent the fees, costs, or 244  
expenses are covered by a policy of malpractice or other 245  
insurance. 246

(iii) The private legal counsel shall be awarded legal 247  
fees and expenses only to the extent that the fees and expenses 248  
are reasonable in light of the legal services rendered by the 249  
private legal counsel in connection with the defense of the Ohio 250  
public defender commission, the state public defender, an 251  
assistant state public defender, an employee, or an attorney in 252  
a specified civil action or proceeding. 253

(c) If, pursuant to division (E) (2) (a) of this section, 254  
the attorney general denies a request for an award of legal 255  
fees, court costs, or expenses to private legal counsel because 256  
of the application of a limitation specified in division (E) (2) 257

(b) of this section, the attorney general shall notify the 258  
private legal counsel in writing of the denial and of the 259  
limitation applied. 260

(d) If, pursuant to division (E) (2) (c) of this section, a 261  
private legal counsel receives a denial of an award notification 262  
or if a private legal counsel refuses to approve a document 263  
under division (E) (2) (a) (ii) of this section because of the 264  
proposed application of a limitation specified in division (E) 265  
(2) (b) of this section, the private legal counsel may commence a 266  
civil action against the attorney general in the court of claims 267  
to prove the private legal counsel's entitlement to the award 268  
sought, to prove that division (E) (2) (b) of this section does 269  
not prohibit or otherwise limit the award sought, and to recover 270  
a judgment for the amount of the award sought. A civil action 271  
under division (E) (2) (d) of this section shall be commenced no 272  
later than two years after receipt of a denial of award 273  
notification or, if the private legal counsel refused to approve 274  
a document under division (E) (2) (a) (ii) of this section because 275  
of the proposed application of a limitation specified in 276  
division (E) (2) (b) of this section, no later than two years 277  
after the refusal. Any judgment of the court of claims in favor 278  
of the private legal counsel shall be paid from the state 279  
treasury in accordance with division (E) (2) (a) of this section. 280

(F) If a court appoints the office of the state public 281  
defender to represent a petitioner in a postconviction relief 282  
proceeding under section 2953.21 of the Revised Code, the 283  
petitioner has received a sentence of death, and the proceeding 284  
relates to that sentence, all of the attorneys who represent the 285  
petitioner in the proceeding pursuant to the appointment, 286  
whether an assistant state public defender, the state public 287



defender, or another attorney, shall be certified under Rule 20 288  
of the Rules of Superintendence for the Courts of Ohio to 289  
represent indigent defendants charged with or convicted of an 290  
offense for which the death penalty can be or has been imposed. 291

(G) (1) The state public defender may conduct a legal 292  
assistance referral service for children committed to the 293  
department of youth services relative to conditions of 294  
confinement claims. If the legal assistance referral service 295  
receives a request for assistance from a child confined in a 296  
facility operated, or contracted for, by the department of youth 297  
services and the state public defender determines that the child 298  
has a conditions of confinement claim that has merit, the state 299  
public defender may refer the child to a private attorney. If no 300  
private attorney who the child has been referred to by the state 301  
public defender accepts the case within a reasonable time, the 302  
state public defender may prepare, as appropriate, pro se 303  
pleadings in the form of a complaint regarding the conditions of 304  
confinement at the facility where the child is confined with a 305  
motion for appointment of counsel and other applicable pleadings 306  
necessary for sufficient pro se representation. 307

(2) Division (G) (1) of this section does not authorize the 308  
state public defender to represent a child committed to the 309  
department of youth services in general civil matters arising 310  
solely out of state law. 311

(3) The state public defender shall not undertake the 312  
representation of a child in court based on a conditions of 313  
confinement claim arising under this division. 314

(H) A child's right to representation or services under 315  
this section is not affected by the child, or another person on 316  
behalf of the child, previously having paid for similar 317

representation or services or having waived legal 318  
representation. 319

(I) The state public defender shall have reasonable access 320  
to any child committed to the department of youth services, 321  
department of youth services institution, and department of 322  
youth services record as needed to implement this section. 323

(J) As used in this section: 324

(1) "Community control sanction" has the same meaning as 325  
in section 2929.01 of the Revised Code. 326

(2) "Conditions of confinement" means any issue involving 327  
a constitutional right or other civil right related to a child's 328  
incarceration, including, but not limited to, actions cognizable 329  
under 42 U.S.C. 1983. 330

(3) "Post-release control sanction" has the same meaning 331  
as in section 2967.01 of the Revised Code. 332

**Sec. 120.08.** There is hereby created in the state treasury 333  
the indigent defense support fund, consisting of money paid into 334  
the fund pursuant to sections 4507.45, 4509.101, 4510.22, and 335  
4511.19 of the Revised Code and pursuant to sections 2937.22, 336  
2949.091, and 2949.094 of the Revised Code out of the additional 337  
court costs imposed under those sections. The state public 338  
defender shall use at least eighty-three per cent of the money 339  
in the fund for the purposes of reimbursing county governments 340  
for expenses incurred pursuant to sections 120.18, 120.28, and 341  
120.33 of the Revised Code ~~and~~, operating its system pursuant 342  
to division (C) (7) of section 120.04 of the Revised Code and 343  
division (B) of section 120.33 of the Revised Code, and directly 344  
paying private legal counsel's fees and expenses incurred 345  
pursuant to division (D) (5) of section 120.06 of the Revised 346

Code. Disbursements from the fund to county governments shall be 347  
made at least once per year and shall be allocated 348  
proportionately so that each county receives an equal percentage 349  
of its cost for operating its county public defender system, its 350  
joint county public defender system, its county appointed 351  
counsel system, or its system operated under division (C) (7) of 352  
section 120.04 of the Revised Code and division (B) of section 353  
120.33 of the Revised Code. The state public defender may use 354  
not more than seventeen per cent of the money in the fund for 355  
the purposes of appointing assistant state public defenders, 356  
providing other personnel, equipment, and facilities necessary 357  
for the operation of the state public defender office, and 358  
providing training, developing and implementing electronic 359  
forms, or establishing and maintaining an information technology 360  
system used for the uniform operation of this chapter." 361

Update the title, amend, enact, or repeal clauses accordingly 362

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS 363

## **OPD and outside counsel in revocation hearings** 364

## **R.C. 120.06 and 120.08** 365

Allows, if the State Public Defender determines that the 366  
State Public Defender does not have the capacity to provide the 367  
legal representation in parole, probation, community control, or 368  
post-release control revocation matters, the State Public 369  
Defender to contract with private legal counsel to provide the 370  
legal representation. 371

Requires for the costs of the above to be paid directly	372
out of the Indigent Defense Support Fund.	373

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 120023, in row C, delete "\$13,177,100	1
\$13,417,000" and insert "\$13,227,100 \$13,467,000"	2
In the table on line 120023, in rows F and W, add \$50,000 to each	3
fiscal year	4
In line 120024, after " <b>371.20.</b> " insert:	5
"STATE LEGAL DEFENSE SERVICES	6
Of the foregoing appropriation item 019401, State Legal Defense	7
Services, up to \$50,000 in each fiscal year shall be used by the Ohio	8
Public Defender to provide legal training programs at no cost for private	9
appointed counsel who represent at least one indigent defendant at no cost	10
and for state and county public defenders and attorneys who contract with	11
the Ohio Public Defender to provide indigent defense services."	12

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 13

**Public Defender Commission** 14

Legislative Service Commission



hpcddgjyazrvzqay65gvyb

**Sections 371.10 and 371.20**

15

Increases GRF ALI 019401, State Legal Defense Services, by 16  
up to \$50,000 in each fiscal year, and earmarks the increase to 17  
the Ohio Public Defender to provide legal training programs at 18  
no cost for private appointed counsel who represent at least one 19  
indigent defendant at no cost, and for state and county public 20  
defenders and attorneys who contract with the Ohio Public 21  
Defender to provide indigent defense services. 22

\_\_\_\_\_ moved to amend as follows:

In the table on line 114135, after row P, insert:

"

1	2	3	4	5
A	GRF	700429 E15 Motor Fuel Rebate Program	\$10,000,000	\$0

"

In the table on line 114135, in rows V and BL, add \$10,000,000 to fiscal year 2026.

After line 114145, insert:

"E15 MOTOR FUEL REBATE PROGRAM

The foregoing appropriation item 700429, E15 Motor Fuel Rebate Program, shall be used to administer the E15 Motor Fuel Rebate Program established in Section 757.00.01 of this act.

The unexpended, unencumbered portion of appropriation item 700429, E15 Motor Fuel Rebate Program, at the end of fiscal year 2026 is hereby reappropriated to the same appropriation item for the same purpose in



fiscal year 2027." 15

After line 125332, insert: 16

**"Section 757.00.01.** (A) As used in this section: 17

(1) "Qualifying blended fuel" means gasoline blended with 18  
fifteen per cent ethanol or higher by volume. 19

(2) "Motor fuel retailer" means any person licensed in 20  
Ohio to offer motor fuel for retail sale to the public in this 21  
state. 22

(3) "Rebate" means a monetary incentive provided to a 23  
motor fuel retailer. 24

(B) The Department of Agriculture shall establish and 25  
administer a rebate program to incentivize the sale of 26  
qualifying blended fuel at motor fuel retailer locations in this 27  
state. The Department may adopt rules as necessary to implement 28  
and administer the rebate program in accordance with Chapter 29  
119. of the Revised Code. The rebate program shall meet all of 30  
the following requirements: 31

(1) It shall only apply to qualifying blended fuel that is 32  
distributed by a motor fuel retailer after the effective date of 33  
this section at an individual motor fuel retailer location that 34  
has not sold the qualifying blended fuel prior to the effective 35  
date of this section. 36

(2) A motor fuel retailer that sells qualifying blended 37  
fuel is eligible to receive a rebate of five cents per gallon of 38  
blended fuel sold, subject to compliance with this section. The 39  
rebate shall be provided on a per-gallon-sold basis for each 40  
gallon of qualifying blended fuel sold. 41



(3) An individual motor fuel retailer location shall not 42  
receive a total rebate that exceeds one hundred thousand dollars 43  
during the fiscal year. 44

(C) To qualify for a rebate under this section, motor fuel 45  
retailers shall meet all of the following requirements: 46

(1) Be licensed by the appropriate state agencies to sell 47  
motor fuel in this state; 48

(2) Sell qualifying blended fuel to consumers; 49

(3) Sell the qualifying blended fuel at an individual 50  
motor fuel retailer location that did not sell such fuel prior 51  
to the effective date of this section. 52

(D) The Department of Agriculture shall develop an 53  
application process that motor fuel retailers shall utilize to 54  
receive a rebate under this section. The application shall 55  
include a requirement that documentation be included with the 56  
application to verify that the sale of qualifying blended fuel 57  
occurred during the applicable fiscal year and was distributed 58  
from a qualifying location. 59

(E) Any motor fuel retailer that receives a rebate under 60  
this section shall provide quarterly reports to the Department 61  
of Agriculture. The quarterly reports shall include the volume 62  
of qualifying blended fuel sold and any other information that 63  
the Department considers necessary for program evaluation and 64  
oversight." 65

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	66
<b>High Blend Ethanol Rebate Program</b>	67
<b>Section 757.00.01</b>	68
Requires the Department of Agriculture to create and	69
administer a pilot High Blend Ethanol Rebate Program to support	70
new construction of E15 or higher blend ethanol pumps at motor	71
fuel retailer locations across Ohio.	72
Provides a rebate of five cents per gallon of blended fuel	73
sold, up to \$100,000 per fiscal year to a retailer that meets	74
the program's conditions.	75
Establishes general conditions for the program, and	76
authorizes the Department to adopt rules to administer it.	77
<b>Department of Agriculture</b>	78
<b>Sections 211.10 and 211.20</b>	79
Establishes GRF ALI 700429, E15 Motor Fuel Rebate Program,	80
under the Department of Agriculture budget, and appropriates	81
\$10,000,000 in fiscal year 2026 to administer the rebate program	82
created under this act.	83
Reappropriates the unexpended, unencumbered portion of GRF	84
ALI 700429 to be used for the same purpose in FY 2027.	85

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 35138, insert:

**"Sec. 2967.14.** (A) As used in this section:

(1) "School" has the same meaning as in section 2925.01 of the Revised Code.

(2) "Child care center" has the same meaning as in section 5104.01 of the Revised Code.

(B) The department of rehabilitation and correction or the adult parole authority may require or allow a parolee, a releasee, or a prisoner otherwise released from a state correctional institution to reside in a halfway house or other suitable community residential center that has been licensed by the division of parole and community services pursuant to division ~~(C)~~ (D) of this section during a part or for the entire period of the offender's or parolee's conditional release or of the releasee's term of post-release control. The court of common pleas that placed an offender under a sanction consisting of a term in a halfway house or in an alternative residential sanction may require the offender to reside in a halfway house or other suitable community residential center that is



designated by the court and that has been licensed by the 20  
division pursuant to division ~~(C)~~ (D) of this section during a 21  
part or for the entire period of the offender's residential 22  
sanction. 23

~~(B)~~ (C) The division of parole and community services may 24  
negotiate and enter into agreements with any public or private 25  
agency or a department or political subdivision of the state 26  
that operates a halfway house, reentry center, or community 27  
residential center that has been licensed by the division 28  
pursuant to division ~~(C)~~ (D) of this section. An agreement under 29  
this division shall provide for the purchase of beds, shall set 30  
limits of supervision and levels of occupancy, and shall 31  
determine the scope of services for all eligible offenders, 32  
including those subject to a residential sanction, as defined in 33  
rules adopted by the director of rehabilitation and correction 34  
in accordance with Chapter 119. of the Revised Code, or those 35  
released from prison without supervision. The payments for beds 36  
and services shall not exceed the total operating costs of the 37  
halfway house, reentry center, or community residential center 38  
during the term of an agreement. The director of rehabilitation 39  
and correction shall adopt rules in accordance with Chapter 119. 40  
of the Revised Code for determining includable and excludable 41  
costs and income to be used in computing the agency's average 42  
daily per capita costs with its facility at full occupancy. 43

The director of rehabilitation and correction shall adopt 44  
rules providing for the use of no more than fifteen per cent of 45  
the amount appropriated to the department each fiscal year for 46  
the halfway house, reentry center, and community residential 47  
center program to pay for contracts with licensed halfway houses 48  
for nonresidential services for offenders under the supervision 49

of the adult parole authority, including but not limited to, 50  
offenders supervised pursuant to an agreement entered into by 51  
the adult parole authority and a court of common pleas under 52  
section 2301.32 of the Revised Code. The nonresidential services 53  
may include, but are not limited to, treatment for substance 54  
abuse, mental health counseling, counseling for sex offenders, 55  
electronic monitoring services, aftercare, and other 56  
nonresidential services that the director identifies by rule. 57

~~(C)~~ (D) The division of parole and community services may 58  
license a halfway house, reentry center, or community 59  
residential center as a suitable facility for the care and 60  
treatment of adult offenders, including offenders sentenced 61  
under section 2929.16 or 2929.26 of the Revised Code, only if 62  
the halfway house, reentry center, or community residential 63  
center does not operate within five hundred feet of a school or 64  
child care center and complies with the standards that the 65  
division adopts in accordance with Chapter 119. of the Revised 66  
Code for the licensure of halfway houses, reentry centers, and 67  
community residential centers. The division shall annually 68  
inspect each licensed halfway house, licensed reentry center, 69  
and licensed community residential center to determine if it is 70  
in compliance with the licensure standards. 71

~~(D)~~ (E) The division of parole and community services may 72  
expend up to one-half per cent of the annual appropriation made 73  
for halfway house programs, for goods or services that benefit 74  
those programs. 75

**Sec. 2967.26.** (A) (1) The department of rehabilitation and 76  
correction, by rule, may establish a transitional control 77  
program for the purpose of closely monitoring a prisoner's 78  
adjustment to community supervision during the final one hundred 79

eighty days of the prisoner's confinement. If the department  
establishes a transitional control program under this division,  
the division of parole and community services of the department  
of rehabilitation and correction may transfer eligible prisoners  
to transitional control status under the program during the  
final one hundred eighty days of their confinement and under the  
terms and conditions established by the department, shall  
provide for the confinement as provided in this division of each  
eligible prisoner so transferred, and shall supervise each  
eligible prisoner so transferred in one or more community  
control sanctions. Each eligible prisoner who is transferred to  
transitional control status under the program shall be confined  
in a suitable facility that is licensed pursuant to division ~~(C)~~  
(D) of section 2967.14 of the Revised Code, or shall be confined  
in a residence the department has approved for this purpose and  
be monitored pursuant to an electronic monitoring device, as  
defined in section 2929.01 of the Revised Code. If the  
department establishes a transitional control program under this  
division, the rules establishing the program shall include  
criteria that define which prisoners are eligible for the  
program, criteria that must be satisfied to be approved as a  
residence that may be used for confinement under the program of  
a prisoner that is transferred to it and procedures for the  
department to approve residences that satisfy those criteria,  
and provisions of the type described in division (C) of this  
section. At a minimum, the criteria that define which prisoners  
are eligible for the program shall provide all of the following:

(a) That a prisoner is eligible for the program if the  
prisoner is serving a prison term or term of imprisonment for an  
offense committed prior to March 17, 1998, and if, at the time  
at which eligibility is being determined, the prisoner would

have been eligible for a furlough under this section as it 111  
 existed immediately prior to March 17, 1998, or would have been 112  
 eligible for conditional release under former section 2967.23 of 113  
 the Revised Code as that section existed immediately prior to 114  
 March 17, 1998; 115

(b) That no prisoner who is serving a mandatory prison 116  
 term is eligible for the program until after expiration of the 117  
 mandatory term; 118

(c) That no prisoner who is serving a prison term or term 119  
 of life imprisonment without parole imposed pursuant to section 120  
 2971.03 of the Revised Code is eligible for the program. 121

(2) At least sixty days prior to transferring to 122  
 transitional control under this section a prisoner who is 123  
 serving a definite term of imprisonment or definite prison term 124  
 of less than one year for an offense committed on or after July 125  
 1, 1996, or who is serving a minimum term of less than one year 126  
 under a non-life felony indefinite prison term, on or after 127  
 April 4, 2023, the division of parole and community services of 128  
 the department of rehabilitation and correction shall give 129  
 notice of the pendency of the transfer to transitional control 130  
 to the court of common pleas of the county in which the 131  
 indictment against the prisoner was found and of the fact that 132  
 the court may disapprove the transfer of the prisoner to 133  
 transitional control and shall include the institutional summary 134  
 report prepared by the head of the state correctional 135  
 institution in which the prisoner is confined. The head of the 136  
 state correctional institution in which the prisoner is 137  
 confined, upon the request of the division of parole and 138  
 community services, shall provide to the division for inclusion 139  
 in the notice sent to the court under this division an 140

institutional summary report on the prisoner's conduct in the 141  
institution and in any institution from which the prisoner may 142  
have been transferred. The institutional summary report shall 143  
cover the prisoner's participation in school, vocational 144  
training, work, treatment, and other rehabilitative activities 145  
and any disciplinary action taken against the prisoner. If the 146  
court disapproves of the transfer of the prisoner to 147  
transitional control, the court shall notify the division of the 148  
disapproval within thirty days after receipt of the notice. If 149  
the court timely disapproves the transfer of the prisoner to 150  
transitional control, the division shall not proceed with the 151  
transfer. If the court does not timely disapprove the transfer 152  
of the prisoner to transitional control, the division may 153  
transfer the prisoner to transitional control. 154

(3) (a) If the victim of an offense for which a prisoner 155  
was sentenced to a prison term or term of imprisonment has 156  
requested notification under section 2930.16 of the Revised Code 157  
and has provided the department of rehabilitation and correction 158  
with the victim's name and address or if division (A) (3) (b) of 159  
this section applies, the division of parole and community 160  
services, at least sixty days prior to transferring the prisoner 161  
to transitional control pursuant to this section, shall notify 162  
the victim and the victim's representative, if applicable, of 163  
the pendency of the transfer and of the victim's and victim's 164  
representative's right to submit a statement to the division 165  
regarding the impact of the transfer of the prisoner to 166  
transitional control. If the victim or victim's representative's 167  
subsequently submits a statement of that nature to the division, 168  
the division shall consider the statement in deciding whether to 169  
transfer the prisoner to transitional control. 170



(b) If a prisoner is incarcerated for the commission of aggravated murder, murder, or an offense of violence that is a felony of the first, second, or third degree or under a sentence of life imprisonment, except as otherwise provided in this division, the notice described in division (A) (3) (a) of this section shall be given regardless of whether the victim has requested the notification. The notice described in division (A) (3) (a) of this section shall not be given under this division to a victim if the victim has requested pursuant to division (B) (2) of section 2930.03 of the Revised Code that the victim not be provided the notice. If notice is to be provided to a victim under this division, the authority may give the notice by any reasonable means, including regular mail, telephone, and electronic mail, in accordance with division (D) (1) of section 2930.16 of the Revised Code. If the notice is based on an offense committed prior to March 22, 2013, the notice also shall include the opt-out information described in division (D) (1) of section 2930.16 of the Revised Code. The authority, in accordance with division (D) (2) of section 2930.16 of the Revised Code, shall keep a record of all attempts to provide the notice, and of all notices provided, under this division.

Division (A) (3) (b) of this section, and the notice-related provisions of divisions (E) (2) and (K) of section 2929.20, division (D) (1) of section 2930.16, division (H) of section 2967.12, division (E) (1) (b) of section 2967.19 as it existed prior to April 4, 2023, division (D) (1) of section 2967.28, and division (A) (2) of section 5149.101 of the Revised Code enacted in the act in which division (A) (3) (b) of this section was enacted, shall be known as "Roberta's Law."

(4) The department of rehabilitation and correction, at

least sixty days prior to transferring a prisoner to 201  
transitional control pursuant to this section, shall post on the 202  
database it maintains pursuant to section 5120.66 of the Revised 203  
Code the prisoner's name and all of the information specified in 204  
division (A) (1) (c) (iv) of that section. In addition to and 205  
independent of the right of a victim to submit a statement as 206  
described in division (A) (3) of this section or to otherwise 207  
make a statement and in addition to and independent of any other 208  
right or duty of a person to present information or make a 209  
statement, any person may send to the division of parole and 210  
community services at any time prior to the division's transfer 211  
of the prisoner to transitional control a written statement 212  
regarding the transfer of the prisoner to transitional control. 213  
In addition to the information, reports, and statements it 214  
considers under divisions (A) (2) and (3) of this section or that 215  
it otherwise considers, the division shall consider each 216  
statement submitted in accordance with this division in deciding 217  
whether to transfer the prisoner to transitional control. 218

(B) Each prisoner transferred to transitional control 219  
under this section shall be confined in the manner described in 220  
division (A) of this section during any period of time that the 221  
prisoner is not actually working at the prisoner's approved 222  
employment, engaged in a vocational training or another 223  
educational program, engaged in another program designated by 224  
the director, or engaged in other activities approved by the 225  
department. 226

(C) The department of rehabilitation and correction shall 227  
adopt rules for transferring eligible prisoners to transitional 228  
control, supervising and confining prisoners so transferred, 229  
administering the transitional control program in accordance 230

with this section, and using the moneys deposited into the 231  
transitional control fund established under division (E) of this 232  
section. 233

(D) The department of rehabilitation and correction may 234  
adopt rules for the issuance of passes for the limited purposes 235  
described in this division to prisoners who are transferred to 236  
transitional control under this section. If the department 237  
adopts rules of that nature, the rules shall govern the granting 238  
of the passes and shall provide for the supervision of prisoners 239  
who are temporarily released pursuant to one of those passes. 240  
Upon the adoption of rules under this division, the department 241  
may issue passes to prisoners who are transferred to 242  
transitional control status under this section in accordance 243  
with the rules and the provisions of this division. All passes 244  
issued under this division shall be for a maximum of forty-eight 245  
hours and may be issued only for the following purposes: 246

- (1) To visit a relative in imminent danger of death; 247
- (2) To have a private viewing of the body of a deceased 248  
relative; 249
- (3) To visit with family; 250
- (4) To otherwise aid in the rehabilitation of the 251  
prisoner. 252

(E) The division of parole and community services may 253  
require a prisoner who is transferred to transitional control to 254  
pay to the division the reasonable expenses incurred by the 255  
division in supervising or confining the prisoner while under 256  
transitional control. Inability to pay those reasonable expenses 257  
shall not be grounds for refusing to transfer an otherwise 258  
eligible prisoner to transitional control. Amounts received by 259

the division of parole and community services under this 260  
division shall be deposited into the transitional control fund, 261  
which is hereby created in the state treasury and which hereby 262  
replaces and succeeds the furlough services fund that formerly 263  
existed in the state treasury. All moneys that remain in the 264  
furlough services fund on March 17, 1998, shall be transferred 265  
on that date to the transitional control fund. The transitional 266  
control fund shall be used solely to pay costs related to the 267  
operation of the transitional control program established under 268  
this section. The director of rehabilitation and correction 269  
shall adopt rules in accordance with section 111.15 of the 270  
Revised Code for the use of the fund. 271

(F) A prisoner who violates any rule established by the 272  
department of rehabilitation and correction under division (A), 273  
(C), or (D) of this section may be transferred to a state 274  
correctional institution pursuant to rules adopted under 275  
division (A), (C), or (D) of this section, but the prisoner 276  
shall receive credit towards completing the prisoner's sentence 277  
for the time spent under transitional control. 278

If a prisoner is transferred to transitional control under 279  
this section, upon successful completion of the period of 280  
transitional control, the prisoner may be released on parole or 281  
under post-release control pursuant to section 2967.13 or 282  
2967.28 of the Revised Code and rules adopted by the department 283  
of rehabilitation and correction. If the prisoner is released 284  
under post-release control, the duration of the post-release 285  
control, the type of post-release control sanctions that may be 286  
imposed, the enforcement of the sanctions, and the treatment of 287  
prisoners who violate any sanction applicable to the prisoner 288  
are governed by section 2967.28 of the Revised Code. 289

**Sec. 2967.271.** (A) As used in this section: 290

(1) "Offender's minimum prison term" means the minimum 291  
prison term imposed on an offender under a non-life felony 292  
indefinite prison term, diminished as provided in section 293  
2967.191 or 2967.193 of the Revised Code or in any other 294  
provision of the Revised Code, other than division (F) of this 295  
section, that provides for diminution or reduction of an 296  
offender's sentence. 297

(2) "Offender's presumptive earned early release date" 298  
means the date that is determined under the procedures described 299  
in division (F) of this section by the reduction, if any, of an 300  
offender's minimum prison term by the sentencing court and the 301  
crediting of that reduction toward the satisfaction of the 302  
minimum term. 303

(3) "Rehabilitative programs and activities" means 304  
education programs, vocational training, employment in prison 305  
industries, treatment for substance abuse, or other constructive 306  
programs developed by the department of rehabilitation and 307  
correction with specific standards for performance by prisoners. 308

(4) "Security level" means the security level in which an 309  
offender is classified under the inmate classification level 310  
system of the department of rehabilitation and correction that 311  
then is in effect. 312

(5) "Sexually oriented offense" has the same meaning as in 313  
section 2950.01 of the Revised Code. 314

(B) When an offender is sentenced to a non-life felony 315  
indefinite prison term, there shall be a presumption that the 316  
person shall be released from service of the sentence on the 317  
expiration of the offender's minimum prison term or on the 318

offender's presumptive earned early release date, whichever is 319  
earlier. 320

(C) The presumption established under division (B) of this 321  
section is a rebuttable presumption that the department of 322  
rehabilitation and correction may rebut as provided in this 323  
division. Unless the department rebuts the presumption, the 324  
offender shall be released from service of the sentence on the 325  
expiration of the offender's minimum prison term or on the 326  
offender's presumptive earned early release date, whichever is 327  
earlier. The department may rebut the presumption only if the 328  
department determines, at a hearing, that one or more of the 329  
following applies: 330

(1) Regardless of the security level in which the offender 331  
is classified at the time of the hearing, both of the following 332  
apply: 333

(a) During the offender's incarceration, the offender 334  
committed institutional rule infractions that involved 335  
compromising the security of a state correctional institution, 336  
compromising the safety of the staff of a state correctional 337  
institution or its inmates, or physical harm or the threat of 338  
physical harm to the staff of a state correctional institution 339  
or its inmates, or committed a violation of law that was not 340  
prosecuted, and the infractions or violations demonstrate that 341  
the offender has not been rehabilitated. 342

(b) The offender's behavior while incarcerated, including, 343  
but not limited to the infractions and violations specified in 344  
division (C)(1)(a) of this section, demonstrate that the 345  
offender continues to pose a threat to society. 346

(2) Regardless of the security level in which the offender 347

is classified at the time of the hearing, the offender has been 348  
placed by the department in extended restrictive housing at any 349  
time within the year preceding the date of the hearing. 350

(3) At the time of the hearing, the offender is classified 351  
by the department as a security level three, four, or five, or 352  
at a higher security level. 353

(D) (1) If the department of rehabilitation and correction, 354  
pursuant to division (C) of this section, rebuts the presumption 355  
established under division (B) of this section, the department 356  
may maintain the offender's incarceration in a state 357  
correctional institution under the sentence after the expiration 358  
of the offender's minimum prison term or, for offenders who have 359  
a presumptive earned early release date, after the offender's 360  
presumptive earned early release date. The department may 361  
maintain the offender's incarceration under this division for an 362  
additional period of incarceration determined by the department. 363  
The additional period of incarceration shall be a reasonable 364  
period determined by the department, shall be specified by the 365  
department, and shall not exceed the offender's maximum prison 366  
term. 367

(2) If the department maintains an offender's 368  
incarceration for an additional period under division (D) (1) of 369  
this section, there shall be a presumption that the offender 370  
shall be released on the expiration of the offender's minimum 371  
prison term plus the additional period of incarceration 372  
specified by the department as provided under that division or, 373  
for offenders who have a presumptive earned early release date, 374  
on the expiration of the additional period of incarceration to 375  
be served after the offender's presumptive earned early release 376  
date that is specified by the department as provided under that 377

division. The presumption is a rebuttable presumption that the  
department may rebut, but only if it conducts a hearing and  
makes the determinations specified in division (C) of this  
section, and if the department rebuts the presumption, it may  
maintain the offender's incarceration in a state correctional  
institution for an additional period determined as specified in  
division (D)(1) of this section. Unless the department rebuts  
the presumption at the hearing, the offender shall be released  
from service of the sentence on the expiration of the offender's  
minimum prison term plus the additional period of incarceration  
specified by the department or, for offenders who have a  
presumptive earned early release date, on the expiration of the  
additional period of incarceration to be served after the  
offender's presumptive earned early release date as specified by  
the department.

The provisions of this division regarding the  
establishment of a rebuttable presumption, the department's  
rebuttal of the presumption, and the department's maintenance of  
an offender's incarceration for an additional period of  
incarceration apply, and may be utilized more than one time,  
during the remainder of the offender's incarceration. If the  
offender has not been released under division (C) of this  
section or this division prior to the expiration of the  
offender's maximum prison term imposed as part of the offender's  
non-life felony indefinite prison term, the offender shall be  
released upon the expiration of that maximum term.

(E) The department shall provide notices of hearings to be  
conducted under division (C) or (D) of this section in the same  
manner, and to the same persons, as specified in section 2967.12  
and Chapter 2930. of the Revised Code with respect to hearings



to be conducted regarding the possible release on parole of an 408  
inmate. 409

(F) (1) The director of the department of rehabilitation 410  
and correction may notify the sentencing court in writing that 411  
the director is recommending that the court grant a reduction in 412  
the minimum prison term imposed on a specified offender who is 413  
serving a non-life felony indefinite prison term and who is 414  
eligible under division (F) (8) of this section for such a 415  
reduction, due to the offender's exceptional conduct while 416  
incarcerated or the offender's adjustment to incarceration. If 417  
the director wishes to recommend such a reduction for an 418  
offender, the director shall send the notice to the court not 419  
earlier than ninety days prior to the date on which the director 420  
wishes to credit the reduction toward the satisfaction of the 421  
offender's minimum prison term. If the director recommends such 422  
a reduction for an offender, there shall be a presumption that 423  
the court shall grant the recommended reduction to the offender. 424  
The presumption established under this division is a rebuttable 425  
presumption that may be rebutted as provided in division (F) (4) 426  
of this section. 427

The director shall include with the notice sent to a court 428  
under this division an institutional summary report that covers 429  
the offender's participation while confined in a state 430  
correctional institution in rehabilitative programs and 431  
activities and any disciplinary action taken against the 432  
offender while so confined, and any other documentation 433  
requested by the court, if available. 434

The notice the director sends to a court under this 435  
division shall do all of the following: 436

(a) Identify the offender; 437

(b) Specify the length of the recommended reduction, which 438  
shall be for five to fifteen per cent of the offender's minimum 439  
term determined in accordance with rules adopted by the 440  
department under division (F) (7) of this section; 441

(c) Specify the reason or reasons that qualify the 442  
offender for the recommended reduction; 443

(d) Inform the court of the rebuttable presumption and 444  
that the court must either approve or, if the court finds that 445  
the presumption has been rebutted, disapprove of the recommended 446  
reduction, and that if it approves of the recommended reduction, 447  
it must grant the reduction; 448

(e) Inform the court that it must notify the department of 449  
its decision as to approval or disapproval not later than sixty 450  
days after receipt of the notice from the director. 451

(2) When the director, under division (F) (1) of this 452  
section, submits a notice to a sentencing court that the 453  
director is recommending that the court grant a reduction in the 454  
minimum prison term imposed on an offender serving a non-life 455  
felony indefinite prison term, the department promptly shall 456  
provide to the prosecuting attorney of the county in which the 457  
offender was indicted a copy of the written notice, a copy of 458  
the institutional summary report described in that division, and 459  
any other information provided to the court. 460

(3) Upon receipt of a notice submitted by the director 461  
under division (F) (1) of this section, the court shall schedule 462  
a hearing to consider whether to grant the reduction in the 463  
minimum prison term imposed on the specified offender that was 464  
recommended by the director or to find that the presumption has 465  
been rebutted and disapprove the recommended reduction. Upon 466

scheduling the hearing, the court promptly shall give notice of 467  
the hearing to the prosecuting attorney of the county in which 468  
the offender was indicted and to the department. The notice 469  
shall inform the prosecuting attorney that the prosecuting 470  
attorney may submit to the court, prior to the date of the 471  
hearing, written information relevant to the recommendation and 472  
may present at the hearing written information and oral 473  
information relevant to the recommendation. 474

Upon receipt of the notice from the court, the prosecuting 475  
attorney shall notify the victim of the offender or the victim's 476  
representative of the recommendation by the director, the date, 477  
time, and place of the hearing, the fact that the victim may 478  
submit to the court, prior to the date of the hearing, written 479  
information relevant to the recommendation, and the address and 480  
procedure for submitting the information. 481

(4) At the hearing scheduled under division (F)(3) of this 482  
section, the court shall afford the prosecuting attorney an 483  
opportunity to present written information and oral information 484  
relevant to the director's recommendation. In making its 485  
determination as to whether to grant or disapprove the reduction 486  
in the minimum prison term imposed on the specified offender 487  
that was recommended by the director, the court shall consider 488  
any report and other documentation submitted by the director, 489  
any information submitted by a victim, any information submitted 490  
or presented at the hearing by the prosecuting attorney, and all 491  
of the factors set forth in divisions (B) to (D) of section 492  
2929.12 of the Revised Code that are relevant to the offender's 493  
offense and to the offender. 494

Unless the court, after considering at the hearing the 495  
specified reports, documentation, information, and relevant 496

factors, finds that the presumption that the recommended 497  
reduction shall be granted has been rebutted and disapproves the 498  
recommended reduction, the court shall grant the recommended 499  
reduction. The court may disapprove the recommended reduction 500  
only if, after considering at the hearing the specified reports, 501  
documentation, information, and relevant factors, it finds that 502  
the presumption that the reduction shall be granted has been 503  
rebutted. The court may find that the presumption has been 504  
rebutted and disapprove the recommended reduction only if it 505  
determines at the hearing that one or more of the following 506  
applies: 507

(a) Regardless of the security level in which the offender 508  
is classified at the time of the hearing, during the offender's 509  
incarceration, the offender committed institutional rule 510  
infractions that involved compromising the security of a state 511  
correctional institution, compromising the safety of the staff 512  
of a state correctional institution or its inmates, or physical 513  
harm or the threat of physical harm to the staff of a state 514  
correctional institution or its inmates, or committed a 515  
violation of law that was not prosecuted, and the infractions or 516  
violations demonstrate that the offender has not been 517  
rehabilitated. 518

(b) The offender's behavior while incarcerated, including, 519  
but not limited to, the infractions and violations specified in 520  
division (F)(4)(a) of this section, demonstrates that the 521  
offender continues to pose a threat to society. 522

(c) At the time of the hearing, the offender is classified 523  
by the department as a security level three, four, or five, or 524  
at a higher security level. 525

(d) During the offender's incarceration, the offender did 526

not productively participate in a majority of the rehabilitative 527  
programs and activities recommended by the department for the 528  
offender, or the offender participated in a majority of such 529  
recommended programs or activities but did not successfully 530  
complete a reasonable number of the programs or activities in 531  
which the offender participated. 532

(e) After release, the offender will not be residing in a 533  
halfway house, reentry center, or community residential center 534  
licensed under division ~~(C)~~ (D) of section 2967.14 of the 535  
Revised Code and, after release, does not have any other place 536  
to reside at a fixed residence address. 537

(5) If the court pursuant to division (F) (4) of this 538  
section finds that the presumption that the recommended 539  
reduction in the offender's minimum prison term has been 540  
rebutted and disapproves the recommended reduction, the court 541  
shall notify the department of the disapproval not later than 542  
sixty days after receipt of the notice from the director. The 543  
court shall specify in the notification the reason or reasons 544  
for which it found that the presumption was rebutted and 545  
disapproved the recommended reduction. The court shall not 546  
reduce the offender's minimum prison term, and the department 547  
shall not credit the amount of the disapproved reduction toward 548  
satisfaction of the offender's minimum prison term. 549

If the court pursuant to division (F) (4) of this section 550  
grants the recommended reduction of the offender's minimum 551  
prison term, the court shall notify the department of the grant 552  
of the reduction not later than sixty days after receipt of the 553  
notice from the director, the court shall reduce the offender's 554  
minimum prison term in accordance with the recommendation 555  
submitted by the director, and the department shall credit the 556

amount of the reduction toward satisfaction of the offender's 557  
minimum prison term. 558

Upon deciding whether to disapprove or grant the 559  
recommended reduction of the offender's minimum prison term, the 560  
court shall notify the prosecuting attorney of the decision and 561  
the prosecuting attorney shall notify the victim or victim's 562  
representative of the court's decision. 563

(6) If the court under division (F) (5) of this section 564  
grants the reduction in the minimum prison term imposed on an 565  
offender that was recommended by the director and reduces the 566  
offender's minimum prison term, the date determined by the 567  
department's crediting of the reduction toward satisfaction of 568  
the offender's minimum prison term is the offender's presumptive 569  
earned early release date. 570

(7) The department of rehabilitation and correction by 571  
rule shall specify both of the following for offenders serving a 572  
non-life felony indefinite prison term: 573

(a) The type of exceptional conduct while incarcerated and 574  
the type of adjustment to incarceration that will qualify an 575  
offender serving such a prison term for a reduction under 576  
divisions (F) (1) to (6) of this section of the minimum prison 577  
term imposed on the offender under the non-life felony 578  
indefinite prison term. 579

(b) The per cent of reduction that it may recommend for, 580  
and that may be granted to, an offender serving such a prison 581  
term under divisions (F) (1) to (6) of this section, based on the 582  
offense level of the offense for which the prison term was 583  
imposed, with the department specifying the offense levels used 584  
for purposes of this division and assigning a specific 585

percentage reduction within the range of five to fifteen per 586  
cent for each such offense level. 587

(8) Divisions (F)(1) to (6) of this section do not apply 588  
with respect to an offender serving a non-life felony indefinite 589  
prison term for a sexually oriented offense, and no offender 590  
serving such a prison term for a sexually oriented offense is 591  
eligible to be recommended for or granted, or may be recommended 592  
for or granted, a reduction under those divisions in the 593  
offender's minimum prison term imposed under that non-life 594  
felony indefinite prison term. 595

(G) If an offender is sentenced to a non-life felony 596  
indefinite prison term, any reference in a section of the 597  
Revised Code to a definite prison term shall be construed as 598  
referring to the offender's minimum term under that sentence 599  
plus any additional period of time of incarceration specified by 600  
the department under division (D)(1) or (2) of this section, 601  
except to the extent otherwise specified in the section or to 602  
the extent that that construction clearly would be 603  
inappropriate." 604

After line 93248, insert: 605

**"Sec. 5120.035.** (A) As used in this section: 606

(1) "Community treatment provider" means a program that 607  
provides substance use disorder assessment and treatment for 608  
persons and that satisfies all of the following: 609

(a) It is located outside of a state correctional 610  
institution. 611

(b) It shall provide the assessment and treatment for 612  
qualified prisoners referred and transferred to it under this 613

section in a suitable facility that is licensed pursuant to 614  
division ~~(C)~~ (D) of section 2967.14 of the Revised Code. 615

(c) All qualified prisoners referred and transferred to it 616  
under this section shall reside initially in the suitable 617  
facility specified in division (A) (1) (b) of this section while 618  
undergoing the assessment and treatment. 619

(2) "Electronic monitoring device" has the same meaning as 620  
in section 2929.01 of the Revised Code. 621

(3) "State correctional institution" has the same meaning 622  
as in section 2967.01 of the Revised Code. 623

(4) "Qualified prisoner" means a person who satisfies all 624  
of the following: 625

(a) The person is confined in a state correctional 626  
institution under a prison term imposed for a felony of the 627  
third, fourth, or fifth degree that is not an offense of 628  
violence. 629

(b) The department of rehabilitation and correction 630  
determines, using a standardized assessment tool, that the 631  
person has a substance use disorder. 632

(c) The person has not more than twelve months remaining 633  
to be served under the prison term described in division (A) (4) 634  
(a) of this section. 635

(d) The person is not serving any prison term other than 636  
the term described in division (A) (4) (a) of this section. 637

(e) The person is eighteen years of age or older. 638

(f) The person does not show signs of drug or alcohol 639  
withdrawal and does not require medical detoxification. 640



(g) As determined by the department of rehabilitation and correction, the person is physically and mentally capable of uninterrupted participation in the substance use disorder treatment program established under division (B) of this section.

(B) The department of rehabilitation and correction shall establish and operate a program for community-based substance use disorder treatment for qualified prisoners. The purpose of the program shall be to provide substance use disorder assessment and treatment through community treatment providers to help reduce substance use relapses and recidivism for qualified prisoners while preparing them for reentry into the community and improving public safety.

(C) (1) The department shall determine which qualified prisoners in its custody should be placed in the substance use disorder treatment program established under division (B) of this section. The department has full discretion in making that determination. If the department determines that a qualified prisoner should be placed in the program, the department may refer the prisoner to a community treatment provider the department has approved under division (E) of this section for participation in the program and transfer the prisoner from the state correctional institution to the provider's approved and licensed facility. Except as otherwise provided in division (C) (3) of this section, no prisoner shall be placed under the program in any facility other than a facility of a community treatment provider that has been so approved. If the department places a prisoner in the program, the prisoner shall receive credit against the prisoner's prison term for all time served in the provider's approved and licensed facility and may earn days

of credit under section 2967.193 or 2967.194 of the Revised 671  
Code, but otherwise neither the placement nor the prisoner's 672  
participation in or completion of the program shall result in 673  
any reduction of the prisoner's prison term. 674

(2) If the department places a prisoner in the substance 675  
use disorder treatment program, the prisoner does not 676  
satisfactorily participate in the program, and the prisoner has 677  
not served the prisoner's entire prison term, the department may 678  
remove the prisoner from the program and return the prisoner to 679  
a state correctional institution. 680

(3) If the department places a prisoner in the substance 681  
use disorder treatment program and the prisoner is 682  
satisfactorily participating in the program, the department may 683  
permit the prisoner to reside at a residence approved by the 684  
department if the department determines, with input from the 685  
community treatment provider, that residing at the approved 686  
residence will help the prisoner prepare for reentry into the 687  
community and will help reduce substance use relapses and 688  
recidivism for the prisoner. If a prisoner is permitted under 689  
this division to reside at a residence approved by the 690  
department, the prisoner shall be monitored during the period of 691  
that residence by an electronic monitoring device. 692

(D) (1) When a prisoner has been placed in the substance 693  
use disorder treatment program established under division (B) of 694  
this section, before the prisoner is released from custody of 695  
the department upon completion of the prisoner's prison term, 696  
the department shall conduct and prepare an evaluation of the 697  
prisoner, the prisoner's participation in the program, and the 698  
prisoner's needs regarding substance use disorder treatment upon 699  
release. Before the prisoner is released from custody of the 700

department upon completion of the prisoner's prison term, the 701  
parole board or the court acting pursuant to an agreement under 702  
section 2967.29 of the Revised Code shall consider the 703  
evaluation, in addition to all other information and materials 704  
considered, as follows: 705

(a) If the prisoner is a prisoner for whom post-release 706  
control is mandatory under section 2967.28 of the Revised Code, 707  
the board or court shall consider it in determining which post- 708  
release control sanction or sanctions to impose upon the 709  
prisoner under that section. 710

(b) If the prisoner is a prisoner for whom post-release 711  
control is not mandatory under section 2967.28 of the Revised 712  
Code, the board or court shall consider it in determining 713  
whether a post-release control sanction is necessary and, if so, 714  
which post-release control sanction or sanctions to impose upon 715  
the prisoner under that section. 716

(2) If the department determines that a prisoner it placed 717  
in the substance use disorder treatment program successfully 718  
completed the program and successfully completed a term of post- 719  
release control, if applicable, and if the prisoner submits an 720  
application under section 2953.32 or the prosecutor in the case 721  
submits an application under section 2953.39 of the Revised Code 722  
for sealing or expungement of the record of the conviction, the 723  
director may issue a letter to the court in support of the 724  
application. 725

(E) (1) The department shall accept applications from 726  
community treatment providers that satisfy the requirement 727  
specified in division (E) (2) of this section and that wish to 728  
participate in the substance use disorder treatment program 729  
established under division (B) of this section, and shall 730

approve for participation in the program at least four and not 731  
more than eight of the providers that apply. To the extent 732  
feasible, the department shall approve one or more providers 733  
from each geographical quadrant of the state. 734

(2) Each community treatment provider that applies under 735  
division (E) (1) of this section to participate in the program 736  
shall have the provider's alcohol and drug addiction services 737  
that provide substance use disorder treatment certified by the 738  
department of mental health and addiction services under section 739  
5119.36 of the Revised Code. A community treatment provider is 740  
not required to have the provider's halfway house or residential 741  
treatment certified by the department of mental health and 742  
addiction services. 743

(F) The department of rehabilitation and correction shall 744  
adopt rules for the operation of the substance use disorder 745  
treatment program it establishes under division (B) of this 746  
section and shall operate the program in accordance with this 747  
section and those rules. The rules shall establish, at a 748  
minimum, all of the following: 749

(1) Criteria that establish which qualified prisoners are 750  
eligible for the program; 751

(2) Criteria that must be satisfied to transfer a 752  
qualified prisoner to a residence pursuant to division (C) (3) of 753  
this section; 754

(3) Criteria for the removal of a prisoner from the 755  
program pursuant to division (C) (2) of this section; 756

(4) Criteria for determining when an offender has 757  
successfully completed the program for purposes of division (D) 758  
(2) of this section; 759

(5) Criteria for community treatment providers to provide 760  
assessment and treatment, including minimum standards for 761  
treatment." 762  
Update the title, amend, enact, or repeal clauses accordingly 763

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 764

**Reentry housing near schools** 765

**R.C. 2967.14 with conforming changes in R.C. 2967.26,** 766  
**2967.271, and 5120.035** 767

Prohibits DRC's Division of Parole and Community Services 768  
from licensing a halfway house, reentry center, or community 769  
residential center that operates within 500 feet of a school or 770  
child care center. 771

Sub. H. B. No. 96

I\_136\_0001-4

MCD42

\_\_\_\_\_ moved to amend as follows:

- In line 98464, after "**5166.50.**" insert "(A)"; delete "two years" and insert "one year" 1 2
- In line 98465, delete "establish" and insert "apply for" 3
- In line 98470, delete "(A)" and insert "(1)" 4
- In line 98471, delete "(B)" and insert "(2)" 5
- In line 98472, delete "(C)" and insert "(3)" 6
- In line 98473, delete "(D)" and insert "(4)" 7
- After line 98474, insert: 8
- "(B) The department shall implement the medicaid waiver component within one year of approval from the United States centers for medicare and medicaid services." 9 10 11
- (C) (1) If the department is unable to apply for the medicaid waiver component within the time frame specified in division (A) of this section, the department shall request an extension of up to thirty days from the speaker of the house of representatives and the president of the senate. 12 13 14 15
- (2) If the department is unable to implement the medicaid waiver 16

component within the time frame specified in division (B) of this section, 17  
the department shall request an extension for the amount of time needed to 18  
implement the waiver component from the speaker of the house of 19  
representatives and the president of the senate. 20

(D) If the medicaid waiver component is not approved by the United 21  
States centers for medicare and medicaid services, the department shall 22  
reapply for the waiver within four years of the effective date of this 23  
section." 24

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 25

**Medicaid waiver for reentry services** 26

**R.C. 5166.50** 27

Establishes a timeline for the implementation of a House- 28  
added provision requiring ODM to create a Medicaid waiver 29  
component to provide reentry services to incarcerated 30  
individuals. 31

\_\_\_\_\_ moved to amend as follows:

In the table on line 117659, in row R, delete the first 1  
"\$12,187,500" and insert "\$12,437,500" 2

In the table on line 117659, in rows Z and BW, add \$250,000 to 3  
fiscal year 2026 4

After line 117765, insert: 5

"Of the foregoing appropriation item 440485, Health Program Support, 6  
\$250,000 in fiscal year 2026 shall be used to provide fellowship stipends 7  
to Dayton Children's Hospital for pediatric therapy students interested in 8  
prioritized regional needs, as identified by the hospital." 9

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 10

**Department of Health** 11

**Sections 291.10 and 291.20** 12

Increases GRF ALI 440485, Health Program Support, by 13

Legislative Service Commission





\$250,000 in FY 2026. Requires the increase in funds to be used	14
to provide fellowship stipends to Dayton Children's Hospital for	15
pediatric therapy students interested in prioritized regional	16
needs.	17
	18

\_\_\_\_\_ moved to amend as follows:

After line 42014, insert:

**"Sec. 3313.603.** (A) As used in this section:

(1) "One unit" means a minimum of one hundred twenty hours of course instruction, except that for a laboratory course, "one unit" means a minimum of one hundred fifty hours of course instruction.

(2) "One-half unit" means a minimum of sixty hours of course instruction, except that for physical education courses, "one-half unit" means a minimum of one hundred twenty hours of course instruction.

(B) Beginning September 15, 2001, except as required in division (C) of this section and division (C) of section 3313.614 of the Revised Code, the requirements for graduation from every high school shall include twenty units earned in grades nine through twelve and shall be distributed as follows:

(1) English language arts, four units;

(2) Health, one-half unit;

(3) Mathematics, three units;

(4) Physical education, one-half unit;	19
(5) Science, two units until September 15, 2003, and three	20
units thereafter, which at all times shall include both of the	21
following:	22
(a) Biological sciences, one unit;	23
(b) Physical sciences, one unit.	24
(6) History and government, one unit, which shall comply	25
with division (M) of this section and shall include both of the	26
following:	27
(a) American history, one-half unit;	28
(b) American government, one-half unit.	29
(7) Social studies, two units.	30
Beginning with students who enter ninth grade for the	31
first time on or after July 1, 2017, the two units of	32
instruction prescribed by division (B) (7) of this section shall	33
include at least one-half unit of instruction in the study of	34
world history and civilizations.	35
(8) Elective units, seven units until September 15, 2003,	36
and six units thereafter.	37
Each student's electives shall include at least one unit,	38
or two half units, chosen from among the areas of	39
business/technology, fine arts, and/or foreign language.	40
(C) Beginning with students who enter ninth grade for the	41
first time on or after July 1, 2010, except as provided in	42
divisions (D) to (F) of this section, the requirements for	43
graduation from every public and chartered nonpublic high school	44
shall include twenty units that are designed to prepare students	45

for the workforce and college. The units shall be distributed as follows:

(1) English language arts, four units;

(2) Health, one-half unit, which shall include instruction in nutrition and the benefits of nutritious foods and physical activity for overall health;

(3) Mathematics, four units, which shall include one unit of algebra II or the equivalent of algebra II, or one unit of advanced computer science as described in the standards adopted pursuant to division (A) (4) of section 3301.079 of the Revised Code. However, students who enter ninth grade for the first time on or after July 1, 2015, and who are pursuing a career-technical instructional track shall not be required to take algebra II or advanced computer science, and instead may complete a career-based pathway mathematics course approved by the department of education and workforce as an alternative.

For students who choose to take advanced computer science in lieu of algebra II under division (C) (3) of this section, the school shall communicate to those students that some institutions of higher education may require algebra II for the purpose of college admission. Also, the parent, guardian, or legal custodian of each student who chooses to take advanced computer science in lieu of algebra II shall sign and submit to the school a document containing a statement acknowledging that not taking algebra II may have an adverse effect on college admission decisions.

A student may fulfill one unit of mathematics under division (C) (3) of this section by completing one-half unit of financial literacy instruction to satisfy the requirement

prescribed under division (C) (9) of this section and one-half 75  
unit of a mathematics course. The one-half unit course in 76  
mathematics shall not be in algebra II, or its equivalent, or a 77  
course for which the department requires an end-of-course 78  
examination under section 3301.0712 of the Revised Code. 79

Students who choose to take one unit of advanced computer 80  
science in lieu of algebra II, as described in division (C) (3) 81  
of this section, shall not be permitted to complete one-half 82  
unit of financial literacy instruction to satisfy the 83  
mathematics unit requirements of that division. Instead, those 84  
students shall be required to complete the one-half unit of 85  
financial literacy instruction under division (C) (8) of this 86  
section. 87

(4) Physical education, one-half unit; 88

(5) Science, three units with inquiry-based laboratory 89  
experience that engages students in asking valid scientific 90  
questions and gathering and analyzing information, which shall 91  
include the following, or their equivalent: 92

(a) Physical sciences, one unit; 93

(b) Life sciences, one unit; 94

(c) Advanced study in one or more of the following 95  
sciences, one unit: 96

(i) Chemistry, physics, or other physical science; 97

(ii) Advanced biology or other life science; 98

(iii) Astronomy, physical geology, or other earth or space 99  
science; 100

(iv) Computer science. 101

No student shall substitute a computer science course for  
a life sciences or biology course under division (C) (5) of this  
section.

(6) History and government, one unit, which shall comply  
with division (M) of this section and shall include both of the  
following:

(a) American history, one-half unit;

(b) American government, one-half unit.

(7) Social studies, two units.

Beginning with students who enter ninth grade for the  
first time on or after July 1, 2017, the two units of  
instruction prescribed by division (C) (7) of this section shall  
include at least one-half unit of instruction in the study of  
world history and civilizations.

(8) Five units consisting of one or any combination of  
foreign language, fine arts, business, career-technical  
education, family and consumer sciences, technology which may  
include computer science, agricultural education, a junior  
reserve officer training corps (JROTC) program approved by the  
congress of the United States under title 10 of the United  
States Code, or English language arts, mathematics, science, or  
social studies courses not otherwise required under division (C)  
of this section.

One-half unit of instruction under division (C) (8) of this  
section may be instruction in financial literacy to satisfy the  
requirement under division (C) (9) of this section.

(9) (a) Except as provided in division (C) (9) (b) of this  
section, for students who enter ninth grade for the first time

on or after July 1, 2022, financial literacy, one-half unit. 130  
 Each student shall elect to complete the one-half unit of 131  
 instruction in financial literacy either in lieu of one-half 132  
 unit of instruction in mathematics under division (C)(3) of this 133  
 section or an elective under division (C)(8) of this section. A 134  
 student may fulfill the financial literacy instruction 135  
 requirement under division (C)(9) of this section through the 136  
 successful completion of an advanced placement course in 137  
 microeconomics or macroeconomics. 138

(b) A student attending a nonpublic school accredited 139  
 through the independent schools association of the central 140  
 states or any other chartered nonpublic school shall not be 141  
 required to complete the one-half unit of financial literacy 142  
 instruction prescribed in division (C)(9)(a) of this section, 143  
 unless that student is attending the school under a state 144  
 scholarship program as defined in section 3301.0711 of the 145  
 Revised Code. 146

The study and instruction of financial literacy required 147  
 under division (C)(9) of this section shall align with the 148  
 academic content standards for financial literacy and 149  
 entrepreneurship adopted under division (A)(2) of section 150  
 3301.079 of the Revised Code. The instruction provided under an 151  
 advanced placement course in microeconomics or macroeconomics 152  
 shall be considered to be aligned with those academic content 153  
 standards. In developing the curriculum for the study and 154  
 instruction of financial literacy, schools may use available 155  
 public-private partnerships and resources and materials that 156  
 exist in business, industry, and through the centers for 157  
 economics education at institutions of higher education. 158

Ohioans must be prepared to apply increased knowledge and 159

skills in the workplace and to adapt their knowledge and skills 160  
 quickly to meet the rapidly changing conditions of the twenty- 161  
 first century. National studies indicate that all high school 162  
 graduates need the same academic foundation, regardless of the 163  
 opportunities they pursue after graduation. The goal of Ohio's 164  
 system of elementary and secondary education is to prepare all 165  
 students for and seamlessly connect all students to success in 166  
 life beyond high school graduation, regardless of whether the 167  
 next step is entering the workforce, beginning an 168  
 apprenticeship, engaging in post-secondary training, serving in 169  
 the military, or pursuing a college degree. 170

The requirements for graduation prescribed in division (C) 171  
 of this section are the standard expectation for all students 172  
 entering ninth grade for the first time at a public or chartered 173  
 nonpublic high school on or after July 1, 2010. A student may 174  
 satisfy this expectation through a variety of methods, 175  
 including, but not limited to, integrated, applied, career- 176  
 technical, and traditional coursework. 177

Stronger coordination between high schools and 178  
 institutions of higher education is necessary to prepare 179  
 students for more challenging academic endeavors and to lessen 180  
 the need for academic remediation in college, thereby reducing 181  
 the costs of higher education for Ohio's students, families, and 182  
 the state. The department and the chancellor of higher education 183  
 shall develop policies to ensure that only in rare instances 184  
 will students who complete the requirements for graduation 185  
 prescribed in division (C) of this section require academic 186  
 remediation after high school. 187

School districts, community schools, and chartered 188  
 nonpublic schools shall integrate technology into learning 189



experiences across the curriculum in order to maximize 190  
 efficiency, enhance learning, and prepare students for success 191  
 in the technology-driven twenty-first century. Districts and 192  
 schools shall use distance and web-based course delivery as a 193  
 method of providing or augmenting all instruction required under 194  
 this division, including laboratory experience in science. 195  
 Districts and schools shall utilize technology access and 196  
 electronic learning opportunities provided by the broadcast 197  
 educational media commission, chancellor, the Ohio learning 198  
 network, education technology centers, public television 199  
 stations, and other public and private providers. 200

(D) Except as provided in division (E) of this section, a 201  
 student who enters ninth grade on or after July 1, 2010, and 202  
 before July 1, 2016, may qualify for graduation from a public or 203  
 chartered nonpublic high school even though the student has not 204  
 completed the requirements for graduation prescribed in division 205  
 (C) of this section if all of the following conditions are 206  
 satisfied: 207

(1) During the student's third year of attending high 208  
 school, as determined by the school, the student and the 209  
 student's parent, guardian, or custodian sign and file with the 210  
 school a written statement asserting the parent's, guardian's, 211  
 or custodian's consent to the student's graduating without 212  
 completing the requirements for graduation prescribed in 213  
 division (C) of this section and acknowledging that one 214  
 consequence of not completing those requirements is 215  
 ineligibility to enroll in most state universities in Ohio 216  
 without further coursework. 217

(2) The student and parent, guardian, or custodian fulfill 218  
 any procedural requirements the school stipulates to ensure the 219

student's and parent's, guardian's, or custodian's informed 220  
consent and to facilitate orderly filing of statements under 221  
division (D) (1) of this section. Annually, each district or 222  
school shall notify the department of the number of students who 223  
choose to qualify for graduation under division (D) of this 224  
section and the number of students who complete the student's 225  
success plan and graduate from high school. 226

(3) The student and the student's parent, guardian, or 227  
custodian and a representative of the student's high school 228  
jointly develop a student success plan for the student in the 229  
manner described in division (C) (1) of section 3313.6020 of the 230  
Revised Code that specifies the student matriculating to a two- 231  
year degree program, acquiring a business and industry- 232  
recognized credential, or entering an apprenticeship. 233

(4) The student's high school provides counseling and 234  
support for the student related to the plan developed under 235  
division (D) (3) of this section during the remainder of the 236  
student's high school experience. 237

(5) (a) Except as provided in division (D) (5) (b) of this 238  
section, the student successfully completes, at a minimum, the 239  
curriculum prescribed in division (B) of this section. 240

(b) Beginning with students who enter ninth grade for the 241  
first time on or after July 1, 2014, a student shall be required 242  
to complete successfully, at the minimum, the curriculum 243  
prescribed in division (B) of this section, except as follows: 244

(i) Mathematics, four units, one unit which shall be one 245  
of the following: 246

(I) Probability and statistics; 247

(II) Computer science;	248
(III) Applied mathematics or quantitative reasoning;	249
(IV) Any other course approved by the department using standards established by the superintendent not later than October 1, 2014.	250 251 252
(ii) Elective units, five units;	253
(iii) Science, three units as prescribed by division (B) of this section which shall include inquiry-based laboratory experience that engages students in asking valid scientific questions and gathering and analyzing information.	254 255 256 257
(E) Each school district and chartered nonpublic school retains the authority to require an even more challenging minimum curriculum for high school graduation than specified in division (B) or (C) of this section. A school district board of education, through the adoption of a resolution, or the governing authority of a chartered nonpublic school may stipulate any of the following:	258 259 260 261 262 263 264
(1) A minimum high school curriculum that requires more than twenty units of academic credit to graduate;	265 266
(2) An exception to the district's or school's minimum high school curriculum that is comparable to the exception provided in division (D) of this section but with additional requirements, which may include a requirement that the student successfully complete more than the minimum curriculum prescribed in division (B) of this section;	267 268 269 270 271 272
(3) That no exception comparable to that provided in division (D) of this section is available.	273 274
If a school district or chartered nonpublic school	275

requires a foreign language as an additional graduation 276  
 requirement under division (E) of this section, a student may 277  
 apply one unit of instruction in computer coding to satisfy one 278  
 unit of foreign language. If a student applies more than one 279  
 computer coding course to satisfy the foreign language 280  
 requirement, the courses shall be sequential and progressively 281  
 more difficult. 282

(F) A student enrolled in a dropout prevention and 283  
 recovery program, which program has received a waiver from the 284  
 department, may qualify for graduation from high school by 285  
 successfully completing a competency-based instructional program 286  
 administered by the dropout prevention and recovery program in 287  
 lieu of completing the requirements for graduation prescribed in 288  
 division (C) of this section. The department shall grant a 289  
 waiver to a dropout prevention and recovery program, within 290  
 sixty days after the program applies for the waiver, if the 291  
 program meets all of the following conditions: 292

(1) The program serves only students not younger than 293  
 sixteen years of age and not older than twenty-one years of age. 294

(2) The program enrolls students who, at the time of their 295  
 initial enrollment, either, or both, are at least one grade 296  
 level behind their cohort age groups or experience crises that 297  
 significantly interfere with their academic progress such that 298  
 they are prevented from continuing their traditional programs. 299

(3) The program requires students to attain at least the 300  
 applicable score designated for each of the assessments 301  
 prescribed under division (B)(1) of section 3301.0710 of the 302  
 Revised Code or, to the extent prescribed by rule of the 303  
 department under division (D)(5) of section 3301.0712 of the 304  
 Revised Code, division (B)(2) of that section. 305

(4) The program develops a student success plan for the 306  
student in the manner described in division (C)(1) of section 307  
3313.6020 of the Revised Code that specifies the student's 308  
matriculating to a two-year degree program, acquiring a business 309  
and industry-recognized credential, or entering an 310  
apprenticeship. 311

(5) The program provides counseling and support for the 312  
student related to the plan developed under division (F)(4) of 313  
this section during the remainder of the student's high school 314  
experience. 315

(6) The program requires the student and the student's 316  
parent, guardian, or custodian to sign and file, in accordance 317  
with procedural requirements stipulated by the program, a 318  
written statement asserting the parent's, guardian's, or 319  
custodian's consent to the student's graduating without 320  
completing the requirements for graduation prescribed in 321  
division (C) of this section and acknowledging that one 322  
consequence of not completing those requirements is 323  
ineligibility to enroll in most state universities in Ohio 324  
without further coursework. 325

(7) Prior to receiving the waiver, the program has 326  
submitted to the department an instructional plan that 327  
demonstrates how the academic content standards adopted by the 328  
department under section 3301.079 of the Revised Code will be 329  
taught and assessed. 330

(8) Prior to receiving the waiver, the program has 331  
submitted to the department a policy on career advising that 332  
satisfies the requirements of section 3313.6020 of the Revised 333  
Code, with an emphasis on how every student will receive career 334  
advising. 335

(9) Prior to receiving the waiver, the program has 336  
submitted to the department a written agreement outlining the 337  
future cooperation between the program and any combination of 338  
local job training, postsecondary education, nonprofit, and 339  
health and social service organizations to provide services for 340  
students in the program and their families. 341

Divisions (F) (8) and (9) of this section apply only to 342  
waivers granted on or after July 1, 2015. 343

If the department does not act either to grant the waiver 344  
or to reject the program application for the waiver within sixty 345  
days as required under this section, the waiver shall be 346  
considered to be granted. 347

(G) Every high school may permit students below the ninth 348  
grade to take advanced work. If a high school so permits, it 349  
shall award high school credit for successful completion of the 350  
advanced work and shall count such advanced work toward the 351  
graduation requirements of division (B) or (C) of this section 352  
if the advanced work was both: 353

(1) Taught by a person who possesses a license or 354  
certificate issued under section 3301.071, 3319.22, or 3319.222 355  
of the Revised Code that is valid for teaching high school; 356

(2) Designated by the board of education of the city, 357  
local, or exempted village school district, the board of the 358  
cooperative education school district, or the governing 359  
authority of the chartered nonpublic school as meeting the high 360  
school curriculum requirements. 361

Each high school shall record on the student's high school 362  
transcript all high school credit awarded under division (G) of 363  
this section. In addition, if the student completed a seventh- 364

or eighth-grade fine arts course described in division (K) of 365  
this section and the course qualified for high school credit 366  
under that division, the high school shall record that course on 367  
the student's high school transcript. 368

(H) The department shall make its individual academic 369  
career plan available through its Ohio career information system 370  
web site for districts and schools to use as a tool for 371  
communicating with and providing guidance to students and 372  
families in selecting high school courses. 373

(I) A school district or chartered nonpublic school may 374  
integrate academic content in a subject area for which the 375  
department has adopted standards under section 3301.079 of the 376  
Revised Code into a course in a different subject area, 377  
including a career-technical education course, in accordance 378  
with guidance for integrated coursework developed by the 379  
department. Upon successful completion of an integrated course, 380  
a student may receive credit for both subject areas that were 381  
integrated into the course. Units earned for subject area 382  
content delivered through integrated academic and career- 383  
technical instruction are eligible to meet the graduation 384  
requirements of division (B) or (C) of this section. 385

For purposes of meeting graduation requirements, if an 386  
end-of-course examination has been prescribed under section 387  
3301.0712 of the Revised Code for the subject area delivered 388  
through integrated instruction, the school district or school 389  
may administer the related subject area examinations upon the 390  
student's completion of the integrated course. 391

Nothing in division (I) of this section shall be construed 392  
to excuse any school district, chartered nonpublic school, or 393  
student from any requirement in the Revised Code related to 394

curriculum, assessments, or the awarding of a high school diploma. 395  
396

(J) (1) The department, in consultation with the 397  
chancellor, shall adopt a statewide plan implementing methods 398  
for students to earn units of high school credit based on a 399  
demonstration of subject area competency, instead of or in 400  
combination with completing hours of classroom instruction. The 401  
plan shall include a standard method for recording demonstrated 402  
proficiency on high school transcripts. Each school district and 403  
community school shall comply with the department's plan adopted 404  
under this division and award units of high school credit in 405  
accordance with the plan. The department may adopt existing 406  
methods for earning high school credit based on a demonstration 407  
of subject area competency as necessary prior to the 2009-2010 408  
school year. 409

(2) The department shall update the statewide plan adopted 410  
pursuant to division (J) (1) of this section to also include 411  
methods for students enrolled in seventh and eighth grade to 412  
meet curriculum requirements based on a demonstration of subject 413  
area competency, instead of or in combination with completing 414  
hours of classroom instruction. Beginning with the 2017-2018 415  
school year, each school district and community school also 416  
shall comply with the updated plan adopted pursuant to this 417  
division and permit students enrolled in seventh and eighth 418  
grade to meet curriculum requirements based on subject area 419  
competency in accordance with the plan. 420

(3) The department shall develop a framework for school 421  
districts and community schools to use in granting units of high 422  
school credit to students who demonstrate subject area 423  
competency through work-based learning experiences, internships, 424



or cooperative education. Beginning with the 2018-2019 school 425  
year, each district and community school shall comply with the 426  
framework. Each district and community school also shall review 427  
any policy it has adopted regarding the demonstration of subject 428  
area competency to identify ways to incorporate work-based 429  
learning experiences, internships, and cooperative education 430  
into the policy in order to increase student engagement and 431  
opportunities to earn units of high school credit. 432

(K) This division does not apply to students who qualify 433  
for graduation from high school under division (D) or (F) of 434  
this section, or to students pursuing a career-technical 435  
instructional track as determined by the school district board 436  
of education or the chartered nonpublic school's governing 437  
authority. Nevertheless, the general assembly encourages such 438  
students to consider enrolling in a fine arts course as an 439  
elective. 440

Beginning with students who enter ninth grade for the 441  
first time on or after July 1, 2010, each student enrolled in a 442  
public or chartered nonpublic high school shall complete two 443  
semesters or the equivalent of fine arts to graduate from high 444  
school. The coursework may be completed in any of grades seven 445  
to twelve. Each student who completes a fine arts course in 446  
grade seven or eight may elect to count that course toward the 447  
five units of electives required for graduation under division 448  
(C) (8) of this section, if the course satisfied the requirements 449  
of division (G) of this section. In that case, the high school 450  
shall award the student high school credit for the course and 451  
count the course toward the five units required under division 452  
(C) (8) of this section. If the course in grade seven or eight 453  
did not satisfy the requirements of division (G) of this 454

section, the high school shall not award the student high school 455  
credit for the course but shall count the course toward the two 456  
semesters or the equivalent of fine arts required by this 457  
division. 458

(L) Notwithstanding anything to the contrary in this 459  
section, the board of education of each school district and the 460  
governing authority of each chartered nonpublic school may adopt 461  
a policy to excuse from the high school physical education 462  
requirement each student who, during high school, has 463  
participated in interscholastic athletics, marching band, show 464  
choir, or cheerleading for at least two full seasons or in the 465  
junior reserve officer training corps for at least two full 466  
school years. If the board or authority adopts such a policy, 467  
the board or authority shall not require the student to complete 468  
any physical education course as a condition to graduate. 469  
However, the student shall be required to complete one-half 470  
unit, consisting of at least sixty hours of instruction, in 471  
another course of study. In the case of a student who has 472  
participated in the junior reserve officer training corps for at 473  
least two full school years, credit received for that 474  
participation may be used to satisfy the requirement to complete 475  
one-half unit in another course of study. 476

(M) It is important that high school students learn and 477  
understand United States history and the governments of both the 478  
United States and the state of Ohio. Therefore, beginning with 479  
students who enter ninth grade for the first time on or after 480  
July 1, 2012, the study of American history and American 481  
government required by divisions (B) (6) and (C) (6) of this 482  
section shall include the study of all of the following 483  
documents: 484

(1) The Declaration of Independence;	485
(2) The Northwest Ordinance;	486
(3) The Constitution of the United States with emphasis on the Bill of Rights;	487 488
(4) The Ohio Constitution.	489
The study of each of the documents prescribed in divisions (M) (1) to (4) of this section shall include study of that document in its original context.	490 491 492
The study of American history and government required by divisions (B) (6) and (C) (6) of this section shall include the historical evidence of the role of documents such as the Federalist Papers and the Anti-Federalist Papers to firmly establish the historical background leading to the establishment of the provisions of the Constitution and Bill of Rights.	493 494 495 496 497 498
(N) A student may apply one unit of instruction in computer science to satisfy one unit of mathematics or one unit of science under division (C) of this section as the student chooses, regardless of the field of certification of the teacher who teaches the course, so long as that teacher meets the licensure requirements prescribed by section 3319.236 of the Revised Code and, prior to teaching the course, completes a professional development program determined to be appropriate by the district board.	499 500 501 502 503 504 505 506 507
If a student applies more than one computer science course to satisfy curriculum requirements under that division, the courses shall be sequential and progressively more difficult or cover different subject areas within computer science.	508 509 510 511
<u>(O) Notwithstanding anything to the contrary in this</u>	512

section, the board of education of each school district and the 513  
governing authority of each chartered nonpublic school may adopt 514  
a policy to excuse from the financial literacy instruction 515  
requirement under division (C) (9) of this section each student 516  
who, during high school, participates in a financial literacy 517  
program offered through a student branch, as defined in section 518  
1733.04 of the Revised Code, or by a bank, as defined in section 519  
1101.01 of the Revised Code. The policy shall require the 520  
financial literacy program to meet or exceed the academic 521  
content standards and model curriculum for financial literacy 522  
and entrepreneurship instruction adopted under section 3301.079 523  
of the Revised Code. The policy shall address how long a student 524  
is required to participate in the program to qualify for an 525  
exemption under this division. 526

Not later than July 1, 2026, the department shall develop 527  
and post on its web site a model policy and guidelines for 528  
districts and schools to use in developing a policy under this 529  
division." 530

Update the title, amend, enact, or repeal clauses accordingly 531

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS 532

## **Financial literacy instruction exemptions** 533

### **R.C. 3313.603** 534

Permits a school district, community school, STEM school, 535  
college-preparatory boarding school, or chartered nonpublic 536

school to adopt a policy to excuse from the financial literacy 537  
instruction graduation requirement each student who, during high 538  
school, participates in a financial literacy program offered 539  
through the student branch of a credit union or by a bank. 540

Requires a qualifying financial literacy program under a 541  
district or school's policy to meet or exceed the state 542  
standards and model curriculum for financial literacy and 543  
entrepreneurship instruction. 544

Requires DEW to develop and post to its web site a model 545  
policy and guidelines for districts and schools to use in 546  
developing a policy. 547

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 66975, insert:

"Sec. 3743.04. (A) The license of a manufacturer of fireworks is effective for one year beginning on the first day of December, and the state fire marshal shall issue or renew a license only on that date and at no other time. If a manufacturer of fireworks wishes to continue manufacturing fireworks at the designated fireworks plant after its then effective license expires, it shall apply no later than the first day of October for a new license pursuant to section 3743.02 of the Revised Code. The state fire marshal shall send a written notice of the expiration of its license to a licensed manufacturer at least three months before the expiration date.

(B) If, during the effective period of its licensure, a licensed manufacturer of fireworks wishes to construct, locate, or relocate any buildings or other structures on the premises of its fireworks plant, to make any structural change or renovation in any building or other structure on the premises of its fireworks plant, to change the nature of its manufacturing of fireworks so as to include the processing of fireworks, or to relocate its fireworks plant to a new licensed premises, the

manufacturer shall notify the state fire marshal in writing. The 21  
state fire marshal may require a licensed manufacturer also to 22  
submit documentation, including, but not limited to, plans 23  
covering the proposed construction, location, relocation, 24  
structural change or renovation, change in manufacturing of 25  
fireworks, or new licensed premises, if the state fire marshal 26  
determines the documentation is necessary for evaluation 27  
purposes in light of the proposed construction, location, 28  
relocation, structural change or renovation, change in 29  
manufacturing of fireworks, or new licensed premises. 30

Upon receipt of the notification and additional 31  
documentation required by the state fire marshal, the state fire 32  
marshal shall inspect the existing premises of the fireworks 33  
plant, or proposed new licensed premises, to determine if the 34  
proposed construction, location, relocation, structural change 35  
or renovation, change in manufacturing of fireworks, or new 36  
licensed premises conform to sections 3743.02 to 3743.08 of the 37  
Revised Code and the rules adopted by the state fire marshal 38  
pursuant to section 3743.05 of the Revised Code. The state fire 39  
marshal shall issue a written authorization to the manufacturer 40  
for the construction, location, relocation, structural change or 41  
renovation, change in manufacturing of fireworks, or new 42  
licensed premises, if the state fire marshal determines, upon 43  
the inspection and a review of submitted documentation, that the 44  
construction, location, relocation, structural change or 45  
renovation, change in manufacturing of fireworks, or new 46  
licensed premises conform to those sections and rules. Upon 47  
authorizing a change in manufacturing of fireworks to include 48  
the processing of fireworks, the state fire marshal shall make 49  
notations on the manufacturer's license and in the list of 50  
licensed manufacturers in accordance with section 3743.03 of the 51

Revised Code. 52

On or before June 1, 1998, a licensed manufacturer shall 53  
install, in every licensed building in which fireworks are 54  
manufactured, stored, or displayed and to which the public has 55  
access, interlinked fire detection, smoke exhaust, and smoke 56  
evacuation systems that are approved by the superintendent of 57  
industrial compliance, and shall comply with floor plans showing 58  
occupancy load limits and internal circulation and egress 59  
patterns that are approved by the state fire marshal and 60  
superintendent, and that are submitted under seal as required by 61  
section 3791.04 of the Revised Code. Notwithstanding section 62  
3743.59 of the Revised Code, the construction and safety 63  
requirements established in this division are not subject to any 64  
variance, waiver, or exclusion. 65

(C) The license of a manufacturer of fireworks authorizes 66  
the manufacturer to engage only in the following activities: 67

(1) The manufacturing of fireworks on the premises of the 68  
fireworks plant as described in the application for licensure or 69  
in the notification submitted under division (B) of this 70  
section, except that a licensed manufacturer shall not engage in 71  
the processing of fireworks unless authorized to do so by its 72  
license. 73

(2) To possess for sale at wholesale and sell at wholesale 74  
the fireworks manufactured by the manufacturer, to persons who 75  
are licensed wholesalers of fireworks, to persons in accordance 76  
with sections 3743.44 to 3743.46 of the Revised Code, or to 77  
persons located in another state provided the fireworks are 78  
shipped directly out of this state to them by the manufacturer. 79  
A person who is licensed as a manufacturer of fireworks on June 80  
14, 1988, also may possess for sale and sell pursuant to 81



division (C) (2) of this section fireworks other than those the  
person manufactures. The possession for sale shall be on the  
premises of the fireworks plant described in the application for  
licensure or in the notification submitted under division (B) of  
this section, and the sale shall be from the inside of a  
licensed building and from no other structure or device outside  
a licensed building. At no time shall a licensed manufacturer  
sell any class of fireworks outside a licensed building.

(3) Possess for sale at retail and sell at retail the  
fireworks manufactured by the manufacturer, other than 1.4G  
fireworks as designated by the state fire marshal in rules  
adopted pursuant to division (A) of section 3743.05 of the  
Revised Code, to licensed exhibitors in accordance with sections  
3743.50 to 3743.55 of the Revised Code, and possess for sale at  
retail and sell at retail the fireworks manufactured by the  
manufacturer, including 1.4G fireworks, to persons in accordance  
with sections 3743.44 to ~~3743.46~~ 3743.48 of the Revised Code, or  
to persons located in another state provided the fireworks are  
shipped directly out of this state to them by the manufacturer.  
A person who is licensed as a manufacturer of fireworks on June  
14, 1988, may also possess for sale and sell pursuant to  
division (C) (3) of this section fireworks other than those the  
person manufactures. The possession for sale shall be on the  
premises of the fireworks plant described in the application for  
licensure or in the notification submitted under division (B) of  
this section, and, except as otherwise provided in section  
3743.48 of the Revised Code, the sale shall be from the inside  
of a licensed building and from no other structure or device  
outside a licensed building. ~~At no time shall~~ Except as  
otherwise provided in section 3743.48 of the Revised Code, a  
licensed manufacturer shall not sell any class of fireworks

outside a licensed building. 113

A licensed manufacturer of fireworks shall sell under 114  
division (C) of this section only fireworks that meet the 115  
standards set by the consumer product safety commission or by 116  
the American fireworks standard laboratories or that have 117  
received an EX number from the United States department of 118  
transportation. 119

(D) The license of a manufacturer of fireworks shall be 120  
protected under glass and posted in a conspicuous place on the 121  
premises of the fireworks plant. Except as otherwise provided in 122  
this division, the license is not transferable or assignable. 123

(1) The ownership of a manufacturer of fireworks license 124  
may be transferred to another person for the same fireworks 125  
plant for which the license was issued, or approved pursuant to 126  
division (B) of this section, if the assets of the plant are 127  
transferred to that person by inheritance or by a sale approved 128  
by the state fire marshal. 129

(2) The license of a manufacturer of fireworks may be 130  
geographically relocated in accordance with division (D) of 131  
section 3743.75 of the Revised Code. 132

(3) The license is subject to revocation in accordance 133  
with section 3743.08 of the Revised Code. 134

(E) The state fire marshal shall not place the license of 135  
a manufacturer of fireworks in a temporarily inactive status 136  
while the holder of the license is attempting to qualify to 137  
retain the license. 138

(F) Each licensed manufacturer of fireworks that possesses 139  
fireworks for sale and sells fireworks under division (C) of 140

section 3743.04 of the Revised Code, or a designee of the  
manufacturer, whose identity is provided to the state fire  
marshal by the manufacturer, annually shall attend a continuing  
education program. The state fire marshal shall develop the  
program and the state fire marshal or a person or public agency  
approved by the state fire marshal shall conduct it. A licensed  
manufacturer or the manufacturer's designee who attends a  
program as required under this division, within one year after  
attending the program, shall conduct in-service training as  
approved by the state fire marshal for other employees of the  
licensed manufacturer regarding the information obtained in the  
program. A licensed manufacturer shall provide the state fire  
marshal with notice of the date, time, and place of all in-  
service training. For any program conducted under this division,  
the state fire marshal shall, in accordance with rules adopted  
by the state fire marshal under Chapter 119. of the Revised  
Code, establish the subjects to be taught, the length of  
classes, the standards for approval, and time periods for  
notification by the licensee to the state fire marshal of any  
in-service training.

(G) A licensed manufacturer shall maintain comprehensive  
general liability insurance coverage in the amount and type  
specified under division (B) (2) of section 3743.02 of the  
Revised Code at all times. Each policy of insurance required  
under this division shall contain a provision requiring the  
insurer to give not less than fifteen days' prior written notice  
to the state fire marshal before termination, lapse, or  
cancellation of the policy, or any change in the policy that  
reduces the coverage below the minimum required under this  
division. Prior to canceling or reducing the amount of coverage  
of any comprehensive general liability insurance coverage

required under this division, a licensed manufacturer shall 172  
 secure supplemental insurance in an amount and type that 173  
 satisfies the requirements of this division so that no lapse in 174  
 coverage occurs at any time. A licensed manufacturer who secures 175  
 supplemental insurance shall file evidence of the supplemental 176  
 insurance with the state fire marshal prior to canceling or 177  
 reducing the amount of coverage of any comprehensive general 178  
 liability insurance coverage required under this division. 179

(H) The state fire marshal shall adopt rules for the 180  
 expansion or contraction of a licensed premises and for approval 181  
 of such expansions or contractions. The boundaries of a licensed 182  
 premises, including any geographic expansion or contraction of 183  
 those boundaries, shall be approved by the state fire marshal in 184  
 accordance with rules the state fire marshal adopts. If the 185  
 licensed premises consists of more than one parcel of real 186  
 estate, those parcels shall be contiguous unless an exception is 187  
 allowed pursuant to division (I) of this section. 188

(I) (1) A licensed manufacturer may expand its licensed 189  
 premises within this state to include not more than two storage 190  
 locations that are located upon one or more real estate parcels 191  
 that are noncontiguous to the licensed premises as that licensed 192  
 premises exists on the date a licensee submits an application as 193  
 described below, if all of the following apply: 194

(a) The licensee submits an application to the state fire 195  
 marshal and an application fee of one hundred dollars per 196  
 storage location for which the licensee is requesting approval. 197

(b) The identity of the holder of the license remains the 198  
 same at the storage location. 199

(c) The storage location has received a valid certificate 200

of zoning compliance as applicable and a valid certificate of 201  
occupancy for each building or structure at the storage location 202  
issued by the authority having jurisdiction to issue the 203  
certificate for the storage location, and those certificates 204  
permit the distribution and storage of fireworks regulated under 205  
this chapter at the storage location and in the buildings or 206  
structures. The storage location shall be in compliance with all 207  
other applicable federal, state, and local laws and regulations. 208

(d) Every building or structure located upon the storage 209  
location is separated from occupied residential and 210  
nonresidential buildings or structures, railroads, highways, or 211  
any other buildings or structures on the licensed premises in 212  
accordance with the distances specified in the rules adopted by 213  
the state fire marshal pursuant to section 3743.05 of the 214  
Revised Code. 215

(e) Neither the licensee nor any person holding, owning, 216  
or controlling a five per cent or greater beneficial or equity 217  
interest in the licensee has been convicted of or pleaded guilty 218  
to a felony under the laws of this state, any other state, or 219  
the United States, after September 29, 2005. 220

(f) The state fire marshal approves the application for 221  
expansion. 222

(2) The state fire marshal shall approve an application 223  
for expansion requested under division (I)(1) of this section if 224  
the state fire marshal receives the application fee and proof 225  
that the requirements of divisions (I)(1)(b) to (e) of this 226  
section are satisfied. The storage location shall be considered 227  
part of the original licensed premises and shall use the same 228  
distinct number assigned to the original licensed premises with 229  
any additional designations as the state fire marshal deems 230

necessary in accordance with section 3743.03 of the Revised Code. 231  
232

(J) (1) A licensee who obtains approval for the use of a 233  
storage location in accordance with division (I) of this section 234  
shall use the storage location exclusively for the following 235  
activities, in accordance with division (C) of this section: 236

(a) The packaging, assembling, or storing of fireworks, 237  
which shall only occur in buildings or structures approved for 238  
such hazardous uses by the building code official having 239  
jurisdiction for the storage location or, for 1.4G fireworks, in 240  
containers or trailers approved for such hazardous uses by the 241  
state fire marshal if such containers or trailers are not 242  
subject to regulation by the building code adopted in accordance 243  
with Chapter 3781. of the Revised Code. All such storage shall 244  
be in accordance with the rules adopted by the state fire 245  
marshal under division (G) of section 3743.05 of the Revised 246  
Code for the packaging, assembling, and storage of fireworks. 247

(b) Distributing fireworks to other parcels of real estate 248  
located on the manufacturer's licensed premises, to licensed 249  
wholesalers or other licensed manufacturers in this state or to 250  
similarly licensed persons located in another state or country; 251

(c) Distributing fireworks to a licensed exhibitor of 252  
fireworks pursuant to a properly issued permit in accordance 253  
with section 3743.54 of the Revised Code. 254

(2) A licensed manufacturer shall not engage in any sales 255  
activity, including the retail sale of fireworks otherwise 256  
permitted under division (C) (2) or (C) (3) of this section, or 257  
pursuant to section 3743.44 or 3743.45 of the Revised Code, at 258  
the storage location approved under this section. 259

(3) A storage location may not be relocated for a minimum 260  
period of five years after the storage location is approved by 261  
the state fire marshal in accordance with division (I) of this 262  
section. 263

(K) The licensee shall prohibit public access to the 264  
storage location. The state fire marshal shall adopt rules to 265  
describe the acceptable measures a manufacturer shall use to 266  
prohibit access to the storage site. 267

**Sec. 3743.06.** In addition to conforming to the rules of 268  
the fire marshal adopted pursuant to section 3743.05 of the 269  
Revised Code, licensed manufacturers of fireworks shall operate 270  
their fireworks plants in accordance with the following: 271

(A) Signs indicating that smoking is generally forbidden 272  
and trespassing is prohibited on the premises of a fireworks 273  
plant shall be posted on the premises in a manner determined by 274  
the fire marshal. 275

(B) Reasonable precautions shall be taken to protect the 276  
premises of a fireworks plant from trespass, loss, theft, or 277  
destruction. Only persons employed by the manufacturer, 278  
authorized governmental personnel, and persons who have obtained 279  
permission from a member of the manufacturer's office to be on 280  
the premises, are to be allowed to enter and remain on the 281  
premises. 282

(C) Smoking or the carrying of pipes, cigarettes, or 283  
cigars, matches, lighters, other flame-producing items, or open 284  
flame on, or the carrying of a concealed source of ignition 285  
into, the premises of a fireworks plant is prohibited, except 286  
that a manufacturer may permit smoking in specified lunchrooms 287  
or restrooms in buildings or other structures in which no 288

manufacturing, handling, sales, or storage of fireworks takes 289  
place. "NO SMOKING" signs shall be posted on the premises as 290  
required by the fire marshal. 291

(D) Fire and explosion prevention and other reasonable 292  
safety measures and precautions shall be implemented by a 293  
manufacturer. 294

(E) Persons shall not be permitted to have in their 295  
possession or under their control, while they are on the 296  
premises of the fireworks plant, any intoxicating liquor, beer, 297  
or controlled substance, and they shall not be permitted to 298  
enter or remain on the premises if they are found to be under 299  
the influence of any intoxicating liquor, beer, or controlled 300  
substance. 301

(F) A manufacturer shall conform to all building, safety, 302  
and zoning statutes, ordinances, rules, or other enactments that 303  
apply to the premises of its fireworks plant. 304

(G) Each fireworks plant shall have at least one class 1 305  
magazine that is approved by the bureau of alcohol, tobacco, and 306  
firearms of the United States department of the treasury and 307  
that is otherwise in conformity with federal law. This division 308  
does not apply to fireworks plants existing on or before August 309  
3, 1931. 310

(H) Awnings, tents, and canopies shall not be used as 311  
facilities for the sale or storage of fireworks, except as 312  
expressly permitted by section 3743.48 of the Revised Code. This 313  
division does not prohibit the use of an awning or canopy 314  
attached to a public access showroom for storing nonflammable 315  
shopping convenience items such as shopping carts or baskets or 316  
providing a shaded area for patrons waiting to enter the public 317



sales area. 318

(I) Fireworks may be stored in trailers if the trailers 319  
are properly enclosed, secured, and grounded and are separated 320  
from any structure to which the public is admitted by a distance 321  
that will, in the fire marshal's judgment, allow fire-fighting 322  
equipment to have full access to the structures on the licensed 323  
premises. Such trailers may be moved into closer proximity to 324  
any structure only to accept or discharge cargo for a period not 325  
to exceed forty-eight hours. Only two such trailers may be 326  
placed in such closer proximity at any one time. At no time may 327  
trailers be used for conducting sales of any class of fireworks, 328  
nor may members of the public have access to the trailers. 329

Storage areas for fireworks that are in the same building 330  
where fireworks are displayed and sold to the public shall be 331  
separated from the areas to which the public has access by an 332  
appropriately rated fire wall. 333

(J) A fire suppression system as defined in section 334  
3781.108 of the Revised Code may be turned off only for repair, 335  
drainage of the system to prevent damage by freezing during the 336  
period of time, approved by the fire marshal, that the facility 337  
is closed to all public access during winter months, or 338  
maintenance of the system. If any repair or maintenance is 339  
necessary during times when the facility is open for public 340  
access and business as approved by the fire marshal, the 341  
licensed manufacturer shall notify in advance the appropriate 342  
insurance company and fire chief or fire prevention officer 343  
regarding the nature of the maintenance or repair and the time 344  
when it will be performed. 345

(K) If any fireworks item is removed from its original 346  
package or is manufactured with any fuse other than a safety 347

fuse approved by the consumer product safety commission, then 348  
the item shall be covered completely by repackaging or bagging 349  
or it shall otherwise be covered so as to prevent ignition prior 350  
to sale. 351

(L) A safety officer shall be present during regular 352  
business hours at a building open to the public during the 353  
period commencing fourteen days before, and ending two days 354  
after, each fourth day of July. The officer shall be highly 355  
visible, enforce this chapter and any applicable building codes 356  
to the extent the officer is authorized by law, and be one of 357  
the following: 358

(1) A deputy sheriff; 359

(2) A law enforcement officer of a municipal corporation, 360  
township, or township or joint police district; 361

(3) A private uniformed security guard registered under 362  
section 4749.06 of the Revised Code. 363

(M) All doors of all buildings on the licensed premises 364  
shall swing outward. 365

(N) All wholesale and commercial sales of fireworks shall 366  
be packaged, shipped, placarded, and transported in accordance 367  
with United States department of transportation regulations 368  
applicable to the transportation, and the offering for 369  
transportation, of hazardous materials. For purposes of this 370  
division, "wholesale and commercial sales" includes all sales 371  
for resale and any nonretail sale made in furtherance of a 372  
commercial enterprise. For purposes of enforcement of these 373  
regulations under section 4923.99 of the Revised Code, any sales 374  
transaction exceeding one thousand pounds shall be rebuttably 375  
presumed to be a wholesale or commercial sale. 376

**Sec. 3743.17.** (A) The license of a wholesaler of fireworks 377  
is effective for one year beginning on the first day of 378  
December, and the state fire marshal shall issue or renew a 379  
license only on that date and at no other time. If a wholesaler 380  
of fireworks wishes to continue engaging in the wholesale sale 381  
of fireworks at the particular location after its then effective 382  
license expires, it shall apply not later than the first day of 383  
October for a new license pursuant to section 3743.15 of the 384  
Revised Code. The state fire marshal shall send a written notice 385  
of the expiration of its license to a licensed wholesaler at 386  
least three months before the expiration date. 387

(B) If, during the effective period of its licensure, a 388  
licensed wholesaler of fireworks wishes to perform any 389  
construction, or make any structural change or renovation, on 390  
the premises on which the fireworks are sold, or to relocate its 391  
sales operations to a new licensed premises, the wholesaler 392  
shall notify the state fire marshal in writing. The state fire 393  
marshal may require a licensed wholesaler also to submit 394  
documentation, including, but not limited to, plans covering the 395  
proposed construction or structural change or renovation, or 396  
proposed new licensed premises, if the state fire marshal 397  
determines the documentation is necessary for evaluation 398  
purposes in light of the proposed construction, structural 399  
change or renovation, or relocation. 400

Upon receipt of the notification and additional 401  
documentation required by the state fire marshal, the state fire 402  
marshal shall inspect the premises on which the fireworks are 403  
sold, or the proposed new licensed premises, to determine if the 404  
proposed construction, structural change or renovation, or 405  
relocation conforms to sections 3743.15 to 3743.21 of the 406

Revised Code, divisions (C) (1) and (2) of section 3743.25 of the  
Revised Code, and the rules adopted by the state fire marshal  
pursuant to section 3743.18 of the Revised Code. The state fire  
marshal shall issue a written authorization to the wholesaler  
for the construction, structural change or renovation, or new  
licensed premises if the state fire marshal determines, upon the  
inspection and a review of submitted documentation, that the  
construction, structural change or renovation, or new licensed  
premises conform to those sections and rules.

(C) The license of a wholesaler of fireworks authorizes  
the wholesaler to engage only in the following activities:

(1) Possess for sale at wholesale and sell at wholesale  
fireworks to persons who are licensed wholesalers of fireworks,  
to persons in accordance with sections 3743.44 to 3743.46 of the  
Revised Code, or to persons located in another state provided  
the fireworks are shipped directly out of this state to them by  
the wholesaler. The possession for sale shall be at the location  
described in the application for licensure or in the  
notification submitted under division (B) of this section, and  
the sale shall be from the inside of a licensed building and  
from no structure or device outside a licensed building. At no  
time shall a licensed wholesaler sell any class of fireworks  
outside a licensed building.

(2) Possess for sale at retail and sell at retail  
fireworks, other than 1.4G fireworks as designated by the state  
fire marshal in rules adopted pursuant to division (A) of  
section 3743.05 of the Revised Code, to licensed exhibitors in  
accordance with sections 3743.50 to 3743.55 of the Revised Code,  
and possess for sale at retail and sell at retail fireworks,  
including 1.4G fireworks, to persons in accordance with sections

3743.44 to ~~3743.46~~ 3743.48 of the Revised Code, or to persons 437  
located in another state provided the fireworks are shipped 438  
directly out of this state to them by the wholesaler. The 439  
possession for sale shall be at the location described in the 440  
application for licensure or in the notification submitted under 441  
division (B) of this section, and, except as otherwise provided 442  
in section 3743.48 of the Revised Code, the sale shall be from 443  
the inside of the licensed building and from no other structure 444  
or device outside this licensed building. ~~At no time shall~~ Except 445  
as otherwise provided in section 3743.48 of the Revised, a 446  
licensed wholesaler shall not sell any class of fireworks 447  
outside a licensed building. 448

A licensed wholesaler of fireworks shall sell under 449  
division (C) of this section only fireworks that meet the 450  
standards set by the consumer product safety commission or by 451  
the American fireworks standard laboratories or that have 452  
received an EX number from the United States department of 453  
transportation. 454

(D) The license of a wholesaler of fireworks shall be 455  
protected under glass and posted in a conspicuous place at the 456  
location described in the application for licensure or in the 457  
notification submitted under division (B) of this section. 458  
Except as otherwise provided in this section, the license is not 459  
transferable or assignable. 460

(1) The ownership of a wholesaler of fireworks license may 461  
be transferred to another person for the same location for which 462  
the license was issued, or approved pursuant to division (B) of 463  
this section, if the assets of the wholesaler are transferred to 464  
that person by inheritance or by a sale approved by the state 465  
fire marshal. 466

(2) The license of a wholesaler of fireworks may be 467  
geographically relocated in accordance with division (D) of 468  
section 3743.75 of the Revised Code. 469

(3) The license is subject to revocation in accordance 470  
with section 3743.21 of the Revised Code. 471

(E) The state fire marshal shall adopt rules for the 472  
expansion or contraction of a licensed premises and for the 473  
approval of an expansion or contraction. The boundaries of a 474  
licensed premises, including any geographic expansion or 475  
contraction of those boundaries, shall be approved by the state 476  
fire marshal in accordance with rules the state fire marshal 477  
adopts. If the licensed premises of a licensed wholesaler from 478  
which the wholesaler operates consists of more than one parcel 479  
of real estate, those parcels must be contiguous, unless an 480  
exception is allowed pursuant to division (F) of this section. 481

(F) (1) A licensed wholesaler may expand its licensed 482  
premises within this state to include not more than two storage 483  
locations that are located upon one or more real estate parcels 484  
that are noncontiguous to the licensed premises as that licensed 485  
premises exists on the date a licensee submits an application as 486  
described below, if all of the following apply: 487

(a) The licensee submits an application to the state fire 488  
marshal requesting the expansion and an application fee of one 489  
hundred dollars per storage location for which the licensee is 490  
requesting approval. 491

(b) The identity of the holder of the license remains the 492  
same at the storage location. 493

(c) The storage location has received a valid certificate 494  
of zoning compliance, as applicable, and a valid certificate of 495

occupancy for each building or structure at the storage location 496  
issued by the authority having jurisdiction to issue the 497  
certificate for the storage location, and those certificates 498  
permit the distribution and storage of fireworks regulated under 499  
this chapter at the storage location and in the buildings or 500  
structures. The storage location shall be in compliance with all 501  
other applicable federal, state, and local laws and regulations. 502

(d) Every building or structure located upon the storage 503  
location is separated from occupied residential and 504  
nonresidential buildings or structures, railroads, highways, and 505  
any other buildings or structures on the licensed premises in 506  
accordance with the distances specified in the rules adopted by 507  
the state fire marshal pursuant to section 3743.18 of the 508  
Revised Code. 509

(e) Neither the licensee nor any person holding, owning, 510  
or controlling a five per cent or greater beneficial or equity 511  
interest in the licensee has been convicted of or pleaded guilty 512  
to a felony under the laws of this state, any other state, or 513  
the United States, after September 29, 2005. 514

(f) The state fire marshal approves the application for 515  
expansion. 516

(2) The state fire marshal shall approve an application 517  
for expansion requested under division (F)(1) of this section if 518  
the state fire marshal receives the application fee and proof 519  
that the requirements of divisions (F)(1)(b) to (e) of this 520  
section are satisfied. The storage location shall be considered 521  
part of the original licensed premises and shall use the same 522  
distinct number assigned to the original licensed premises with 523  
any additional designations as the state fire marshal deems 524  
necessary in accordance with section 3743.16 of the Revised 525

Code. 526

(G) (1) A licensee who obtains approval for use of a 527  
storage location in accordance with division (F) of this section 528  
shall use the site exclusively for the following activities, in 529  
accordance with division (C) (1) of this section: 530

(a) Packaging, assembling, or storing fireworks, which 531  
shall occur only in buildings or structures approved for such 532  
hazardous uses by the building code official having jurisdiction 533  
for the storage location or, for 1.4G fireworks, in containers 534  
or trailers approved for such hazardous uses by the state fire 535  
marshal if such containers or trailers are not subject to 536  
regulation by the building code adopted in accordance with 537  
Chapter 3781. of the Revised Code. All such storage shall be in 538  
accordance with the rules adopted by the state fire marshal 539  
under division (B) (4) of section 3743.18 of the Revised Code for 540  
the packaging, assembling, and storage of fireworks. 541

(b) Distributing fireworks to other parcels of real estate 542  
located on the wholesaler's licensed premises, to licensed 543  
manufacturers or other licensed wholesalers in this state or to 544  
similarly licensed persons located in another state or country; 545

(c) Distributing fireworks to a licensed exhibitor of 546  
fireworks pursuant to a properly issued permit in accordance 547  
with section 3743.54 of the Revised Code. 548

(2) A licensed wholesaler shall not engage in any sales 549  
activity, including the retail sale of fireworks otherwise 550  
permitted under division (C) (2) of this section or pursuant to 551  
section 3743.44 or 3743.45 of the Revised Code, at a storage 552  
location approved under this section. 553

(3) A storage location may not be relocated for a minimum 554



period of five years after the storage location is approved by 555  
the state fire marshal in accordance with division (F) of this 556  
section. 557

(H) A licensee shall prohibit public access to all storage 558  
locations it uses. The state fire marshal shall adopt rules 559  
establishing acceptable measures a wholesaler shall use to 560  
prohibit access to storage sites. 561

(I) The state fire marshal shall not place the license of 562  
a wholesaler of fireworks in temporarily inactive status while 563  
the holder of the license is attempting to qualify to retain the 564  
license. 565

(J) Each licensed wholesaler of fireworks or a designee of 566  
the wholesaler, whose identity is provided to the state fire 567  
marshal by the wholesaler, annually shall attend a continuing 568  
education program. The state fire marshal shall develop the 569  
program and the state fire marshal or a person or public agency 570  
approved by the state fire marshal shall conduct it. A licensed 571  
wholesaler or the wholesaler's designee who attends a program as 572  
required under this division, within one year after attending 573  
the program, shall conduct in-service training as approved by 574  
the state fire marshal for other employees of the licensed 575  
wholesaler regarding the information obtained in the program. A 576  
licensed wholesaler shall provide the state fire marshal with 577  
notice of the date, time, and place of all in-service training. 578  
For any program conducted under this division, the state fire 579  
marshal shall, in accordance with rules adopted by the state 580  
fire marshal under Chapter 119. of the Revised Code, establish 581  
the subjects to be taught, the length of classes, the standards 582  
for approval, and time periods for notification by the licensee 583  
to the state fire marshal of any in-service training. 584

(K) A licensed wholesaler shall maintain comprehensive  
general liability insurance coverage in the amount and type  
specified under division (B) (2) of section 3743.15 of the  
Revised Code at all times. Each policy of insurance required  
under this division shall contain a provision requiring the  
insurer to give not less than fifteen days' prior written notice  
to the state fire marshal before termination, lapse, or  
cancellation of the policy, or any change in the policy that  
reduces the coverage below the minimum required under this  
division. Prior to canceling or reducing the amount of coverage  
of any comprehensive general liability insurance coverage  
required under this division, a licensed wholesaler shall secure  
supplemental insurance in an amount and type that satisfies the  
requirements of this division so that no lapse in coverage  
occurs at any time. A licensed wholesaler who secures  
supplemental insurance shall file evidence of the supplemental  
insurance with the state fire marshal prior to canceling or  
reducing the amount of coverage of any comprehensive general  
liability insurance coverage required under this division.

**Sec. 3743.19.** In addition to conforming to the rules of  
the fire marshal adopted pursuant to section 3743.18 of the  
Revised Code, licensed wholesalers of fireworks shall conduct  
their business operations in accordance with the following:

(A) A-Except as otherwise provided in section 3743.48 of  
the Revised Code, a wholesaler shall conduct its business  
operations from the location described in its application for  
licensure or in a notification submitted under division (B) of  
section 3743.17 of the Revised Code.

(B) Signs indicating that smoking is generally forbidden  
and trespassing is prohibited on the premises of a wholesaler

shall be posted on the premises as determined by the fire marshal. 615  
616

(C) Reasonable precautions shall be taken to protect the premises of a wholesaler from trespass, loss, theft, or destruction. 617  
618  
619

(D) Smoking or the carrying of pipes, cigarettes, or cigars, matches, lighters, other flame-producing items, or open flame on, or the carrying of a concealed source of ignition into, the premises of a wholesaler is prohibited, except that a wholesaler may permit smoking in specified lunchrooms or restrooms in buildings or other structures in which no sales, handling, or storage of fireworks takes place. "NO SMOKING" signs shall be posted on the premises as required by the fire marshal. 620  
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(E) Fire and explosion prevention and other reasonable safety measures and precautions shall be implemented by a wholesaler. 629  
630  
631

(F) Persons shall not be permitted to have in their possession or under their control, while they are on the premises of a wholesaler, any intoxicating liquor, beer, or controlled substance, and they shall not be permitted to enter or remain on the premises if they are found to be under the influence of any intoxicating liquor, beer, or controlled substance. 632  
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(G) A wholesaler shall conform to all building, safety, and zoning statutes, ordinances, rules, or other enactments that apply to its premises. 639  
640  
641

(H) Each building used in the sale of fireworks shall be kept open to the public for at least four hours each day between 642  
643

the hours of eight a.m. and five p.m., five days of each week, 644  
every week of the year. Upon application from a licensed 645  
wholesaler, the fire marshal may waive any of the requirements 646  
of this division. 647

(I) Awnings, tents, or canopies shall not be used as 648  
facilities for the storage or sale of fireworks, except as 649  
expressly permitted by section 3743.48 of the Revised Code. This 650  
division does not prohibit the use of an awning or canopy 651  
attached to a public access showroom for storing nonflammable 652  
shopping convenience items such as shopping carts or baskets or 653  
providing a shaded area for patrons waiting to enter the public 654  
sales area. 655

(J) 1.4G fireworks may be stored in trailers if the 656  
trailers are properly enclosed, secured, and grounded and are 657  
separated from any structure to which the public is admitted by 658  
a distance that will, in the fire marshal's judgment, allow 659  
fire-fighting equipment to have full access to the structures on 660  
the licensed premises. Such trailers may be moved into closer 661  
proximity to any structure only to accept or discharge cargo for 662  
a period not to exceed forty-eight hours. Only two such trailers 663  
may be placed in such closer proximity at any one time. At no 664  
time may trailers be used for conducting sales of any class of 665  
fireworks nor may members of the public have access to the 666  
trailers. 667

Storage areas for fireworks that are in the same building 668  
where fireworks are displayed and sold to the public shall be 669  
separated from the areas to which the public has access by an 670  
appropriately rated fire wall. If the licensee installs and 671  
properly maintains an early suppression fast response sprinkler 672  
system or equivalent fire suppression system as described in the 673

fire code adopted by the fire marshal in accordance with section 674  
3737.82 of the Revised Code throughout the structure, a fire 675  
barrier wall may be substituted for a fire wall between the 676  
areas to which the public has access and the storage portions of 677  
the structure. 678

(K) A fire suppression system as defined in section 679  
3781.108 of the Revised Code may be turned off only for repair, 680  
drainage of the system to prevent damage by freezing during the 681  
period of time, approved by the fire marshal under division (I) 682  
of this section, that the facility is closed to public access 683  
during winter months, or maintenance of the system. If any 684  
repair or maintenance is necessary during times when the 685  
facility is open for public access and business, the licensed 686  
wholesaler shall notify in advance the appropriate insurance 687  
company and fire chief or fire prevention officer regarding the 688  
nature of the maintenance or repair and the time when it will be 689  
performed. 690

(L) If any fireworks item is removed from its original 691  
package or is manufactured with any fuse other than a fuse 692  
approved by the consumer product safety commission, then the 693  
item shall be covered completely by repackaging or bagging or it 694  
shall otherwise be covered so as to prevent ignition prior to 695  
sale. 696

(M) A safety officer shall be present during regular 697  
business hours at a building open to the public during the 698  
period commencing fourteen days before, and ending two days 699  
after, each fourth day of July. The officer shall be highly 700  
visible, enforce this chapter and any applicable building codes 701  
to the extent the officer is authorized by law, and be one of 702  
the following: 703

- (1) A deputy sheriff; 704
- (2) A law enforcement officer of a municipal corporation, 705  
township, or township or joint police district; 706
- (3) A private uniformed security guard registered under 707  
section 4749.06 of the Revised Code. 708
- (N) All doors of all buildings on the licensed premises 709  
shall swing outward. 710
- (O) All wholesale and commercial sales of fireworks shall 711  
be packaged, shipped, placarded, and transported in accordance 712  
with United States department of transportation regulations 713  
applicable to the transportation, and the offering for 714  
transportation, of hazardous materials. For purposes of this 715  
division, "wholesale and commercial sales" includes all sales 716  
for resale and any nonretail sale made in furtherance of a 717  
commercial enterprise. For purposes of enforcement of these 718  
regulations under section 4923.99 of the Revised Code, any sales 719  
transaction exceeding one thousand pounds shall be rebuttably 720  
presumed to be a wholesale or commercial sale. 721
- Sec. 3743.25.** (A) (1) Except as described in division (A) 722  
(2) of this section and in section 3743.48 of the Revised Code, 723  
all retail sales of 1.4G fireworks by a licensed manufacturer or 724  
wholesaler shall only occur from an approved retail sales 725  
showroom on a licensed premises or from a representative sample 726  
showroom as described in this section on a licensed premises. 727  
For the purposes of this section, a retail sale includes the 728  
transfer of the possession of the 1.4G fireworks from the 729  
licensed manufacturer or wholesaler to the purchaser of the 730  
fireworks. 731
- (2) Sales of 1.4G fireworks to a licensed exhibitor for a 732

properly permitted exhibition shall occur in accordance with the 733  
provisions of the Revised Code and rules adopted by the state 734  
fire marshal under Chapter 119. of the Revised Code. Such rules 735  
shall specify, at a minimum, that the licensed exhibitor holds a 736  
license under section 3743.51 of the Revised Code, that the 737  
exhibitor possesses a valid exhibition permit issued in 738  
accordance with section 3743.54 of the Revised Code, and that 739  
the fireworks shipped are to be used at the specifically 740  
permitted exhibition. 741

(B) All wholesale sales of fireworks by a licensed 742  
manufacturer or wholesaler shall only occur from a licensed 743  
premises to persons who intend to resell the fireworks purchased 744  
at wholesale. A wholesale sale by a licensed manufacturer or 745  
wholesaler may occur as follows: 746

(1) The direct sale and shipment of fireworks to a person 747  
outside of this state; 748

(2) From an approved retail sales showroom as described in 749  
this section; 750

(3) From a representative sample showroom as described in 751  
this section; 752

(4) By delivery of wholesale fireworks to a purchaser at a 753  
licensed premises outside of a structure or building on that 754  
premises. All other portions of the wholesale sales transaction 755  
may occur at any location on a licensed premises. 756

(5) Any other method as described in rules adopted by the 757  
state fire marshal under Chapter 119. of the Revised Code. 758

(C) A-Except as otherwise provided in section 3743.48 of 759  
the Revised Code, a licensed manufacturer or wholesaler shall 760

only sell 1.4G fireworks from a representative sample showroom 761  
or a retail sales showroom. Each licensed premises shall only 762  
contain one sales structure. 763

A representative sample showroom shall consist of a 764  
structure constructed and maintained in accordance with the 765  
nonresidential building code adopted under Chapter 3781. of the 766  
Revised Code and the fire code adopted under section 3737.82 of 767  
the Revised Code for a use and occupancy group that permits 768  
mercantile sales. A representative sample showroom shall not 769  
contain any pyrotechnics, pyrotechnic materials, fireworks, 770  
explosives, explosive materials, or any similar hazardous 771  
materials or substances. A representative sample showroom shall 772  
be used only for the public viewing of fireworks product 773  
representations, including paper materials, packaging materials, 774  
catalogs, photographs, or other similar product depictions. The 775  
delivery of product to a purchaser of fireworks at a licensed 776  
premises that has a representative sample structure shall not 777  
occur inside any structure on a licensed premises. Such product 778  
delivery shall occur on the licensed premises in a manner 779  
prescribed by rules adopted by the state fire marshal pursuant 780  
to Chapter 119. of the Revised Code. 781

If a manufacturer or wholesaler elects to conduct sales 782  
from a retail sales showroom, the showroom structures, to which 783  
the public may have any access and in which employees are 784  
required to work, on all licensed premises, shall comply with 785  
the following safety requirements: 786

(1) A fireworks showroom that is constructed or upon which 787  
expansion is undertaken on and after June 30, 1997, shall be 788  
equipped with interlinked fire detection, fire suppression, 789  
smoke exhaust, and smoke evacuation systems that are approved by 790



the superintendent of industrial compliance in the department of 791  
commerce. 792

(2) (a) A fireworks showroom that first begins to operate 793  
on or after June 30, 1997, or that resumes operations at any 794  
time after a period of inactive status of licensure greater than 795  
one year, and to which the public has access for retail purposes 796  
shall not exceed seven thousand five hundred square feet in 797  
floor area. 798

(b) A fireworks showroom that, through construction of a 799  
new showroom, expansion of an existing showroom, or similar 800  
means, first exceeds five thousand square feet, to which the 801  
public has access for retail purposes, after ~~the effective date~~ 802  
~~of this amendment~~ February 7, 2022, shall be equipped with a 803  
sprinkler system that meets the criteria for sprinkler systems 804  
in extra hazard (group 2) occupancies under "NFPA 13, Standard 805  
for the Installation of Sprinkler Systems (2019 Edition)."

(c) Notwithstanding division (D) of this section, the 807  
state fire marshal may provide a variance to the requirements of 808  
division (C) (2) (b) of this section pursuant to section 3743.59 809  
of the Revised Code for a sprinkler system that matches or 810  
exceeds the degree of safety provided by a sprinkler system that 811  
meets the criteria for sprinkler systems in extra hazard (group 812  
2) occupancies under "NFPA 13, Standard for the Installation of 813  
Sprinkler Systems (2019 Edition)."

(3) A newly constructed or an existing fireworks showroom 815  
structure that exists on September 23, 2008, but that, on or 816  
after September 23, 2008, is altered or added to in a manner 817  
requiring the submission of plans, drawings, specifications, or 818  
data pursuant to section 3791.04 of the Revised Code, shall 819  
comply with a graphic floor plan layout that is approved by the 820

state fire marshal and superintendent showing width of aisles, 821  
parallel arrangement of aisles to exits, number of exits per 822  
wall, maximum occupancy load, evacuation plan for occupants, 823  
height of storage or display of merchandise, and other 824  
information as may be required by the state fire marshal and 825  
superintendent. 826

(4) A fireworks showroom structure that exists on June 30, 827  
1997, shall be in compliance on or after June 30, 1997, with 828  
floor plans showing occupancy load limits and internal 829  
circulation and egress patterns that are approved by the state 830  
fire marshal and superintendent, and that are submitted under 831  
seal as required by section 3791.04 of the Revised Code. 832

(D) The safety requirements established in division (C) of 833  
this section are not subject to any variance, waiver, or 834  
exclusion pursuant to this chapter or any applicable building 835  
code. 836

**Sec. 3743.48.** (A) For the purposes of this section, 837  
"online sale" means a retail sale through an internet web site 838  
or other digital platform. 839

(B) A licensed manufacturer or licensed wholesaler may 840  
conduct online sales of 1.4G fireworks in accordance with this 841  
section. A licensed manufacturer or licensed wholesaler shall 842  
ensure that all selection, ordering, and payment is carried out 843  
in accordance with the procedures and requirements of this 844  
chapter and all rules adopted thereunder, except to the extent 845  
that those procedures, requirements, and rules directly conflict 846  
with this section. 847

(C) Each online sale of 1.4G fireworks shall be 848  
specifically associated with a single licensed manufacturer or 849

licensed wholesaler, identified by license identification number 850  
and the address of the licensed premises. A licensed 851  
manufacturer or licensed wholesaler shall transfer possession of 852  
1.4G fireworks purchased in an online sale only in the retail 853  
showroom of the licensed premises or via curbside delivery made 854  
in accordance with all of the following: 855

(1) The delivery is made to the verified purchaser of the 856  
1.4G fireworks. 857

(2) The delivery occurs on the licensed premises 858  
associated with sale. 859

(3) The delivery occurs in a designated customer pick-up 860  
zone which may be accessible by motor vehicles. 861

(4) The purchaser is provided a safety pamphlet, in 862  
accordance with section 3743.47 of the Revised Code, at the 863  
point of delivery. 864

(5) The purchaser is offered safety glasses for a nominal 865  
fee at the point of delivery in accordance section 3743.47 of 866  
the Revised Code. 867

(D) A licensed manufacturer or licensed wholesaler may 868  
construct a tent or other temporary structure on a licensed 869  
premises to provide shelter for employees and purchasers at the 870  
point of curb-side delivery, provided that such structures are 871  
approved by the state fire marshal and are in compliance with 872  
all state and local laws, including the state building code, the 873  
state fire code, and any applicable zoning requirements. 874

(E) A licensed manufacturer or licensed wholesaler shall 875  
not transfer possession of 1.4G fireworks purchased in an online 876  
sale to any person other than the verified purchaser. Before 877

transferring possession, the licensed manufacturer or licensed 878  
wholesaler shall verify all of the following: 879

(1) The number and types of items included in the order; 880

(2) That the purchaser is at least eighteen years of age; 881

(3) That the purchaser's name is the same name associated 882  
with the credit or debit card with which the order was placed; 883

(4) That the purchaser attests to understanding and agrees 884  
to comply with all applicable federal, state, and local laws 885  
regarding consumer fireworks storage and use; 886

(5) That the purchaser signs all forms required by law; 887

(6) That the purchaser pays the fee imposed by section 888  
3743.22 of the Revised Code. 889

(F) A licensed manufacturer or licensed wholesaler that 890  
conducts online sales of 1.4G fireworks shall do all of the 891  
following: 892

(1) Comply with all applicable state and local laws, 893  
including the state building code, state fire code, and zoning 894  
requirements; 895

(2) Implement reasonable traffic control measures for 896  
curb-side deliveries; 897

(3) Maintain all regular fireworks sales records, 898  
including any records necessary to demonstrate compliance with 899  
this section, and make those records available upon request of 900  
the state fire marshal or any law enforcement officer, fire code 901  
official, or building code official with jurisdiction. 902

(G) A licensed manufacturer or licensed wholesaler shall 903  
not do any of the following: 904

- (1) Deliver fireworks via mail order, parcel service, or 905  
any other delivery process that occurs outside of the licensed 906  
premises; 907
- (2) Sell or offer for sale fireworks or other items 908  
outside of the licensed retail showroom except as expressly 909  
authorized by this section; 910
- (3) Display fireworks for sale outside of a retail 911  
showroom; 912
- (4) Permit any member of the public to access any areas on 913  
the licensed premises other than the retail showroom and the 914  
designated area for curb-side delivery. 915
- (H) Nothing in this section shall be construed to do any 916  
of the following: 917
- (1) Reduce, waive, or otherwise eliminate any licensure or 918  
safety requirements in this chapter or the rules adopted 919  
thereunder; 920
- (2) Exempt any retail sales of 1.4G fireworks from the fee 921  
imposed by section 3743.22 of the Revised Code; 922
- (3) Reduce, waive, or otherwise eliminate any of a 923  
licensed manufacturer's or licensed wholesaler's liability, 924  
insurance, workers compensation, or other legal obligations. 925
- (I) (1) A licensed wholesaler or licensed manufacturer is 926  
not required to conduct online sales of fireworks. 927
- (2) A licensed wholesaler or licensed manufacturer may 928  
implement a hybrid firework purchase and delivery system 929  
composed of one or more of the following: 930
- (a) Standard retail showroom sales; 931

<u>(b) Online selection of, or payment for, 1.4G fireworks</u>	932
<u>products and in-store showroom delivery of those products;</u>	933
<u>(c) Online selection of, or payment for, 1.4G fireworks</u>	934
<u>products and curb-side delivery of those products;</u>	935
<u>(d) Retail showroom-based product selection and payment,</u>	936
<u>and curb-side delivery of those products;</u>	937
<u>(e) Other similar purchase and delivery systems approved</u>	938
<u>in writing by the state fire marshal in accordance with division</u>	939
<u>(J) of this section.</u>	940
<u>(J) A licensed wholesaler or licensed manufacturer may</u>	941
<u>submit to the state fire marshal proposals for alternative 1.4G</u>	942
<u>firework purchase and delivery systems that satisfy the</u>	943
<u>requirements of this section. The state fire marshal shall</u>	944
<u>review each such proposal and, if the alternative firework</u>	945
<u>purchase and delivery system satisfies the requirements of this</u>	946
<u>section, may approve that firework purchase and delivery system</u>	947
<u>for use by the licensed wholesaler or licensed manufacturer.</u>	948
<u>(K) This section does not apply to 1.3G fireworks or</u>	949
<u>wholesale sales.</u>	950
<u>(M) The state fire marshal shall adopt rules and standards</u>	951
<u>in accordance with Chapter 119. of the Revised Code as necessary</u>	952
<u>to implement and enforce this section.</u>	953
<b>Sec. 3743.60.</b> (A) No person shall manufacture fireworks in	954
this state unless it is a licensed manufacturer of fireworks,	955
and no person shall operate a fireworks plant in this state	956
unless it has been issued a license as a manufacturer of	957
fireworks for the particular fireworks plant.	958
(B) No person shall operate a fireworks plant in this	959

state after its license as a manufacturer of fireworks for the 960  
particular fireworks plant has expired, is suspended, has been 961  
denied renewal, or has been revoked, unless a new license has 962  
been obtained or the suspension lifted. 963

(C) No licensed manufacturer of fireworks, during the 964  
effective period of its licensure, shall construct, locate, or 965  
relocate any buildings or other structures on the premises of 966  
its fireworks plant, make any structural change or renovation in 967  
any building or other structure on the premises of its fireworks 968  
plant, or change the nature of its manufacturing of fireworks so 969  
as to include the processing of fireworks without first 970  
obtaining a written authorization from the state fire marshal 971  
pursuant to division (B) of section 3743.04 of the Revised Code. 972

(D) No licensed manufacturer of fireworks shall 973  
manufacture fireworks, possess fireworks for sale at wholesale 974  
or retail, or sell fireworks at wholesale or retail, in a manner 975  
not authorized by division (C) of section 3743.04 of the Revised 976  
Code. 977

(E) No licensed manufacturer of fireworks shall knowingly 978  
fail to comply with the rules adopted by the state fire marshal 979  
pursuant to ~~section~~sections 3743.05 and 3743.48 of the Revised 980  
Code or the requirements of ~~section~~sections 3743.06 and 3743.48 981  
of the Revised Code. 982

(F) No licensed manufacturer of fireworks shall fail to 983  
maintain complete inventory, wholesale sale, and retail records 984  
as required by section 3743.07 of the Revised Code, or to permit 985  
inspection of these records or the premises of a fireworks plant 986  
pursuant to section 3743.08 of the Revised Code. 987

(G) No licensed manufacturer of fireworks shall fail to 988

comply with an order of the state fire marshal issued pursuant 989  
to division (B) (1) of section 3743.08 of the Revised Code, 990  
within the specified period of time. 991

(H) No licensed manufacturer of fireworks shall fail to 992  
comply with an order of the state fire marshal issued pursuant 993  
to division (B) (2) of section 3743.08 of the Revised Code until 994  
the nonconformities are eliminated, corrected, or otherwise 995  
remedied or the seventy-two hour period specified in that 996  
division has expired, whichever first occurs. 997

(I) No person shall smoke or shall carry a pipe, 998  
cigarette, or cigar, or a match, lighter, other flame-producing 999  
item, or open flame on, or shall carry a concealed source of 1000  
ignition into, the premises of a fireworks plant, except as 1001  
smoking is authorized in specified lunchrooms or restrooms by a 1002  
manufacturer pursuant to division (C) of section 3743.06 of the 1003  
Revised Code. 1004

(J) No person shall have possession or control of, or be 1005  
under the influence of, any intoxicating liquor, beer, or 1006  
controlled substance, while on the premises of a fireworks 1007  
plant. 1008

(K) No licensed manufacturer of fireworks shall 1009  
negligently fail to furnish a safety pamphlet to a purchaser of 1010  
1.4G fireworks as required by division (A) of section 3743.47 of 1011  
the Revised Code. 1012

(L) No licensed manufacturer of fireworks shall 1013  
negligently fail to have safety glasses available for sale as 1014  
required by division (B) of section 3743.47 of the Revised Code. 1015

**Sec. 3743.63.** (A) No person who purchases fireworks in 1016  
this state shall obtain possession of the fireworks in this 1017



state unless the person complies with sections 3743.44 to 1018  
~~3743.46~~3743.48 of the Revised Code. 1019

(B) Except for the purchase of 1.4G fireworks made under 1020  
section 3743.45 of the Revised Code, no person who resides in 1021  
another state and who purchases fireworks in this state shall 1022  
obtain possession of fireworks in this state other than from a 1023  
licensed manufacturer or wholesaler, or fail, when transporting 1024  
1.3G fireworks, to transport them directly out of this state 1025  
within seventy-two hours after the time of their purchase. 1026

(C) No person who purchases fireworks in this state under 1027  
section 3743.45 of the Revised Code shall give or sell to any 1028  
other person in this state fireworks that the person has 1029  
acquired in this state. 1030

**Sec. 3743.65.** (A) No person shall possess fireworks in 1031  
this state or shall possess for sale or sell fireworks in this 1032  
state, except a licensed manufacturer of fireworks as authorized 1033  
by sections 3743.02 to 3743.08 of the Revised Code, a licensed 1034  
wholesaler of fireworks as authorized by sections 3743.15 to 1035  
3743.21 of the Revised Code, a shipping permit holder as 1036  
authorized by section 3743.40 of the Revised Code, a licensed 1037  
fountain device retailer as authorized by section 3743.27 of the 1038  
Revised Code, a person as authorized by sections 3743.44~~and~~, and 1039  
3743.45, and 3743.48 of the Revised Code, or a licensed 1040  
exhibitor of fireworks as authorized by sections 3743.50 to 1041  
3743.55 of the Revised Code, and except as provided in section 1042  
3743.80 of the Revised Code. 1043

(B) Except as provided in sections 3743.45 and 3743.80 of 1044  
the Revised Code and except for licensed exhibitors of fireworks 1045  
authorized to conduct a fireworks exhibition pursuant to 1046  
sections 3743.50 to 3743.55 of the Revised Code, no person shall 1047

discharge, ignite, or explode any fireworks in this state. 1048

(C) No person shall use in a theater or public hall, what 1049  
is technically known as fireworks showers, or a mixture 1050  
containing potassium chlorate and sulphur. 1051

(D) No person shall sell fireworks of any kind to a person 1052  
under eighteen years of age. No person under eighteen years of 1053  
age shall enter a fireworks sales showroom unless that person is 1054  
accompanied by a parent, legal guardian, or other responsible 1055  
adult. No person under eighteen years of age shall touch or 1056  
possess fireworks on a licensed premises without the consent of 1057  
the licensee. A licensee may eject any person from a licensed 1058  
premises that is in any way disruptive to the safe operation of 1059  
the premises. 1060

(E) Except as otherwise provided in section 3743.44 of the 1061  
Revised Code, no person, other than a licensed manufacturer, 1062  
licensed wholesaler, licensed exhibitor, or shipping permit 1063  
holder, shall possess 1.3G fireworks in this state. 1064

(F) Except as otherwise provided in division (J) of 1065  
section 3743.06 and division (K) of section 3743.19 of the 1066  
Revised Code, no person shall knowingly disable a fire 1067  
suppression system as defined in section 3781.108 of the Revised 1068  
Code on the premises of a fireworks plant of a licensed 1069  
manufacturer of fireworks or on the premises of the business 1070  
operations of a licensed wholesaler of fireworks. 1071

(G) No person shall negligently discharge, ignite, or 1072  
explode fireworks while in possession or control of, or under 1073  
the influence of, any intoxicating liquor, beer, or controlled 1074  
substance. 1075

(H) No person shall negligently discharge, ignite, or 1076

explode fireworks on the property of another person without that 1077  
 person's permission to use fireworks on that property." 1078  
 Update the title, amend, enact, or repeal clauses accordingly 1079

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 1080

#### **Online sale and curbside pickup of consumer fireworks** 1081

**R.C. 3743.48; conforming changes in R.C. 3743.04, 3743.06,** 1082  
**3743.17, 3743.19, 3743.25, 3743.60, 3743.63, and 3743.65** 1083

Permits licensed fireworks manufacturers and wholesalers 1084  
 to conduct online transactions for the ordering and sale of 1085  
 consumer products in Ohio, including the collection of fireworks 1086  
 sales fees. 1087

Expands the space in which licensed fireworks retailers 1088  
 and wholesalers may deliver consumer fireworks to purchasers to 1089  
 include outdoor locations on a licensed premises. 1090

Establishes requirements for the purchase of consumer 1091  
 fireworks through an internet website or other digital platform. 1092

Establishes requirements for the delivery of consumer 1093  
 fireworks outside of a licensee's retail showroom. 1094

Permits the State Fire Marshal to adopt rules as necessary 1095  
 to implement and enforce the provisions expanding sale and 1096  
 delivery conditions for consumer fireworks. 1097

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 119765, in row N, delete "\$55,000,000 1  
\$55,000,000" and insert "\$55,150,000 \$55,150,000" 2

In the table on line 119765, in rows S and CH, add \$150,000 to each 3  
fiscal year 4

After line 119813, insert: 5

"PARKS AND RECREATION 6

Of the foregoing appropriation item 730321, Parks and Recreation, 7  
\$150,000 in each fiscal year shall be provided to Canalway Partners to 8  
support the 2027 bicentennial recognition of the Ohio & Erie Canal." 9

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 10

**Department of Natural Resources** 11

**Sections 343.10 and 343.20** 12

Increases GRF ALI 730321, Parks and Recreation, by 13

Legislative Service Commission



\$150,000 in each fiscal year and earmarks the increase for	14
Canalway Partners to support the 2027 bicentennial recognition	15
of the Ohio & Erie Canal.	16

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 329 of the title, delete "and" and insert a comma 1

In line 331 of the title, after "amended" insert ", and Section 5 of 2  
H.B. 554 of the 134th General Assembly as subsequently amended, " 3

After line 124619, insert: 4

**"Section 610.00.01.** That Section 5 of H.B. 554 of the 5  
134th General Assembly (as amended by H.B. 101 of the 135th 6  
General Assembly) be amended to read as follows: 7

**Sec. 5.** (A) This section applies to a community school 8  
described in Section 16 of H.B. 583 of the 134th General 9  
Assembly and to any other community school that is operated by a 10  
management company that operates a community school subject to 11  
that section. 12

(B) Notwithstanding division (H) of section 3314.08 of the 13  
Revised Code, a community school established under Chapter 3314. 14  
of the Revised Code and to which this section applies may report 15  
to the Department of Education and Workforce the number of 16  
students enrolled in the community school on a full-time 17  
equivalent basis for the 2022-2023, 2023-2024, ~~and 2024-2025,~~ 18  
and 2025-2026 school years using the lesser of the following: 19

(1) The maximum full-time equivalency for the portion of 20  
the school year for which the student is enrolled in the school; 21

(2) The sum of one-sixth of the full-time equivalency 22  
based on attendance for the portion of the school year for which 23  
the student is enrolled in the school and one-sixth the full- 24  
time equivalency based on each credit of instruction earned 25  
during the enrollment period, not to exceed five credits. 26

(C) (1) The Department of Education and Workforce shall 27  
complete a review of each community school that reports the 28  
full-time equivalency of students under division (B) of this 29  
section in accordance with division (K) of section 3314.08 of 30  
the Revised Code. 31

(2) If the Department determines a school has been 32  
overpaid based on a review completed under division (C) (1) of 33  
this section, it shall require a repayment of the overpaid funds 34  
and may require the school to establish a plan to improve the 35  
reporting of enrollment. 36

(D) Notwithstanding any provision to the contrary in the 37  
Revised Code or the Administrative Code, for purposes of 38  
reporting attendance and meeting minimum school year 39  
requirements under sections 3313.48 and 3314.03 of the Revised 40  
Code, a community school to which this section applies may 41  
report attendance to the Department of Education and Workforce 42  
consistent with the attendance policy approved by the governing 43  
authority of the school. 44

**Section 610.00.02.** That existing Section 5 of H.B. 554 of 45  
the 134th General Assembly (as amended by H.B. 101 of the 135th 46  
General Assembly) is hereby repealed." 47

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

48

**Community school FTE reporting based on credits earned**

49

**Section 610.00.01 and 610.00.02**

50

Extends through the 2025-2026 school year a current law	51
provision for the 2024-2025 school year providing the option of	52
a qualifying community school to elect to report its number of	53
enrolled students on a full-time equivalent (FTE) basis using	54
the lesser of (1) the maximum FTE for the portion of the school	55
year for which a student is enrolled in the school; or (2) the	56
sum of 1/6 of the FTE based on attendance for the portion of the	57
school year for which a student is enrolled and 1/6 of the FTE	58
for each credit of instruction earned during the enrollment	59
period, up to five credits.	60



\_\_\_\_\_ moved to amend as follows:

After line 86067, insert:

"Sec. 5101.549. (A) As used in this section:

(1) "Food additive" means any of the following:

(a) Synthetic food dyes derived from petroleum or coal  
tar, including red 40, red 3, yellow 5, yellow 6, blue 1, blue  
2, and green 3;

(b) Titanium dioxide and any other whitening agents  
classified as nanoparticles;

(c) Brominated vegetable oil and other chemical  
emulsifiers linked to hormone disruption;

(d) Potassium bromate, propylparaben, and any chemical  
additives classified as probable carcinogens.

(2) "Sugar-sweetened beverages" means nonalcoholic  
beverages that are made with carbonated water that is flavored,  
contains a food additive, and is sweetened with sugar or  
artificial sweeteners. "Sugar-sweetened beverages" do not  
include a beverage that contains milk, milk products, soy, rice,  
or other milk substitutes, or that contain greater than fifty



per cent vegetable or fruit juice by volume, or that contain 19  
less than five grams of added sugar. 20

(B) The director of job and family services shall submit a 21  
request to the United States department of agriculture for a 22  
waiver to exclude sugar-sweetened beverages as items that may be 23  
purchased in this state under the supplemental nutrition 24  
assistance program. If a waiver submitted under this section is 25  
not approved, the director shall resubmit a request for a waiver 26  
on an annual basis." 27

Update the title, amend, enact, or repeal clauses accordingly 28

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 29

**Exclusion of sugar-sweetened beverages from purchase under** 30  
**SNAP** 31

**R.C. 5101.549** 32

Requires the JFS Director to seek a waiver from the U.S. 33  
Department of Agriculture to exclude sugar-sweetened beverages 34  
as items that may be purchased in Ohio under SNAP. 35

Requires the Director to reapply for a waiver annually if 36  
it is not approved. 37

\_\_\_\_\_ moved to amend as follows:

In line 30998, strike through ", that" and insert "and both of the 1  
following apply: 2

(i) The 3

After line 31001, insert: 4

"(ii) The court finds that the interests of the person in having the 5  
records pertaining to the case sealed are not substantially outweighed by 6  
any legitimate governmental needs to maintain those records." 7

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 8

**Sealing juvenile records - balancing test unruly child** 9

**R.C. 2151.356** 10

Allows juvenile records to be sealed if a person has been 11  
adjudicated an unruly child and both of the following apply: 12

- The person has attained 18 years of age, and the person 13

is not under the jurisdiction of the court in relation to a 14  
complaint alleging the person to be a delinquent child. 15

- The court finds that the interests of the person in 16  
having the records pertaining to the case sealed are not 17  
substantially outweighed by any legitimate governmental needs to 18  
maintain those records. 19

\_\_\_\_\_ moved to amend as follows:

In line 40659, delete " <u>March</u> " and insert " <u>February</u> "	1
In line 40663, delete " <u>March</u> " and insert " <u>February</u> "	2
In line 40761, after " <u>to</u> " delete the balance of the line	3
Delete lines 40762 through 40770 and insert " <u>the general revenue</u>	4
<u>fund. The treasurer shall transfer funds under this division on the first</u>	5
<u>day of January and the first day of July of each year."</u>	6
In line 40781, delete " <u>thirteenth day</u> "	7
In line 40782, delete " <u>of June of</u> " and insert " <u>first day of July of</u>	8
<u>the year following"</u>	9
In line 40784, after " <u>to</u> " delete the balance of the line	10
Delete lines 40785 through 40790	11
In line 40791, delete " <u>student's resident district</u> " and insert " <u>the</u>	12
<u>general revenue fund"</u>	13
After line 40804, insert:	14
" <u>(I) The treasurer of state shall certify to the office of budget</u>	15
<u>and management the amount of funds transferred to the general revenue fund</u>	16
<u>under divisions (D) and (F) of this section."</u>	17

After line 116315, insert: 18

"**Section 265.211.** During fiscal year 2027, if the 19  
Treasurer of State certifies to the Director of Budget and 20  
Management amounts transferred to the General Revenue Fund 21  
pursuant to division (I) of section 3310.24 of the Revised Code, 22  
such amounts are hereby appropriated for fiscal year 2027 in 23  
appropriation item 200550, Foundation Funding - All Students." 24

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 25

#### **Nonchartered Educational Savings Account Program** 26

#### **R.C. 3310.23 and 3310.24** 27

Requires TOS to develop an application procedure for the 28  
Nonchartered Educational Savings Account Program by February 1, 29  
2026, rather than March 1 of that year, and open the application 30  
period on February 1 of each year, instead of March 1. 31

Requires TOS to do: 32

(1) On January 1 and July 1 of each year, transfer any 33  
remaining program funds in the account of a student who 34  
disenrolls from a participating school and does not enroll in 35  
another participating school during that school year to the GRF; 36

(2) Transfer any remaining program funds from the account 37  
of a student who does not reapply for a subsequent school year 38  
to the GRF on July 1 following the school year for which the 39  
account was established; and 40

(3) Certify to OBM the amount of funds returned to the GRF 41  
from those scholarship accounts. 42

**Department of Education and Workforce** 43

**Section 265.211** 44

Appropriates, for FY 2027, the certified amount of funds 45  
returned to the GRF by the Treasurer of State during that fiscal 46  
year to GRF ALI 200550, Foundation Funding - All Students. 47

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 33387, insert:

"**Sec. 2915.13.** (A) Subject to the requirements of sections 2915.14 and 2915.15 of the Revised Code concerning electronic instant bingo, a veteran's organization, a fraternal organization, or a sporting organization authorized to conduct a bingo session pursuant to this chapter may conduct instant bingo, electronic instant bingo, or both other than at a bingo session under a type III license issued under section 2915.08 of the Revised Code if all of the following apply:

(1) The veteran's organization, fraternal organization, or sporting organization limits the sale of instant bingo or electronic instant bingo to ~~twelve~~sixteen hours during any day, provided that the sale does not begin earlier than ~~ten~~eight a.m. and ends not later than two a.m.

(2) The veteran's organization, fraternal organization, or sporting organization limits the sale of instant bingo or electronic instant bingo to its own premises and to its own members and invited guests.

(3) The veteran's organization, fraternal organization, or





sporting organization is raising money for an organization that 20  
is described in subsection 509(a) (1), 509(a) (2), or 509(a) (3) of 21  
the Internal Revenue Code and is either a governmental unit or 22  
an organization that maintains its principal place of business 23  
in this state, that is exempt from federal income taxation under 24  
subsection 501(a) and described in subsection 501(c) (3) of the 25  
Internal Revenue Code, and that is in good standing in this 26  
state and executes a written contract with that organization as 27  
required in division (B) of this section. 28

(B) If a veteran's organization, fraternal organization, 29  
or sporting organization authorized to conduct instant bingo or 30  
electronic instant bingo pursuant to division (A) of this 31  
section is raising money for another organization that is 32  
described in subsection 509(a) (1), 509(a) (2), or 509(a) (3) of 33  
the Internal Revenue Code and is either a governmental unit or 34  
an organization that maintains its principal place of business 35  
in this state, that is exempt from federal income taxation under 36  
subsection 501(a) and described in subsection 501(c) (3) of the 37  
Internal Revenue Code, and that is in good standing in this 38  
state, the veteran's organization, fraternal organization, or 39  
sporting organization shall execute a written contract with the 40  
organization that is described in subsection 509(a) (1), 509(a) 41  
(2), or 509(a) (3) of the Internal Revenue Code and is either a 42  
governmental unit or an organization that maintains its 43  
principal place of business in this state, that is exempt from 44  
federal income taxation under subsection 501(a) and described in 45  
subsection 501(c) (3) of the Internal Revenue Code, and that is 46  
in good standing in this state in order to conduct instant bingo 47  
or electronic instant bingo. That contract shall include a 48  
statement of the percentage of the net proceeds that the 49  
veteran's, fraternal, or sporting organization will be 50

distributing to the organization that is described in subsection 51  
509(a) (1), 509(a) (2), or 509(a) (3) of the Internal Revenue Code 52  
and is either a governmental unit or an organization that 53  
maintains its principal place of business in this state, that is 54  
exempt from federal income taxation under subsection 501(a) and 55  
described in subsection 501(c) (3) of the Internal Revenue Code, 56  
and that is in good standing in this state. 57

(C) (1) If a veteran's organization, fraternal 58  
organization, or sporting organization authorized to conduct 59  
instant bingo or electronic instant bingo pursuant to division 60  
(A) of this section has been issued a liquor permit under 61  
Chapter 4303. of the Revised Code, that permit may be subject to 62  
suspension, revocation, or cancellation if the veteran's 63  
organization, fraternal organization, or sporting organization 64  
violates a provision of this chapter. 65

(2) No veteran's organization, fraternal organization, or 66  
sporting organization that enters into a written contract 67  
pursuant to division (B) of this section shall violate any 68  
provision of this chapter or permit, aid, or abet any other 69  
person in violating any provision of this chapter. 70

(D) A veteran's organization, fraternal organization, or 71  
sporting organization shall give all required proceeds earned 72  
from the conduct of instant bingo or electronic instant bingo to 73  
the organization with which the veteran's organization, 74  
fraternal organization, or sporting organization has entered 75  
into a written contract. 76

(E) Whoever violates this section is guilty of illegal 77  
instant bingo or electronic instant bingo conduct. Except as 78  
otherwise provided in this division, illegal instant bingo or 79  
electronic instant bingo conduct is a misdemeanor of the first 80

degree. If the offender previously has been convicted of a 81  
violation of this section, illegal instant bingo or electronic 82  
instant bingo conduct is a felony of the fifth degree. " 83  
Update the title, amend, enact, or repeal clauses accordingly 84

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 85

**Hours for instant bingo and electronic instant bingo** 86

**R.C. 2915.13** 87

Expands the hours during which a veteran's, fraternal, or 88  
sporting organization may offer instant bingo or electronic 89  
instant bingo other than at a bingo session. 90

Allows those games to be offered up to 16 hours a day, 91  
instead of up to 12. 92

Allows those games to begin as early as 8 a.m. instead of 93  
10 a.m., and to end not later than 2 a.m., as under current law. 94

\_\_\_\_\_ moved to amend as follows:

In line 41714, after "buildings" insert "used for educational  
instruction" 1 2

In line 41854, after "facilities" insert "used for educational  
instruction" 3 4

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 5

**Planned demolition of school district property** 6

**R.C. 3313.41 and 3313.411** 7

Limits the bill's exemption for any building located on, 8  
or adjacent to, a tract or parcel of land where other school 9  
district facilities are located from the involuntary disposition 10  
law and the requirement for school districts to offer for sale a 11  
building it plans to demolish, so that the exemption only 12  
applies to a building located on, or adjacent to, a tract or 13  
parcel of land where other school district facilities *used for* 14

Legislative Service Commission



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*educational instruction* are located.

15

\_\_\_\_\_ moved to amend as follows:

After line 25997, insert:

"Sec. 1349.10. (A) (1) "Cable service provider" has the  
same meaning as in section 1332.01 of the Revised Code.

(2) "Cloud service provider" means a third-party company  
offering a cloud-based platform, infrastructure, application, or  
storage services.

(3) "Direct-to-home satellite service" has the same  
meaning as in 47 U.S.C. 303, as amended.

(4) "Identifying information" means photo identification  
or public or private transactional data.

(5) "Interactive computer service" has the same meaning as  
in the "Telecommunications Act of 1996," 47 U.S.C. 230, as  
amended.

(6) "Internet provider" means a provider of internet  
service, including all of the following:

(a) Broadband service, however defined or classified by  
the federal communications commission;



(b) Information service or telecommunications service, 18  
both as defined in the "Telecommunications Act of 1996," 47 19  
U.S.C. 153, as amended; 20

(c) Internet protocol-enabled services, as defined in 21  
section 4927.01 of the Revised Code. 22

(7) "Mobile service" and "telecommunications carrier" have 23  
the same meanings as in the "Telecommunications Act of 1996," 47 24  
U.S.C. 153, as amended. 25

(8) "Organization" means both of the following: 26

(a) A commercial establishment that, for any form of 27  
consideration, has as a significant or substantial portion of 28  
its stock-in-trade in, derives a significant or substantial 29  
portion of its revenues from, devotes a significant or 30  
substantial portion of its content or advertising to, or 31  
maintains a substantial section of its sales or online content 32  
display space for the sale, rental, or viewing of materials that 33  
are obscene or harmful to juveniles; 34

(b) A commercial establishment as defined in section 35  
2907.38 of the Revised Code. An establishment may have other 36  
principal business purposes that do not involve selling, 37  
delivering, furnishing, disseminating, providing, exhibiting, or 38  
presenting any material or performance that is obscene or 39  
harmful to juveniles on the internet and still be categorized as 40  
an organization subject to this section. The existence of other 41  
principal business purposes does not exempt an establishment 42  
from being categorized as an organization subject to this 43  
section, so long as one of its principal business purposes 44  
involves selling, delivering, furnishing, disseminating, 45  
providing, exhibiting, or presenting any material or performance 46

that is obscene or harmful to juveniles on the internet.

(9) "Photo identification" has the same meaning as in  
section 3501.01 of the Revised Code and includes any government-  
issued identification issued by another state, district,  
country, or sovereignty.

(10) "Reasonable age verification methods" means the  
following:

(a) Verifying that the person attempting to access the  
material or performance that is obscene or harmful to juveniles  
is eighteen years of age or older through the use of a  
commercial age verification system that uses photo  
identification or public or private transactional data to verify  
the person's age;

(b) Using third-party and governmental databases that use  
a commercial age verification system that uses photo  
identification or public or private transactional data to verify  
the person's age.

(11) "Transactional data" means a sequence of information  
that documents an exchange, agreement, or transfer between a  
person, organization, or third party for the purpose of  
satisfying a request or event. "Transactional data" includes  
mortgage, educational, and employment records.

(12) "Video service provider" has the same meaning as in  
section 1332.21 of the Revised Code.

(B) An organization that sells, delivers, furnishes,  
disseminates, provides, exhibits, or presents any material or  
performance that is obscene or harmful to juveniles on the  
internet shall do all of the following:



- (1) Verify that any person attempting to access the 75  
material or performance that is obscene or harmful to juveniles 76  
is eighteen years of age or older through reasonable age 77  
verification methods; 78
- (2) Verify that any person creating an account or 79  
subscription to access any material or performance that is 80  
obscene or harmful to juveniles is eighteen years of age or 81  
older through reasonable age verification methods. The 82  
organization shall reverify the age of the person every two 83  
years thereafter. 84
- (3) (a) Utilize a geofence system maintained and monitored 85  
by a licensed location-based technology provider to dynamically 86  
monitor the geolocation of persons attempting to access or 87  
creating an account or subscription to access the material or 88  
performance that is obscene or harmful to juveniles; 89
- (b) The location-based technology provider shall perform a 90  
geolocation check to dynamically monitor the person attempting 91  
to access or creating an account or subscription to access the 92  
material or performance that is obscene or harmful to juveniles 93  
and the person's location. 94
- (c) If the location-based technology provider determines 95  
that a person is located in this state, the organization that 96  
sells, delivers, furnishes, disseminates, provides, exhibits, or 97  
presents any material or performance that is obscene or harmful 98  
to juveniles on the internet shall block that person until the 99  
person's age has been verified using reasonable age verification 100  
methods. 101
- (4) Implement a notification mechanism to alert persons 102  
attempting to access or creating an account or subscription to 103

access the material or performance that is obscene or harmful to 104  
juveniles, of a geolocation check failure. 105

(C) (1) (a) Except as otherwise provided in division (C) (1) 106  
(b) of this section, an organization that sells, delivers, 107  
furnishes, disseminates, provides, exhibits, or presents any 108  
material or performance that is obscene or harmful to juveniles 109  
on the internet and verifies the age of the person creating an 110  
account or subscription to access the material or performance 111  
that is obscene or harmful to juveniles on the internet shall do 112  
the following: 113

(i) Immediately delete all information gathered for the 114  
purpose of age verification after the age verification is 115  
completed, except the information maintained for account and 116  
subscription access and for billing purposes; 117

(ii) Upon the request of the account holder or subscriber, 118  
immediately delete the data maintained for user access to the 119  
account or subscription and for billing purposes; 120

(iii) Develop and maintain a data privacy policy compliant 121  
with federal and state law and maintain data in a manner that is 122  
reasonably secure. 123

(b) On the expiration of two years after the creation of 124  
the account or subscription, the organization shall immediately 125  
delete all information relative to the creation of the user's 126  
account or subscription and any information maintained for 127  
billing purposes, unless the account holder or subscriber renews 128  
the account or subscription. 129

(2) An organization that sells, delivers, furnishes, 130  
disseminates, provides, exhibits, or presents any material or 131  
performance that is obscene or harmful to juveniles on the 132

internet and verifies the age of the person attempting to access 133  
the material or performance that is obscene or harmful to 134  
juveniles on the internet shall do both of the following: 135

(a) Immediately delete all information gathered for the 136  
purpose of age verification after age verification is completed; 137

(b) Develop and maintain a data privacy policy compliant 138  
with federal and state law and maintain data in a manner that is 139  
reasonably secure. 140

(3) An organization described in division (C) (1) or (2) of 141  
this section shall immediately delete any identifying 142  
information, except the information required for the purpose of 143  
granting a person access to the account or subscription and for 144  
billing the account or subscription, that is used for age 145  
verification of the person attempting to access or creating an 146  
account or subscription to access any material or performance on 147  
the internet that is obscene or harmful to juveniles after age 148  
verification is completed. 149

(4) An organization as described in division (C) (1) or (2) 150  
of this section shall not transfer any information collected, 151  
except for the purpose of age verification. Any party who 152  
receives transferred information for age verification purposes 153  
shall immediately delete all information gathered for the 154  
purpose of age verification after age verification is completed. 155

(D) This section does not apply to any of the following: 156

(1) A person who, while employed or contracted by a 157  
newspaper, magazine, press association, news agency, news wire 158  
service, radio or television station, or similar media, is 159  
gathering, processing, transmitting, compiling, editing, or 160  
disseminating information for the general public; 161

- (2) A provider of an interactive computer service; 162
- (3) A mobile service; 163
- (4) An internet provider; 164
- (5) A cable service provider; 165
- (6) A direct-to-home satellite service; 166
- (7) A video service provider; 167
- (8) A cloud service provider. 168

**Sec. 1349.101.** (A) The attorney general may bring a civil 169  
action against an organization that sells, delivers, furnishes, 170  
disseminates, provides, exhibits, or presents any material or 171  
performance that is obscene or harmful to juveniles on the 172  
internet that fails to comply with the requirements under 173  
divisions (B) (1) or (2) or (C) (1) or (2) of section 1349.10 of 174  
the Revised Code and as a result of that failure a minor gains 175  
access to the material or performance. Before initiating such an 176  
enforcement action, the attorney general shall provide written 177  
notice to the organization identifying and explaining the basis 178  
for each instance of alleged violation. 179

(B) Except as otherwise provided in division (D) of this 180  
section, the attorney general shall not commence an enforcement 181  
action if the organization, within forty-five days after notice 182  
of the alleged violation is sent, does both of the following: 183

(1) Cures all violations described in the notice: 184

(2) Provides the attorney general with a written statement 185  
indicating that the violations are cured and agreeing to refrain 186  
from further noncompliance of the requirements under divisions 187  
(B) (1) or (2) or (C) (1) or (2) of section 1349.10 of the Revised 188

Code. 189

(C) If the organization does not timely respond or 190  
continues to fail to comply with the requirements under 191  
divisions (B) (1) or (2) or (C) (1) or (2) of section 1349.10 of 192  
the Revised Code after receiving the notice, the attorney 193  
general may initiate the enforcement action and seek injunctive 194  
relief. 195

(D) Division (B) of this section does not apply if the 196  
organization fails to timely comply with all of the requirements 197  
described in the notice or commits subsequent violations of the 198  
same type after curing the initial violation under that 199  
division. Notwithstanding division (C) of this section, if an 200  
organization commits a subsequent violation of the same type 201  
after reporting that the initial violation is cured, the 202  
attorney general may bring a civil action at any time after 203  
sending notice of the violation under division (A) of this 204  
section. 205

(E) Nothing in this section shall be construed to provide 206  
a private right of action. The attorney general has the 207  
exclusive authority to enforce this section." 208

After line 32577, insert: 209

**"Sec. 2307.66.** (A) A victim of a violation of section 210  
2917.211 of the Revised Code has and may commence a civil cause 211  
of action against the offender for any of the following, in 212  
addition to reasonable attorney's fees and the costs of bringing 213  
the civil action: 214

(1) An injunction or a temporary restraining order 215  
prohibiting further dissemination of the image that is the 216  
subject of the violation; 217

(2) Compensatory and punitive damages for harm resulting 218  
from the violation. 219

(B) The victim shall be presumed to have suffered harm as 220  
a result of the nonconsensual dissemination of private sexual 221  
images or the nonconsensual dissemination of fabricated sexual 222  
images. 223

(C) A civil action brought under division (A) of this 224  
section shall be brought within four years after the victim 225  
discovers the private sexual image or fabricated sexual image. 226

(D) The cause of action created by this section is in 227  
addition to any other cause of action available under statutory 228  
or common law. 229

~~(D)~~ (E) As used in this section, "victim" has the same 230  
meaning as in section 2930.01 of the Revised Code. 231

(F) "Fabricated sexual image" means a created, adapted, or 232  
modified image that depicts another person, the other person is 233  
recognizable in the image by the other person's face, likeness, 234  
or other distinguishing characteristic, and the other person 235  
depicted in the image is in a state of nudity or is engaged in a 236  
sexual act." 237

After line 33387, insert: 238

**"Sec. 2917.211.** (A) As used in this section: 239

(1) "Child-victim oriented offense" and "sexually oriented 240  
offense" have the same meanings as in section 2950.01 of the 241  
Revised Code. 242

(2) "Disseminate" means to post, distribute, or publish on 243  
a computer device, computer network, web site, or other 244  
electronic device or medium of communication. 245

~~(2)~~ (3) "Image" means a photograph, film, videotape, 246  
digital recording, or other depiction or portrayal of a person. 247

~~(3)~~ (4) "Interactive computer service" has the meaning 248  
defined in the "Telecommunications Act of 1996," 47 U.S.C. 230, 249  
as amended. 250

~~(4)~~ (5) "Internet provider" means a provider of internet 251  
service, including all of the following: 252

(a) Broadband service, however defined or classified by 253  
the federal communications commission; 254

(b) Information service or telecommunications service, 255  
both as defined in the "Telecommunications Act of 1996," 47 256  
U.S.C. 153, as amended; 257

(c) Internet protocol-enabled services, as defined in 258  
section 4927.01 of the Revised Code. 259

~~(5)~~ (6) "Mobile service" and "telecommunications carrier" 260  
have the meanings defined in 47 U.S.C. 153, as amended. 261

~~(6)~~ (7) "Cable service provider" has the same meaning as 262  
in section 1332.01 of the Revised Code. 263

~~(7)~~ (8) "Direct-to-home satellite service" has the meaning 264  
defined in 47 U.S.C. 303, as amended. 265

~~(8)~~ (9) "Video service provider" has the same meaning as 266  
in section 1332.21 of the Revised Code. 267

~~(9)~~ (10) "Sexual act" means any of the following: 268

(a) Sexual activity; 269

(b) Masturbation; 270

(c) An act involving a bodily substance that is performed 271

for the purpose of sexual arousal or gratification; 272

(d) Sado-masochistic abuse. 273

(11) "Fabricated sexual image" has the same meaning as in 274  
section 2307.66 of the Revised Code. 275

(B) No person shall knowingly disseminate an image of 276  
another person if all of the following apply: 277

(1) The person in the image is eighteen years of age or 278  
older. 279

(2) The person in the image can be identified from the 280  
image itself or from information displayed in connection with 281  
the image and the offender supplied the identifying information. 282

(3) The person in the image is in a state of nudity or is 283  
engaged in a sexual act. 284

(4) The image is disseminated without consent from the 285  
person in the image. 286

(5) The image is disseminated with intent to harm the 287  
person in the image. 288

(C) No person shall knowingly disseminate a fabricated 289  
sexual image of another person without the other person's 290  
consent. 291

(D) No person shall, without the consent of the depicted 292  
person, in order to harass, extort, threaten, or cause physical, 293  
emotional, reputational, or economic harm to a person falsely 294  
depicted, knowingly do either of the following: 295

(1) Create a fabricated sexual image with intent to 296  
distribute; 297



(2) Solicit the creation of a fabricated sexual image with 298  
intent to distribute. 299

(E) This section does not prohibit the dissemination of an 300  
image or fabricated sexual image if any of the following apply: 301

(1) The image or fabricated sexual image is disseminated 302  
for the purpose of a criminal investigation that is otherwise 303  
lawful. 304

(2) The image or fabricated sexual image is disseminated 305  
for the purpose of, or in connection with, the reporting of 306  
unlawful conduct. 307

(3) The image or fabricated sexual image is part of a news 308  
report or commentary or an artistic or expressive work, such as 309  
a performance, work of art, literary work, theatrical work, 310  
musical work, motion picture, film, or audiovisual work. 311

(4) The image or fabricated sexual image is disseminated 312  
by a law enforcement officer, or a corrections officer or guard 313  
in a detention facility, acting within the scope of the person's 314  
official duties. 315

(5) The image or fabricated sexual image is disseminated 316  
for another lawful public purpose. 317

(6) ~~The~~ If the person in the image or fabricated sexual 318  
image is eighteen years of age or older, the person in the image 319  
or fabricated sexual image is knowingly and willingly in a state 320  
of nudity or engaged in a sexual act and is knowingly and 321  
willingly in a location in which the person does not have a 322  
reasonable expectation of privacy. 323

(7) The image or fabricated sexual image is disseminated 324  
for the purpose of medical treatment or examination. 325

~~(D)~~ (F) The following entities are not liable for a  
violation of this section solely as a result of an image or  
fabricated sexual image or other information provided by another  
person:

- (1) A provider of interactive computer service;
- (2) A mobile service;
- (3) A telecommunications carrier;
- (4) An internet provider;
- (5) A cable service provider;
- (6) A direct-to-home satellite service;
- (7) A video service provider.

~~(E)~~ (G) Any conduct that is a violation of this section  
and any other section of the Revised Code may be prosecuted  
under this section, the other section, or both sections.

~~(F) (1) (a)~~ (H) (1) (a) Except as otherwise provided in  
division ~~(F) (1) (b), (c), or (d)~~ (H) (1) (b) of this section,  
whoever violates division (B) of this section is guilty of  
nonconsensual dissemination of private sexual images, a  
~~misdemeanor~~ felony of the ~~third~~ fifth degree.

(b) If the offender previously has been convicted of or  
pleaded guilty to a violation of division (B) of this section, a  
sexually oriented offense, or a child-victim oriented offense,  
nonconsensual dissemination of private sexual images is a  
~~misdemeanor~~ felony of the ~~second~~ fourth degree.

~~(c) If the offender previously has been convicted of or~~  
~~pleaded guilty to two or more violations of this section,~~  
~~nonconsensual dissemination of private sexual images is a~~

~~misdemeanor of the first degree.~~

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~~(d) If the offender is under eighteen years of age and the person in the image is not more than five years older than the offender, the offender shall not be prosecuted under this section.~~

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~~(2)~~ (2) (a) Except as otherwise provided in division (H) (2) (b) of this section, whoever violates division (C) of this section is guilty of nonconsensual dissemination of fabricated sexual images, a felony of the fourth degree.

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(b) If the offender has previously been convicted of or pleaded guilty to a violation of this section, a sexually oriented offense, or a child-victim oriented offense, nonconsensual dissemination of fabricated sexual images is a felony of the third degree.

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(3) (a) Except as otherwise provided in division (H) (3) (b) of this section, whoever violates division (D) of this section is guilty of nonconsensual creation of fabricated sexual images, a felony of the fourth degree.

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(b) If the offender has previously been convicted of or pleaded guilty to a violation of this section, a sexually oriented offense, or a child-victim oriented offense, nonconsensual creation of fabricated sexual images is a felony of the third degree.

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(4) In addition to any other penalty or disposition authorized or required by law, the court may order any person who is convicted of a violation of this section or who is adjudicated delinquent by reason of a violation of this section to criminally forfeit all of the following property to the state under Chapter 2981. of the Revised Code:

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(a) Any profits or proceeds and any property the person  
has acquired or maintained in violation of this section that the  
sentencing court determines to have been acquired or maintained  
as a result of the violation;

(b) Any interest in, securities of, claim against, or  
property or contractual right of any kind affording a source of  
influence over any enterprise that the person has established,  
operated, controlled, or conducted in violation of this section  
that the sentencing court determines to have been acquired or  
maintained as a result of the violation.

~~(G)~~ (I) A victim of a violation of this section may  
commence a civil cause of action against the offender, as  
described in section 2307.66 of the Revised Code."

After line 35575, insert:

**"Sec. 2981.02.** (A) (1) The following property is subject to  
forfeiture to the state or a political subdivision under either  
the criminal or delinquency process in section 2981.04 of the  
Revised Code or the civil process in section 2981.05 of the  
Revised Code:

(a) Contraband involved in an offense;

(b) Proceeds derived from or acquired through the  
commission of an offense;

(c) An instrumentality that is used in or intended to be  
used in the commission or facilitation of any of the following  
offenses when the use or intended use, consistent with division  
(B) of this section, is sufficient to warrant forfeiture under  
this chapter:

(i) A felony;

(ii) A misdemeanor, when forfeiture is specifically 410  
authorized by a section of the Revised Code or by a municipal 411  
ordinance that creates the offense or sets forth its penalties; 412

(iii) An attempt to commit, complicity in committing, or a 413  
conspiracy to commit an offense of the type described in 414  
divisions (A) (3) (a) and (b) of this section. 415

(2) In determining whether an alleged instrumentality was 416  
used in or was intended to be used in the commission or 417  
facilitation of an offense or an attempt, complicity, or 418  
conspiracy to commit an offense in a manner sufficient to 419  
warrant its forfeiture, the trier of fact shall consider the 420  
following factors the trier of fact determines are relevant: 421

(a) Whether the offense could not have been committed or 422  
attempted but for the presence of the instrumentality; 423

(b) Whether the primary purpose in using the 424  
instrumentality was to commit or attempt to commit the offense; 425

(c) The extent to which the instrumentality furthered the 426  
commission of, or attempt to commit, the offense. 427

(B) The property described in division ~~(F) (2)~~ (H) (4) of 428  
section 2917.211 of the Revised Code is subject to forfeiture 429  
under the criminal or delinquency process in section 2981.04 of 430  
the Revised Code, if the forfeiture is ordered by the court 431  
imposing sentence or an order of disposition. 432

(C) This chapter does not apply to or limit forfeitures 433  
under Title XLV of the Revised Code, including forfeitures 434  
relating to section 2903.06 or 2903.08 of the Revised Code." 435

Update the title, amend, enact, or repeal clauses accordingly 436

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Age verification requirements**

**R.C. 1349.10 and 1349.101**

Requires an organization that sells, delivers, furnishes, disseminates, provides, exhibits, or presents any material or performance that is obscene or harmful to juveniles to utilize reasonable age verification methods and to delete identifying information of any person attempting to access those materials or performances.

Allows the attorney general to bring a cause of action against an organization that fails to verify the age of the minor that accessed the materials that were harmful to juveniles on the internet and removes the minor's or parent or guardian of the minor's ability to bring a cause of action against an organization that fails to verify the age of the minor that accessed the materials that were harmful to juveniles on the internet.

**Exemptions**

Exempts persons employed by newspapers, magazines, television stations, or similar media and certain service providers disseminating information for the general public from fulfilling the age verification requirement.

**Dissemination of fabricated sexual images**

**R.C. 2307.66 and 2917.211**

Creates the offenses of nonconsensual dissemination and

nonconsensual creation of fabricated sexual images.	462
Allows for the dissemination of fabricated sexual images	463
under certain circumstances.	464
Allows a victim of nonconsensual dissemination or	465
nonconsensual creation of fabricated sexual images to commence a	466
civil action against the offender.	467
<b>Forfeiture</b>	468
<b>R.C. 2981.02</b>	469
Allows the court to order a person who is convicted of	470
nonconsensual dissemination or nonconsensual creation of	471
fabricated sexual images or who is adjudicated a delinquent	472
child by reason of committing that offense to criminally forfeit	473
certain specified property acquired or maintained as a result of	474
committing the offense.	475

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 39578, after "placement" insert ", college-level examination 1  
program," 2

In line 39580, after the period insert "The required score for a 3  
college-level examination program examination shall be a passing score, as 4  
determined by the department." 5

In line 39583, after "placement" insert ", college-level examination 6  
program," 7

In line 42415, after "Code" insert ";" 8

(6) The college-level examination program" 9

After line 42907, insert: 10

"**Sec. 3313.6114.** (A) The department of education and 11  
workforce shall establish a system of state diploma seals for 12  
the purposes of allowing a student to qualify for graduation 13  
under section 3313.618 of the Revised Code. State diploma seals 14  
may be attached or affixed to the high school diploma of a 15  
student enrolled in a public or chartered nonpublic school. The 16  
system of state diploma seals shall consist of all of the 17  
following: 18



(1) The state seal of biliteracy established under section 3313.6111 of the Revised Code;	19
	20
(2) The OhioMeansJobs-readiness seal established under section 3313.6112 of the Revised Code;	21
	22
(3) The state diploma seals prescribed under division (C) of this section.	23
	24
(B) A school district, community school established under Chapter 3314. of the Revised Code, STEM school established under Chapter 3326. of the Revised Code, college-preparatory boarding school established under Chapter 3328. of the Revised Code, or chartered nonpublic school shall attach or affix the state seals prescribed under division (C) of this section to the diploma and transcript of a student enrolled in the district or school who meets the requirements established under that division.	25
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(C) The department shall establish all of the following state diploma seals:	33
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(1) An industry-recognized credential seal. A student shall meet the requirement for this seal by doing either of the following:	35
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	37
(a) Earning an industry-recognized credential, or group of credentials, approved under section 3313.6113 of the Revised Code that is both of the following:	38
	39
	40
(i) At least equal to the total number of points established under section 3313.6113 of the Revised Code to qualify for a high school diploma;	41
	42
	43
(ii) Aligned to a job that is determined to be in demand in this state and its regions under section 6301.11 of the Revised Code.	44
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(b) Obtaining a license approved under section 3313.6113 47  
of the Revised Code that is issued by a state agency or board 48  
for practice in a vocation that requires an examination for 49  
issuance of that license. 50

(2) A college-ready seal. A student shall meet the 51  
requirement for this seal by attaining a score that is 52  
remediation-free, in accordance with standards adopted under 53  
division (F) of section 3345.061 of the Revised Code, on a 54  
nationally standardized assessment prescribed under division (B) 55  
(1) of section 3301.0712 of the Revised Code or by attaining a 56  
passing score, as determined by the department of education and 57  
workforce and aligned with current statewide college-level 58  
examination program scores identified by the department of 59  
higher education, on a college-level examination program 60  
examination. 61

(3) A military seal. A student shall meet the requirement 62  
for this seal by doing one of the following: 63

(a) Providing evidence that the student has enlisted in a 64  
branch of the armed services of the United States as defined in 65  
section 5910.01 of the Revised Code; 66

(b) Participating in a junior reserve officer training 67  
program approved by the congress of the United States under 68  
title 10 of the United States Code; 69

(c) Providing evidence that the student has accepted a 70  
scholarship to enter the reserve officer training corps; 71

(d) Providing evidence that the student has been appointed 72  
to a United States military service academy. 73

(4) A citizenship seal. A student shall meet the 74

requirement for this seal by doing any of the following:	75
(a) Demonstrating at least a proficient level of skill as	76
prescribed under division (B) (5) (a) of section 3301.0712 of the	77
Revised Code on both the American history and American	78
government end-of-course examinations prescribed under division	79
(B) (2) of section 3301.0712 of the Revised Code;	80
(b) Attaining a score level prescribed under division (B)	81
(5) (d) of section 3301.0712 of the Revised Code that is at least	82
the equivalent of a proficient level of skill in appropriate	83
advanced placement or international baccalaureate examinations	84
<u>or by attaining a passing score, as determined by the</u>	85
<u>department, on a college-level examination program examination</u>	86
in lieu of the American history and American government end-of-	87
course examinations;	88
(c) In lieu of the American history and American	89
government end-of-course examinations, attaining a final course	90
grade that is the equivalent of a "B" or higher in either:	91
(i) An American history course and an American government	92
course that are offered by the student's high school;	93
(ii) Appropriate courses taken through the college credit	94
plus program established under Chapter 3365. of the Revised	95
Code.	96
(d) In the case of a student who takes an alternate	97
assessment in accordance with division (C) (1) of section	98
3301.0711 of the Revised Code, attaining a score established by	99
the department on the alternate assessment in social studies;	100
(e) In the case of a student who transfers into an Ohio	101
public or chartered nonpublic high school from another state or	102

who enrolls in an Ohio public or chartered nonpublic high school 103  
after receiving home education or attending a nonchartered, 104  
nontax-supported school in the previous school year, attaining a 105  
final course grade that is the equivalent of a "B" or higher in 106  
courses that correspond with the American history and American 107  
government end-of-course examinations and that the student 108  
completed in the state from which the student transferred or 109  
completed while receiving home education or attending a 110  
nonchartered, nontax-supported school. Division (C) (4) (e) of 111  
this section does not apply to any such student with respect to 112  
an American history or American government course for which an 113  
end-of-course examination is associated that the student takes 114  
after enrolling in the high school. 115

(5) A science seal. A student shall meet the requirement 116  
for this seal by doing any of the following: 117

(a) Demonstrating at least a proficient level of skill as 118  
prescribed under division (B) (5) (a) of section 3301.0712 of the 119  
Revised Code on the science end-of-course examination prescribed 120  
under division (B) (2) of section 3301.0712 of the Revised Code; 121

(b) Attaining a score level prescribed under division (B) 122  
(5) (d) of section 3301.0712 of the Revised Code that is at least 123  
the equivalent of a proficient level of skill in an appropriate 124  
advanced placement or international baccalaureate examination or 125  
by attaining a passing score, as determined by the department, 126  
on a college-level examination program examination in lieu of 127  
the science end-of-course examination; 128

(c) In lieu of the science end-of-course examination, 129  
attaining a final course grade that is the equivalent of a "B" 130  
or higher in either: 131

(i) A science course listed in divisions (C) (5) (c) (i) to 132  
(iii) of section 3313.603 of the Revised Code that is offered by 133  
the student's high school; 134

(ii) An appropriate course taken through the college 135  
credit plus program established under Chapter 3365. of the 136  
Revised Code. 137

(d) In the case of a student who takes an alternate 138  
assessment in accordance with division (C) (1) of section 139  
3301.0711 of the Revised Code, attaining a score established by 140  
the department on the alternate assessment in science; 141

(e) In the case of a student who transfers into an Ohio 142  
public or chartered nonpublic high school from another state or 143  
enrolls in an Ohio public or chartered nonpublic high school 144  
after receiving home education or attending a nonchartered, 145  
nontax-supported school in the previous school year, attaining a 146  
final course grade that is the equivalent of a "B" or higher in 147  
a course that corresponds with the science end-of-course 148  
examination and that the student completed in the state from 149  
which the student transferred or completed while receiving home 150  
instruction or attending a nonchartered, nontax-supported 151  
school. Division (C) (5) (e) of this section does not apply to any 152  
such student who takes a science course for which an end-of- 153  
course examination is associated after enrolling in the high 154  
school. 155

(6) An honors diploma seal. A student shall meet the 156  
requirement for this seal by meeting the additional criteria for 157  
an honors diploma under division (B) of section 3313.61 of the 158  
Revised Code. 159

(7) A technology seal. A student shall meet the 160

requirement for this seal by doing any of the following: 161

(a) Subject to division (B) (5) (d) of section 3301.0712 of 162  
the Revised Code, attaining a score level that is at least the 163  
equivalent of a proficient level of skill in an appropriate 164  
advanced placement or international baccalaureate examination or 165  
by attaining a passing score, as determined by the department of 166  
education and workforce and aligned with the current statewide 167  
college-level examination program scores identified by the 168  
department of higher education, on a college-level examination 169  
program examination; 170

(b) Attaining a final course grade that is the equivalent 171  
of a "B" or higher in an appropriate course taken through the 172  
college credit plus program established under Chapter 3365. of 173  
the Revised Code; 174

(c) Completing a course offered through the student's 175  
district or school that meets guidelines developed by the 176  
department. However, a district or school shall not be required 177  
to offer a course that meets those guidelines. 178

(d) In the case of a student who transfers into an Ohio 179  
public or chartered nonpublic high school from another state or 180  
enrolls in an Ohio public or chartered nonpublic high school 181  
after receiving home education or attending a nonchartered, 182  
nontax-supported school in the previous school year, attaining a 183  
final course grade that is the equivalent of a "B" or higher in 184  
an appropriate course, as determined by the district or school, 185  
that the student completed in the state from which the student 186  
transferred or completed while receiving home education or 187  
attending a nonchartered, nontax-supported school. 188

(8) A community service seal. A student shall meet the 189

requirement for this seal by completing a community service 190  
project that is aligned with guidelines adopted by the student's 191  
district board or school governing authority. 192

(9) A fine and performing arts seal. A student shall meet 193  
the requirement for this seal by demonstrating skill in the fine 194  
or performing arts according to an evaluation that is aligned 195  
with guidelines adopted by the student's district board or 196  
school governing authority. 197

(10) A student engagement seal. A student shall meet the 198  
requirement for this seal by participating in extracurricular 199  
activities such as athletics, clubs, or student government to a 200  
meaningful extent, as determined by guidelines adopted by the 201  
student's district board or school governing authority. 202

(D) (1) Each district or school shall develop guidelines 203  
for at least one of the state seals prescribed under divisions 204  
(C) (8) to (10) of this section. 205

(2) For the purposes of determining whether a student who 206  
transfers to a district or school has satisfied the state 207  
diploma seal requirement under division (B) (2) of section 208  
3313.618 of the Revised Code, each district or school shall 209  
recognize a state diploma seal prescribed under divisions (C) (8) 210  
to (10) of this section and earned by a student at another 211  
district or a different public or chartered nonpublic school 212  
regardless of whether the district or school to which the 213  
student transfers has developed guidelines under this section 214  
for that state seal. 215

(3) In guidelines developed for a state diploma seal 216  
prescribed under divisions (C) (8) to (10) of this section, each 217  
district or school shall include a method to give, to the extent 218

feasible, a student who transfers into the district or school a proportional amount of credit for any progress the student was making toward earning that state seal at the school district or different public or chartered nonpublic school from which the student transfers.

(E) Each district or school shall maintain appropriate records to identify students who have met the requirements prescribed under division (C) of this section for earning the state seals established under that division.

(F) The department shall prepare and deliver to each district or school an appropriate mechanism for assigning a state diploma seal established under division (C) of this section.

(G) A student shall not be charged a fee to be assigned a state seal prescribed under division (C) of this section on the student's diploma and transcript."

Update the title, amend, enact, or repeal clauses accordingly

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS

**R.C. 3302.03, 3313.6013, and 3313.6114**

Adds the College-Level Examination Program (CLEP) to the list of programs that may be considered an "advanced standing program" at public and chartered nonpublic schools.

Adds passing scores on the CLEP exams as a demonstration



of post-secondary readiness on the state report card.	242
Adds a passing score on a CLEP exam as a qualification for	243
the college-ready, citizenship, science, and technology diploma	244
seals.	245

\_\_\_\_\_ moved to amend as follows:

In line 36389, reinsert "the" and delete " <u>a</u> "	1
In line 36390, reinsert "the"	2
In line 36391, reinsert "the" and delete " <u>a</u> "	3
In line 36392, delete " <u>, regardless of whether the person</u> "	4
Delete line 36393	5
In line 36394, delete " <u>order</u> "	6
In line 36590, reinsert ""Split parental rights and	7
responsibilities" means a"	8
Reinsert lines 36591 through 36594	9
In line 36595, reinsert "(23)"	10
Delete lines 36598 through 36626 (remove R.C. 3119.07)	11
Delete lines 125408 through 125417 (remove Section 801.200)	12
Update the title, amend, enact, or repeal clauses accordingly	13

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

	14
<b>Payment of child support - remove</b>	15
<b>R.C. 3119.07, with conforming changes in R.C. 3119.01;</b>	16
<b>Section 801.200</b>	17
Removes a House-added provision that would have repealed the presumption that a parent's child support obligation for a child for whom the parent is the residential parent and legal custodian is spent on that child and therefore does not become part of a child support order.	18 19 20 21 22
Removes a House provision that would have required each parent to pay that parent's obligation amount, which would have resulted in the following:	23 24 25
- If one parent is the residential parent, that parent is allocated the obligation paid by both parents;	26 27
- If both parents are residential parents, each parent is allocated the obligation of the other parent;	28 29
- If neither parent is the residential parent and the child resides with a caretaker, the caretaker is allocated the obligation of both parents.	30 31 32
Removes a House provision that would have repealed a requirement that when parents have split parental rights and responsibilities, the child support obligations of the parents must be offset.	33 34 35 36
Removes a House provision that would have delayed the application of these provisions until January 1, 2026, and	37 38

required JFS to make necessary changes in the interim to	39
implement the new requirements.	40

\_\_\_\_\_ moved to amend as follows:

In line 34509, after "or" insert ", for convictions occurring on or 1  
after the effective date of this amendment," 2

In line 34533, reinsert "In the case of a" 3

Reinsert lines 34534 through 34537 4

In line 34570, after the underlined comma insert "until the 5  
department of youth services, in the discretion of the director of youth 6  
services, lacks capacity to house the felon," 7

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 8

**Youth in DRC** 9

**R.C. 2949.12** 10

Clarifies that the provisions requiring a convicted felon 11  
who is under 18 to be held in an institution operated by DYS 12  
until the felon turns 18 or would otherwise be released from 13

Legislative Service Commission



imprisonment apply only to convictions on or after the effective 14  
date of the amendment. 15

Requires a convicted felon under 18 to be committed to DRC 16  
in the same manner as a felon over 18 if DYS determines that 17  
DYS, in the discretion of the director, lacks capacity to house 18  
the felon. 19

Sub. H. B. No. 96

I\_136\_0001-4

EDUCD101

\_\_\_\_\_ moved to amend as follows:

In line 53871, after "students" insert "in any of grades nine  
through twelve who are"

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Student transportation using mass transit system**

**R.C. 3327.017**

Clarifies that a community school, when purchasing mass  
transit passes for its students because their resident school  
districts have opted to cover the cost of those passes in lieu  
of transporting them, may only be directly reimbursed by DEW for  
the cost of passes purchased for students in grades 9-12.



Sub. H. B. No. 96

I\_136\_0001-4

DOTCD71

\_\_\_\_\_ moved to amend as follows:

In line 125116, after "vehicle" insert "system"	1
In line 125142, after "(D)" insert "(1)"	2
In line 125147, after "aerial" insert "vehicle"	3
After line 125151, insert:	4
"(2) Any unmanned aerial vehicle system purchased through the	5
program shall comply with the federal laws and regulations for such	6
systems, including those in the national security interests of the United	7
States. As such, no system, including any components, services, or	8
maintenance of that system, shall originate from a country or other entity	9
that has been deemed a national security risk by the United States	10
Secretary of State in accordance with 22 U.S.C. 2780 and 50 U.S.C. 4813.	11
Additionally, any system shall comply with the "Support Anti-terrorism by	12
Fostering Effective Technologies Act of 2002," 6 U.S.C. 441, et seq., and	13
any applicable conditions of national defense spending."	14

The motion was \_\_\_\_\_ agreed to.

Legislative Service Commission





<u>SYNOPSIS</u>	15
<b>Drones for First Responders: purchase qualifications</b>	16
<b>Section 755.20</b>	17
Conditions purchase of any unmanned aerial vehicle system	18
through the Drones for First Responders Pilot Program, created	19
by the bill, on the system's compliance with federal laws and	20
regulations, including those involving national security and	21
defense spending.	22

Sub. H. B. No. 96

I\_136\_0001-4

DRCCD14

\_\_\_\_\_ moved to amend as follows:

Delete lines 34584 to 34630 (remove R.C. 2949.22) 1

Update the title, amend, enact, or repeal clauses accordingly 2

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 3

**DRC efforts to obtain lethal injection drugs** 4

**R.C. 2949.22** 5

Eliminates a provision that would have required DRC to 6  
make every effort to acquire lethal injection drugs in 7  
collaboration with the U.S. Attorney General and required DRC to 8  
make a biannual report to the General Assembly regarding the 9  
status of those efforts. 10

Sub. H. B. No. 96

I\_136\_0001-4

AGRCD16

\_\_\_\_\_ moved to amend as follows:

After line 22880, insert:

**"Sec. 921.01.** As used in this chapter:

(A) "Active ingredient" means any ingredient that will prevent, destroy, kill, repel, control, or mitigate any pest, or that will act as a plant regulator, defoliant, or desiccant.

(B) "Adulterated" shall apply to any pesticide if its strength or purity is less than or greater than the professed standard or quality as expressed on its labeling or under which it is sold, if any substance has been substituted wholly or in part for the pesticide, or if any valuable constituent of the pesticide has been wholly or in part abstracted.

(C) "Agricultural commodity" means any plant or part thereof or animal or animal product, produced for commercial use by a person, including farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons, primarily for the sale, consumption, propagation, or other use, by humans or animals.



(D) "Aircraft" means any device used or designed for navigation or flight in the air, except a parachute or other device used primarily as safety equipment.

(E) "Animal" means all vertebrate and invertebrate species, including, but not limited to, humans and other mammals, birds, fish, and shellfish.

(F) "Authorized diagnostic inspection" means a diagnostic inspection conducted by a commercial applicator in the pesticide-use category in which the commercial applicator is licensed under this chapter.

(G) "Beneficial insects" means those insects that, during their life cycle, are effective pollinators of plants, are parasites or predators of pests, or are otherwise beneficial.

(H) "Brand" means any word, name, symbol, device, or combination thereof, that serves to distinguish the pesticide manufactured or distributed by one person from that manufactured or distributed by any other person.

(I) "Pesticide applicator" means a commercial applicator or a private applicator.

(J) "Private applicator" means an individual who is licensed under section 921.11 of the Revised Code.

(K) "Commercial applicator" means an individual who is licensed under section 921.06 of the Revised Code to apply pesticides or to conduct authorized diagnostic inspections.

(L) "Competent" means properly qualified as evidenced by passing the general examination and each applicable pesticide-use category examination for the pesticide-use categories in which a person applies pesticides and, in the case of a person

who is a commercial applicator, conducts diagnostic inspections 47  
and by meeting any other criteria established by rule. 48

(M) "Federal act" means the "Federal Insecticide, 49  
Fungicide and Rodenticide Act," 61 Stat. 163 (1947), 7 U.S.C.A. 50  
136, as amended. 51

(N) "Defoliant" means any substance or mixture of 52  
substances intended for causing the leaves or foliage to drop 53  
from a plant, with or without causing abscission. 54

(O) "Desiccant" means any substance or mixture of 55  
substances intended for artificially accelerating the drying of 56  
plant tissue. 57

(P) "Device" means any instrument or contrivance, other 58  
than a firearm, that is intended for trapping, destroying, 59  
repelling, or mitigating any pest or any other form of plant or 60  
animal life, other than human beings and other than bacteria, 61  
virus, or other microorganism on or in living human beings or 62  
other living animals. "Device" does not include equipment used 63  
for the application of pesticides when sold separately 64  
therefrom. 65

(Q) "Direct supervision" means ~~either of the following, as~~ 66  
~~applicable:~~ 67

~~(1) Unless, unless otherwise~~ prescribed by its labeling, 68  
a general use pesticide is considered to be applied under the 69  
direct supervision of a commercial applicator, if it is applied 70  
by a trained serviceperson acting under the instructions and 71  
control of a commercial applicator. 72

~~(2) Unless otherwise prescribed by its labeling, a~~ 73  
~~restricted use pesticide is considered to be applied under the~~ 74

~~direct supervision of a private applicator, if it is applied by~~ 75  
~~an immediate family member or a subordinate employee of that~~ 76  
~~private applicator acting under the instructions and control of~~ 77  
~~the private applicator, who is responsible for the actions of~~ 78  
~~that immediate family member or subordinate employee and who is~~ 79  
~~available when needed, even though the private applicator is not~~ 80  
~~physically present at the time and place the restricted use~~ 81  
~~pesticide application is occurring.~~ 82

(R) "Directly supervise" means providing direct 83  
supervision under division ~~(Q) (1) or (2) or both of those~~ 84  
~~divisions (Q) of this section, as applicable.~~ 85

(S) "Distribute" means to offer or hold for sale, sell, 86  
barter, ship, deliver for shipment, or receive and, having so 87  
received, to deliver or offer to deliver, pesticides in this 88  
state. "Distribute" does not mean to hold for use, apply, or use 89  
pesticides or dilutions of pesticides, except when a pesticide 90  
dealer holds for use, applies, or uses pesticides or dilutions 91  
of pesticides in the course of business with a commercial 92  
applicator who is employed by that pesticide dealer. 93

(T) "Environment" includes water, air, land, and all 94  
plants and human beings and other animals living therein, and 95  
the interrelationships that exist among them. 96

(U) "Fungus" means any nonchlorophyll-bearing thallophyte, 97  
which is any nonchlorophyll-bearing plant of a lower order than 98  
mosses and liverworts, as for example, rust, smut, mildew, mold, 99  
yeast, and bacteria, except those on or in living human beings 100  
or other animals, or processed food, beverages, or 101  
pharmaceuticals. 102

(V) "General use pesticide" means a pesticide that is 103

classified for general use under the federal act. 104

(W) "Ground equipment" means any device, other than 105  
aircraft, used on land or water to apply pesticides in any form. 106

(X) ~~"Immediate family" means a person's spouse residing in 107  
the person's household, brothers and sisters of the whole or of 108  
the half blood, children, including adopted children, parents, 109  
and grandparents. 110~~

~~(Y)~~ "Incidental use" or "incidentally use" means the 111  
application of a general use pesticide on an occasional, 112  
isolated, site-specific basis in order to avoid immediate 113  
personal harm. "Incidental use" or "incidentally use" does not 114  
mean regular, routine, or maintenance application of a general 115  
use pesticide. 116

~~(Z)~~ (Y) "Inert ingredient" means an ingredient that is not 117  
active. 118

~~(AA)~~ (Z) "Ingredient statement" means a statement of the 119  
name and percentage of each active ingredient, together with the 120  
total percentage of inert ingredients. When the pesticide 121  
contains arsenic in any form, the ingredient statement shall 122  
include percentages of total and water soluble arsenic, each 123  
calculated as elemental arsenic. 124

~~(BB)~~ (AA) "Insect" means any of the numerous small 125  
invertebrate animals generally having the body more or less 126  
obviously segmented, for the most part belonging to the class 127  
insecta, including, but not limited to, beetles, bugs, bees, and 128  
flies, and to other allied classes of arthropods, including, but 129  
not limited to, spiders, mites, ticks, centipedes, and wood 130  
lice. 131

~~(CC)~~ (BB) "Integrated pest management" means a sustainable approach to managing pests by combining biological, cultural, physical, and chemical tools in a way that minimizes economic, health, and environmental risks.

~~(DD)~~ (CC) "Label" means the written, printed, or graphic matter on, or attached to the pesticide or device, or any of its containers or wrappers.

~~(EE)~~ (DD) "Labeling" means all labels and other written, printed, or graphic matter:

(1) Accompanying the pesticide product or device at any time;

(2) To which reference is made on the label or in literature accompanying the pesticide product or device, except when accurate, nonmisleading reference is made to current official publications of the United States environmental protection agency, the United States department of agriculture or interior, the United States department of health and human services, state experiment stations, state agricultural colleges, or other similar federal or state institutions or official agencies, authorized by law to conduct research in the field of pesticides;

(3) Including all brochures, technical and sales bulletins, and all advertising material.

~~(FF)~~ (EE) "Licensure" includes certification as used in the federal act.

~~(GG)~~ (FF) "Misbranded" applies, if the conditions of either division ~~(GG)~~ (1) ~~(FF)~~ (1) or (2) of this section are satisfied as follows:



(1) To any pesticide or device, if at least one of the 160  
following occurs: 161

(a) Its labeling bears any statement, design, or graphic 162  
representation relative thereto or to its ingredients that is 163  
false or misleading in any particular. 164

(b) It is an imitation of or is distributed under the name 165  
of another pesticide or device. 166

(c) Any word, statement, or other information required to 167  
appear on the label or labeling is not prominently placed 168  
thereon with such conspicuousness, as compared with other words, 169  
statements, designs, or graphic matter in the labeling, and in 170  
such terms as to render it likely to be read and understood by 171  
the ordinary individual under customary conditions of purchase 172  
and use. 173

(2) To any pesticide, if at least one of the following 174  
occurs: 175

(a) The labeling of a restricted use pesticide does not 176  
contain a statement that it is a restricted use pesticide. 177

(b) The labeling accompanying it does not contain 178  
directions for use that are necessary for effecting the purpose 179  
for which the pesticide is intended and, if complied with, 180  
together with any requirements imposed by the federal act, that 181  
are adequate to protect the environment. 182

(c) The label does not bear all of the following: 183

(i) The name, brand, or trademark under which the 184  
pesticide is distributed; 185

(ii) An ingredient statement on the part of the immediate 186  
container and on the outside container and wrapper of the retail 187

package, if any, through which the ingredient statement on the 188  
immediate container cannot be clearly read, which is presented 189  
or displayed under customary conditions of purchase, provided 190  
that the ingredient statement may appear prominently on another 191  
part of the container as permitted by the amended federal act or 192  
by the director; 193

(iii) A warning or caution statement that may be necessary 194  
and that, if complied with together with any requirement imposed 195  
under the federal act, would be adequate to protect the 196  
environment; 197

(iv) The net weight or measure of the contents, subject to 198  
such reasonable variations as the administrator of the United 199  
States environmental protection agency or the director of 200  
agriculture may permit; 201

(v) The name and address of the manufacturer, registrant, 202  
or person for whom manufactured; 203

(vi) The United States environmental protection agency 204  
registration number assigned to each establishment in which the 205  
pesticide was produced and the agency registration number 206  
assigned to it, as required by regulations under the federal 207  
act. 208

(d) The pesticide contains any substance or substances in 209  
quantities highly toxic to human beings unless the label bears, 210  
in addition to other label requirements, all of the following: 211

(i) The skull and crossbones; 212

(ii) The word "poison" in red prominently displayed on a 213  
background of distinctly contrasting color; 214

(iii) A statement of an antidote or a practical or 215

emergency medical treatment, first aid or otherwise, in case of 216  
poisoning by the pesticide. 217

(e) It is contained in a package or other container or 218  
wrapping that does not conform to the standard established by 219  
the administrator of the United States environmental protection 220  
agency. 221

~~(HH)~~ (GG) "Nematodes" means invertebrate animals of the 222  
phylum nemathelminthes and class nematoda, which are 223  
unsegmented, round worms with elongated, fusiform, or sac-like 224  
bodies covered with cuticle, and that inhabit soil, water, 225  
plants, or plant parts and also may be called nema or eel-worms. 226

~~(II)~~ (HH) "Pest" means a harmful, destructive, or nuisance 227  
insect, fungus, rodent, nematode, bacterium, bird, snail, weed, 228  
or parasitic plant or a harmful or destructive form of plant or 229  
animal life or virus, or any plant or animal species that the 230  
director declares to be a pest, except viruses, bacteria, or 231  
other microorganisms on or in living animals, including human 232  
beings. 233

~~(JJ)~~ (II) "Pesticide" means any substance or mixture of 234  
substances intended for either of the following: 235

(1) Preventing, destroying, repelling, or mitigating any 236  
pest; 237

(2) Use as a plant regulator, defoliant, or desiccant. 238

"Pesticide" includes a pest monitoring system designated 239  
by rule. 240

~~(KK)~~ (JJ) "Pesticide dealer" means any person who 241  
distributes restricted use pesticides or pesticides whose uses 242  
or distribution are further restricted by the director to the 243

ultimate user or to a commercial applicator who is employed by 244  
that pesticide dealer. 245

~~(LL)~~ (KK) "Pesticide business" means a person who performs 246  
pesticide business activities. 247

~~(MM)~~ (LL) "Pesticide business activities" means any of the 248  
following: 249

(1) The application of pesticides to the property of 250  
another for hire; 251

(2) The solicitation to apply pesticides; 252

(3) The conducting of authorized diagnostic inspections. 253

~~(NN) "Pesticide business registered location" means a 254  
location at which pesticide business activities are conducted 255  
and that is registered through the issuance of a license to a 256  
pesticide business under section 921.09 of the Revised Code. 257~~

~~(OO)~~ (MM) "Pesticide-use category" means a specialized 258  
field of pesticide application or of diagnostic inspection as 259  
defined by rule. 260

~~(PP)~~ (NN) "Plant regulator" means any substance or mixture 261  
of substances, intended, through physiological action, for 262  
accelerating or retarding the growth or rate of maturation, or 263  
for otherwise altering the behavior of plants or the produce 264  
thereof, but does not include substances to the extent that they 265  
are intended as plant nutrients, trace elements, nutritional 266  
chemicals, plant inoculants, or soil amendments. 267

~~(OO)~~ (OO) "Product name" means a coined or specific 268  
designation applied to an individual pesticide of a fixed 269  
combination and derivation. 270

~~(RR)~~ (PP) "Registrant" means a person who has registered a pesticide under this chapter.

~~(SS)~~ (QQ) "Restricted use pesticide" means any pesticide or pesticide use classified by the administrator of the United States environmental protection agency for use only by a pesticide applicator ~~or by an individual working under the direct supervision of a pesticide applicator.~~

~~(TT)~~ (RR) "Rule" means a rule adopted under section 921.16 of the Revised Code.

~~(UU)~~ (SS) "Sell or sale" means exchange of ownership or transfer of custody.

~~(VV)~~ (TT) "State restricted use pesticide" means any pesticide or pesticides classified by the director subsequent to a hearing held in accordance with Chapter 119. of the Revised Code for use only by pesticide applicators ~~or individuals working under their direct supervision.~~

~~(WW)~~ (UU) "Unreasonable adverse effects on the environment" means any unreasonable risk to human beings or the environment taking into account the economic, social, and environmental benefits and costs of the use of any pesticide.

~~(XX)~~ (VV) "Trained serviceperson" means an employee of a pesticide business, other business, agency of the United States government, state agency, or political subdivision who has been trained to apply general use pesticides while under the direct supervision of a commercial applicator.

~~(YY)~~ (WW) "Weed" means any plant that grows where not wanted.

~~(ZZ)~~ (XX) "Wildlife" means all living things that are

neither human, domesticated, or pests, including, but not 299  
limited to, mammals, birds, and aquatic life. 300

~~(AAA)~~ (YY) "Trade secret" and "confidential business 301  
information" mean any formula, plan, pattern, process, tool, 302  
mechanism, compound, procedure, production date, or compilation 303  
of information that is not patented, that is known only to 304  
certain individuals within a commercial concern, and that gives 305  
its user an opportunity to obtain a business advantage over 306  
competitors who do not know or use it. 307

**Sec. 921.02.** (A) No person shall distribute a pesticide 308  
within this state unless the pesticide is registered with the 309  
director of agriculture under this chapter. Registrations shall 310  
be issued for a period of time established by rule and shall be 311  
renewed in accordance with deadlines established by rule. 312  
Registration is not required if a pesticide is shipped from one 313  
plant or warehouse to another plant or warehouse operated by the 314  
same person and used solely at that plant or warehouse as a 315  
constituent part to make a pesticide that is registered under 316  
this chapter, or if the pesticide is distributed under the 317  
provisions of an experimental use permit issued under section 318  
921.03 of the Revised Code or an experimental use permit issued 319  
by the United States environmental protection agency. 320

(B) The applicant for registration of a pesticide shall 321  
file a statement with the director on a form provided by the 322  
director, which shall include all of the following: 323

(1) The name and address of the applicant and the name and 324  
address of the person whose name will appear on the label, if 325  
other than the applicant's name; 326

(2) The brand and product name of the pesticide; 327

(3) Any necessary information required for completion of 328  
the department of agriculture's application for registration, 329  
including the agency registration number; 330

(4) A complete copy of the labeling accompanying the 331  
pesticide and a statement of all claims to be made for it, 332  
including the directions for use and the use classification as 333  
provided for in the federal act. 334

(C) The director, when the director considers it necessary 335  
in the administration of this chapter, may require the 336  
submission of the complete formula of any pesticide including 337  
the active and inert ingredients. 338

(D) The director may require a full description of the 339  
tests made and the results thereof upon which the claims are 340  
based for any pesticide. The director shall not consider any 341  
data submitted in support of an application, without permission 342  
of the applicant, in support of any other application for 343  
registration unless the other applicant first has offered to pay 344  
reasonable compensation for producing the test data to be relied 345  
upon and the data are not protected from disclosure by section 346  
921.04 of the Revised Code. In the case of a renewal of 347  
registration, a statement shall be required only with respect to 348  
information that is different from that furnished when the 349  
pesticide was registered or last registered. 350

(E) The director may require any other information to be 351  
submitted with an application. 352

Any applicant may designate any portion of the required 353  
registration information as a trade secret or confidential 354  
business information. Upon receipt of any required registration 355  
information designated as a trade secret or confidential 356

business information, the director shall consider the designated  
information as confidential and shall not reveal or cause to be  
revealed any such designated information without the consent of  
the applicants, except to persons directly involved in the  
registration process described in this section or as required by  
law.

(F) ~~Beginning January 1, 2007, each~~ Each applicant shall  
pay a nonrefundable registration and inspection fee of ~~one-two~~  
hundred fifty dollars for each product name and brand registered  
for the company whose name appears on the label. If an applicant  
files for a renewal of registration after the deadline  
established by rule, the applicant shall pay a penalty fee of  
~~seventy-five~~ one hundred twenty-five dollars for each product  
name and brand registered for the applicant. The penalty fee  
shall be added to the original fee and paid before the renewal  
registration is issued. In addition to any other remedy  
available under this chapter, if a pesticide that is not  
registered pursuant to this section is distributed within this  
state, the person required to register the pesticide shall do so  
and shall pay a penalty fee of ~~seventy-five~~ one hundred twenty-  
five dollars for each product name and brand registered for the  
applicant. The penalty fee shall be added to the original fee of  
~~one-two~~ hundred fifty dollars and paid before the registration  
is issued.

(G) Provided that the state is authorized by the  
administrator of the United States environmental protection  
agency to register pesticides to meet special local needs, the  
director shall require the information set forth under divisions  
(B), (C), (D), and (E) of this section and shall register any  
such pesticide after determining that all of the following



conditions are met: 387

(1) Its composition is such as to warrant the proposed 388  
claims for it. 389

(2) Its labeling and other material required to be 390  
submitted comply with the requirements of the federal act and of 391  
this chapter, and rules adopted thereunder. 392

(3) It will perform its intended function without 393  
unreasonable adverse effects on the environment. 394

(4) When used in accordance with widespread and commonly 395  
recognized practice, it will not generally cause unreasonable 396  
adverse effects on the environment. 397

(5) The classification for general or restricted use is in 398  
conformity with the federal act. 399

The director shall not make any lack of essentiality a 400  
criterion for denying the registration of any pesticide. When 401  
two pesticides meet the requirements of division (G) of this 402  
section, the director shall not register one in preference to 403  
the other. 404

(H) (1) The director may refuse to register a pesticide if 405  
the application for registration fails to comply with this 406  
section. 407

(2) The director may suspend or revoke a pesticide 408  
registration after a hearing in accordance with Chapter 119. of 409  
the Revised Code for a pesticide that fails to meet the claims 410  
made for it on its label. 411

(3) The director may immediately suspend a pesticide 412  
registration, prior to a hearing, when the director believes 413  
that the pesticide poses an immediate hazard to human or animal 414

health or a hazard to the environment. Not later than fifteen 415  
days after suspending the registration, the director shall 416  
determine whether the pesticide poses such a hazard. If the 417  
director determines that no hazard exists, the director shall 418  
lift the suspension of the registration. If the director 419  
determines that a hazard exists, the director shall revoke the 420  
registration in accordance with Chapter 119. of the Revised 421  
Code. 422

(I) All money collected under this section shall be 423  
credited to the pesticide, fertilizer, and lime program fund 424  
created in section 921.22 of the Revised Code. 425

**Sec. 921.06.** (A) (1) No individual shall do any of the 426  
following without having a commercial applicator license issued 427  
by the director of agriculture: 428

(a) Apply pesticides for a pesticide business without 429  
direct supervision; 430

(b) Apply pesticides as part of the individual's duties 431  
while acting as an employee of the United States government, a 432  
state, county, township, or municipal corporation, or a park 433  
district, port authority, or sanitary district created under 434  
Chapter 1545., 4582., or 6115. of the Revised Code, 435  
respectively; 436

(c) Apply restricted use pesticides. Division (A) (1) (c) of 437  
this section does not apply to a private applicator ~~or an~~ 438  
~~immediate family member or a subordinate employee of a private~~ 439  
~~applicator who is acting under the direct supervision of that~~ 440  
~~private applicator.~~ 441

(d) If the individual is the owner of a business other 442  
than a pesticide business or an employee of such an owner, apply 443

pesticides at any of the following publicly accessible sites	444
that are located on the property:	445
(i) Food service operations that are licensed under	446
Chapter 3717. of the Revised Code;	447
(ii) Retail food establishments that are licensed under	448
Chapter 3717. of the Revised Code;	449
(iii) Golf courses;	450
(iv) Rental properties of more than four apartment units	451
at one location;	452
(v) Hospitals or medical facilities as defined in section	453
3701.01 of the Revised Code;	454
(vi) Child care centers or licensed school child programs	455
as defined in section 5104.01 of the Revised Code;	456
(vii) Facilities owned or operated by a school district	457
established under Chapter 3311. of the Revised Code, including	458
an educational service center, a community school established	459
under Chapter 3314. of the Revised Code, or a chartered or	460
nonchartered nonpublic school that meets minimum standards	461
established by the director of education and workforce;	462
(viii) State institutions of higher education as defined	463
in section 3345.011 of the Revised Code, nonprofit institutions	464
holding a certificate of authorization pursuant to Chapter 1713.	465
of the Revised Code, institutions holding a certificate of	466
registration from the state board of career colleges and schools	467
and program authorization for an associate or bachelor's degree	468
program issued under section 3332.05 of the Revised Code, and	469
private institutions exempt from regulation under Chapter 3332.	470
of the Revised Code as prescribed in section 3333.046 of the	471

Revised Code; 472

(ix) Food processing establishments as defined in section 473  
3715.021 of the Revised Code; 474

(x) Any other site designated by rule. 475

(e) Conduct authorized diagnostic inspections. 476

(2) Divisions (A) (1) (a) to (d) of this section do not 477  
apply to an individual who is acting as a trained serviceperson 478  
under the direct supervision of a commercial applicator. 479

(3) Licenses shall be issued for a period of time 480  
established by rule and shall be renewed in accordance with 481  
deadlines established by rule. The fee for each such license 482  
shall be established by rule. If a license is not issued or 483  
renewed, the application fee shall be retained by the state as 484  
payment for the reasonable expense of processing the 485  
application. The director shall by rule classify by pesticide- 486  
use category licenses to be issued under this section. A single 487  
license may include more than one pesticide-use category. No 488  
individual shall be required to pay an additional license fee if 489  
the individual is licensed for more than one category. 490

The fee for each license or renewal does not apply to an 491  
applicant who is an employee of the department of agriculture 492  
whose job duties require licensure as a commercial applicator as 493  
a condition of employment. 494

(B) Application for a commercial applicator license shall 495  
be made on a form prescribed by the director. Each application 496  
for a license shall state the pesticide-use category or 497  
categories of license for which the applicant is applying and 498  
other information that the director determines essential to the 499

administration of this chapter. 500

(C) (1) Except as provided in division (C) (2) of this 501  
section, if the director finds that the applicant is competent 502  
to apply pesticides and conduct diagnostic inspections and that 503  
the applicant has passed both the general examination and each 504  
applicable pesticide-use category examination as required under 505  
division (A) of section 921.12 of the Revised Code, the director 506  
shall issue a commercial applicator license limited to the 507  
pesticide-use category or categories for which the applicant is 508  
found to be competent. If the director rejects an application, 509  
the director may explain why the application was rejected, 510  
describe the additional requirements necessary for the applicant 511  
to obtain a license, and return the application. The applicant 512  
may resubmit the application without payment of any additional 513  
fee. 514

(2) The director shall issue a commercial applicator 515  
license in accordance with Chapter 4796. of the Revised Code to 516  
an individual if either of the following applies: 517

(a) The individual holds a commercial applicator license 518  
in another state. 519

(b) The individual has satisfactory work experience, a 520  
government certification, or a private certification as 521  
described in that chapter as a commercial applicator in a state 522  
that does not issue that license. 523

A license issued under this division shall be limited to 524  
the pesticide-use category or categories for which the applicant 525  
is licensed in another state or has satisfactory work 526  
experience, a government certification, or a private 527  
certification in that state. 528

(D) (1) A person who is a commercial applicator shall be 529  
deemed to hold a private applicator's license for purposes of 530  
applying pesticides on agricultural commodities that are 531  
produced by the commercial applicator. 532

(2) A commercial applicator shall apply pesticides only in 533  
the pesticide-use category or categories in which the applicator 534  
is licensed under this chapter. 535

(E) All money collected under this section shall be 536  
credited to the pesticide, fertilizer, and lime program fund 537  
created in section 921.22 of the Revised Code. 538

**Sec. 921.09.** (A) (1) No person shall own or operate a 539  
pesticide business without obtaining a license from the director 540  
of agriculture. Licenses shall be issued for a period of time 541  
established by rule and shall be renewed in accordance with 542  
deadlines established by rule. 543

(2) A person applying for a pesticide business license 544  
shall ~~register~~ obtain a license for each location that is owned 545  
by the person and used for the purpose of engaging in the 546  
pesticide business. 547

(B) Any person who owns or operates a pesticide business 548  
outside of this state, but engages in the business of applying 549  
pesticides to properties of another for hire in this state, 550  
shall obtain a license for the person's principal out-of-state 551  
location from the director. In addition, the person shall 552  
~~register~~ obtain a license for each location that is owned by the 553  
person in this state and used for the purpose of engaging in the 554  
pesticide business. 555

(C) (1) The person applying for a pesticide business 556  
license shall file a statement with the director, on a form 557

provided by the director, that shall include all of the 558  
following: 559

(a) The address of the principal place of business of the 560  
pesticide business; 561

(b) The address of each location ~~that~~ concerning which the 562  
person intends to ~~register~~ obtain a license under division (A) 563  
(2) or (B) of this section; 564

(c) Any other information that the director determines 565  
necessary and that the director requires by rule. 566

(2) Each applicant shall pay a license fee established by 567  
rule for the ~~pesticide principal place of business~~ plus an 568  
additional fee established by rule for each pesticide business 569  
~~registered~~ location specified in the application. The license 570  
may be renewed upon payment of a renewal fee for the principal 571  
place of business established by rule plus an additional fee 572  
established by rule for each pesticide business ~~registered~~ 573  
location. A copy of the license shall be maintained and 574  
conspicuously displayed at each ~~such~~ pesticide business 575  
location. 576

(3) The issuance of a pesticide business license 577  
constitutes ~~registration~~ licensure of any pesticide business 578  
location identified in the application under division (C) (1) of 579  
this section. 580

(4) The owner or operator of a pesticide business shall 581  
notify the director not later than fifteen days after any change 582  
occurs in the information required under division (C) (1) (a) or 583  
(b) of this section. 584

(D) The owner or operator of a pesticide business shall 585

employ at least one commercial applicator for each pesticide 586  
business ~~registered~~-location the owner or operator owns or 587  
operates. 588

(E) The owner or operator of a pesticide business is 589  
responsible for the acts of each employee in the handling, 590  
application, and use of pesticides and in the conducting of 591  
diagnostic inspections. The pesticide business license is 592  
subject to denial, modification, suspension, or revocation after 593  
a hearing for any violation of this chapter or any rule adopted 594  
or order issued under it. The director may levy against the 595  
owner or operator any civil penalties authorized by division (B) 596  
of section 921.16 of the Revised Code for any violation of this 597  
chapter or any rule adopted or order issued under it that is 598  
committed by the owner or operator or by the owner's or 599  
operator's officer, employee, or agent. 600

(F) The director may modify a license issued under this 601  
section by one of the following methods: 602

(1) Revoking a licensee's authority to operate out of a 603  
particular pesticide business ~~registered~~-location listed under 604  
division (C) (1) (b) of this section; 605

(2) Preventing a licensee from operating within a specific 606  
pesticide-use category. 607

(G) The director may deny a pesticide business license to 608  
any person whose pesticide business license has been revoked 609  
within the previous thirty-six months. 610

(H) Each pesticide business ~~registered~~-location that is 611  
owned by a pesticide business is subject to inspection by the 612  
director. 613



(I) All money collected under this section shall be 614  
credited to the pesticide, fertilizer, and lime program fund 615  
created in section 921.22 of the Revised Code. 616

**Sec. 921.11.** ~~(A)(1)~~ (A) As used in this section, "use" 617  
means any of the following: 618

(1) Performing pre-application activities involving mixing 619  
and loading the pesticide; 620

(2) Applying the pesticide by a commercial applicator or 621  
private applicator; 622

(3) Performing other pesticide-related activities, 623  
including transporting or storing pesticide containers that have 624  
been opened, cleaning equipment, and disposing of excess 625  
pesticides, spray mix, equipment wash waters, pesticide 626  
containers, and other pesticide-containing materials. 627

(B) No individual shall ~~apply~~ use restricted use 628  
pesticides unless the individual is one of the following: 629

~~(a)(1)~~ (1) Licensed under section 921.06 of the Revised Code; 630

~~(b)(2)~~ (2) Licensed under division ~~(B)~~ (C) of this section; 631

~~(c) A trained serviceperson who is acting under the direct~~ 632  
~~supervision of a commercial applicator;~~ 633

~~(d) An immediate family member or a subordinate employee~~ 634  
~~of a private applicator who is acting under the direct~~ 635  
~~supervision of that private applicator.~~ 636

~~(2) No individual shall directly supervise the application~~ 637  
~~of a restricted use pesticide unless the individual is one of~~ 638  
~~the following:~~ 639

~~(a) Licensed under section 921.06 of the Revised Code;~~ 640

~~(b) Licensed under division (B) of this section.~~

~~(B) (1)~~ (C) (1) Subject to division ~~(B) (2)~~ (C) (2) of this section, the director of agriculture shall adopt rules to establish standards and procedures for the licensure of private applicators. An individual shall apply for a private applicator license to the director, on forms prescribed by the director. The individual shall include in the application the pesticide-use category or categories of the license for which the individual is applying and any other information that the director determines is essential to the administration of this chapter. The fee for each license shall be established by rule. Licenses shall be issued for a period of time established by rule and shall be renewed in accordance with deadlines established by rule. If a license is not issued or renewed, the state shall retain any fee submitted as payment for reasonable expenses of processing the application.

(2) The director shall issue a private applicator license in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies:

(a) The individual holds a private applicator license in another state.

(b) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a private applicator in a state that does not issue that license.

A license issued under this division shall be limited to the pesticide-use category or categories for which the applicant is licensed in another state or has satisfactory work experience, a government certification, or a private

certification in that state.

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~~(C)~~ (D) An individual who is licensed under this section shall use ~~or directly supervise the use of~~ a restricted use pesticide only for the purpose of producing agricultural commodities on property that is owned or rented by the individual or the individual's employer.

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~~(D)~~ (E) All money collected under this section shall be credited to the pesticide, fertilizer, and lime program fund created in section 921.22 of the Revised Code.

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**Sec. 921.12.** ~~(A)~~ (A) (1) The director of agriculture shall require each applicant for a license by examination under section 921.06 or 921.11 of the Revised Code to be examined on the applicant's knowledge and competency in each of the following:

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~~(1)~~ (a) This chapter and rules adopted under it;

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~~(2)~~ (b) The proper use, handling, and application of pesticides and, if the applicant is applying for a license under section 921.06 of the Revised Code, in the conducting of diagnostic inspections in the pesticide-use categories for which the applicant has applied.

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(2) The director may establish an examination fee by rule to be paid by applicants.

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(B) Each application for renewal of a license provided for in section 921.06 of the Revised Code shall be filed prior to the deadline established by rule. If filed after the deadline, a penalty of fifty per cent shall be assessed and added to the original fee and shall be paid by the applicant before the renewal license is issued. However, if a license issued under

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section 921.06 or 921.11 of the Revised Code is not renewed 698  
within one hundred eighty days after the date of expiration, the 699  
licensee shall be required to take another examination on this 700  
chapter and rules adopted under it and on the proper use, 701  
handling, and application of pesticides and, if applicable, the 702  
proper conducting of diagnostic inspections in the pesticide-use 703  
categories for which the licensee has been licensed. 704

(C) A person who fails to pass an examination under 705  
division (A) or (B) of this section is not entitled to an 706  
adjudication under Chapter 119. of the Revised Code for that 707  
failure. 708

(D) The holder of a commercial applicator license may 709  
renew the license within one hundred eighty days after the date 710  
of expiration without re-examination unless the director 711  
determines that a new examination is necessary to insure that 712  
the holder continues to meet the requirements of changing 713  
technology and to assure a continuing level of competence and 714  
ability to use pesticides safely and properly. 715

(E) The holder of a private applicator license may renew 716  
the license within one hundred eighty days after the date of 717  
expiration without re-examination unless the director determines 718  
that a new examination is necessary to insure that the holder 719  
continues to meet the requirements of changing technology and to 720  
assure a continuing level of competence and ability to use 721  
pesticides safely and properly. 722

(F) Instead of requiring a commercial applicator or 723  
private applicator to complete re-examination successfully under 724  
division (D) or (E) of this section, the director may require, 725  
in accordance with criteria established by rule, the commercial 726  
applicator or private applicator to participate in training 727

programs that are designed to foster knowledge of new technology 728  
and to ensure a continuing level of competence and ability to 729  
use pesticides safely and properly. The director or the 730  
director's representative may provide the training or may 731  
authorize a third party to do so. In order for such 732  
authorization to occur, the third party and its training program 733  
shall comply with standards and requirements established by 734  
rule. 735

**Sec. 921.13.** (A) Any person who is acting in the capacity 736  
of a pesticide dealer or who advertises or assumes to act as a 737  
pesticide dealer at any time shall obtain a pesticide dealer 738  
license from the director of agriculture. Licenses shall be 739  
issued for a period of time established by rule and shall be 740  
renewed in accordance with deadlines established by rule. A 741  
license is required for each location or outlet within this 742  
state from which the person distributes pesticides. 743

Any pesticide dealer who has no pesticide dealer outlets 744  
in this state and who distributes restricted use pesticides 745  
directly into this state shall obtain a pesticide dealer license 746  
from the director for the pesticide dealer's principal out-of- 747  
state location or outlet and for each sales person operating in 748  
the state. 749

The applicant shall include a license fee established by 750  
rule with the application for a license. The application shall 751  
be made on a form prescribed by the director. 752

Each pesticide dealer shall ~~submit~~ maintain records ~~to the~~ 753  
~~director~~ of all of the restricted use pesticides the pesticide 754  
dealer has distributed, as specified by the director, and 755  
~~duplicate the~~ records shall be retained by the pesticide dealer 756  
for a period of time established by rules. 757

(B) This section does not apply to any federal, state, 758  
county, or municipal agency that provides pesticides for its own 759  
programs. 760

(C) Each licensed pesticide dealer is responsible for the 761  
acts of each employee in the solicitation and sale of pesticides 762  
and all claims and recommendations for use of pesticides. The 763  
pesticide dealer's license is subject to denial, suspension, or 764  
revocation after a hearing for any violation of this chapter 765  
whether committed by the pesticide dealer or by the pesticide 766  
dealer's officer, agent, or employee. 767

(D) All money collected under this section shall be 768  
credited to the pesticide, fertilizer, and lime program fund 769  
created in section 921.22 of the Revised Code. 770

**Sec. 921.14.** (A) Each commercial applicator shall keep a 771  
record of both of the following: 772

(1) All diagnostic inspections conducted to determine 773  
infestations of pests as required by rules adopted under 774  
division (C) of section 921.16 of the Revised Code; 775

(2) All pesticide applications made by the applicator and 776  
by any trained serviceperson ~~acting under the applicator's~~ 777  
~~direct supervision~~ as required by rules adopted under division 778  
(C) of section 921.16 of the Revised Code. 779

Each commercial applicator shall submit copies of the 780  
records required under division (A) of this section to the 781  
pesticide business, other business, state agency, or political 782  
subdivision that employs the commercial applicator. 783

(B) Each pesticide business, other business, state agency, 784  
or political subdivision that receives copies of records under 785

division (A) of this section shall retain them for a period of 786  
time established by rule. 787

(C) Each private applicator shall keep a record of all 788  
restricted use pesticide applications made by the applicator or 789  
under the applicator's direct supervision as required by rules 790  
adopted under division (C) of section 921.16 of the Revised 791  
Code. In addition, each private applicator shall maintain the 792  
record for a period of three years from the date of the 793  
restricted use pesticide application to which that record refers 794  
or for any longer period that the director of agriculture 795  
determines necessary. 796

**Sec. 921.16.** (A) The director of agriculture shall adopt 797  
rules the director determines necessary for the effective 798  
enforcement and administration of this chapter. The rules may 799  
relate to, but are not limited to, the time, place, manner, and 800  
methods of application, materials, and amounts and 801  
concentrations of application of pesticides, may restrict or 802  
prohibit the use of pesticides in designated areas during 803  
specified periods of time, and shall encompass all reasonable 804  
factors that the director determines necessary to minimize or 805  
prevent damage to the environment. In addition, the rules shall 806  
establish the deadlines and time periods for registration, 807  
registration renewal, late registration renewal, and failure to 808  
register under section 921.02 of the Revised Code; the fees for 809  
registration, registration renewal, late registration renewal, 810  
and failure to register under section 921.02 of the Revised Code 811  
that shall apply until the fees that are established under that 812  
section take effect on January 1, 2007; and the fees, deadlines, 813  
and time periods for licensure and license renewal under 814  
sections 921.06, 921.09, 921.11, and 921.13 of the Revised Code. 815

(B) The director shall adopt rules that establish a  
schedule of civil penalties for violations of this chapter, or  
any rule or order adopted or issued under it, provided that the  
civil penalty for a first violation shall not exceed five  
thousand dollars and the civil penalty for each subsequent  
violation shall not exceed ten thousand dollars. In determining  
the amount of a civil penalty for a violation, the director  
shall consider factors relevant to the severity of the  
violation, including past violations and the amount of actual or  
potential damage to the environment or to human beings. All  
money collected under this division shall be credited to the  
pesticide, fertilizer, and lime program fund created in section  
921.22 of the Revised Code.

(C) The director shall adopt rules that set forth the  
conditions under which the director:

(1) Requires that notice or posting be given of a proposed  
application of a pesticide;

(2) Requires inspection, condemnation, or repair of  
equipment used to apply a pesticide;

(3) Will suspend, revoke, or refuse to issue any pesticide  
registration for a violation of this chapter;

(4) Requires safe handling, transportation, storage,  
display, distribution, and disposal of pesticides and their  
containers;

(5) Ensures the protection of the health and safety of  
agricultural workers storing, handling, or applying pesticides,  
and all residents of agricultural labor camps, as that term is  
defined in section 3733.41 of the Revised Code, who are living  
or working in the vicinity of pesticide-treated areas;



(6) Requires a record to be kept of all pesticide 845  
applications made by each commercial applicator and of all 846  
general use applications made by any trained serviceperson 847  
acting under the commercial applicator's direct supervision and 848  
of all restricted use pesticide applications made by each 849  
private applicator ~~and by any immediate family member or~~ 850  
~~subordinate employee of that private applicator who is acting~~ 851  
~~under the private applicator's direct supervision as required~~ 852  
under section 921.14 of the Revised Code; 853

(7) Determines the pesticide-use categories of diagnostic 854  
inspections that must be conducted by a commercial applicator; 855

(8) Requires a record to be kept of all diagnostic 856  
inspections conducted by each commercial applicator and by any 857  
trained service person. 858

(D) The director shall prescribe standards for the 859  
licensure of applicators of pesticides consistent with those 860  
prescribed by the federal act and the regulations adopted under 861  
it or prescribe standards that are more restrictive than those 862  
prescribed by the federal act and the regulations adopted under 863  
it. The standards may relate to the use of a pesticide or to an 864  
individual's pesticide-use category. 865

The director shall take into consideration standards of 866  
the United States environmental protection agency. 867

(E) The director may adopt rules setting forth the 868  
conditions under which the director will: 869

(1) Collect and examine samples of pesticides or devices; 870

(2) Specify classes of devices that shall be subject to 871  
this chapter; 872

(3) Prescribe other necessary registration information. 873

(F) The director may adopt rules that do either or both of 874  
the following: 875

(1) Designate, in addition to those restricted uses so 876  
classified by the administrator of the United States 877  
environmental protection agency, restricted uses of pesticides 878  
for the state or for designated areas within the state and, if 879  
the director considers it necessary, to further restrict such 880  
use; 881

(2) Define what constitutes "acting under the instructions 882  
and control of a commercial applicator" as used in the 883  
definition of "direct supervision" in division ~~(Q)(1)~~(Q) of 884  
section 921.01 of the Revised Code. In adopting a rule under 885  
division (F)(2) of this section, the director shall consider the 886  
factors associated with the use of pesticide in the various 887  
pesticide-use categories. Based on consideration of the factors, 888  
the director may define "acting under the instructions and 889  
control of a commercial applicator" to include communications 890  
between a commercial applicator and a trained serviceperson that 891  
are conducted via landline telephone or a means of wireless 892  
communication. Any rules adopted under division (F)(2) of this 893  
section shall be drafted in consultation with representatives of 894  
the pesticide industry. 895

(G) Except as provided in division (D) of this section, 896  
the director shall not adopt any rule under this chapter that is 897  
inconsistent with the requirements of the federal act and 898  
regulations adopted thereunder. 899

(H) The director, after notice and opportunity for 900  
hearing, may declare as a pest any form of plant or animal life, 901

other than human beings and other than bacteria, viruses, and 902  
other microorganisms on or in living human beings or other 903  
living animals, that is injurious to health or the environment. 904

(I) The director may make reports to the United States 905  
environmental protection agency, in the form and containing the 906  
information the agency may require. 907

(J) The director shall adopt rules for the application, 908  
use, storage, and disposal of pesticides if, in the director's 909  
judgment, existing programs of the United States environmental 910  
protection agency necessitate such rules or pesticide labels do 911  
not sufficiently address issues or situations identified by the 912  
department of agriculture or interested state agencies. 913

(K) The director shall adopt rules establishing all of the 914  
following: 915

(1) Standards, requirements, and procedures for the 916  
examination and re-examination of commercial applicators and 917  
private applicators; 918

(2) With respect to training programs that the director 919  
may require commercial applicators and private applicators to 920  
complete: 921

(a) Standards and requirements that a training program 922  
must satisfy in order to be offered by the director or the 923  
director's representative or in order to be approved by the 924  
director if a third party wishes to offer it; 925

(b) Eligibility standards and requirements that must be 926  
satisfied by third parties who wish to provide the training 927  
programs; 928

(c) Procedures that third parties must follow in order to 929

submit a proposed training program to the director for approval; 930

(d) Criteria that the director must consider when 931  
determining whether to authorize a commercial applicator or 932  
private applicator to participate in a training program instead 933  
of being required to pass a re-examination. 934

(3) Training requirements for a trained serviceperson. 935

(L) The director shall adopt all rules under this chapter 936  
in accordance with Chapter 119. of the Revised Code. 937

**Sec. 921.23.** (A) Except as provided in division (B) of 938  
this section, the director of agriculture may suspend, prior to 939  
a hearing, for not longer than ~~ten~~thirty days, and after the 940  
opportunity for a hearing may deny, suspend, revoke, refuse to 941  
renew, or modify any provision of any license, permit, or 942  
registration issued pursuant to this chapter if the director 943  
finds that the applicant or the holder of a license, permit, or 944  
registration is no longer qualified, has violated any provision 945  
of this chapter or rules adopted under it, has entered into an 946  
administrative or judicial settlement under the federal act, has 947  
been found guilty of violating the federal act, or has been 948  
convicted of a misdemeanor involving moral turpitude or of a 949  
felony. 950

(B) The director shall not deny a license, permit, or 951  
registration issued pursuant to this chapter because an 952  
applicant was convicted of or pleaded guilty to an offense 953  
unless the refusal is in accordance with section 9.79 of the 954  
Revised Code. 955

**Sec. 921.24.** No person shall do any of the following: 956

(A) Apply, use, directly supervise such application or 957

use, or recommend a pesticide for use inconsistent with the 958  
pesticide's labeling, treatment standards, or other restrictions 959  
imposed by the director of agriculture; 960

(B) Act as a commercial applicator without being licensed 961  
to do so; 962

(C) Use any restricted use pesticide, unless the person is 963  
licensed to do so, ~~is a trained serviceperson acting under the~~ 964  
~~direct supervision of a commercial applicator, or is an~~ 965  
~~immediate family member or a subordinate employee of a private~~ 966  
~~applicator under the direct supervision of that private~~ 967  
~~applicator~~ under this chapter; 968

(D) Refuse or fail to keep or maintain records required by 969  
the director in rules adopted under this chapter, or to make 970  
reports when and as required by the director in rules adopted 971  
under this chapter; 972

(E) Falsely or fraudulently represent the effect of 973  
pesticides or methods to be utilized; 974

(F) Apply known ineffective or improper materials; 975

(G) Operate in a negligent manner, which includes the 976  
operation of faulty or unsafe equipment; 977

(H) Impersonate any federal, state, county, or municipal 978  
official; 979

(I) Make false or fraudulent records, invoices, or 980  
reports; 981

(J) Fail to provide training to trained servicepersons in 982  
the application of general use pesticides; 983

(K) Fail to provide direct supervision as specified in 984

rules adopted under division (C) of section 921.16 of the	985
Revised Code;	986
(L) Distribute a misbranded or adulterated pesticide;	987
(M) Use fraud or misrepresentation in making application	988
for a license or registration or renewal of a license or	989
registration;	990
(N) Refuse, fail, or neglect to comply with any limitation	991
or restriction of a license or registration issued under this	992
chapter or rules adopted thereunder;	993
(O) Aid or abet a licensee or another person in violating	994
this chapter or rules adopted thereunder;	995
(P) Make a false or misleading statement in an inspection	996
concerning any infestation of pests or the use of pesticides;	997
(Q) Refuse or fail to comply with this chapter, the rules	998
adopted thereunder, or any lawful order of the director;	999
(R) Distribute restricted use pesticides to the ultimate	1000
user without a pesticide dealer's license;	1001
(S) Except as provided in division (F) of section 921.26	1002
of the Revised Code, distribute restricted use pesticides to an	1003
ultimate user who is not licensed under section 921.06 or 921.11	1004
of the Revised Code and rules adopted under this chapter;	1005
(T) Use any pesticide that is under an experimental use	1006
permit contrary to the provisions of the permit;	1007
(U) Engage in fraudulent business practices;	1008
(V) Dispose of any pesticide product or container in such	1009
a manner as to have unreasonable adverse effects on the	1010
environment;	1011

(W) Display any pesticide in any manner to produce 1012  
 unreasonable adverse effects on the environment, or to 1013  
 contaminate adjacent food, feed, or other products; 1014

(X) Apply any pesticide by aircraft without being licensed 1015  
 as a commercial applicator; 1016

(Y) Distribute a pesticide that is not registered with the 1017  
 director; 1018

(Z) Fail to properly supervise a trained serviceperson." 1019  
 Update the title, amend, enact, or repeal clauses accordingly 1020

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 1021

#### **Pesticide Law changes** 1022

**R.C. 921.01, 921.02, 921.06, 921.09, 921.11, 921.12,** 1023  
**921.13, 921.14, 921.16, 921.23, and 921.24** 1024

Reinserts provisions from the As Introduced-version of the 1025  
 bill related to pesticides that do the following: 1026

1. Require restricted use pesticides to be applied 1027  
 exclusively by a licensed commercial pesticide applicator or 1028  
 licensed private pesticide applicator, rather than allowing a 1029  
 commercial applicator's trained service person or a private 1030  
 applicator's immediate family or employee to apply those 1031  
 pesticides under the direct supervision of the licensed 1032  
 applicator; 1033

2. Regarding restricted use pesticides, expand the 1034

activities that require a license to include doing both of the 1035  
following: 1036

--Performing pre-application activities involving mixing 1037  
and loading restricted use pesticides; and 1038

--Performing other pesticide-related activities, including 1039  
transporting or storing pesticide containers that have been 1040  
opened, cleaning equipment, and disposing of excess pesticides, 1041  
spray mix, equipment wash waters, pesticide containers, and 1042  
other pesticide-containing materials. 1043

3. Require each pesticide business location to be 1044  
licensed, rather than requiring one license for the pesticide 1045  
business and the registration of each location that is owned by 1046  
the person operating the pesticide business; 1047

4. Regarding the existing \$150 pesticide registration and 1048  
inspection fee required for each product name and brand 1049  
registered by a company, make the fee non-refundable; 1050

5. Allow the ODA Director to establish an examination fee 1051  
by rule for applicants for pesticide applicator licenses; 1052

6. Require a pesticide dealer to maintain records of all 1053  
the restricted use pesticides the dealer has distributed, rather 1054  
than requiring the dealer to submit those records to the 1055  
Director; 1056

7. Alter the Director's enforcement authority for 1057  
violations of the law governing pesticides by: 1058

--Increasing the number of days that the Director may 1059  
suspend a license, permit, or registration prior to a hearing 1060  
concerning a violation from ten to 30 days; and 1061

--In addition to other reasons for denying, suspending, 1062



revoking, refusing to renew, or modifying any license, permit, 1063  
or registration, adding that the Director may take any of those 1064  
actions if an applicant or holder of a license, permit, or 1065  
registration has entered into an administrative or judicial 1066  
settlement under the federal Insecticide, Fungicide, and 1067  
Rodenticide Act. 1068

Re-inserts language from the As Introduced-version of the 1069  
bill that increases the fees relating to the annual registration 1070  
of a pesticide sold or distributed in Ohio as follows: 1071

1. From \$150 to \$250 for each product name and brand 1072  
registered for the company whose name appears on the pesticide 1073  
label; 1074

2. From \$75 to \$125 for the penalty for late registration 1075  
renewal; and 1076

3. From \$75 to \$125 for the penalty for each product name 1077  
and brand of a non-registered pesticide that is distributed in 1078  
Ohio before registration. 1079

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 41975, insert:

"**Sec. 3313.489.** (A) The director of education and  
workforce shall examine each ~~five-year~~three-year projection of  
revenues and expenditures submitted under section 5705.391 of  
the Revised Code and shall determine whether the information  
contained therein, together with any other relevant information,  
indicates that the district may be financially unable to operate  
its instructional program on all days set forth in its adopted  
school calendars and pay all obligated expenses during the  
current fiscal year. If a board of education has not adopted a  
school calendar for the school year beginning on the first day  
of July of the current fiscal year at the time an examination is  
required under this division, the director shall examine the  
~~five-year~~three-year projection and determine whether the  
district may be financially unable to pay all obligated expenses  
and operate its instructional program for the number of days on  
which instruction was held in the preceding fiscal year.

(B) If the director of education and workforce determines  
pursuant to division (A) of this section that a school district  
may be financially unable to operate its instructional program

on all days required by such division and pay all obligated 21  
expenses during the current fiscal year, the director shall 22  
provide written notification of such determination to the 23  
president of the district's board of education and the auditor 24  
of state. 25

(C) This section does not apply to a school district 26  
declared to be under a fiscal emergency pursuant to division (B) 27  
of section 3316.03 of the Revised Code. " 28

After line 46757, insert: 29

**"Sec. 3316.031.** (A) The director of education and 30  
workforce, in consultation with the auditor of state, shall 31  
develop guidelines for identifying fiscal practices and 32  
budgetary conditions that, if uncorrected, could result in a 33  
future declaration of a fiscal watch or fiscal emergency within 34  
a school district. 35

The guidelines shall not include a requirement that a 36  
school district submit financial statements according to 37  
generally accepted accounting principles. 38

(B) (1) If the director determines from a school district's 39  
~~five-year~~ three-year forecast submitted under section 5705.391 40  
of the Revised Code that a district is engaging in any of those 41  
practices or that any of those conditions exist within the 42  
district, after consulting with the district board of education 43  
concerning the practices or conditions, the director may declare 44  
the district to be under a fiscal caution. 45

(2) If the auditor of state finds that a district is 46  
engaging in any of those practices or that any of those 47  
conditions exist within the district, the auditor of state shall 48  
report that finding to the director and, after consulting with 49

the district board of education concerning the practices or 50  
conditions, the director may declare the district to be under a 51  
fiscal caution. 52

(3) Unless the auditor of state has elected to declare a 53  
state of fiscal watch under division (A) (4) of section 3316.03 54  
of the Revised Code, the director shall declare a school 55  
district to be under a fiscal caution if the conditions 56  
described in divisions (A) (4) (a) and (b) of that section are 57  
both satisfied with respect to the school district. 58

(C) When the director declares a district to be under 59  
fiscal caution, the director shall promptly notify the district 60  
board of education of that declaration and shall request the 61  
board to provide written proposals for discontinuing or 62  
correcting the fiscal practices or budgetary conditions that 63  
prompted the declaration and for preventing the district from 64  
experiencing further fiscal difficulties that could result in 65  
the district being declared to be in a state of fiscal watch or 66  
fiscal emergency. 67

(D) The director, or a designee, may visit and inspect any 68  
district that is declared to be under a fiscal caution. The 69  
department of education and workforce shall provide technical 70  
assistance to the district board in implementing proposals to 71  
eliminate the practices or budgetary conditions that prompted 72  
the declaration of fiscal caution and may make recommendations 73  
concerning the board's proposals. 74

(E) If the director finds that a school district declared 75  
to be under a fiscal caution has not made reasonable proposals 76  
or otherwise taken action to discontinue or correct the fiscal 77  
practices or budgetary conditions that prompted the declaration 78  
of fiscal caution, and if the director considers it necessary to 79

prevent further fiscal decline, the director may determine that the district should be in a state of fiscal watch. As provided in division (A) (3) of section 3316.03 of the Revised Code, the auditor of state shall declare the district to be in a state of fiscal watch if the auditor of state finds the director's determination to be reasonable.

**Sec. 3316.043.** Upon the approval by the director of education and workforce of an initial financial plan under section 3316.04 of the Revised Code or a financial recovery plan under section 3316.06 of the Revised Code, the board of education of the school district for which the plan was approved shall revise the district's ~~five-year~~three-year projection of revenues and expenditures in accordance with rules adopted under section 5705.391 of the Revised Code so that the ~~five-year~~three-year projection is consistent with the financial plan or financial recovery plan. In the case of a school district declared to be in a state of fiscal emergency, the ~~five-year~~three-year projection shall be revised by the financial planning and supervision commission for that district.

**Sec. 3316.08.** During a school district's fiscal emergency period, the auditor of state shall determine annually, or at any other time upon request of the financial planning and supervision commission, whether the school district will incur an operating deficit. If the auditor of state determines that a school district will incur an operating deficit, the auditor of state shall certify that determination to the director of education and workforce, the financial planning and supervision commission, and the board of education of the school district. Upon receiving the auditor of state's certification, the commission shall adopt a resolution requesting that the board of

education work with the county auditor or tax commissioner to 110  
estimate the amount and rate of a tax levy that is needed under 111  
section 5705.194, 5705.199, or 5705.21 or Chapter 5748. of the 112  
Revised Code to produce a positive fund balance not later than 113  
the ~~fifth~~-~~third~~ year of the ~~five-year~~-~~three-year~~ forecast 114  
submitted under section 5705.391 of the Revised Code. 115

The board of education shall recommend to the commission 116  
whether the board supports or opposes a tax levy under section 117  
5705.194, 5705.199, or 5705.21 or Chapter 5748. of the Revised 118  
Code and shall provide supporting documentation to the 119  
commission of its recommendation. 120

After considering the board of education's recommendation 121  
and supporting documentation, the commission shall adopt a 122  
resolution to either submit a ballot question proposing a tax 123  
levy or not to submit such a question. 124

Except as otherwise provided in this division, the tax 125  
shall be levied in the manner prescribed for a tax levied under 126  
section 5705.194, 5705.199, or 5705.21 or under Chapter 5748. of 127  
the Revised Code. If the commission decides that a tax should be 128  
levied, the tax shall be levied for the purpose of paying 129  
current operating expenses of the school district. The rate of a 130  
property tax levied under section 5705.194, 5705.199, 5705.21, 131  
or 5748.09 of the Revised Code shall be determined by the county 132  
auditor, and the rate of an income tax levied under section 133  
5748.02, 5748.08, or 5748.09 of the Revised Code shall be 134  
determined by the tax commissioner, upon the request of the 135  
commission. The commission, in consultation with the board of 136  
education, shall determine the election at which the question of 137  
the tax shall appear on the ballot, and the commission shall 138  
submit a copy of its resolution to the board of elections not 139

later than ninety days prior to the day of that election. The 140  
board of elections conducting the election shall certify the 141  
results of the election to the board of education and to the 142  
financial planning and supervision commission. 143

**Sec. 3316.16.** (A) A school district financial planning and 144  
supervision commission, with respect to its functions under this 145  
chapter, shall continue in existence until such time as a 146  
determination is made under division (B) of this section that 147  
all of the following have occurred: 148

(1) An effective financial accounting and reporting system 149  
in accordance with section 3316.10 of the Revised Code is in the 150  
process of being implemented, and it is reasonably expected that 151  
this implementation will be completed within two years. 152

(2) All of the fiscal emergency conditions determined 153  
pursuant to division (B) of section 3316.03 of the Revised Code 154  
have been corrected or eliminated, and no new fiscal emergency 155  
conditions have occurred. 156

(3) The objectives of the financial recovery plan 157  
described in section 3316.06 of the Revised Code are being met. 158

(4) The school district board has prepared a financial 159  
forecast for a ~~five-year~~ three-year period in accordance with 160  
the standards issued by the auditor of state and an opinion has 161  
been rendered by the auditor of state that the financial 162  
forecast is considered to be nonadverse. The forecast shall 163  
display the district's projected compliance with section 3315.18 164  
of the Revised Code beginning in the year the commission is 165  
proposed for termination. 166

(B) The determination that all conditions listed in 167  
division (A) of this section for the termination of the 168

existence of the commission and its functions exist may be made 169  
either by the auditor of state or by the commission and shall be 170  
certified to the commission, the auditor of state, the governor, 171  
the director of budget and management, and the budget 172  
commission, whereupon such commission and its functions under 173  
this chapter shall terminate. This determination shall be made 174  
by the auditor of state upon the filing with the auditor of 175  
state of a written request for such a determination by the 176  
school district board, the governor, or the commission, or may 177  
be made by the auditor of state upon the auditor of state's own 178  
initiative. 179

(C) The commission shall prepare and submit at the time of 180  
such certification a final report of its activities, in such 181  
form as is appropriate for the purpose of providing a record of 182  
its activities and assisting other commissions created under 183  
this chapter in the conduct of their functions. All of the books 184  
and records of the commission shall be delivered to the auditor 185  
of state for retention and safekeeping. 186

(D) Upon receipt of the certification provided for in 187  
division (B) of this section, the director of budget and 188  
management shall follow the procedures set forth in section 189  
126.29 of the Revised Code. 190

(E) If, at the time of termination of the commission, an 191  
effective financial accounting and reporting system has not been 192  
fully implemented, the auditor of state shall monitor the 193  
progress of implementation and shall exercise authority under 194  
this section and Chapter 117. of the Revised Code to secure full 195  
implementation at the earliest time feasible but within two 196  
years after such termination." 197

In line 102595, delete "five-year" and insert "three-year" 198



After line 102877, insert:

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"Sec. 5705.391. (A) The department of education and  
workforce and the auditor of state shall jointly adopt rules  
requiring boards of education to submit ~~five-year~~ three-year  
projections of operational revenues and expenditures. The rules  
shall provide for the auditor of state or the department to  
examine the ~~five-year~~ three-year projections and to determine  
whether any further fiscal analysis is needed to ascertain  
whether a district has the potential to incur a deficit during  
the first ~~three~~ two years of the ~~five-year~~ three-year period.

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The auditor of state or the department may conduct any  
further audits or analyses necessary to assess any district's  
fiscal condition. If further audits or analyses are conducted by  
the auditor of state, the auditor of state shall notify the  
department of the district's fiscal condition, and the  
department shall immediately notify the district of any  
potential to incur a deficit in the current fiscal year or of  
any strong indications that a deficit will be incurred in either  
of the ensuing two years. If such audits or analyses are  
conducted by the department, the department shall immediately  
notify the district and the auditor of state of such potential  
deficit or strong indications thereof.

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A district notified under this section shall take  
immediate steps to eliminate any deficit in the current fiscal  
year and shall begin to plan to avoid the projected future  
deficits.

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(B) The state board of education, in accordance with  
sections 3319.31 and 3319.311 of the Revised Code, may limit,  
suspend, or revoke a license as defined under section 3319.31 of

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the Revised Code that has been issued to any school employee 228  
found to have willfully contributed erroneous, inaccurate, or 229  
incomplete data required for the submission of the ~~five-year~~ 230  
three-year projection required by this section. 231

(C) The department and the auditor of state, in their 232  
joint adoption of rules under division (A) of this section, 233  
shall not require a board of education to submit its ~~five-year~~ 234  
three-year projection of operational revenues and expenditures 235  
prior to the thirtieth day of November of any fiscal year. 236

(D) Beginning with submissions required in fiscal year 237  
2024 and for each fiscal year in which a submission is required 238  
under this section thereafter, the department and the auditor 239  
shall label the projections regarding property tax allocation in 240  
the projection as "state share of local property taxes." 241

**Sec. 5705.412.** (A) As used in this section, "qualifying 242  
contract" means any agreement for the expenditure of money under 243  
which aggregate payments from the funds included in the school 244  
district's ~~five-year~~ three-year forecast under section 5705.391 245  
of the Revised Code will exceed the lesser of the following 246  
amounts: 247

(1) Five hundred thousand dollars; 248

(2) One per cent of the total revenue to be credited in 249  
the current fiscal year to the district's general fund, as 250  
specified in the district's most recent certificate of estimated 251  
resources certified under section 5705.36 of the Revised Code. 252

(B) (1) Notwithstanding section 5705.41 of the Revised 253  
Code, no school district shall adopt any appropriation measure, 254  
make any qualifying contract, or increase during any school year 255  
any wage or salary schedule unless there is attached thereto a 256

certificate, signed as required by this section, that the school 257  
district has in effect the authorization to levy taxes including 258  
the renewal or replacement of existing levies which, when 259  
combined with the estimated revenue from all other sources 260  
available to the district at the time of certification, are 261  
sufficient to provide the operating revenues necessary to enable 262  
the district to maintain all personnel and programs for all the 263  
days set forth in its adopted school calendars for the current 264  
fiscal year and for a number of days in succeeding fiscal years 265  
equal to the number of days instruction was held or is scheduled 266  
for the current fiscal year, as follows: 267

(a) A certificate attached to an appropriation measure 268  
under this section shall cover only the fiscal year in which the 269  
appropriation measure is effective and shall not consider the 270  
renewal or replacement of an existing levy as the authority to 271  
levy taxes that are subject to appropriation in the current 272  
fiscal year unless the renewal or replacement levy has been 273  
approved by the electors and is subject to appropriation in the 274  
current fiscal year. 275

(b) A certificate attached, in accordance with this 276  
section, to any qualifying contract shall cover the term of the 277  
contract. 278

(c) A certificate attached under this section to a wage or 279  
salary schedule shall cover the term of the schedule. 280

If the board of education has not adopted a school 281  
calendar for the school year beginning on the first day of the 282  
fiscal year in which a certificate is required, the certificate 283  
attached to an appropriation measure shall include the number of 284  
days on which instruction was held in the preceding fiscal year 285  
and other certificates required under this section shall include 286

that number of days for the fiscal year in which the certificate 287  
is required and any succeeding fiscal years that the certificate 288  
must cover. 289

The certificate shall be signed by the treasurer and 290  
president of the board of education and the superintendent of 291  
the school district, unless the district is in a state of fiscal 292  
emergency declared under Chapter 3316. of the Revised Code. In 293  
that case, the certificate shall be signed by a member of the 294  
district's financial planning and supervision commission who is 295  
designated by the commission for this purpose. 296

(2) In lieu of the certificate required under division (B) 297  
of this section, an alternative certificate stating the 298  
following may be attached: 299

(a) The contract is a multi-year contract for materials, 300  
equipment, or nonpayroll services essential to the education 301  
program of the district; 302

(b) The multi-year contract demonstrates savings over the 303  
duration of the contract as compared to costs that otherwise 304  
would have been demonstrated in a single year contract, and the 305  
terms will allow the district to reduce the deficit it is 306  
currently facing in future years as demonstrated in its ~~five-~~ 307  
~~year-three-year~~ forecast adopted in accordance with section 308  
5705.391 of the Revised Code. 309

The certificate shall be signed by the treasurer and 310  
president of the board of education and the superintendent of 311  
the school district, unless the district is in a state of fiscal 312  
emergency declared under Chapter 3316. of the Revised Code. In 313  
that case, the certificate shall be signed by a member of the 314  
district's financial planning and supervision commission who is 315

designated by the commission for this purpose. 316

(C) Every qualifying contract made or wage or salary 317  
schedule adopted or put into effect without such a certificate 318  
shall be void, and no payment of any amount due thereon shall be 319  
made. 320

(D) The department of education and workforce and the 321  
auditor of state jointly shall adopt rules governing the methods 322  
by which treasurers, presidents of boards of education, 323  
superintendents, and members of financial planning and 324  
supervision commissions shall estimate revenue and determine 325  
whether such revenue is sufficient to provide necessary 326  
operating revenue for the purpose of making certifications 327  
required by this section. 328

(E) The auditor of state shall be responsible for 329  
determining whether school districts are in compliance with this 330  
section. At the time a school district is audited pursuant to 331  
section 117.11 of the Revised Code, the auditor of state shall 332  
review each certificate issued under this section since the 333  
district's last audit, and the appropriation measure, contract, 334  
or wage and salary schedule to which such certificate was 335  
attached. If the auditor of state determines that a school 336  
district has not complied with this section with respect to any 337  
qualifying contract or wage or salary schedule, the auditor of 338  
state shall notify the prosecuting attorney for the county, the 339  
city director of law, or other chief law officer of the school 340  
district. That officer may file a civil action in any court of 341  
appropriate jurisdiction to seek a declaration that the contract 342  
or wage or salary schedule is void, to recover for the school 343  
district from the payee the amount of payments already made 344  
under it, or both, except that the officer shall not seek to 345

recover payments made under any collective bargaining agreement 346  
entered into under Chapter 4117. of the Revised Code. If the 347  
officer does not file such an action within one hundred twenty 348  
days after receiving notice of noncompliance from the auditor of 349  
state, any taxpayer may institute the action in the taxpayer's 350  
own name on behalf of the school district. 351

(F) This section does not apply to any contract or 352  
increase in any wage or salary schedule that is necessary in 353  
order to enable a board of education to comply with division (B) 354  
of section 3317.13 of the Revised Code, provided the contract or 355  
increase does not exceed the amount required to be paid to be in 356  
compliance with such division. 357

(G) Any officer, employee, or other person who expends or 358  
authorizes the expenditure of any public funds or authorizes or 359  
executes any contract or schedule contrary to this section, 360  
expends or authorizes the expenditure of any public funds on the 361  
void contract or schedule, or issues a certificate under this 362  
section which contains any false statements is liable to the 363  
school district for the full amount paid from the district's 364  
funds on the contract or schedule. The officer, employee, or 365  
other person is jointly and severally liable in person and upon 366  
any official bond that the officer, employee, or other person 367  
has given to the school district to the extent of any payments 368  
on the void claim, not to exceed ten thousand dollars. However, 369  
no officer, employee, or other person shall be liable for a 370  
mistaken estimate of available resources made in good faith and 371  
based upon reasonable grounds. If an officer, employee, or other 372  
person is found to have complied with rules jointly adopted by 373  
the department of education and workforce and the auditor of 374  
state under this section governing methods by which revenue 375

shall be estimated and determined sufficient to provide 376  
necessary operating revenue for the purpose of making 377  
certifications required by this section, the officer, employee, 378  
or other person shall not be liable under this section if the 379  
estimates and determinations made according to those rules do 380  
not, in fact, conform with actual revenue. The prosecuting 381  
attorney of the county, the city director of law, or other chief 382  
law officer of the district shall enforce this liability by 383  
civil action brought in any court of appropriate jurisdiction in 384  
the name of and on behalf of the school district. If the 385  
prosecuting attorney, city director of law, or other chief law 386  
officer of the district fails, upon the written request of any 387  
taxpayer, to institute action for the enforcement of the 388  
liability, the attorney general, or the taxpayer in the 389  
taxpayer's own name, may institute the action on behalf of the 390  
subdivision. 391

(H) This section does not require the attachment of an 392  
additional certificate beyond that required by section 5705.41 393  
of the Revised Code for current payrolls of, or contracts of 394  
employment with, any employees or officers of the school 395  
district. 396

This section does not require the attachment of a 397  
certificate to a temporary appropriation measure if all of the 398  
following apply: 399

(1) The amount appropriated does not exceed twenty-five 400  
per cent of the total amount from all sources available for 401  
expenditure from any fund during the preceding fiscal year; 402

(2) The measure will not be in effect on or after the 403  
thirtieth day following the earliest date on which the district 404  
may pass an annual appropriation measure; 405

(3) An amended official certificate of estimated resources 406  
for the current year, if required, has not been certified to the 407  
board of education under division (B) of section 5705.36 of the 408  
Revised Code." 409

Update the title, amend, enact, or repeal clauses accordingly 410

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 411

**School district operational revenue and expenditure report** 412

**R.C. 5705.316 and 5705.391 (conforming changes in R.C.** 413  
**3313.489, 3316.031, 3316.043, 3316.08, 3316.16, and 5705.412)** 414

Reduces from five to three years the duration for 415  
operational revenue and expenditure forecasts school districts 416  
are required to develop twice annually. 417

Requires that AOS or DEW examine the projections to 418  
determine whether a district has the potential to incur a 419  
deficit during the first two years of the three-year period, 420  
rather than the first three years of the five-year period as 421  
under current law. 422



\_\_\_\_\_ moved to amend as follows:

After line 1567, insert:

"Sec. 9.561. (A) As used in this section:

(1) "Government entity" means a state agency, public  
institution, political subdivision, or any other organized body,  
office, agency, institution, or entity established by the laws  
of this state for the exercise of any function of government.

(2) "Public building" means any building owned or occupied  
by a government entity.

(B) No government entity shall place menstrual products in  
the men's restroom of a public building."

Update the title, amend, enact, or repeal clauses accordingly

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Menstrual products in public buildings**

Legislative Service Commission



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**R.C. 9.561**

14

Prohibits a government entity from placing menstrual  
products in the men's restroom of a public building.

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Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 123134, in row T, delete "\$500,000 \$0" and 1  
insert "\$600,000 \$100,000" 2

In the table on line 123134, in rows AA and BA, add \$100,000 to each 3  
fiscal year 4

After line 123253, insert: 5

"Of the foregoing appropriation item 830420, Community Projects and 6  
Assistance, \$100,000 in each fiscal year shall be distributed to Applewood 7  
Centers, Inc., to expand its foster care program." 8

In line 123254, after "The" insert "remainder of"; delete 9  
"foregoing" 10

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 11

**Department of Children and Youth** 12

**Sections 423.10 and 423.105** 13

Legislative Service Commission



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Increases GRF ALI 830420, Community Projects and	14
Assistance, by \$100,000 in each fiscal year. Earmarks these	15
funds for Applewood Centers, Inc., to expand their foster care	16
program.	17

Sub. H. B. No. 96

I\_136\_0001-4

DPSCD4

\_\_\_\_\_ moved to amend as follows:

In line 120244, delete "\$125,000" and insert "\$500,000"	1
In line 120245, delete "equally"; after "distributed" insert "as	2
follows:"; delete "to each of the"	3
Delete line 120246	4
In line 120247, after "(A)" insert "\$150,000 in each fiscal year to"	5
In line 120251, after "(B)" insert "\$150,000 in each fiscal year to"	6
In line 120255, after "(C)" insert "\$200,000 in each fiscal year to"	7

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Department of Public Safety**

**Section 373.30**

Increases existing earmarks of GRF ALI 768425, Justice

Legislative Service Commission



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Program Services, in each fiscal year as follows: 12

-- \$150,000 (instead of one-third of \$125,000) in each 13  
fiscal year for First Responders' Bridge to pay for their 14  
programs supporting first responders suffering from Post 15  
Traumatic Stress Disorder, depression, anxiety, and other mental 16  
health conditions; 17

-- \$150,000 (instead of one-third of \$125,000) in each 18  
fiscal year to Save A Warrior Foundation to pay for their 19  
programs supporting first responders suffering from Post 20  
Traumatic Stress Disorder, depression, anxiety, and other mental 21  
health conditions; and 22

-- \$200,000 (instead of one-third of \$125,000) for Tri- 23  
State Peer Support Team to pay the administrative costs of 24  
providing peer support and mental health services for first 25  
responders and related program development. 26

\_\_\_\_\_ moved to amend as follows:

In the table on line 118754, in row K, delete "\$233,410,621	1
\$233,212,717" and insert "\$249,410,621 \$265,212,717"	2
In the table on line 118754, in row T, add \$16,000,000 to fiscal	3
year 2026 and \$32,000,000 to fiscal year 2027	4
In the table on line 118754, in row Y, delete "\$13,023,116,674	5
\$13,653,856,942" and insert "\$13,064,216,674 \$13,736,156,942"	6
In the table on line 118754, in row AC, add \$41,100,000 to fiscal	7
year 2026 and \$82,300,000 to fiscal year 2027	8
In the table on line 118754, in row AD, add \$57,100,000 to fiscal	9
year 2026 and \$114,300,000 to fiscal year 2027	10
After line 118868, insert:	11
<b>"Section 333.86. STATE DIRECTED PAYMENT PROGRAM FOR BON</b>	12
SECOURS MERCY HEALTH	13
As used in this section, "directed payment program" means	14
a payment program authorized by 42 C.F.R. 438.6(c) under which	15
the Department of Medicaid regulates payment rates between	16
Medicaid managed care organizations and certain Medicaid	17
providers.	18

Of the foregoing appropriation item 651686, State Directed  
 Payment Program, \$16,000,000 in fiscal year 2026 and \$32,000,000  
 in fiscal year 2027, and of the foregoing appropriation item  
 651623, Medicaid Services - Federal, \$41,100,000 in fiscal year  
 2026 and \$82,300,000 in fiscal year 2027, shall be used to  
 create a directed payment program to support Bon Secours Mercy  
 Health health system locations in the state of Ohio."

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 26

#### **Department of Medicaid** 27

#### **Sections 333.10 and 333.86** 28

Increases DPF Fund 5AN0 ALI 651686, State Directed Payment  
 Program, by \$16,000,000 in FY 2026 and \$32,000,000 in FY 2027. 29  
 30  
 Increases FED Fund 3F00 ALI 651623, Medicaid Services - Federal,  
 by \$41,100,000 in FY 2026 and \$82,300,000 in FY 2027. 31  
 32

Earmarks these increases for supporting a state directed  
 payment program for Bon Secours Mercy Health health system 33  
 34  
 locations in Ohio. 35



Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 118159, delete "\$1,500,000" and insert "\$2,500,000"

1

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

2

**Department of Job and Family Services**

3

**Section 307.80**

4

Increases the earmark in Fund 3V60 ALI 600689, TANF Block  
Grant, for the Children's Hunger Alliance by \$1,000,000 (from  
\$1,500,000 to \$2,500,000) in both fiscal years.

5

6

7



Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 20322, insert:

"Sec. 703.331. (A) Not later than the last day of the year that is immediately after the year the results of a federal decennial census are released, the county auditor, county treasurer, and one member of the board of county commissioners selected by the board of county commissioners, jointly shall evaluate each village located within the county to determine if, over the approximate ten year period beginning the day the results of the preceding federal decennial census were released and ending the day the most recent federal decennial census results were released, both of the following are true:

(1) The village itself provided, the village contracted with a private nongovernmental entity to provide, or the village contracted with a regional council of governments as defined in section 167.01 of the Revised Code that includes three or more political subdivisions at least two of which are municipal corporations to provide, at least five of the following services:

(a) Police protection;

(b) Fire-fighting services;	20
(c) Garbage collection;	21
(d) Water service;	22
(e) Sewer service;	23
(f) Emergency medical services;	24
(g) Road maintenance;	25
(h) Park services or other recreation services;	26
(i) Human services;	27
(j) A public library established and operated solely by the village;	28 29
<u>(k) Electric service.</u>	30
(2) At each election at which an elected village position was voted upon, at least one candidate appeared on the ballot for each elected village position.	31 32 33
If a village is located in more than one county, the village shall be evaluated only by the county officials of the county wherein the largest portion of the population of the village resides.	34 35 36 37
(B) Before beginning the evaluation, the county officials shall request, in writing, information from each village to assist the officials in making their determination. The request shall indicate the applicable evaluation period. Each village shall submit the information, in the manner requested by the county officials, not later than thirty days after receiving the request. The village shall include information about the services provided over the evaluation period, the manner by	38 39 40 41 42 43 44 45

which such services were provided, a copy of the final 46  
appropriation budget or budgets applicable to the evaluation 47  
period, information on candidates on the ballot for village 48  
elected offices during the evaluation period, any documentation 49  
regarding the matters in division (A) of this section during the 50  
evaluation period, and any other information specifically 51  
requested by the county officials. After receiving the 52  
information, if necessary, the county officials may request 53  
additional information, which the village shall provide not 54  
later than ten days after receiving the request. The county 55  
officials shall base their finding on the information provided 56  
from the village. 57

(C) The county officials shall notify the legislative 58  
authority of the village of the county officials' finding not 59  
later than the last day of the year that is immediately after 60  
the year the results of a federal decennial census are released. 61

(D) If the county officials find a village failed to 62  
provide services or field candidates as specified in division 63  
(A) of this section, the county officials shall file the finding 64  
with the board of elections of the county in which the largest 65  
portion of the population of the village resides. The board of 66  
elections shall submit the question "Shall the village of 67  
\_\_\_\_\_ surrender its corporate powers?" for the approval or 68  
rejection of the electors of the village at the next general 69  
election, in any year, occurring after the period ending ninety 70  
days after the filing of the finding with the board. If the 71  
result of the election is in favor of the surrender, the board 72  
of elections shall certify the results to the secretary of 73  
state, the auditor of state, and the county recorder, who shall 74  
record it in their respective offices. 75

(E) The procedure in this section is in addition to the 76  
procedure under section 703.33 of the Revised Code for the 77  
dissolution of a village." 78  
Update the title, amend, enact, or repeal clauses accordingly 79

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 80

**Village dissolution evaluation** 81

**R.C. 703.331** 82

Adds electric services to the list of services that may be 83  
counted when evaluating whether a village has provided 5 84  
services and therefore does not qualify for an automatic ballot 85  
question on village dissolution. 86

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 114061, in row E, delete "\$10,757,903 1  
\$10,795,146" and insert "\$11,257,903 \$11,295,146" 2

In the table on line 114061, in rows J and Y, add \$500,000 to each 3  
fiscal year 4

In line 114109, after the period insert "The Department shall not 5  
use any of these funds for administrative expenses." 6

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 7

**Department of Aging** 8

**Section 209.10** 9

Increases GRF ALI 490411, Senior Community Services, by 10  
\$500,000 in each fiscal year. 11

Prohibits the ODA from using GRF ALI 490411, Senior 12  
Community Services, for administrative expenses. 13

Legislative Service Commission



Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 120023, in row N, delete "\$37,000,000  
\$33,000,000" and insert "38,000,000 \$34,000,000" 1  
2

In the table on line 120023, in rows R and W, add \$1,000,000 to each  
fiscal year 3  
4

After line 120039, insert: 5

"CASH TRANSFER FROM THE GENERAL REVENUE FUND TO THE LEGAL AID FUND 6

On July 1 of each fiscal year, or as soon as possible thereafter, 7  
the Director of Budget and Management shall transfer \$1,000,000 cash from 8  
the General Revenue Fund to the Legal Aid Fund (Fund 5740). The 9  
transferred cash shall be distributed by the Ohio Access to Justice 10  
Foundation to Ohio's civil legal aid societies as follows: \$500,000 in 11  
each fiscal year for the sole purpose of providing legal services for 12  
economically disadvantaged individuals and families seeking assistance 13  
with legal issues arising as a result of substance abuse disorders, and 14  
\$250,000 in each fiscal year for the sole purpose of providing legal 15  
services for veterans. None of the funds shall be used for administrative 16  
costs, including, but not limited to, salaries, benefits, or travel 17  
reimbursements." 18

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	19
<b>Public Defender Commission</b>	20
<b>Sections 371.10 and 371.20</b>	21
Increases DPF Fund 5740 ALI 019606, Civil Legal Aid by	22
\$1,000,000 in each fiscal year.	23
Requires the OBM Director on July 1 of each fiscal year,	24
to transfer \$1,000,000 cash from the GRF to the Legal Aid Fund	25
(Fund 5740).	26
Requires that this cash be distributed by the Ohio Access	27
to Justice Foundation to Ohio's civil legal aid societies for	28
the following:	29
- \$500,000 in each fiscal year be used to provide legal	30
services for economically disadvantaged individuals and families	31
seeking assistance with legal issues arising as a result of	32
substance abuse disorders.	33
- \$250,000 in each fiscal year be used to provide legal	34
services to veterans.	35
Prohibits any of the money to be used for administrative	36
costs.	37



Sub. H. B. No. 96

I\_136\_0001-4

EDUCD101

\_\_\_\_\_ moved to amend as follows:

In line 53852, strike through "or"; after "village" insert ", or  
municipal" 1 2

In line 53862, strike through "or"; after "village" insert ", or  
municipal" 3 4

In line 53868, after "transfer." insert "With respect to a mass  
transit system with a central transfer hub located in a county that is  
ranked as one of the eight most populous counties in this state according  
to the most recent decennial census, the city, local, exempted village, or  
municipal school district shall ensure that any transfer does not occur at  
the central transfer hub for the mass transit system." 5 6 7 8 9 10

In line 53869, delete "or"; after "village" insert ", or municipal" 11

After line 76853, insert: 12

**"Sec. 4511.78.** (A) As used in this section: 13

(1) "Mass transit system" means any county transit system, 14  
regional transit authority, regional transit commission, 15  
municipally owned transportation system, mass transit company 16  
operating exclusively within the territorial limits of a 17

municipal corporation, or within such limits and the territorial  
limits of municipal corporations immediately contiguous to such  
municipal corporation, and any common passenger carrier, that  
provides transportation for children to or from a school session  
or a school function.

(2) "Bus" means every motor vehicle designed for carrying  
more than nine passengers and used for the transportation of  
persons, but does not mean any school bus as defined in section  
4511.01 of the Revised Code.

(B) Whenever a mass transit system transports children to  
or from a school session or school function, the mass transit  
system shall provide for:

(1) Periodic safety inspections of all buses used to  
provide transportation service. The inspections shall be based  
on rules adopted by the public utilities commission under  
Chapters 4921. and 4923. of the Revised Code to ensure the  
safety of operation of motor carriers.

(2) The safety training of all drivers operating buses  
used to provide transportation service;

(3) The equipping of every bus with outside rear-view  
mirrors meeting the motor carrier regulations for bus equipment  
adopted by the federal highway administration. No exclusions  
from this requirement granted under the federal regulations  
shall be considered exclusions for the purposes of this  
division.

(C) Whenever a mass transit system regularly transports  
children to or from a school session, the mass transit system  
shall provide routes that ensure that such children either will  
not need to transfer between different buses or that the

children will only need to make one transfer at a location that 47  
is not the central transfer hub for the mass transit system. 48  
This division applies only to a mass transit system with a 49  
central transfer hub located in a county that is ranked as one 50  
of the eight most populous counties in this state according to 51  
the most recent decennial census. 52

(D) Except as otherwise provided in this division, whoever 53  
violates this section is guilty of a minor misdemeanor. If, 54  
within one year of the offense, the offender previously has been 55  
convicted of or pleaded guilty to one predicate motor vehicle or 56  
traffic offense, whoever violates this section is guilty of a 57  
misdemeanor of the fourth degree. If, within one year of the 58  
offense, the offender previously has been convicted of two or 59  
more predicate motor vehicle or traffic offenses, whoever 60  
violates this section is guilty of a misdemeanor of the third 61  
degree." 62

Update the title, amend, enact, or repeal clauses accordingly 63

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS 64

## **Student transportation via mass transit system** 65

### **R.C. 3327.017 and 4511.78** 66

With respect to a mass transit system with a central 67  
transfer hub located in a county that is ranked as one of the 68  
eight most populous counties in Ohio according to the most 69  
recent decennial census, both of the following apply: 70

1. A city, local, exempted village, or school district 71  
that uses the mass transit system to transport students to and 72  
from a community or chartered nonpublic school must ensure that 73  
any transfer between routes does not occur at the central hub 74  
for the mass transit system. 75

2. A mass transit system that regularly transport students 76  
to and from school must ensure that they have either direct 77  
routes available or routes that only require one transfer that 78  
is not at their central hub. 79

Expressly applies the law regarding school districts 80  
providing or arranging for the transportation of students using 81  
mass transit systems to a municipal school district (the only 82  
one of which is the Cleveland Municipal School District). 83

\_\_\_\_\_ moved to amend as follows:

In the table on line 120421, in row AG, delete "\$28,785,000" and 1  
insert "\$28,885,000" 2

In the table on line 120421, in rows BH and CH, add \$100,000 to 3  
fiscal year 2026 4

After line 121689, insert: 5

"(N) Of the foregoing appropriation item 235533, Program and Project 6  
Support, \$100,000 in fiscal year 2026 shall be allocated to support 7  
Ashland University's Ashbrook Center civics education K-12 teacher 8  
training and student learning initiative." 9

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 10

**Department of Higher Education** 11

**Sections 381.10 and 381.410** 12

Increases GRF ALI 235533, Program and Project Support, by 13

Legislative Service Commission



\$100,000 in FY 2026 and earmarks the same amount to be allocated	14
to support Ashland University's Ashbrook Center civics education	15
K-12 teacher training and student learning initiative.	16

Sub. H. B. No. 96

I\_136\_0001-4

MCDCD65

\_\_\_\_\_ moved to amend as follows:

After line 9934, insert:

"**Sec. 126.021.** The director of budget and management, as part of the submission to the governor under section 126.02 of the Revised Code, shall prepare and submit to the governor not later than the first day of January preceding the convening of the general assembly a medicaid caseload and expenditure forecast report, prepared in consultation with the department of medicaid. For each component identified in divisions (A) to (Q) of this section, the report shall include proposed, actual, or estimated medicaid program data for each fiscal year of the proposed budget biennium and for each fiscal year of the current budget biennium. If determined useful, the directors of budget and management and medicaid may choose to include additional years of data for components of the report.

The report shall include all of the following:

(A) A complete budget for the medicaid program delineated by the agency administering each component of the program, fund, appropriation item, and whether the spending is for services or



administration;	19
(B) A summary of medicaid service spending by eligibility	20
group and subgroup and service delivery system;	21
(C) A detailed mapping of the summary spending provided in	22
division (B) of this section into individual appropriation items	23
and including state and federal shares of each appropriation	24
item;	25
(D) A complete description of each policy proposal,	26
including assumed start date and cost projection delineated by	27
fiscal year, appropriation item, state and federal shares,	28
eligibility group and subgroup, and service delivery system;	29
(E) The medicaid caseload delineated by eligibility group	30
and subgroup and service delivery system;	31
(F) The percentage of total medicaid enrollment that is	32
comprised of medicaid recipients enrolled under the care	33
management system established under section 5167.03 of the	34
Revised Code and the percentage of total medicaid spending that	35
the care management system comprises;	36
(G) A detailed accounting of the care management system	37
component of the medicaid budget by eligibility group and	38
subgroup, including spending, member months, and per member per	39
month capitation rates;	40
(H) A detailed accounting of the fee-for-service component	41
of the medicaid budget by eligibility group and subgroup,	42
including spending, member months, and per member per month	43
costs;	44
(I) Historical spending data by service delivery system,	45
medicaid provider and program, including at least the following	46



provider categories: hospital, pharmacy, waiver, nursing, home 47  
health care, professional medical and clinic, nursing facility, 48  
behavioral health care, and intermediate care facility for 49  
individuals with intellectual disabilities; 50

(J) A detailed accounting of the medicare buy-in and 51  
medicare Part D components of the medicaid budget by eligibility 52  
group and subgroup, including spending, average monthly 53  
premiums, and average rates; 54

(K) A summary of projected spending for each fiscal year 55  
delineated by forecast component and by baseline and policy 56  
proposals; 57

(L) A detailed calculation demonstrating the effect of a 58  
hypothetical one-dollar increase in medicaid home and community- 59  
based services wages for direct care providers for each fiscal 60  
year, delineated by provider, appropriation item, and state and 61  
federal shares; 62

(M) A detailed calculation demonstrating the effect of a 63  
hypothetical one percentage point increase in provider franchise 64  
fee revenue for each fiscal year, for each of the fees imposed 65  
under sections 5168.21, 5168.41, and 5168.76 of the Revised 66  
Code; 67

(N) A detailed calculation demonstrating the effect of a 68  
hypothetical one-dollar increase in nursing facility and 69  
intermediate care facility for individuals with intellectual 70  
disabilities per medicaid day payment rates; 71

(O) A detailed explanation of how the governor's medicaid 72  
budget recommendations satisfy the requirements of section 73  
5162.70 of the Revised Code; 74

(P) The most recent report required under section 5162.70 75  
of the Revised Code; 76

(Q) The information in the private room report required 77  
under section 5162.138 of the Revised Code; 78

(R) Any other information the director of budget and 79  
management or the medicaid director deems to be useful to 80  
facilitate a better understanding of the governor's medicaid 81  
budget recommendations." 82

In line 98113, delete "five" and insert "fifteen" 83

In line 98122, delete "five" and insert "fifteen" 84

After line 97286, insert: 85

"Sec. 5162.138. Beginning in 2026, the department of 86  
medicaid shall report quarterly to the joint medicaid oversight 87  
committee and its executive director, including all of the 88  
following information for the preceding quarter: 89

(A) The total number of licensed private room beds in 90  
nursing homes in this state; 91

(B) The number of those beds that are utilized by medicaid 92  
residents; 93

(C) The number of those beds that are utilized by private 94  
pay or non-medicaid residents; 95

(D) The number of those beds that are unoccupied; 96

(E) The average length of time a medicaid resident lived 97  
in a private room during that period." 98

Update the title, amend, enact, or repeal clauses accordingly 99

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	100
<b>Nursing facility private room cap</b>	101
<b>R.C. 126.021, 5162.138, and 5165.158</b>	102
Increases the substitute bill cap on the number of private rooms for which ODM may pay a private room incentive payment, from 5,000 to 15,000.	103 104 105
Beginning in 2026, requires ODM to submit a quarterly report to JMOC about the number of private rooms in Ohio nursing facilities, including the total number of licensed private beds and the number of those beds that are occupied by Medicaid residents.	106 107 108 109 110
Requires the information in that report to be included in the Medicaid caseload and expenditures report.	111 112

\_\_\_\_\_ moved to amend as follows:

In the table on line 115638, in row V, delete "\$13,913,000 1  
\$13,913,000" and insert "\$14,163,000 \$14,163,000" 2

In the table on line 115638, in rows AC and BZ, add 3  
\$250,000 to each fiscal year 4

After line 116188, insert: 5

"Of the foregoing appropriation item 200545, Career- 6  
Technical Education Enhancements, \$250,000 in each fiscal year 7  
shall be used by the Department of Education and Workforce in 8  
partnership with the Department of Higher Education to fund 9  
early childhood to post-secondary regional partnerships. The 10  
Department of Education and Workforce shall distribute grants to 11  
qualifying partnerships to support regional collaboration 12  
programs among early learning, primary and secondary school, 13  
post-secondary institution, and workforce partners that align 14  
educational resources with regional in-demand jobs and workforce 15  
skills. Grants shall be awarded using a formula to be determined 16  
by the Department of Education and Workforce." 17

The motion was \_\_\_\_\_ agreed to.

Legislative Service Commission



<u>SYNOPSIS</u>	18
<b>Department of Education and Workforce</b>	19
<b>Sections 265.10 and 265.200</b>	20
Increases GRF ALI 200545, Career-Technical Education	21
Enhancements, by \$250,000 in each fiscal year and earmarks the	22
increases to be used by the Department of Education and	23
Workforce in partnership with the Department of Higher Education	24
to fund grants supporting early childhood to post-secondary	25
regional partnerships that connect education and the workforce.	26
Requires grants to be issued using a formula to be determined by	27
DEW.	28

Sub. H. B. No. 96

I\_136\_0001-4

BORCD43

\_\_\_\_\_ moved to amend as follows:

In line 121575, after "Scholarship" insert "Program"	1
In line 121576, delete "qualifying institutions" and insert "state	2
institutions of higher education, as defined in section 3345.011 of the	3
Revised Code,"	4
In line 121594, delete "qualifying institution" and insert "state	5
institution of higher education"	6
In line 121605, delete "qualifying"	7
In line 121606, delete "institution" and insert "state institution	8
of higher education"	9
In line 121607, delete "qualifying institution" and insert "state	10
institution of higher education"	11
Delete lines 121621 through 121623 and insert:	12
"(G) A private nonprofit institution of higher education holding a	13
certificate of authorization under Chapter 1713. of the Revised Code may	14
elect to participate in the Governor's Merit Scholarship Program for	15
fiscal years 2026 and 2027 in the same manner as a state institution of	16
higher education, in which case its students are eligible for a	17



scholarship under this section in the same manner as a student enrolled in  
a state institution of higher education.

As a condition of participating in the scholarship program for  
fiscal year 2027, the Chancellor shall require a private nonprofit  
institution to do both of the following for that fiscal year:

(1) Admit any Ohio graduate of the twelfth grade who is in the top  
ten per cent of a graduating class as determined by the Chancellor;

(2) Sign a commitment to comply with sections 3345.029, 3345.0216,  
3345.0217, 3345.0218, 3345.382, 3345.45, 3345.451, 3345.452, 3345.453,  
3345.591, and 3345.88 of the Revised Code in the same manner as a state  
institution of higher education.

(H) Notwithstanding anything to the contrary in division (G) of this  
section, the Chancellor shall not require a private nonprofit institution  
of higher education that is affiliated with a religious order, sect,  
church, or denomination, as a condition of participating in the Governor's  
Merit Scholarship Program, to comply with any requirement or prohibition  
that conflicts with any policy, procedure, or practice that the  
institution has adopted in accordance with any truly held religious belief  
of that order, sect, church, or denomination, as determined by the private  
nonprofit institution.

(I) Notwithstanding anything in this section to the contrary, a  
student who received a first-time Governor's Merit scholarship prior to  
fiscal year 2027 and who is enrolled in a private nonprofit institution of  
higher education for fiscal year 2027 may continue to receive that  
scholarship under this section in the same manner as a scholarship  
recipient enrolled in a state institution of higher education, regardless  
of whether the private nonprofit institution in which the student is  
enrolled elects to participate in the program in accordance with division

(G) of this section for fiscal year 2027. In that case, with regard solely to those students renewing scholarships, a private nonprofit institution may participate in the scholarship program in the same manner as a state institution of higher education."

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS

## **Department of Higher Education - Governor's Merit Scholarship**

### **Section 381.400**

Permits private nonprofit institutions of higher education to participate in the Governor's Merit Scholarship in the same manner as a state institution of higher education, provided that, for FY 2027 only, the private nonprofit institution admits any Ohio graduate of the twelfth grade who is in the top 10% of a graduating class and signs a commitment to comply with the following in the same manner as a state institution of higher education:

- (1) Syllabus posting requirements;
- (2) Incorporating specified statements into a statement of commitment;
- (3) Adopting a policy containing specified requirements and prohibitions regarding diversity, equity, and inclusion (DEI), intellectual diversity, and other concepts at the institution;



(4) Adhering to a specified response process to complaints	69
of interference with intellectual diversity rights or violations	70
of other related policies;	71
(5) Informing students and staff of intellectual diversity	72
rights afforded under applicable policies;	73
(6) Developing an American civic literacy course and	74
requiring completion of the course beginning with students	75
graduating in the spring semester of the 2029-2030 academic	76
year;	77
(7) Adopting and periodically updating a faculty workload	78
policy;	79
(8) Establishing a written system of faculty evaluations;	80
(9) Adopting and periodically updating a faculty annual	81
performance evaluation policy;	82
(10) Adopting and periodically updating a post-tenure	83
review policy;	84
(11) A prohibition on accepting gifts or donations from	85
the People's Republic of China and other related prohibitions	86
and requirements;	87
(12) Specified equal opportunity requirements;	88
(13) A prohibition on providing or requiring training on	89
certain prescribed concepts regarding race and sex; and	90
(14) A prohibition on policies designed to segregate	91
individuals based on race, ethnicity, religion, sex, sexual	92
orientation, gender identity, or gender expression in specified	93
settings.	94
Exempts a religiously affiliated private nonprofit	95

institution of higher education from complying with any 96  
requirement or prohibition that conflicts with a policy, 97  
procedure, or practice that the institution has adopted in 98  
accordance with the truly held religious beliefs of the order, 99  
sect, church, or denomination with which the institution is 100  
affiliated, as determined by the institution, as a condition of 101  
participating in the Governor's Merit Scholarship Program. 102

Permits a student who received a first-time Governor's 103  
Merit scholarship prior to FY 2027 and is enrolled in a private 104  
nonprofit institution of higher education for FY 2027 to 105  
continue receiving that scholarship, regardless of whether the 106  
private nonprofit institution is generally participating in the 107  
scholarship program for that fiscal year. 108

Sub. H. B. No. 96

I\_136\_0001-4

DOHCD37

\_\_\_\_\_ moved to amend as follows:

In line 60876, after "residents" insert ", sorted by the age of the 1  
woman on whom the abortion was performed, using the following categories: 2  
under sixteen years of age, sixteen to seventeen years of age, eighteen to 3  
twenty-four years of age, twenty-five to twenty-nine years of age, thirty 4  
to thirty-four years of age, thirty-five to thirty-nine years of age, 5  
forty to forty-four years of age, forty-five years of age or older" 6

In line 60880, strike through "fifteen" and insert "sixteen" 7

In line 60881, strike through "fifteen" and insert "sixteen"; strike 8  
through "nineteen" and insert "seventeen"; strike through "twenty" and 9  
insert "eighteen" 10

In line 60905, after "performed" insert ", sorted by the age of the 11  
woman on whom the abortion was performed, using the following categories: 12  
under sixteen years of age, sixteen to seventeen years of age, eighteen to 13  
twenty-four years of age, twenty-five to twenty-nine years of age, thirty 14  
to thirty-four years of age, thirty-five to thirty-nine years of age, 15  
forty to forty-four years of age, forty-five years of age or older" 16

In line 60909, after "performed" insert ";" 17



(xii) The total number of abortions performed on minors by each 18  
facility in the categories of under sixteen years of age and sixteen to 19  
seventeen years of age" 20

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 21

**ODH abortion reporting** 22

**R.C. 3701.79** 23

Makes the following changes in ODH's annual report 24  
 requirements, under continuing law, and monthly public dashboard 25  
 report requirements, under the substitute bill, on abortion 26  
 data: 27

-- Changes three of the required age categories in 28  
 continuing law to (1) under 16 years of age, rather than under 29  
 15 as in current law, (2) 16 to 17, rather than 15 to 19 as in 30  
 current law, and (3) 18 to 24, rather than 20 to 25 as in 31  
 current law. 32

-- Requires the inclusion of the total number of abortions 33  
 performed on minors by each facility in the categories of under 34  
 16 years of age and 16 to 17 years of age; 35

-- Requires that the total number of previous abortions 36  
 the woman has undergone and the total number of in-state versus 37  
 out-of-state women who have abortions be reported by age 38  
 category. 39

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 115638, in row AB, delete the first 1  
"\$2,000,000" and insert "\$2,400,000" 2  
In the table on line 115638, in rows AC and BZ, add \$400,000 to 3  
fiscal year 2026 4  
After line 116942, insert: 5  
"Of the foregoing appropriation item 200597, Program and Project 6  
Support, \$400,000 in fiscal year 2026 shall be distributed to the Showers 7  
Family Foundation to support the high school education of students with 8  
multiple disabilities, including Autism and Down Syndrome, provided that 9  
the Foundation provides a local match in the same amount." 10

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 11

**Department of Education and Workforce** 12

**Sections 265.10 and 265.275** 13

Legislative Service Commission



Increases GRF ALI 200597, Program and Project Support, by	14
\$400,000 in FY 2026 and earmarks the increase for the Showers	15
Family Foundation to support the high school education of	16
students with multiple disabilities, including Autism and Down	17
Syndrome. Requires the Foundation to provide a local match of	18
the same amount to receive the state funds.	19

\_\_\_\_\_ moved to amend as follows:

After line 110820, insert:

**"Sec. 5747.502.** (A) As used in this section:

(1) "Local authority" and "traffic law photo-monitoring device" have the same meanings as in section 4511.092 of the Revised Code.

(2) "School zone" has the same meaning as in section 4511.21 of the Revised Code.

(3) "Transportation district" means a territorial district established by the director of transportation under section 5501.14 of the Revised Code.

(4) "District deputy director" means the person appointed and assigned by the director of transportation under section 5501.14 of the Revised Code to administer the activities of a transportation district.

(5) "Gross amount" means the entire amount of traffic camera fines and fees paid by a driver.

(6) "Local government fund adjustment" or "LGF adjustment" means the sum of:

(a) The gross amount of all traffic camera fines collected 19  
by a local authority during the preceding fiscal year, as 20  
reported under division (B)(1) of this section, if such a report 21  
is required; plus 22

(b) The residual adjustment computed for the local 23  
authority under division (B)(4) of this section, if such an 24  
adjustment applies. 25

(7) "Local government fund payments" or "LGF payments" 26  
means the payments a local authority would receive under 27  
sections 5747.502, 5747.51, and 5747.53, and division (C) of 28  
section 5747.50 of the Revised Code, as applicable, if not for 29  
the reductions required by divisions (C) and (D) of this 30  
section. 31

(8) "Residual adjustment" means the most recent LGF 32  
adjustment computed for a local authority under division (B)(2) 33  
or (3) of this section minus the sum of the reductions applied 34  
after that computation under division (C) of this section to the 35  
local authority's LGF payments. 36

(9) "Traffic camera fines" means civil fines for any 37  
violation of any local ordinance or resolution that are based 38  
upon evidence recorded by a traffic law photo-monitoring device. 39

(10) "Qualifying village" has the same meaning as in 40  
section 5747.503 of the Revised Code. 41

(B)(1) Annually, on or before the thirty-first day of 42  
July, any local authority that directly or indirectly collected 43  
traffic camera fines during the preceding fiscal year shall file 44  
a report with the tax commissioner that includes a detailed 45  
statement of the gross amount of all traffic camera fines the 46  
local authority collected during that period and the gross 47



amount of such fines that the local authority collected for 48  
violations that occurred within a school zone. 49

(2) Annually, on or before the tenth day of August, and 50  
except as otherwise provide in this division, the commissioner 51  
shall compute a local government fund adjustment for each local 52  
authority that files a report under division (B)(1) of this 53  
section or with respect to which a residual adjustment applies. 54  
Subject to division (B)(3) of this section, the LGF adjustment 55  
shall be used by the commissioner to determine the amount of the 56  
reductions required under division (C) of this section for each 57  
of the next twelve months, starting with the month in which the 58  
LGF adjustment is computed. After those twelve months, the LGF 59  
adjustment ceases to apply and, if an LGF adjustment continues 60  
to be required, the amount of the reductions required under 61  
division (C) of this section shall be determined based on an 62  
updated LGF adjustment computed under this division. 63

After the effective date of this amendment, no LGF 64  
adjustment shall be calculated for a county or township 65  
prohibited from operating a traffic law photo-monitoring device 66  
by section 4511.093 of the Revised Code. An LGF adjustment that 67  
applies to a county or township on the effective date of this 68  
amendment ceases to apply as of that date. 69

(3) Upon receipt of a report described by division (B)(1) 70  
of this section that is not timely filed, the commissioner shall 71  
do both of the following: 72

(a) If one or more payments to the local authority has 73  
been withheld under division (D) of this section because of the 74  
local authority's failure to file the report, notify the county 75  
auditor and county treasurer of the appropriate county that the 76  
report has been received and that, subject to division (C) of 77

this section, payments to the local authority from the undivided 78  
local government fund are to resume. 79

(b) Compute the local authority's LGF adjustment using the 80  
information in the report. An LGF adjustment computed under this 81  
division shall be used by the commissioner to determine the 82  
amount of the reductions required under division (C) of this 83  
section starting with the next required reduction. The LGF 84  
adjustment ceases to apply on the thirty-first day of the 85  
ensuing July, following which, if an LGF adjustment continues to 86  
be required, the amount of the reductions required under 87  
division (C) of this section shall be determined based on an 88  
updated LGF adjustment computed under division (B) (2) of this 89  
section. 90

(4) Annually, on or before the tenth day of August, the 91  
commissioner shall compute a residual adjustment for each local 92  
authority whose LGF adjustment for the preceding year exceeds 93  
the amount by which the local authority's LGF payments were 94  
reduced during that year under division (C) of this section. The 95  
residual adjustment shall be used to compute the LGF adjustment 96  
for the ensuing year under division (B) (2) of this section. 97

(C) The commissioner shall do the following, as 98  
applicable, respecting any local authority to which an LGF 99  
adjustment computed under division (B) of this section applies: 100

(1) If the local authority is a municipal corporation with 101  
a population of one thousand or more, reduce payments to the 102  
municipal corporation under division (C) of section 5747.50 of 103  
the Revised Code by one-twelfth of the LGF adjustment. If one- 104  
twelfth of the LGF adjustment exceeds the amount of money the 105  
municipal corporation would otherwise receive under division (C) 106  
of section 5747.50 of the Revised Code, the commissioner also 107

shall reduce payments to the appropriate county undivided local  
government fund under division (B) of section 5747.50 of the  
Revised Code by an amount equal to the lesser of (a) one-twelfth  
of the excess, or (b) the amount of the payment the municipal  
corporation would otherwise receive from the fund under section  
5747.51 or 5747.53 of the Revised Code.

(2) If the local authority is a township or qualifying  
village, reduce the supplemental payments to the appropriate  
county undivided local government fund under section 5747.503 of  
the Revised Code by the lesser of one-twelfth of the LGF  
adjustment, or the amount of money the township or qualifying  
village would otherwise receive under that section. If one-  
twelfth of the LGF adjustment exceeds the amount of money the  
township or qualifying village would otherwise receive under  
section 5747.503 of the Revised Code, the commissioner also  
shall reduce payments to the appropriate county undivided local  
government fund under division (B) of section 5747.50 of the  
Revised Code by an amount equal to the lesser of (a) one-twelfth  
of the excess, or (b) the amount of the payment the township or  
qualifying village would otherwise receive from the fund under  
section 5747.51 or 5747.53 of the Revised Code.

(3) If the local authority is a county, reduce payments to  
the appropriate county undivided local government fund under  
division (B) of section 5747.50 of the Revised Code by an amount  
equal to the lesser of (a) one-twelfth of the LGF adjustment, or  
(b) the amount of the payment the county would otherwise receive  
from the fund under section 5747.51 or 5747.53 of the Revised  
Code.

(4) For any local authority, on or before the tenth day of  
each month a reduction is made under division (C) (1), (2), or

(3) of this section, make a payment to the local authority in an amount equal to the lesser of (a) one-twelfth of the gross amount of traffic camera fines the local authority collected in the preceding fiscal year for violations that occurred within a school zone, as indicated on the report filed by the local authority pursuant to division (B)(1) of this section, or (b) the amount by which the local authority's LGF payments were reduced that month pursuant to division (C)(1), (2), or (3) of this section. Payments received by a local authority under this division shall be used by the local authority for school safety purposes.

(D) Upon discovery, based on information in the commissioner's possession, that a local authority required to file a report under division (B)(1) of this section has failed to do so, the commissioner shall do the following, as applicable:

(1) If the local authority is a municipal corporation with a population of one thousand or more, cease providing for payments to the municipal corporation under section 5747.50 of the Revised Code beginning with the next required payment and until such time as the report is received by the commissioner;

(2) If the local authority is a township or qualifying village, reduce the supplemental payments to the appropriate county undivided local government fund under section 5747.503 of the Revised Code by an amount equal to the amount of such payments the local authority would otherwise receive under that section, beginning with the next required payment and until such time as the report is received by the commissioner;

(3) For any local authority, reduce payments to the appropriate county undivided local government fund under

division (B) of section 5747.50 of the Revised Code by an amount 168  
equal to the amount of such payments the local authority would 169  
otherwise receive under section 5747.51 or 5747.53 of the 170  
Revised Code, beginning with the next required payment and until 171  
such time as the report is received by the commissioner; 172

(4) For any local authority, notify the county auditor and 173  
county treasurer that such payments are to cease until the 174  
commissioner notifies the auditor and treasurer under division 175  
(E) of this section that the payments are to resume. 176

(E) The commissioner shall notify the county auditor and 177  
county treasurer on or before the day the commissioner first 178  
reduces a county undivided local government fund payment to that 179  
county under division (C) of this section. The notice shall 180  
include the full amount of the reduction, a list of the local 181  
authorities to which the reduction applies, and the amount of 182  
reduction attributed to each such local authority. The 183  
commissioner shall send an updated notice to the county auditor 184  
and county treasurer any time the amount the reduction 185  
attributed to any local authority changes. 186

A county treasurer that receives a notice from the 187  
commissioner under this division or division (B) (3) (a) or (D) (4) 188  
of this section shall reduce, cease, or resume payments from the 189  
undivided local government fund to the local authority that is 190  
the subject of the notice as specified by the commissioner in 191  
the notice. Unless otherwise specified in the notice, the 192  
payments shall be reduced, ceased, or resumed beginning with the 193  
next required payment. 194

(F) There is hereby created in the state treasury the Ohio 195  
highway and transportation safety fund. On or before the tenth 196  
day of each month, the commissioner shall deposit in the fund an 197

amount equal to the total amount by which payments to local 198  
authorities were reduced or ceased under division (C) or (D) of 199  
this section minus the total amount of payments made under 200  
division (C) (4) of this section. The amount deposited with 201  
respect to a local authority shall be credited to an account to 202  
be created in the fund for the transportation district in which 203  
that local authority is located. If the local authority is 204  
located within more than one transportation district, the amount 205  
credited to the account of each such transportation district 206  
shall be prorated on the basis of the number of centerline miles 207  
of public roads and highways in both the local authority and the 208  
respective districts. Amounts credited to a transportation 209  
district's account shall be used by the department of 210  
transportation and the district deputy director exclusively to 211  
enhance public safety on public roads and highways within that 212  
transportation district." 213  
Update the title, amend, enact, or repeal clauses accordingly 214

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 215

**Local government fund reductions for traffic cameras** 216

**R.C. 5747.502** 217

Terminates local government fund reductions for townships 218  
and counties that previously employed traffic cameras to issue 219  
citations. Townships and counties were prohibited from doing so 220  
in the biennial transportation budget. 221

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 102529, insert:

"**Sec. 5705.27.** There is hereby created in each county a  
 county budget commission consisting of the county auditor, the  
 county treasurer, and the ~~prosecuting attorney~~ president of the  
board of county commissioners. Upon petition filed with the  
 board of elections, signed by the number of electors of the  
 county equal in amount to three per cent of the total number of  
 votes cast for governor at the most recent election therefor,  
 there shall be submitted to the electors of the county at the  
 next general election occurring not sooner than ninety days  
 after the filing of the petition, the question "Shall the county  
 budget commission consist of two additional members to be  
 elected from the county?" Provision shall be made on the ballot  
 for the election from the county at large of two additional  
 members of the county budget commission who shall be electors of  
 the county if a majority of the electors voting on the question  
 shall have voted in the affirmative. In such counties, where the  
 electors have voted in the affirmative, the county budget  
 commission shall consist of such two elected members in addition  
 to the county auditor, the county treasurer and the ~~prosecuting~~



~~attorney~~ president of the board of county commissioners. Such 21  
members, who shall not hold any other public office, shall serve 22  
for a term of four years. The commission shall meet at the 23  
office of the county auditor in each county on the first Monday 24  
in February and on the first Monday in August, annually, and 25  
shall complete its work on or before the first day of September, 26  
annually, unless for good cause the tax commissioner extends the 27  
time for completing the work. A majority of members shall 28  
constitute a quorum, provided that no action of the commission 29  
shall be valid unless agreed to by a majority of the members of 30  
the commission. The auditor shall be the secretary of the 31  
commission and shall keep a full and accurate record of all 32  
proceedings. The auditor shall appoint such messengers and 33  
clerks as the commission deems necessary, and the budget 34  
commissioners shall be allowed their actual and necessary 35  
expenses. The elected members of the commission shall also 36  
receive twenty dollars for each day in attendance at commission 37  
meetings and in discharge of official duties. Any vacancy among 38  
such elected members shall be filled by the presiding judge of 39  
the court of common pleas. In adjusting the rates of taxation 40  
and fixing the amount of taxes to be levied each year, the 41  
commissioners shall be governed by the amount of the taxable 42  
property shown on the auditor's tax list for the current year; 43  
provided that if the auditor's tax list has not been completed, 44  
the auditor shall estimate, as nearly as practicable, the amount 45  
of the taxable property for such year, and such officers shall 46  
be governed by such estimate. 47

In any county in which two members of the commission are 48  
elected, upon petition filed with the board of elections, signed 49  
by the number of electors of the county equal in amount to three 50  
per cent of the votes cast for governor at the most recent 51



election therefor, there shall be submitted to the electors of 52  
the county at the next general election occurring not sooner 53  
than ninety days after the filing of the petition, the question 54  
"Shall the elected members be eliminated from the county budget 55  
commission?" If the majority of the electors voting thereon 56  
shall have voted in the affirmative, the county budget 57  
commission shall consist solely of the county auditor, the 58  
county treasurer, and the ~~prosecuting attorney~~ president of the 59  
board of county commissioners." 60  
Update the title, amend, enact, or repeal clauses accordingly 61

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 62

**County budget commission membership** 63

**R.C. 5705.27** 64

Removes the county prosecutor from the county budget 65  
commission and makes the president of the board of county 66  
commissioners a member instead. (Each county has a budget 67  
commission whose function is to review and, in some cases, 68  
adjust the budgets and taxing authority of local governments 69  
within the county.) 70

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 73592, insert:

**"Sec. 4301.01.** (A) As used in the Revised Code:

(1) "Intoxicating liquor" and "liquor" include all liquids and compounds, other than beer, containing one-half of one per cent or more of alcohol by volume which are fit to use for beverage purposes, from whatever source and by whatever process produced, by whatever name called, and whether they are medicated, proprietary, or patented. "Intoxicating liquor" and "liquor" include cider and alcohol, and all solids and confections which contain one-half of one per cent or more of alcohol by volume.

(2) Except as used in sections 4301.01 to 4301.20, 4301.22 to 4301.52, 4301.56, 4301.70, 4301.72, and 4303.01 to 4303.36 of the Revised Code, "sale" and "sell" include exchange, barter, gift, offer for sale, sale, distribution and delivery of any kind, and the transfer of title or possession of beer and intoxicating liquor either by constructive or actual delivery by any means or devices whatever, including the sale of beer or intoxicating liquor by means of a controlled access alcohol and beverage cabinet pursuant to section 4301.21 of the Revised



Code. "Sale" and "sell" do not include the mere solicitation of 21  
orders for beer or intoxicating liquor from the holders of 22  
permits issued by the division of liquor control authorizing the 23  
sale of the beer or intoxicating liquor, but no solicitor shall 24  
solicit any such orders until the solicitor has been registered 25  
with the division pursuant to section 4303.25 of the Revised 26  
Code. 27

(3) "Vehicle" includes all means of transportation by 28  
land, by water, or by air, and everything made use of in any way 29  
for such transportation. 30

(B) As used in this chapter: 31

(1) "Alcohol" means ethyl alcohol, whether rectified or 32  
diluted with water or not, whatever its origin may be, and 33  
includes synthetic ethyl alcohol. "Alcohol" does not include 34  
denatured alcohol and wood alcohol. 35

(2) "Beer" includes all beverages brewed or fermented 36  
wholly or in part from malt products and containing one-half of 37  
one per cent or more of alcohol by volume. 38

(3) "Wine" includes all liquids fit to use for beverage 39  
purposes containing not less than one-half of one per cent of 40  
alcohol by volume and not more than twenty-one per cent of 41  
alcohol by volume that is made from the fermented juices of 42  
grapes, fruits, or other agricultural products. "Wine" includes 43  
cider, except as used in sections 4301.13, 4301.421, 4301.422, 44  
4301.432, and 4301.44 of the Revised Code, and, for purposes of 45  
determining the rate of the tax that applies, division (B) of 46  
section 4301.43 of the Revised Code, "wine" does not include 47  
cider. 48

(4) "Mixed beverages" include bottled and prepared 49

cordials, cocktails, highballs, and solids and confections that 50  
are obtained by mixing any type of whiskey, neutral spirits, 51  
brandy, gin, or other distilled spirits with, or over, 52  
carbonated or plain water, pure juices from flowers and plants, 53  
and other flavoring materials. The completed product shall 54  
contain not less than one-half of one per cent of alcohol by 55  
volume and not more than twenty-one per cent of alcohol by 56  
volume. "Mixed beverages" includes the contents of a pod and 57  
low-alcohol coolers. 58

(5) "Spirituos liquor" includes all intoxicating liquors 59  
containing more than twenty-one per cent of alcohol by volume. 60  
"Spirituos liquor" does not include the contents of a pod. 61

(6) "Sealed container" means any container having a 62  
capacity of not more than one hundred twenty-eight fluid ounces, 63  
the opening of which is closed to prevent the entrance of air. 64

(7) "Person" includes firms and corporations. 65

(8) "Manufacture" includes all processes by which beer or 66  
intoxicating liquor is produced, whether by distillation, 67  
rectifying, fortifying, blending, fermentation, or brewing, or 68  
in any other manner. 69

(9) "Manufacturer" means any person engaged in the 70  
business of manufacturing beer or intoxicating liquor. 71

(10) "Wholesale distributor" and "distributor" means a 72  
person engaged in the business of selling to retail dealers for 73  
purposes of resale. 74

(11) "Hotel" has the same meaning as in section 3731.01 of 75  
the Revised Code, subject to the exceptions mentioned in section 76  
3731.03 of the Revised Code. 77

(12) "Restaurant" means a place located in a permanent building provided with space and accommodations wherein, in consideration of the payment of money, hot meals are habitually prepared, sold, and served at noon and evening, as the principal business of the place. "Restaurant" does not include pharmacies, confectionery stores, lunch stands, night clubs, and filling stations.

(13) "Club" means a corporation or association of individuals organized in good faith for social, recreational, benevolent, charitable, fraternal, political, patriotic, or athletic purposes, which is the owner, lessor, or occupant of a permanent building or part of a permanent building operated solely for those purposes, membership in which entails the prepayment of regular dues, and includes the place so operated.

(14) "Night club" means a place operated for profit, where food is served for consumption on the premises and one or more forms of amusement are provided or permitted for a consideration that may be in the form of a cover charge or may be included in the price of the food and beverages, or both, purchased by patrons.

(15) "At retail" means for use or consumption by the purchaser and not for resale.

(16) "Pharmacy" means an establishment, as defined in section 4729.01 of the Revised Code, that is under the management or control of a licensed pharmacist in accordance with section 4729.27 of the Revised Code.

(17) "Enclosed shopping center" means a group of retail sales and service business establishments that face into an enclosed mall, share common ingress, egress, and parking

facilities, and are situated on a tract of land that contains an 107  
area of not less than five hundred thousand square feet. 108

"Enclosed shopping center" also includes not more than one 109  
business establishment that is located within a free-standing 110  
building on such a tract of land, so long as the sale of beer 111  
and intoxicating liquor on the tract of land was approved in an 112  
election held under former section 4301.353 of the Revised Code. 113

(18) "Controlled access alcohol and beverage cabinet" 114  
means a closed container, either refrigerated, in whole or in 115  
part, or nonrefrigerated, access to the interior of which is 116  
restricted by means of a device that requires the use of a key, 117  
magnetic card, or similar device and from which beer, 118  
intoxicating liquor, other beverages, or food may be sold. 119

(19) "Community facility" means either of the following: 120

(a) Any convention, sports, or entertainment facility or 121  
complex, or any combination of these, that is used by or 122  
accessible to the general public and that is owned or operated 123  
in whole or in part by the state, a state agency, or a political 124  
subdivision of the state or that is leased from, or located on 125  
property owned by or leased from, the state, a state agency, a 126  
political subdivision of the state, or a convention facilities 127  
authority created pursuant to section 351.02 of the Revised 128  
Code; 129

(b) An area designated as a community entertainment 130  
district pursuant to section 4301.80 of the Revised Code. 131

(20) "Low-alcohol beverage" means any brewed or fermented 132  
malt product, or any product made from the fermented juices of 133  
grapes, fruits, or other agricultural products, that contains 134  
either no alcohol or less than one-half of one per cent of 135

alcohol by volume. The beverages described in division (B) (20) 136  
of this section do not include a soft drink such as root beer, 137  
birch beer, or ginger beer. 138

(21) "Cider" means all liquids fit to use for beverage 139  
purposes that contain one-half of one per cent of alcohol by 140  
volume, but not more than six per cent of alcohol by weight, and 141  
that are made through the normal alcoholic fermentation of the 142  
juice of sound, ripe apples, including, without limitation, 143  
flavored, sparkling, or carbonated cider and cider made from 144  
pure condensed apple must. 145

(22) "Sales area or territory" means an exclusive 146  
geographic area or territory that is assigned to a particular A 147  
or B permit holder and that either has one or more political 148  
subdivisions as its boundaries or consists of an area of land 149  
with readily identifiable geographic boundaries. "Sales area or 150  
territory" does not include, however, any particular retail 151  
location in an exclusive geographic area or territory that had 152  
been assigned to another A or B permit holder before April 9, 153  
2001. 154

(23) "Pod" means a sealed capsule made from plastic, 155  
glass, aluminum, or a combination thereof to which all of the 156  
following apply: 157

(a) The capsule contains intoxicating liquor of more than 158  
twenty-one per cent of alcohol by volume. 159

(b) The capsule also contains a concentrated flavoring 160  
mixture. 161

(c) The contents of the capsule are not readily accessible 162  
or intended for consumption unless certain manufacturer's 163  
processing instructions are followed. 164

(d) The instructions include releasing the contents of the 165  
capsule through a machine specifically designed to process the 166  
contents. 167

(e) After being properly processed according to the 168  
manufacturer's instructions, the final product produced from the 169  
capsule contains not less than one-half of one per cent of 170  
alcohol by volume and not more than twenty-one per cent of 171  
alcohol by volume. 172

(24) "Low-alcohol coolers" means bottled and prepared 173  
cordials, cocktails, and highballs to which all of the following 174  
apply: 175

(a) They are obtained by mixing any type of spirituous 176  
liquor with, or over, nonalcoholic beverages, flavoring, or 177  
coloring. Low-alcohol coolers also may contain water, fruit 178  
juices, fruit adjuncts, sugar, carbon dioxide, preservatives, 179  
wine, and other similar products manufactured by fermenting 180  
fruit or fruit juices. 181

(b) As a completed product, they contain not less than 182  
one-half of one per cent of alcohol by volume and not more than 183  
ten per cent of alcohol by volume; 184

(c) They are sold only in packages of four to twelve 185  
single-serve containers with each container not more than 186  
sixteen ounces in size." 187

After line 73877, insert: 188

**"Sec. 4301.43.** (A) As used in sections 4301.43 to 4301.50 189  
of the Revised Code: 190

(1) "Gallon" or "wine gallon" means one hundred twenty- 191  
eight fluid ounces. 192



(2) "Sale" or "sell" includes exchange, barter, gift, 193  
distribution, and, except with respect to A-4 permit holders, 194  
offer for sale. 195

(B) For the purposes of providing revenues for the support 196  
of the state and encouraging the grape industries in the state, 197  
a tax is hereby levied on the sale or distribution of wine in 198  
Ohio, except for known sacramental purposes or low-alcohol 199  
coolers, at the rate of thirty cents per wine gallon for wine 200  
containing not less than four per cent of alcohol by volume and 201  
not more than fourteen per cent of alcohol by volume, ninety- 202  
eight cents per wine gallon for wine containing more than 203  
fourteen per cent but not more than twenty-one per cent of 204  
alcohol by volume, one dollar and eight cents per wine gallon 205  
for vermouth, and one dollar and forty-eight cents per wine 206  
gallon for sparkling and carbonated wine and champagne, the tax 207  
to be paid by the holders of A-2, A-2f, B-5, S-1, and S-2 permits 208  
or by any other person selling or distributing wine upon which 209  
no tax has been paid. From the tax paid under this section on 210  
wine, vermouth, and sparkling and carbonated wine and champagne, 211  
the treasurer of state shall credit to the Ohio grape industries 212  
fund created under section 924.54 of the Revised Code a sum 213  
equal to one cent per gallon for each gallon upon which the tax 214  
is paid. 215

(C) For the purpose of providing revenues for the support 216  
of the state, there is hereby levied a tax on prepared and 217  
bottled ~~highballs, cocktails, cordials, and other mixed~~ 218  
~~beverages at the rate of one dollar and twenty cents per wine~~ 219  
~~gallon~~ to be paid by holders of A-4 permits or by any other 220  
person selling or distributing those products upon which no tax 221  
has been paid. Only one sale of the same article shall be used 222

in computing the amount of tax due. The tax on mixed beverages 223  
to be paid by holders of A-4 permits under this section shall 224  
not attach until the ownership of the mixed beverage is 225  
transferred for valuable consideration to a wholesaler or 226  
retailer, and no payment of the tax shall be required prior to 227  
that time. The rate of tax shall be thirty-five cents per wine 228  
gallon for low-alcohol coolers and one dollar and twenty cents 229  
per wine gallon for all other mixed beverages. 230

(D) From the tax paid under this section on wine, 231  
vermouth, and sparkling and carbonated wine and champagne, the 232  
treasurer of state shall credit to the Ohio grape industries 233  
fund created under section 924.54 of the Revised Code a sum 234  
equal to two cents per gallon upon which the tax is paid. The 235  
amount credited under this division is in addition to the amount 236  
credited to the Ohio grape industries fund under division (B) of 237  
this section. 238

(E) For the purpose of providing revenues for the support 239  
of the state, there is hereby levied a tax on cider at the rate 240  
of twenty-four cents per wine gallon to be paid by the holders 241  
of A-2, A-2f, and B-5 permits or by any other person selling or 242  
distributing cider upon which no tax has been paid. Only one 243  
sale of the same article shall be used in computing the amount 244  
of the tax due. 245

**Sec. 4301.432.** For the purpose of encouraging the grape 246  
industries of the state, a tax is hereby levied on the sale or 247  
distribution of vermouth, sparkling and carbonated wine and 248  
champagne, and other wine, except for known sacramental purposes 249  
or low-alcohol coolers, at the rate of two cents per wine 250  
gallon, the tax to be paid by the holders of A-2, A-2f, B-2a, B- 251  
5, S-1, and S-2 permits or by any other person selling or 252

distributing wine upon which no such tax has been paid. The 253  
treasurer of state shall credit to the Ohio grape industries 254  
fund created under section 924.54 of the Revised Code the moneys 255  
the treasurer of state receives from this tax. 256

**Sec. 4303.05.** (A) As used in this section, "low-alcohol 257  
coolers" has the same meaning as in section 4301.01 of the 258  
Revised Code. 259

(B) Permit A-4 may be issued to a manufacturer to 260  
manufacture do all of the following: 261

(1) Manufacture prepared highballs, cocktails, cordials, 262  
and other mixed drinks containing not less than four per cent of 263  
alcohol by volume and not more than twenty-one per cent of 264  
alcohol by volume, ~~and to sell such products;~~ 265

(2) Manufacture low-alcohol coolers; 266

(3) Sell the products specified in divisions (B) (1) and 267  
(2) of this section to wholesale and retail permit holders in 268  
sealed containers only under such rules as are adopted by the 269  
division of liquor control. ~~The holder of such-~~ 270

(C) An A-4 permit holder may import do both of the 271  
following: 272

(1) Import into the state spirituous liquor and wine only 273  
for blending or other manufacturing purposes under such rules as 274  
are prescribed by the division. ~~;~~ 275

~~The holder of such permit may also purchase~~ (2) Purchase 276  
spirituous liquor for manufacturing and blending purposes from 277  
the holder of an A-3 permit issued by the division. ~~The-~~ 278

(D) The fee for an A-4 permit is three thousand nine 279  
hundred six dollars for each plant." 280

Update the title, amend, enact, or repeal clauses accordingly 281

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS 282

## **Low-alcohol coolers** 283

### **R.C. 4301.01, 4301.43, 4301.432, and 4303.05** 284

Expands the products that a mixed beverage manufacturer 285  
(A-4 liquor permit holder) may manufacture and sell to alcohol 286  
retailers and distributors to include low-alcohol coolers. 287

Defines "low-alcohol coolers" as bottled and prepared 288  
cordials, cocktails, and highballs to which all of the following 289  
apply: 290

--They are obtained by mixing any type of spirituous 291  
liquor with, or over, nonalcoholic beverages, flavoring, or 292  
coloring; 293

--As a completed product, they contain between 0.5% of 294  
alcohol by volume (ABV) and 10% of ABV; 295

--They are sold only in packages of four to twelve single- 296  
serve containers with each container 16 ozs. in size. 297

Taxes low-alcohol coolers at \$0.35 per gallon, a reduction 298  
from the \$1.20 per gallon excise rate currently charged for 299  
mixed beverages, generally. 300

Sub. H. B. No. 96

Sub. H.B. 96

I\_136\_0001-4

DPSCD36, DPSCD8

\_\_\_\_\_ moved to amend as follows:

After line 74516, insert:

"**Sec. 4503.10.** (A) The owner of every snowmobile, off-highway motorcycle, and all-purpose vehicle required to be registered under section 4519.02 of the Revised Code shall file an application for registration under section 4519.03 of the Revised Code. The owner of a motor vehicle, other than a snowmobile, off-highway motorcycle, or all-purpose vehicle, that is not designed and constructed by the manufacturer for operation on a street or highway may not register it under this chapter except upon certification of inspection pursuant to section 4513.02 of the Revised Code by the sheriff, or the chief of police of the municipal corporation or township, with jurisdiction over the political subdivision in which the owner of the motor vehicle resides. Except as provided in sections 4503.103 and 4503.107 of the Revised Code, every owner of every other motor vehicle not previously described in this section and every person mentioned as owner in the last certificate of title of a motor vehicle that is operated or driven upon the public

roads or highways shall cause to be filed each year, by mail or 19  
 otherwise, in the office of the registrar of motor vehicles or a 20  
 deputy registrar, a written or electronic application or a 21  
 preprinted registration renewal notice issued under section 22  
 4503.102 of the Revised Code, the form of which shall be 23  
 prescribed by the registrar, for registration for the following 24  
 registration year, which shall begin on the first day of January 25  
 of every calendar year and end on the thirty-first day of 26  
 December in the same year. Applications for registration and 27  
 registration renewal notices shall be filed at the times 28  
 established by the registrar pursuant to section 4503.101 of the 29  
 Revised Code. A motor vehicle owner also may elect to apply for 30  
 or renew a motor vehicle registration by electronic means using 31  
 electronic signature in accordance with rules adopted by the 32  
 registrar. Except as provided in division (J) of this section, 33  
 applications for registration shall be made on blanks furnished 34  
 by the registrar for that purpose, containing the following 35  
 information: 36

(1) A brief description of the motor vehicle to be 37  
 registered, including the year, make, model, and vehicle 38  
 identification number, and, in the case of commercial cars, the 39  
 gross weight of the vehicle fully equipped computed in the 40  
 manner prescribed in section 4503.08 of the Revised Code; 41

(2) The name and residence address of the owner, and the 42  
 township and municipal corporation in which the owner resides; 43

(3) The district of registration, which shall be 44  
 determined as follows: 45

(a) In case the motor vehicle to be registered is used for 46  
 hire or principally in connection with any established business 47  
 or branch business, conducted at a particular place, the 48

district of registration is the municipal corporation in which 49  
that place is located or, if not located in any municipal 50  
corporation, the county and township in which that place is 51  
located. 52

(b) In case the vehicle is not so used, the district of 53  
registration is the municipal corporation or county in which the 54  
owner resides at the time of making the application. 55

(4) Whether the motor vehicle is a new or used motor 56  
vehicle; 57

(5) The date of purchase of the motor vehicle; 58

(6) Whether the fees required to be paid for the 59  
registration or transfer of the motor vehicle, during the 60  
preceding registration year and during the preceding period of 61  
the current registration year, have been paid. Each application 62  
for registration shall be signed by the owner, either manually 63  
or by electronic signature, or pursuant to obtaining a limited 64  
power of attorney authorized by the registrar for registration, 65  
or other document authorizing such signature. If the owner 66  
elects to apply for or renew the motor vehicle registration with 67  
the registrar by electronic means, the owner's manual signature 68  
is not required. 69

(7) The owner's social security number, driver's license 70  
number, or state identification number, or, where a motor 71  
vehicle to be registered is used for hire or principally in 72  
connection with any established business, the owner's federal 73  
taxpayer identification number. The bureau of motor vehicles 74  
shall retain in its records all social security numbers provided 75  
under this section, but the bureau shall not place social 76  
security numbers on motor vehicle certificates of registration. 77

(8) Whether the applicant wishes to certify willingness to 78  
make an anatomical gift if an applicant has not so certified 79  
under section 2108.05 of the Revised Code. The applicant's 80  
response shall not be considered in the decision of whether to 81  
approve the application for registration. 82

(B) (1) When an applicant first registers a motor vehicle 83  
in the applicant's name, the applicant shall provide proof of 84  
ownership of that motor vehicle. Proof of ownership may include 85  
any of the following: 86

(a) The applicant may present for inspection a physical 87  
certificate of title or memorandum certificate showing title to 88  
the motor vehicle to be registered in the name of the applicant. 89

(b) The applicant may present for inspection an electronic 90  
certificate of title for the applicant's motor vehicle in a 91  
manner prescribed by rules adopted by the registrar. 92

(c) The registrar or deputy registrar may electronically 93  
confirm the applicant's ownership of the motor vehicle. 94

An applicant is not required to present a certificate of 95  
title to an electronic motor vehicle dealer acting as a limited 96  
authority deputy registrar in accordance with rules adopted by 97  
the registrar. 98

(2) When a motor vehicle inspection and maintenance 99  
program is in effect under section 3704.14 of the Revised Code 100  
and rules adopted under it, each application for registration 101  
for a vehicle required to be inspected under that section and 102  
those rules shall be accompanied by an inspection certificate 103  
for the motor vehicle issued in accordance with that section. 104

(3) An application for registration shall be refused if 105



any of the following applies:	106
(a) The application is not in proper form.	107
(b) The application is prohibited from being accepted by	108
division (D) of section 2935.27, division (A) of section	109
4503.13, division (B) of section 4510.22, division (D) of	110
section 4503.234, division (B) (1) of section 4521.10, or	111
division (B) of section 5537.041 of the Revised Code.	112
(c) Proof of ownership is required but is not presented or	113
confirmed in accordance with division (B) (1) of this section.	114
(d) All registration and transfer fees for the motor	115
vehicle, for the preceding year or the preceding period of the	116
current registration year, have not been paid.	117
(e) The owner or lessee does not have an inspection	118
certificate for the motor vehicle as provided in section 3704.14	119
of the Revised Code, and rules adopted under it, if that section	120
is applicable.	121
(4) This section does not require the payment of license	122
or registration taxes on a motor vehicle for any preceding year,	123
or for any preceding period of a year, if the motor vehicle was	124
not taxable for that preceding year or period under sections	125
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504.	126
of the Revised Code.	127
(5) When a certificate of registration is issued upon the	128
first registration of a motor vehicle by or on behalf of the	129
owner, the official issuing the certificate shall indicate the	130
issuance with a stamp on the certificate of title or memorandum	131
certificate or, in the case of an electronic certificate of	132
title or electronic verification of ownership, an electronic	133

stamp or other notation as specified in rules adopted by the 134  
registrar, and with a stamp on the inspection certificate for 135  
the motor vehicle, if any. 136

(6) The official also shall indicate, by a stamp or by 137  
other means the registrar prescribes, on the registration 138  
certificate issued upon the first registration of a motor 139  
vehicle by or on behalf of the owner the odometer reading of the 140  
motor vehicle as shown in the odometer statement included in or 141  
attached to the certificate of title. Upon each subsequent 142  
registration of the motor vehicle by or on behalf of the same 143  
owner, the official also shall so indicate the odometer reading 144  
of the motor vehicle as shown on the immediately preceding 145  
certificate of registration. 146

(7) The registrar shall include in the permanent 147  
registration record of any vehicle required to be inspected 148  
under section 3704.14 of the Revised Code the inspection 149  
certificate number from the inspection certificate that is 150  
presented at the time of registration of the vehicle as required 151  
under this division. 152

(C) (1) ~~Except as otherwise provided in division (C) (1) of~~ 153  
~~this section, the~~ The registrar and each deputy registrar shall 154  
collect ~~an the following additional fee of eleven dollars fees~~ 155  
for each application for registration and registration renewal 156  
received. 157

(a) Except as provided in division (C) (1) (b) of this 158  
section, a fee of eleven dollars on or before December 31, 2025, 159  
and a fee of sixteen dollars on and after January 1, 2026; 160

(b) For vehicles specified in divisions (A) (1) to (21) of 161  
section 4503.042 of the Revised Code, the registrar and deputy 162

~~registrar shall collect an additional a fee of thirty dollars~~ 163  
~~for each application for registration and registration renewal~~ 164  
~~received on or before December 31, 2025, and a fee of thirty-five~~ 165  
~~dollars on and after January 1, 2026.~~ 166

No additional fee shall be charged for vehicles registered 167  
under section 4503.65 of the Revised Code. ~~The~~ Each additional 168  
fee is for the purpose of defraying the department of public 169  
safety's costs associated with the administration and 170  
enforcement of the motor vehicle and traffic laws of Ohio. Each 171  
deputy registrar shall transmit the fees collected under 172  
divisions (C) (1) and (3) of this section in the time and manner 173  
provided in this section. The registrar shall deposit all moneys 174  
received under division (C) (1) of this section into the public 175  
safety - highway purposes fund established in section 4501.06 of 176  
the Revised Code. 177

(2) In addition, a charge of twenty-five cents shall be 178  
made for each reflectorized safety license plate issued, and a 179  
single charge of twenty-five cents shall be made for each county 180  
identification sticker or each set of county identification 181  
stickers issued, as the case may be, to cover the cost of 182  
producing the license plates and stickers, including material, 183  
manufacturing, and administrative costs. Those fees shall be in 184  
addition to the license tax. If the total cost of producing the 185  
plates is less than twenty-five cents per plate, or if the total 186  
cost of producing the stickers is less than twenty-five cents 187  
per sticker or per set issued, any excess moneys accruing from 188  
the fees shall be distributed in the same manner as provided by 189  
section 4501.04 of the Revised Code for the distribution of 190  
license tax moneys. If the total cost of producing the plates 191  
exceeds twenty-five cents per plate, or if the total cost of 192

producing the stickers exceeds twenty-five cents per sticker or 193  
per set issued, the difference shall be paid from the license 194  
tax moneys collected pursuant to section 4503.02 of the Revised 195  
Code. 196

(3) The registrar and each deputy registrar shall collect 197  
the following additional fee, as applicable, for each 198  
application for registration or registration renewal received 199  
for any hybrid motor vehicle, plug-in hybrid electric motor 200  
vehicle, or battery electric motor vehicle: 201

(a) One hundred dollars for a hybrid motor vehicle; 202

(b) One hundred fifty dollars for a plug-in hybrid 203  
electric motor vehicle; 204

(c) Two hundred dollars for a battery electric motor 205  
vehicle. 206

Each fee imposed under this division shall be prorated 207  
based on the number of months for which the vehicle is 208  
registered. The registrar shall transmit all money arising from 209  
each fee to the treasurer of state for distribution in 210  
accordance with division (E) of section 5735.051 of the Revised 211  
Code, subject to division (D) of section 5735.05 of the Revised 212  
Code. 213

(D) Each deputy registrar shall be allowed a fee equal to 214  
the amount established under section 4503.038 of the Revised 215  
Code for each application for registration and registration 216  
renewal notice the deputy registrar receives, which shall be for 217  
the purpose of compensating the deputy registrar for the deputy 218  
registrar's services, and such office and rental expenses, as 219  
may be necessary for the proper discharge of the deputy 220  
registrar's duties in the receiving of applications and renewal 221

notices and the issuing of registrations. 222

(E) Upon the certification of the registrar, the county 223  
sheriff or local police officials shall recover license plates 224  
erroneously or fraudulently issued. 225

(F) Each deputy registrar, upon receipt of any application 226  
for registration or registration renewal notice, together with 227  
the license fee and any local motor vehicle license tax levied 228  
pursuant to Chapter 4504. of the Revised Code, shall transmit 229  
that fee and tax, if any, in the manner provided in this 230  
section, together with the original and duplicate copy of the 231  
application, to the registrar. The registrar, subject to the 232  
approval of the director of public safety, may deposit the funds 233  
collected by those deputies in a local bank or depository to the 234  
credit of the "state of Ohio, bureau of motor vehicles." Where a 235  
local bank or depository has been designated by the registrar, 236  
each deputy registrar shall deposit all moneys collected by the 237  
deputy registrar into that bank or depository not more than one 238  
business day after their collection and shall make reports to 239  
the registrar of the amounts so deposited, together with any 240  
other information, some of which may be prescribed by the 241  
treasurer of state, as the registrar may require and as 242  
prescribed by the registrar by rule. The registrar, within three 243  
days after receipt of notification of the deposit of funds by a 244  
deputy registrar in a local bank or depository, shall draw on 245  
that account in favor of the treasurer of state. The registrar, 246  
subject to the approval of the director and the treasurer of 247  
state, may make reasonable rules necessary for the prompt 248  
transmittal of fees and for safeguarding the interests of the 249  
state and of counties, townships, municipal corporations, and 250  
transportation improvement districts levying local motor vehicle 251

license taxes. The registrar may pay service charges usually 252  
collected by banks and depositories for such service. If deputy 253  
registrars are located in communities where banking facilities 254  
are not available, they shall transmit the fees forthwith, by 255  
money order or otherwise, as the registrar, by rule approved by 256  
the director and the treasurer of state, may prescribe. The 257  
registrar may pay the usual and customary fees for such service. 258

(G) This section does not prevent any person from making 259  
an application for a motor vehicle license directly to the 260  
registrar by mail, by electronic means, or in person at any of 261  
the registrar's offices, upon payment of a service fee equal to 262  
the amount established under section 4503.038 of the Revised 263  
Code for each application. 264

(H) No person shall make a false statement as to the 265  
district of registration in an application required by division 266  
(A) of this section. Violation of this division is falsification 267  
under section 2921.13 of the Revised Code and punishable as 268  
specified in that section. 269

(I) (1) Where applicable, the requirements of division (B) 270  
of this section relating to the presentation of an inspection 271  
certificate issued under section 3704.14 of the Revised Code and 272  
rules adopted under it for a motor vehicle, the refusal of a 273  
license for failure to present an inspection certificate, and 274  
the stamping of the inspection certificate by the official 275  
issuing the certificate of registration apply to the 276  
registration of and issuance of license plates for a motor 277  
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 278  
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 279  
4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 280  
Code. 281

(2) (a) The registrar shall adopt rules ensuring that each owner registering a motor vehicle in a county where a motor vehicle inspection and maintenance program is in effect under section 3704.14 of the Revised Code and rules adopted under it receives information about the requirements established in that section and those rules and about the need in those counties to present an inspection certificate with an application for registration or preregistration.

(b) Upon request, the registrar shall provide the director of environmental protection, or any person that has been awarded a contract under section 3704.14 of the Revised Code, an on-line computer data link to registration information for all passenger cars, noncommercial motor vehicles, and commercial cars that are subject to that section. The registrar also shall provide to the director of environmental protection a magnetic data tape containing registration information regarding passenger cars, noncommercial motor vehicles, and commercial cars for which a multi-year registration is in effect under section 4503.103 of the Revised Code or rules adopted under it, including, without limitation, the date of issuance of the multi-year registration, the registration deadline established under rules adopted under section 4503.101 of the Revised Code that was applicable in the year in which the multi-year registration was issued, and the registration deadline for renewal of the multi-year registration.

(J) Subject to division (K) of this section, application for registration under the international registration plan, as set forth in sections 4503.60 to 4503.66 of the Revised Code, shall be made to the registrar on forms furnished by the registrar. In accordance with international registration plan

guidelines and pursuant to rules adopted by the registrar, the 312  
forms shall include the following: 313

(1) A uniform mileage schedule; 314

(2) The gross vehicle weight of the vehicle or combined 315  
gross vehicle weight of the combination vehicle as declared by 316  
the registrant; 317

(3) Any other information the registrar requires by rule. 318

(K) The registrar shall determine the feasibility of 319  
implementing an electronic commercial fleet licensing and 320  
management program that will enable the owners of commercial 321  
tractors, commercial trailers, and commercial semitrailers to 322  
conduct electronic transactions by July 1, 2010, or sooner. If 323  
the registrar determines that implementing such a program is 324  
feasible, the registrar shall adopt new rules under this 325  
division or amend existing rules adopted under this division as 326  
necessary in order to respond to advances in technology. 327

If international registration plan guidelines and 328  
provisions allow member jurisdictions to permit applications for 329  
registrations under the international registration plan to be 330  
made via the internet, the rules the registrar adopts under this 331  
division shall permit such action." 332

After line 120318, insert: 333

"OPERATING EXPENSE - HIGHWAY PATROL 334

Any new revenue derived from an increase of the Highway Safety fee 335  
as prescribed in section 4503.10 of the Revised Code that becomes 336  
effective with any application for registration or registration renewal 337  
received on or after January 1, 2026, shall be used exclusively for the 338  
State Highway Patrol." 339



Update the title, amend, enact, or repeal clauses accordingly 340

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 341

**Additional motor vehicle registration and renewal fees** 342

**R.C. 4503.10** 343

Restores but modifies provisions of the Executive version 344  
of the bill that increase the additional motor vehicle 345  
registration and renewal fees. 346

Increases those fees by \$5, beginning January 1, 2026, as 347  
follows: (1) from \$11 to \$16 for noncommercial vehicles, and (2) 348  
from \$30 to \$35 for non-apportioned commercial vehicles. 349

**Department of Public Safety** 350

**Section 373.40** 351

Requires revenue derived from the Highway Safety fee 352  
increase prescribed in R.C. 4503.10 that applies to any vehicle 353  
registration or renewal beginning January 1, 2026, be used 354  
exclusively for the Ohio State Highway Patrol. 355

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 117908, in row D, delete "\$7,500,000" and 1  
insert "\$7,750,000" 2

In the table on line 117908, in rows L and Q, add \$250,000 to fiscal 3  
year 2026 4

After line 117922, insert: 5

"OHIO COMMISSION FOR THE U.S. SEMIQUINCENTENNIAL 6

Of the foregoing appropriation item 360401, Ohio Commission for the 7  
U.S. Semiquincentennial, \$250,000 in fiscal year 2026 shall be used for 8  
marketing and event operations for the America's River Roots Festival." 9

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 10

**Ohio History Connection** 11

**Sections 297.10 and 297.20** 12

Increases GRF ALI 360401, Ohio Commission for the U.S. 13

Legislative Service Commission



Semiquincentennial, by \$250,000 in FY 2026 and earmarks the	14
increase for marketing and event operations for the America's	15
River Roots Festival.	16

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 115638, after row AT, insert:

"

	1	2	3	4	5
A 7017 200413 School Bus Safety				\$10,000,000	\$0

"

In the table on line 115638, in rows AZ and BZ, add \$10,000,000 to fiscal year 2026.

After line 116984, insert:

**"Section 265.320. SCHOOL BUS SAFETY**

(A) The foregoing appropriation item 200413, School Bus Safety, shall be used to support a school bus safety grant program, as recommended by the Governor's School Bus Safety Working Group, and in accordance with guidelines established by the Department of Education and Workforce. The specific safety features shall be informed by the Governor's School Bus Safety Working Group report and in consultation with the Department of



Public Safety. 16

(B) The Department shall create an application for 17  
eligible applicants. Eligible applicants may apply for funds in 18  
a manner prescribed by the Department. The Department shall 19  
collect information with respect to the total amount of funding 20  
requested, the number of school buses impacted, and the specific 21  
safety enhancements for which each eligible applicant seeks 22  
funds. In determining grant allocations, the Department shall 23  
apply a measure of local capacity. The Department may also apply 24  
minimum or maximum funding amounts. 25

(C) Eligible applicants shall use school bus safety grant 26  
funds only for repair, replacement, or addition of school bus 27  
safety features to school buses in active service or for safety 28  
enhancements to the purchase of a new school bus. Eligible 29  
applicants shall not use funds to enhance buses not owned by the 30  
eligible applicant. 31

(D) As used in this section, "eligible applicant" means 32  
any of the following that provides transportation services: 33

(1) A city, local, exempted village, or joint vocational 34  
school district; 35

(2) A community school established under Chapter 3314. of 36  
the Revised Code; 37

(3) A STEM school established under Chapter 3326. of the 38  
Revised Code; 39

(4) A county board of developmental disabilities; 40

(5) A chartered nonpublic school; 41

(6) An educational service center." 42

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

43

**Department of Education and Workforce**

44

**Sections 265.10 and 265.320**

45

Establishes Fund 7017 ALI 200413, School Bus Safety, with  
an appropriation of \$10,000,000 in fiscal year 2026 to support  
the School Bus Safety Grant Program.

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48

Reinserts the provision from the As Introduced version of  
the bill, but removed by the substitute bill, that establishes  
the School Bus Safety Grant Program, eligible uses of funds, and  
eligible applicants, and adds educational service centers to the  
list of eligible applicants to receive funding for school bus  
safety enhancements.

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Sub. H. B. No. 96

I\_136\_0001-4

CD19

\_\_\_\_\_ moved to amend as follows:

In line 115023, after "Governments" insert "to support the study and 1  
construction of oil and natural gas pipelines within Ashtabula, 2  
Columbiana, Mahoning, and Trumbull counties" 3

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Department of Development**

**Section 259.20**

Requires the Eastgate Regional Council of Governments to 7  
use the \$210,000 earmarked for them in each fiscal year under 8  
GRF ALI 195455, Appalachia Assistance, to support the study and 9  
construction of oil and natural gas pipelines within Ashtabula, 10  
Columbiana, Mahoning, and Trumbull counties. 11



HC2333

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 118185, delete "\$75,000" and insert "\$150,000"

1

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

2

**Department of Job and Family Services**

3

**Section 307.80**

4

Increases the earmark in Fund 3V60 ALI 600689, TANF Block  
Grant, to Dads2Be from \$75,000 in each fiscal year to \$150,000  
in each fiscal year.

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Legislative Service Commission



rbzvvrnzvuttsanekerc6kf



Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 70112, insert:

"Sec. 3780.37. (A) As used in this section, "nonprofit corporation" has the same meaning as in section 1702.01 of the Revised Code.

(B) The division of cannabis control shall contract with a statewide nonprofit corporation for the development and implementation of cannabis and related drug misuse prevention, education, and public awareness initiatives driven by data, evaluation, and research. The contract must include a provision specifying a percentage of the total funding for the initiatives, not less than ten per cent, to be raised by the statewide nonprofit corporation through private contributions.

(C) The initiatives may include all of the following:

(1) Providing evidence-based information on the potential health effects of cannabis and related drug use among minors;

(2) Disseminating educational resources regarding the risks associated with cannabis and related drug use during pregnancy;



(3) Conducting campaigns to inform the public about the dangers and legal consequences of driving under the influence of cannabis and related drugs;

(4) Collaborating with employers and industry groups to develop and distribute evidence-based resources to improve the health of Ohio's workforce and promote workplace safety and recovery initiatives focused on cannabis and related drug misuse.

(D) The division shall oversee and evaluate the effectiveness of the initiatives undertaken pursuant to this section and shall ensure that those initiatives align with the public health and safety objectives of this state.

(E) The division shall annually compile a report detailing activities, use of funds, and measurable outcomes resulting from the initiatives undertaken pursuant to this section. The division shall submit the report to the general assembly in accordance with section 101.68 of the Revised Code."

In the table on line 114644, after row Z, insert:

"

1	2	3	4	5
A	5TZ0	800661 Drug Addiction Partnership	\$10,000,000	\$10,000,000

In the table on line 114644, in rows AE and AN, add \$10,000,000 to each fiscal year

After line 114907, insert:

"DRUG ADDICTION PARTNERSHIP

The foregoing appropriation item 800661, Drug Addiction Partnership, shall be used to establish a public-private partnership with a statewide nonprofit corporation to develop and implement cannabis and related drug misuse prevention, education, and public awareness initiatives in accordance with section 3780.37 of the Revised Code. The Division of Cannabis Control shall submit an annual report to the General Assembly detailing program activities, use of funds, and measurable outcomes resulting from the public-private partnership."

Update the title, amend, enact, or repeal clauses accordingly

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS

## **Public-private partnership for cannabis misuse prevention**

### **R.C. 3780.37**

Requires the Division of Cannabis Control to contract with a statewide nonprofit corporation to develop and implement cannabis and related drug misuse prevention, education, and public awareness initiatives.

Requires at least 10% of the funding for the initiatives to be provided by the nonprofit corporation through private contributions.

Requires the Division to oversee and evaluate the effectiveness of the initiatives undertaken by the nonprofit corporation.

## **Department of Commerce**

**Sections 243.10 and 243.30**

66

Appropriates \$10,000,000 in each fiscal year under Fund  
5TZ0 ALI 800661, Drug Addiction Partnership. Requires that the  
ALI be used by the Division of Cannabis Control to fund the  
public-private partnership mentioned above.

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Requires the Division to submit an annual report to the  
General Assembly detailing program activities, the use of funds,  
and any measurable outcomes resulting from the partnership.

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72

73

\_\_\_\_\_ moved to amend as follows:

In line 118151, delete "\$7,500,000" and insert "\$8,500,000"

1

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

2

**Department of Job and Family Services**

3

**Section 307.80**

4

Increases the earmark in GRF ALI 600410, TANF State  
Maintenance of Effort, and Fund 3V60 ALI 600689, TANF Block  
Grant, to the Ohio Alliance of Boys and Girls Clubs from  
\$7,500,000 in each fiscal year to \$8,500,000 in each fiscal  
year.

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Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 114135, in row R, delete "\$380,000	1
\$380,000" and insert "\$630,000 \$630,000"	2
In the table on line 114135, in rows V and BL, add	3
\$250,000 to each fiscal year	4
In line 114142, delete "The" and insert "Of the"	5
In line 114143, after the comma, insert "up to \$380,000 in	6
each fiscal year"	7
After line 114145, insert:	8
"Of the foregoing appropriation item 700501, County	9
Agricultural Societies, up to \$250,000 in each fiscal year shall	10
be used to support the Future Farmers of America, urban	11
agriculture, and agriculture literacy programs around the	12
state."	13

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

14

Legislative Service Commission



<b>Department of Agriculture</b>	15
<b>Sections 211.10 and 211.20</b>	16
Increases GRF ALI 700501, County Agricultural Societies,	17
by \$250,000 in each fiscal year. Earmarks these funds to support	18
Future Farmers of America, urban agriculture, and agriculture	19
literacy programs around the state.	20

Sub. H. B. No. 96

I\_136\_0001-4

MCDCD62

\_\_\_\_\_ moved to amend as follows:

In line 97840, delete " <u>highest</u> " and insert " <u>most</u> "	1
In line 97841, delete " <u>mortality rates</u> " and insert " <u>deaths</u> "	2
In line 97847, after the period delete the balance of the line	3
Delete lines 97848 and 97849	4

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	5
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<b>Doula services</b>	6
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<b>R.C. 5164.071</b>	7
----------------------	---

Modifies a House-added limit on Medicaid coverage of doula	8
services to the six counties with the highest infant mortality	9
rates, by instead restricting coverage to the six counties with	10
the most infant deaths.	11

Removes the House-added limit of \$500,000 for Medicaid	12
---	----

Legislative Service Commission





spending on doula services per fiscal year.

13

Sub. H. B. No. 96

I\_136\_0001-4

MCDCD54

\_\_\_\_\_ moved to amend as follows:

Delete lines 97857 through 97869 (removes R.C. 5164.302) 1

Update the title, amend, enact, or repeal clauses accordingly 2

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 3

**Medicaid provider payment rates - private insurer median** 4  
**rate** 5

**R.C. 5164.302** 6

Removes provisions added by the substitute bill that would 7  
have (1) prohibited a Medicaid provider from seeking to be paid 8  
for a service at a rate greater than the median rate paid by 9  
private insurers for the same service and (2) established 10  
penalties for violating the prohibition, including reduced 11  
payment rates for future services and a review of prior payment 12  
claims for discrepancies. 13

Legislative Service Commission



xazu4pg4ddwm82rh5aixga

\_\_\_\_\_ moved to amend as follows:

In the table on line 117975, in row D, delete "\$150,325,446 1  
\$151,655,581" and insert "\$151,325,446 \$152,655,581" 2

In the table on line 117975, in rows M and BE, add \$1,000,000 to 3  
each fiscal year 4

In line 118212, delete "\$5,000,000" and insert "\$6,000,000" 5

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 6

**Department of Job and Family Services** 7

**Sections 307.10 and 307.90** 8

Increases GRF ALI 600450, Program Operations, by 9  
\$1,000,000 in each fiscal year. Increases the amount earmarked 10  
in ALI 600450 for the GRIT Program by that same amount (from 11  
\$5,000,000 in each fiscal year to \$6,000,000 in each fiscal 12  
year). 13

Legislative Service Commission



Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 85164, insert:

"Sec. 4981.36. The "Midwest Interstate Passenger Rail Compact" is hereby ratified, enacted into law, and entered into by the state of Ohio with all other states legally joining therein in the form substantially as follows:

"MIDWEST INTERSTATE PASSENGER RAIL COMPACT

The contracting states solemnly agree:

Article I

Statement of Purpose

The purposes of this compact are, through joint or cooperative action:

(A) To promote development and implementation of improvements to intercity passenger rail service in the Midwest;

(B) To coordinate interaction among Midwestern state elected officials and their designees on passenger rail issues;

(C) To promote development and implementation of long-range plans for high speed rail passenger service in the Midwest



and among other regions of the United States; 18

(D) To work with the public and private sectors at the 19  
federal, state and local levels to ensure coordination among the 20  
various entities having an interest in passenger rail service 21  
and to promote Midwestern interests regarding passenger rail; 22  
and 23

(E) To support efforts of transportation agencies involved 24  
in developing and implementing passenger rail service in the 25  
Midwest. 26

## Article II 27

### Establishment of Commission 28

To further the purposes of the compact, a Commission is 29  
created to carry out the duties specified in this compact. 30

## Article III 31

### Commission Membership 32

The manner of appointment of Commission members, terms of 33  
office consistent with the terms of this compact, provisions for 34  
removal and suspension, and manner of appointment to fill 35  
vacancies shall be determined by each party state pursuant to 36  
its laws, but each commissioner shall be a resident of the state 37  
of appointment. Commission members shall serve without 38  
compensation from the Commission. 39

The Commission shall consist of four resident members of 40  
each state as follows: The governor or the governor's designee 41  
who shall serve during the tenure of office of the governor, or 42  
until a successor is named; one member of the private sector who 43  
shall be appointed by the governor and shall serve during the 44  
tenure of office of the governor, or until a successor is named; 45

and two legislators, one from each legislative chamber (or two  
legislators from any unicameral legislature), who shall serve  
two-year terms, or until successors are appointed, and who shall  
be appointed by the appropriate appointing authority in each  
legislative chamber. All vacancies shall be filled in accordance  
with the laws of the appointing states. Any commissioner  
appointed to fill a vacancy shall serve until the end of the  
incomplete term. Each member state shall have equal voting  
privileges, as determined by the Commission bylaws.

#### Article IV

##### Powers and Duties of the Commission

The duties of the Commission are to:

(1) Advocate for the funding and authorization necessary  
to make passenger rail improvements a reality for the region;

(2) Identify and seek to develop ways that states can form  
partnerships, including with rail industry and labor, to  
implement improved passenger rail in the region;

(3) Seek development of a long-term, interstate plan for  
high speed rail passenger service implementation;

(4) Cooperate with other agencies, regions and entities to  
ensure that the Midwest is adequately represented and integrated  
into national plans for passenger rail development;

(5) Adopt bylaws governing the activities and procedures  
of the Commission and addressing, among other subjects: the  
powers and duties of officers; the voting rights of Commission  
members, voting procedures, Commission business, and any other  
purposes necessary to fulfill the duties of the Commission;

(6) Expend such funds as required to carry out the powers

<u>and duties of the Commission; and</u>	74
<u>(7) Report on the activities of the Commission to the</u>	75
<u>legislatures and governor of the member states on an annual</u>	76
<u>basis.</u>	77
<u>In addition to its exercise of these duties, the</u>	78
<u>Commission is empowered to:</u>	79
<u>(1) Provide multistate advocacy necessary to implement</u>	80
<u>passenger rail systems or plans, as approved by the Commission;</u>	81
<u>(2) Work with local elected officials, economic</u>	82
<u>development planning organizations, and similar entities to</u>	83
<u>raise the visibility of passenger rail service benefits and</u>	84
<u>needs;</u>	85
<u>(3) Educate other state officials, federal agencies, other</u>	86
<u>elected officials and the public on the advantages of passenger</u>	87
<u>rail as an integral part of an intermodal transportation system</u>	88
<u>in the region;</u>	89
<u>(4) Work with federal agency officials and Members of</u>	90
<u>Congress to ensure the funding and authorization necessary to</u>	91
<u>develop a long-term, interstate plan for high speed rail</u>	92
<u>passenger service implementation.</u>	93
<u>(5) Make recommendations to members states;</u>	94
<u>(6) If requested by each state participating in a</u>	95
<u>particular project and under the terms of a formal agreement</u>	96
<u>approved by the participating states and the Commission,</u>	97
<u>implement or provide oversight for specific rail projects;</u>	98
<u>(7) Establish an office and hire staff as necessary;</u>	99
<u>(8) Contract for or provide services;</u>	100

(9) Assess dues, in accordance with the terms of this 101  
compact; 102

(10) Conduct research; and 103

(11) Establish committees. 104

#### Article V 105

##### Officers 106

The Commission shall annually elect from among its members 107  
a chair, a vice-chair who shall not be a resident of the state 108  
represented by the chair, and others as approved in the 109  
Commission bylaws. The officers shall perform such functions and 110  
exercise such powers as are specified in the Commission bylaws. 111

#### Article VI 112

##### Meetings and Commission Administration 113

The Commission shall meet at least once in each calendar 114  
year, and at such other times as may be determined by the 115  
Commission. Commission business shall be conducted in accordance 116  
with the procedures and voting rights specified in the bylaws. 117

#### Article VII 118

##### Finance 119

Except as otherwise provided for, the monies necessary to 120  
finance the general operations of the Commission in carrying 121  
forth its duties, responsibilities and powers as stated herein 122  
shall be appropriated to the Commission by the compacting 123  
states, when authorized by the respective legislatures, by equal 124  
apportionment among the compacting states. Nothing in this 125  
compact shall be construed to commit a member state to 126  
participate in financing a rail project except as provided by 127



law of a member state. 128

The Commission may accept, for any of its purposes and 129  
functions, donations, gifts, grants, and appropriations of 130  
money, equipment, supplies, materials and services from the 131  
federal government, from any party state or from any department, 132  
agency, or municipality thereof, or from any institution, 133  
person, firm, or corporation. All expenses incurred by the 134  
Commission in executing the duties imposed upon it by this 135  
compact shall be paid by the Commission out of the funds 136  
available to it. The Commission shall not issue any debt 137  
instrument. The Commission shall submit to the officer 138  
designated by the laws of each party state, periodically as 139  
required by the laws of each party state, a budget of its actual 140  
past and estimated future expenditures. 141

Article VIII 142

Enactment, Effective Date and Amendments 143

The states of Illinois, Indiana, Iowa, Kansas, Michigan, 144  
Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota 145  
and Wisconsin are eligible to join this compact. Upon approval 146  
of the Commission, according to its bylaws, other states may 147  
also be declared eligible to join the compact. As to any 148  
eligible party state, this compact shall become effective when 149  
its legislature shall have enacted the same into law; provided 150  
that it shall not become initially effective until enacted into 151  
law by any three (3) party states incorporating the provisions 152  
of this compact into the laws of such states. Amendments to the 153  
compact shall become effective upon their enactment by the 154  
legislatures of all compacting states. 155

Article IX 156

Withdrawal, Default and Termination

157

Withdrawal from this compact shall be by enactment of a 158  
statute repealing the same and shall take effect one year after 159  
the effective date of such statute. A withdrawing state shall be 160  
liable for any obligations which it may have incurred prior to 161  
the effective date of withdrawal. If any compacting state shall 162  
at any time default in the performance of any of its 163  
obligations, assumed or imposed, in accordance with the 164  
provisions of this compact, all rights, privileges and benefits 165  
conferred by this compact or agreements hereunder shall be 166  
suspended from the effective date of such default as fixed by 167  
the Commission, and the Commission shall stipulate the 168  
conditions and maximum time for compliance under which the 169  
defaulting state may resume its regular status. Unless such 170  
default shall be remedied under the stipulations and within the 171  
time period set forth by the Commission, this compact may be 172  
terminated with respect to such defaulting state by affirmative 173  
vote of a majority of the other Commission members. Any such 174  
defaulting state may be reinstated, upon vote of the Commission, 175  
by performing all acts and obligations as stipulated by the 176  
Commission. 177

Article X

178

Construction and Severability

179

The provisions of this compact entered into hereunder 180  
shall be severable and if any phrase, clause, sentence or 181  
provision of this compact is declared to be contrary to the 182  
constitution of any compacting state or of the United States or 183  
the applicability thereof to any government, agency, person or 184  
circumstance is held invalid, the validity of the remainder of 185  
this compact and the applicability thereof to any government, 186

agency, person or circumstance shall not be affected hereby. If 187  
this compact entered into hereunder shall be held contrary to 188  
the constitution of any compacting state, the compact shall 189  
remain in full force and effect as to the remaining states and 190  
in full force and effect as to the state affected as to all 191  
severable matters. The provisions of this compact entered into 192  
pursuant hereto shall be liberally construed to effectuate the 193  
purposes thereof." 194

**Sec. 4981.361.** In pursuance of Articles II and III of the 195  
Midwest Interstate Passenger Rail Compact, as set forth in 196  
section 4981.36 of the Revised Code, there shall be four members 197  
of the commission from this state. 198

The governor shall appoint two members as set forth in 199  
Article III of the compact. The terms of office for the 200  
governor's appointments shall be in accordance with Article III 201  
of the compact. 202

The speaker of the house of representatives and the 203  
president of the senate each shall appoint one member from their 204  
respective houses of the general assembly to serve as a member 205  
of the commission, but the two appointees shall not be members 206  
of the same political party. Terms of office for legislative 207  
appointees shall be in accordance with Article III of the 208  
compact. 209

Any member shall continue in office subsequent to the 210  
expiration of the member's term until a successor is appointed. 211  
Vacancies in the commission shall be filled in the same manner 212  
as original selections are made. Any member of the commission 213  
may be reappointed. 214

Except for the purposes of Chapters 102., 2744., and 2921. 215

of the Revised Code, serving as a member of the commission does 216  
not constitute holding a public office or position of employment 217  
under the laws of this state and does not constitute grounds for 218  
removal of public officers or employees from their offices or 219  
positions of employment. 220

The governor, speaker, or president may remove a member 221  
for whom the governor, speaker, or president was the appointing 222  
authority, for misfeasance, malfeasance, or willful neglect of 223  
duty. 224

Members of the commission shall serve without 225  
compensation, but shall be reimbursed for the reasonable 226  
expenses incurred by them in the discharge of their duties as 227  
members of the commission." 228

After the table on line 123007, insert: 229

**"Section 411.15. RAIL DEVELOPMENT** 230

Of the foregoing appropriation item 776465, Rail 231  
 Development, \$25,000 in each fiscal year shall be used to pay 232  
 the costs associated with Ohio joining the Midwest Interstate 233  
 Passenger Rail Compact." 234

Update the title, amend, enact, or repeal clauses accordingly 235

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 236

**Midwest Interstate Passenger Rail Compact** 237

**R.C. 4981.36 and 4981.361** 238

Adopts the Midwest Interstate Passenger Rail Compact	239
(which was first adopted in 2002, but repealed in 2013).	240
As part of the Compact, creates the Midwest Interstate	241
Passenger Rail Commission, and enacts provisions governing the	242
Commission's powers and duties.	243
Prescribes the appointing authorities for Ohio's four	244
members on the Commission, consistent with the Compact.	245
<b>Department of Transportation</b>	246
<b>Section 411.15</b>	247
Earmarks \$25,000 in each fiscal year under GRF ALI 776465,	248
Rail Development, to pay for the costs associated with Ohio	249
joining the Midwest Interstate Passenger Rail Compact.	250

Sub. H. B. No. 96

I\_136\_0001-4

MCDCD58

\_\_\_\_\_ moved to amend as follows:

In line 119245, delete ", "expansion" and insert ":	1
(1) "Expansion"	2
After line 119246, insert:	3
"(2) "Federally qualified health center" and "federally qualified	4
health center look-alike" have the same meanings as in section 3701.047 of	5
the Revised Code."	6
In line 119258, delete "a temporary hospital assessment" and insert	7
"any of the following"	8
In line 119260, after "group" insert ":	9
(1) A temporary hospital assessment;	10
(2) A temporary federally qualified health center assessment;	11
(3) A temporary federally qualified health center look-alike	12
assessment"	13
In line 119262, delete "such a"	14
In line 119263, delete "temporary hospital" and insert "an"; after	15
"assessment" insert "under division (C) of this section"	16



In line 119265, delete "this" and insert "the"

17

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

18

**Group VIII transition plan**

19

**Section 333.360**

20

Modifies a House-added provision that permits the ODM  
Director to establish a temporary hospital assessment to offset  
the cost of uncompensated care that may result from providing  
medical care to former members of Group VIII as part of a  
transition plan, to also permit the Director to establish a  
temporary federally qualified health center assessment and  
federally qualified health center look-alike assessment.

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Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

Delete lines 41976 through 42014 (Removes R.C. 3313.5319) 1

Update the title, amend, enact, or repeal clauses accordingly 2

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 3

**Cash at school-affiliated events** 4

**R.C. 3313.5319** 5

Restores the current law requirement that qualifying 6  
public or chartered nonpublic schools or an interscholastic 7  
conference or an organization that regulates interscholastic 8  
conferences or interscholastic athletic competition among member 9  
schools (such as the Ohio High School Athletics Association) 10  
permit an individual to pay cash for a ticket to a school- 11  
affiliated event, and if they do not accept cash, to grant the 12  
individual a free ticket if there are tickets available and the 13  
individual has enough cash to cover the full cost of the ticket. 14





Restores the current law prohibition against a qualifying	15
school, conference, or organization from establishing different	16
prices for school-affiliated events based on whether tickets are	17
purchased with cash or any other payment method.	18

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 117908, in row C, delete "\$985,000 \$985,000" 1  
and insert "\$1,110,000 \$1,110,000" 2

In the table on line 117908, in rows L and Q, add \$125,000 to each 3  
fiscal year 4

After line 117922, insert: 5

"Of the foregoing appropriation item 360400, Holocaust and Genocide 6  
Memorial and Education Commission, \$125,000 in each fiscal year shall be 7  
used for The Nancy and David Wolf Holocaust and Humanity Center." 8

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 9

**Ohio History Connection** 10

**Sections 297.10 and 297.20** 11

Increases GRF ALI 360400, Holocaust and Genocide Memorial 12  
and Education Commission, by \$125,000 in each fiscal year and 13

Legislative Service Commission



earmarks the increase to the Nancy and David Wolf Holocaust and	14
Humanity Center.	15

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 105768, insert:

"Sec. 5739.09. (A) (1) A board of county commissioners may, by resolution adopted by a majority of the members of the board, levy an excise tax not to exceed three per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. The board shall establish all regulations necessary to provide for the administration and allocation of the tax. The regulations may prescribe the time for payment of the tax, and may provide for the imposition of a penalty or interest, or both, for late payments, provided that the penalty does not exceed ten per cent of the amount of tax due, and the rate at which interest accrues does not exceed the rate per annum prescribed pursuant to section 5703.47 of the Revised Code. Except as otherwise provided in this section, the regulations shall provide, after deducting the real and actual costs of administering the tax, for the return to each municipal corporation or township that does not levy an excise tax on the transactions, a uniform percentage of the tax collected in the municipal corporation or in the unincorporated portion of the township from each transaction, not to exceed thirty-three and

one-third per cent. Except as provided in this section, the 21  
remainder of the revenue arising from the tax shall be deposited 22  
in a separate fund and shall be spent either (a) to make 23  
contributions to the convention and visitors' bureau operating 24  
within the county, including a pledge and contribution of any 25  
portion of the remainder pursuant to an agreement authorized by 26  
section 307.678 or 307.695 of the Revised Code or (b) to pay, if 27  
authorized in the regulations, for public safety services in a 28  
resort area designated under section 5739.101 of the Revised 29  
Code. 30

(2) If the board of county commissioners of an eligible 31  
county as defined in section 307.678 or 307.695 of the Revised 32  
Code adopts a resolution amending a resolution levying a tax 33  
under division (A) of this section to provide that revenue from 34  
the tax shall be used by the board as described in either 35  
division (D) of section 307.678 or division (H) of section 36  
307.695 of the Revised Code, the remainder of the revenue shall 37  
be used as described in the resolution making that amendment. 38

(3) Except as provided in division (B), (C), (D), (E), 39  
(F), (G), (H), (I), (J), (K), or (Q) of this section, on and 40  
after May 10, 1994, a board of county commissioners may not levy 41  
an excise tax pursuant to division (A) of this section in any 42  
municipal corporation or township located wholly or partly 43  
within the county that has in effect an ordinance or resolution 44  
levying an excise tax pursuant to division (B) of section 45  
5739.08 of the Revised Code. 46

(4) The board of a county that has levied a tax under 47  
division (M) of this section may, by resolution adopted within 48  
ninety days after July 15, 1985, by a majority of the members of 49  
the board, amend the resolution levying a tax under division (A) 50

of this section to provide for a portion of that tax to be 51  
pledged and contributed in accordance with an agreement entered 52  
into under section 307.695 of the Revised Code. A tax, any 53  
revenue from which is pledged pursuant to such an agreement, 54  
shall remain in effect at the rate at which it is imposed for 55  
the duration of the period for which the revenue from the tax 56  
has been so pledged. 57

(5) The board of county commissioners of an eligible 58  
county as defined in section 307.695 of the Revised Code may, by 59  
resolution adopted by a majority of the members of the board, 60  
amend a resolution levying a tax under division (A) of this 61  
section to provide that the revenue from the tax shall be used 62  
by the board as described in division (H) of section 307.695 of 63  
the Revised Code, in which case the tax shall remain in effect 64  
at the rate at which it was imposed for the duration of any 65  
agreement entered into by the board under section 307.695 of the 66  
Revised Code, the duration during which any securities issued by 67  
the board under that section are outstanding, or the duration of 68  
the period during which the board owns a project as defined in 69  
section 307.695 of the Revised Code, whichever duration is 70  
longest. 71

(6) The board of county commissioners of an eligible 72  
county as defined in section 307.678 of the Revised Code may, by 73  
resolution, amend a resolution levying a tax under division (A) 74  
of this section to provide that revenue from the tax, not to 75  
exceed five hundred thousand dollars each year, may be used as 76  
described in division (E) of section 307.678 of the Revised 77  
Code. 78

(7) Notwithstanding division (A) of this section, the 79  
board of county commissioners of a county described in division 80

(H) (1) of this section may, by resolution, amend a resolution 81  
levying a tax under division (A) of this section to provide that 82  
all or a portion of the revenue from the tax, including any 83  
revenue otherwise required to be returned to townships or 84  
municipal corporations under that division, may be used or 85  
pledged for the payment of debt service on securities issued to 86  
pay the costs of constructing, operating, and maintaining sports 87  
facilities described in division (H) (2) of this section. 88

(8) The board of county commissioners of a county 89  
described in division (I) of this section may, by resolution, 90  
amend a resolution levying a tax under division (A) of this 91  
section to provide that all or a portion of the revenue from the 92  
tax may be used for the purposes described in section 307.679 of 93  
the Revised Code. 94

(B) A board of county commissioners that levies an excise 95  
tax under division (A) of this section on June 30, 1997, at a 96  
rate of three per cent, and that has pledged revenue from the 97  
tax to an agreement entered into under section 307.695 of the 98  
Revised Code or, in the case of the board of county 99  
commissioners of an eligible county as defined in section 100  
307.695 of the Revised Code, has amended a resolution levying a 101  
tax under division (M) of this section to provide that proceeds 102  
from the tax shall be used by the board as described in division 103  
(H) of section 307.695 of the Revised Code, may, at any time by 104  
a resolution adopted by a majority of the members of the board, 105  
amend the resolution levying a tax under division (A) of this 106  
section to provide for an increase in the rate of that tax up to 107  
seven per cent on each transaction; to provide that revenue from 108  
the increase in the rate shall be used as described in division 109  
(H) of section 307.695 of the Revised Code or be spent solely to 110

make contributions to the convention and visitors' bureau 111  
operating within the county to be used specifically for 112  
promotion, advertising, and marketing of the region in which the 113  
county is located; and to provide that the rate in excess of the 114  
three per cent levied under division (A) of this section shall 115  
remain in effect at the rate at which it is imposed for the 116  
duration of the period during which any agreement is in effect 117  
that was entered into under section 307.695 of the Revised Code 118  
by the board of county commissioners levying a tax under 119  
division (A) of this section, the duration of the period during 120  
which any securities issued by the board under division (I) of 121  
section 307.695 of the Revised Code are outstanding, or the 122  
duration of the period during which the board owns a project as 123  
defined in section 307.695 of the Revised Code, whichever 124  
duration is longest. The amendment also shall provide that no 125  
portion of that revenue need be returned to townships or 126  
municipal corporations as would otherwise be required under 127  
division (A) of this section. 128

(C) (1) As used in division (C) of this section, "cost" and 129  
"facility" have the same meanings as in section 351.01 of the 130  
Revised Code, and "convention center" has the same meaning as in 131  
section 307.695 of the Revised Code. 132

(2) A board of county commissioners that levies a tax 133  
under division (A) of this section on March 18, 1999, at a rate 134  
of three per cent may, by resolution adopted not later than 135  
forty-five days after March 18, 1999, amend the resolution 136  
levying the tax to provide for all of the following: 137

(a) That the rate of the tax shall be increased by not 138  
more than an additional four per cent on each transaction; 139

(b) That all of the revenue from the increase in the rate 140



shall be pledged and contributed to a convention facilities 141  
authority established by the board of county commissioners under 142  
Chapter 351. of the Revised Code on or before November 15, 1998, 143  
and used to pay costs of constructing, maintaining, operating, 144  
and promoting a facility in the county, including paying bonds, 145  
or notes issued in anticipation of bonds, as provided by that 146  
chapter; 147

(c) That no portion of the revenue arising from the 148  
increase in rate need be returned to municipal corporations or 149  
townships as otherwise required under division (A) of this 150  
section; 151

(d) That the increase in rate shall not be subject to 152  
diminution by initiative or referendum or by law while any 153  
bonds, or notes in anticipation of bonds, issued by the 154  
authority under Chapter 351. of the Revised Code to which the 155  
revenue is pledged, remain outstanding in accordance with their 156  
terms, unless provision is made by law or by the board of county 157  
commissioners for an adequate substitute therefor that is 158  
satisfactory to the trustee if a trust agreement secures the 159  
bonds. 160

(3) Division (C) of this section does not apply to the 161  
board of county commissioners of any county in which a 162  
convention center or facility exists or is being constructed on 163  
November 15, 1998, or of any county in which a convention 164  
facilities authority levies a tax pursuant to section 351.021 of 165  
the Revised Code on that date. 166

(D) (1) As used in division (D) of this section, "cost" has 167  
the same meaning as in section 351.01 of the Revised Code, and 168  
"convention center" has the same meaning as in section 307.695 169  
of the Revised Code. 170

(2) A board of county commissioners that levies a tax 171  
under division (A) of this section on June 30, 2002, at a rate 172  
of three per cent may, by resolution adopted not later than 173  
September 30, 2002, amend the resolution levying the tax to 174  
provide for all of the following: 175

(a) That the rate of the tax shall be increased by not 176  
more than an additional three and one-half per cent on each 177  
transaction; 178

(b) That all of the revenue from the increase in rate 179  
shall be pledged and contributed to a convention facilities 180  
authority established by the board of county commissioners under 181  
Chapter 351. of the Revised Code on or before May 15, 2002, and 182  
be used to pay costs of constructing, expanding, maintaining, 183  
operating, or promoting a convention center in the county, 184  
including paying bonds, or notes issued in anticipation of 185  
bonds, as provided by that chapter; 186

(c) That no portion of the revenue arising from the 187  
increase in rate need be returned to municipal corporations or 188  
townships as otherwise required under division (A) of this 189  
section; 190

(d) That the increase in rate shall not be subject to 191  
diminution by initiative or referendum or by law while any 192  
bonds, or notes in anticipation of bonds, issued by the 193  
authority under Chapter 351. of the Revised Code to which the 194  
revenue is pledged, remain outstanding in accordance with their 195  
terms, unless provision is made by law or by the board of county 196  
commissioners for an adequate substitute therefor that is 197  
satisfactory to the trustee if a trust agreement secures the 198  
bonds. 199

(3) Any board of county commissioners that, pursuant to 200  
division (D) (2) of this section, has amended a resolution 201  
levying the tax authorized by division (A) of this section may 202  
further amend the resolution to provide that the revenue 203  
referred to in division (D) (2) (b) of this section shall be 204  
pledged and contributed both to a convention facilities 205  
authority to pay the costs of constructing, expanding, 206  
maintaining, or operating one or more convention centers in the 207  
county, including paying bonds, or notes issued in anticipation 208  
of bonds, as provided in Chapter 351. of the Revised Code, and 209  
to a convention and visitors' bureau to pay the costs of 210  
promoting one or more convention centers in the county. 211

(E) (1) As used in division (E) of this section: 212

(a) "Port authority" means a port authority created under 213  
Chapter 4582. of the Revised Code. 214

(b) "Port authority military-use facility" means port 215  
authority facilities on which or adjacent to which is located an 216  
installation of the armed forces of the United States, a reserve 217  
component thereof, or the national guard and at least part of 218  
which is made available for use, for consideration, by the armed 219  
forces of the United States, a reserve component thereof, or the 220  
national guard. 221

(2) For the purpose of contributing revenue to pay 222  
operating expenses of a port authority that operates a port 223  
authority military-use facility, the board of county 224  
commissioners of a county that created, participated in the 225  
creation of, or has joined such a port authority may do one or 226  
both of the following: 227

(a) Amend a resolution previously adopted under division 228

(A) of this section to designate some or all of the revenue from 229  
the tax levied under the resolution to be used for that purpose, 230  
notwithstanding that division; 231

(b) Amend a resolution previously adopted under division 232  
(A) of this section to increase the rate of the tax by not more 233  
than an additional two per cent and use the revenue from the 234  
increase exclusively for that purpose. 235

(3) If a board of county commissioners amends a resolution 236  
to increase the rate of a tax as authorized in division (E) (2) 237  
(b) of this section, the board also may amend the resolution to 238  
specify that the increase in rate of the tax does not apply to 239  
"hotels," as otherwise defined in section 5739.01 of the Revised 240  
Code, having fewer rooms used for the accommodation of guests 241  
than a number of rooms specified by the board. 242

(F) (1) A board of county commissioners of a county 243  
organized under a county charter adopted pursuant to Article X, 244  
Section 3, Ohio Constitution, and that levies an excise tax 245  
under division (A) of this section at a rate of three per cent 246  
and levies an additional excise tax under division (O) of this 247  
section at a rate of one and one-half per cent may, by 248  
resolution adopted not later than January 1, 2008, by a majority 249  
of the members of the board, amend the resolution levying a tax 250  
under division (A) of this section to provide for an increase in 251  
the rate of that tax by not more than an additional one per cent 252  
on transactions by which lodging by a hotel is or is to be 253  
furnished to transient guests. Notwithstanding divisions (A) and 254  
(O) of this section, the resolution shall provide that all of 255  
the revenue from the increase in rate, after deducting the real 256  
and actual costs of administering the tax, shall be used to pay 257  
the costs of improving, expanding, equipping, financing, or 258

operating a convention center by a convention and visitors' bureau in the county. 259  
260

(2) The increase in rate shall remain in effect for the 261  
period specified in the resolution, not to exceed ten years, and 262  
may be extended for an additional period of time not to exceed 263  
ten years thereafter by a resolution adopted by a majority of 264  
the members of the board. 265

(3) The increase in rate shall be subject to the 266  
regulations adopted under division (A) of this section, except 267  
that the resolution may provide that no portion of the revenue 268  
from the increase in the rate shall be returned to townships or 269  
municipal corporations as would otherwise be required under that 270  
division. 271

(G) (1) Division (G) of this section applies only to a 272  
county with a population greater than sixty-five thousand and 273  
less than seventy thousand according to the most recent federal 274  
decennial census and in which, on December 31, 2006, an excise 275  
tax is levied under division (A) of this section at a rate not 276  
less than and not greater than three per cent, and in which the 277  
most recent increase in the rate of that tax was enacted or took 278  
effect in November 1984. 279

(2) The board of county commissioners of a county to which 280  
division (G) of this section applies, by resolution adopted by a 281  
majority of the members of the board, may increase the rate of 282  
the tax by not more than one per cent on transactions by which 283  
lodging by a hotel is or is to be furnished to transient guests. 284  
The increase in rate shall be for the purpose of paying expenses 285  
deemed necessary by the convention and visitors' bureau 286  
operating in the county to promote travel and tourism. 287

(3) The increase in rate shall remain in effect for the 288  
period specified in the resolution, not to exceed twenty years, 289  
provided that the increase in rate may not continue beyond the 290  
time when the purpose for which the increase is levied ceases to 291  
exist. If revenue from the increase in rate is pledged to the 292  
payment of debt charges on securities, the increase in rate is 293  
not subject to diminution by initiative or referendum or by law 294  
for so long as the securities are outstanding, unless provision 295  
is made by law or by the board of county commissioners for an 296  
adequate substitute for that revenue that is satisfactory to the 297  
trustee if a trust agreement secures payment of the debt 298  
charges. 299

(4) The increase in rate shall be subject to the 300  
regulations adopted under division (A) of this section, except 301  
that the resolution may provide that no portion of the revenue 302  
from the increase in the rate shall be returned to townships or 303  
municipal corporations as would otherwise be required under 304  
division (A) of this section. 305

(5) A resolution adopted under division (G) of this 306  
section is subject to referendum under sections 305.31 to 305.99 307  
of the Revised Code. 308

(H) (1) Division (H) of this section applies only to a 309  
county satisfying all of the following: 310

(a) The population of the county is greater than one 311  
hundred seventy-five thousand and less than two hundred twenty- 312  
five thousand according to the most recent federal decennial 313  
census. 314

(b) An amusement park with an average yearly attendance in 315  
excess of two million guests is located in the county. 316

(c) On December 31, 2014, an excise tax was levied in the 317  
county under division (A) of this section at a rate of three per 318  
cent. 319

(2) The board of county commissioners of a county to which 320  
division (H) of this section applies, by resolution adopted by a 321  
majority of the members of the board, may increase the rate of 322  
the tax by not more than one per cent on transactions by which 323  
lodging by a hotel is or is to be furnished to transient guests. 324  
The increase in rate shall be used to pay the costs of 325  
constructing and maintaining facilities owned by the county or 326  
by a port authority created under Chapter 4582. of the Revised 327  
Code, and designed to host sporting events and expenses deemed 328  
necessary by the convention and visitors' bureau operating in 329  
the county to promote travel and tourism with reference to the 330  
sports facilities, and to pay or pledge to the payment of debt 331  
service on securities issued to pay the costs of constructing, 332  
operating, and maintaining the sports facilities. 333

(3) The increase in rate shall remain in effect for the 334  
period specified in the resolution. If revenue from the increase 335  
in rate is pledged to the payment of debt charges on securities, 336  
the increase in rate is not subject to diminution by initiative 337  
or referendum or by law for so long as the securities are 338  
outstanding, unless provision is made by law or by the board of 339  
county commissioners for an adequate substitute for that revenue 340  
that is satisfactory to the trustee if a trust agreement secures 341  
payment of the debt charges. 342

(4) The increase in rate shall be subject to the 343  
regulations adopted under division (A) of this section, except 344  
that the resolution may provide that no portion of the revenue 345  
from the increase in the rate shall be returned to townships or 346

municipal corporations as would otherwise be required under 347  
division (A) of this section. 348

(I) (1) The board of county commissioners of a county with 349  
a population greater than seventy-five thousand and less than 350  
seventy-eight thousand, by resolution adopted by a majority of 351  
the members of the board not later than October 15, 2015, may 352  
increase the rate of the tax by not more than one per cent on 353  
transactions by which lodging by a hotel is or is to be 354  
furnished to transient guests. The increase in rate shall be for 355  
the purposes described in section 307.679 of the Revised Code or 356  
for the promotion of travel and tourism in the county, including 357  
travel and tourism to sports facilities. 358

(2) The increase in rate shall remain in effect for the 359  
period specified in the resolution and as necessary to fulfill 360  
the county's obligations under a cooperative agreement entered 361  
into under section 307.679 of the Revised Code. If the 362  
resolution is adopted by the board before September 29, 2015, 363  
but after that enactment becomes law, the increase in rate shall 364  
become effective beginning on September 29, 2015. If revenue 365  
from the increase in rate is pledged to the payment of debt 366  
charges on securities, or to substitute for other revenues 367  
pledged to the payment of such debt, the increase in rate is not 368  
subject to diminution by initiative or referendum or by law for 369  
so long as the securities are outstanding, unless provision is 370  
made by law or by the board of county commissioners for an 371  
adequate substitute for that revenue that is satisfactory to the 372  
trustee if a trust agreement secures payment of the debt 373  
charges. 374

(3) The increase in rate shall be subject to the 375  
regulations adopted under division (A) of this section, except 376



that no portion of the revenue from the increase in the rate 377  
shall be returned to townships or municipal corporations as 378  
would otherwise be required under division (A) of this section. 379

(J) (1) Division (J) of this section applies only to 380  
counties satisfying either of the following: 381

(a) A county that, on July 1, 2015, does not levy an 382  
excise tax under division (A) of this section and that has a 383  
population of at least thirty-nine thousand but not more than 384  
forty thousand according to the 2010 federal decennial census; 385

(b) A county that, on July 1, 2015, levies an excise tax 386  
under division (A) of this section at a rate of three per cent 387  
and that has a population of at least seventy-one thousand but 388  
not more than seventy-five thousand according to 2010 federal 389  
decennial census. 390

(2) The board of county commissioners of a county to which 391  
division (J) of this section applies, by resolution adopted by a 392  
majority of the members of the board, may levy an excise tax at 393  
a rate not to exceed three per cent on transactions by which 394  
lodging by a hotel is or is to be furnished to transient guests 395  
for the purpose of acquiring, constructing, equipping, or 396  
repairing permanent improvements, as defined in section 133.01 397  
of the Revised Code. 398

(3) If the board does not levy a tax under division (A) of 399  
this section, the board shall establish regulations necessary to 400  
provide for the administration of the tax, which may prescribe 401  
the time for payment of the tax and the imposition of penalty or 402  
interest subject to the limitations on penalty and interest 403  
provided in division (A) of this section. No portion of the 404  
revenue shall be returned to townships or municipal corporations 405

in the county unless otherwise provided by resolution of the board. 406  
407

(4) The tax shall apply throughout the territory of the county, including in any township or municipal corporation levying an excise tax under division (A) or (B) of section 5739.08 of the Revised Code. The levy of the tax is subject to referendum as provided under section 305.31 of the Revised Code. 408  
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(5) The tax shall remain in effect for the period specified in the resolution. If revenue from the increase in rate is pledged to the payment of debt charges on securities, the increase in rate is not subject to diminution by initiative or referendum or by law for so long as the securities are outstanding unless provision is made by law or by the board for an adequate substitute for that revenue that is satisfactory to the trustee if a trust agreement secures payment of the debt charges. 413  
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(K) (1) The board of county commissioners of an eligible county, as defined in section 307.678 of the Revised Code, that levies an excise tax under division (A) of this section on July 1, 2017, at a rate of three per cent may, by resolution adopted by a majority of the members of the board, amend the resolution levying the tax to increase the rate of the tax by not more than an additional three per cent on each transaction. 422  
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(2) No portion of the revenue shall be returned to townships or municipal corporations in the county unless otherwise provided by resolution of the board. Otherwise, the revenue from the increase in the rate shall be distributed and used in the same manner described under division (A) of this section or distributed or used to provide credit enhancement facilities as authorized under section 307.678 of the Revised 429  
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Code. 436

(3) The increase in rate shall remain in effect for the 437  
period specified in the resolution. If revenue from the increase 438  
in rate is pledged to the payment of debt charges on securities, 439  
the increase in rate is not subject to diminution by initiative 440  
or referendum or by law for so long as the securities are 441  
outstanding unless provision is made by law or by the board for 442  
an adequate substitute for that revenue that is satisfactory to 443  
the trustee if a trust agreement secures payment of the debt 444  
charges. 445

(L) (1) As used in division (L) of this section: 446

(a) "Eligible county" means a county that has a population 447  
greater than one hundred ninety thousand and less than two 448  
hundred thousand according to the 2010 federal decennial census 449  
and that levies an excise tax under division (A) of this section 450  
at a rate of three per cent. 451

(b) "Professional sports facility" means a sports facility 452  
that is intended to house major or minor league professional 453  
athletic teams, including a stadium, together with all parking 454  
facilities, walkways, and other auxiliary facilities, real and 455  
personal property, property rights, easements, and interests 456  
that may be appropriate for, or used in connection with, the 457  
operation of the facility. 458

(2) Subject to division (L) (3) of this section, the board 459  
of county commissioners of an eligible county, by resolution 460  
adopted by a majority of the members of the board, may increase 461  
the rate of the tax by not more than one per cent on 462  
transactions by which lodging by a hotel is or is to be 463  
furnished to transient guests. Revenue from the increase in rate 464

shall be used for the purposes of paying the costs of 465  
constructing, improving, and maintaining a professional sports 466  
facility in the county and paying expenses considered necessary 467  
by the convention and visitors' bureau operating in the county 468  
to promote travel and tourism with respect to that professional 469  
sports facility. The tax shall take effect only after the 470  
convention and visitors' bureau enters into a contract for the 471  
construction, improvement, or maintenance of a professional 472  
sports facility that is or will be located on property acquired, 473  
in whole or in part, with revenue from the increased rate, and 474  
thereafter shall remain in effect for the period specified in 475  
the resolution. If revenue from the increase in rate is pledged 476  
to the payment of debt charges on securities, the increase in 477  
rate is not subject to diminution by initiative or referendum or 478  
by law for so long as the securities are outstanding, unless a 479  
provision is made by law or by the board of county commissioners 480  
for an adequate substitute for that revenue that is satisfactory 481  
to the trustee if a trust agreement secures payment of the debt 482  
charges. The increase in rate shall be subject to the 483  
regulations adopted under division (A) of this section, except 484  
that the resolution may provide that no portion of the revenue 485  
from the increase in the rate shall be returned to townships or 486  
municipal corporations as would otherwise be required under 487  
division (A) of this section. 488

(3) If, on December 31, 2019, the convention and visitors' 489  
bureau has not entered into a contract for the construction, 490  
improvement, or maintenance of a professional sports facility 491  
that is or will be located on property acquired, in whole or in 492  
part, with revenue from the increased rate, the authority to 493  
levy the tax under division (L) (2) of this section is hereby 494  
repealed on that date. 495

(M) (1) For the purposes described in section 307.695 of 496  
the Revised Code and to cover the costs of administering the 497  
tax, a board of county commissioners of a county where a tax 498  
imposed under division (A) of this section is in effect may, by 499  
resolution adopted within ninety days after July 15, 1985, by a 500  
majority of the members of the board, levy an additional excise 501  
tax not to exceed three per cent on transactions by which 502  
lodging by a hotel is or is to be furnished to transient guests. 503  
The tax authorized by division (M) of this section shall be in 504  
addition to any tax that is levied pursuant to divisions (A) to 505  
(L) of this section, but it shall not apply to transactions 506  
subject to a tax levied by a municipal corporation or township 507  
pursuant to section 5739.08 of the Revised Code. 508

(2) The board shall establish all regulations necessary to 509  
provide for the administration and allocation of the tax. The 510  
regulations may prescribe the time for payment of the tax, and 511  
may provide for the imposition of a penalty or interest, or 512  
both, for late payments, provided that the penalty does not 513  
exceed ten per cent of the amount of tax due, and the rate at 514  
which interest accrues does not exceed the rate per annum 515  
prescribed pursuant to section 5703.47 of the Revised Code. 516

(3) All revenues arising from the tax shall be expended in 517  
accordance with section 307.695 of the Revised Code. The board 518  
of county commissioners of an eligible county as defined in 519  
section 307.695 of the Revised Code may, by resolution adopted 520  
by a majority of the members of the board, amend the resolution 521  
levying a tax under this division to provide that the revenue 522  
from the tax shall be used by the board as described in division 523  
(H) of section 307.695 of the Revised Code. 524

(4) A tax imposed under this division shall remain in 525

effect at the rate at which it is imposed for the duration of 526  
the period during which any agreement entered into by the board 527  
under section 307.695 of the Revised Code is in effect, the 528  
duration of the period during which any securities issued by the 529  
board under division (I) of section 307.695 of the Revised Code 530  
are outstanding, or the duration of the period during which the 531  
board owns a project as defined in section 307.695 of the 532  
Revised Code, whichever duration is longest. 533

(N) (1) For the purpose of providing contributions under 534  
division (B) (1) of section 307.671 of the Revised Code to enable 535  
the acquisition, construction, and equipping of a port authority 536  
educational and cultural facility in the county and, to the 537  
extent provided for in the cooperative agreement authorized by 538  
that section, for the purpose of paying debt service charges on 539  
bonds, or notes in anticipation of bonds, described in division 540  
(B) (1) (b) of that section, a board of county commissioners, by 541  
resolution adopted within ninety days after December 22, 1992, 542  
by a majority of the members of the board, may levy an 543  
additional excise tax not to exceed one and one-half per cent on 544  
transactions by which lodging by a hotel is or is to be 545  
furnished to transient guests. The excise tax authorized by 546  
division (N) of this section shall be in addition to any tax 547  
that is levied pursuant to divisions (A) to (M) of this section, 548  
to any excise tax levied pursuant to section 5739.08 of the 549  
Revised Code, and to any excise tax levied pursuant to section 550  
351.021 of the Revised Code. 551

(2) The board of county commissioners shall establish all 552  
regulations necessary to provide for the administration and 553  
allocation of the tax that are not inconsistent with this 554  
section or section 307.671 of the Revised Code. The regulations 555

may prescribe the time for payment of the tax, and may provide 556  
for the imposition of a penalty or interest, or both, for late 557  
payments, provided that the penalty does not exceed ten per cent 558  
of the amount of tax due, and the rate at which interest accrues 559  
does not exceed the rate per annum prescribed pursuant to 560  
section 5703.47 of the Revised Code. 561

(3) All revenues arising from the tax shall be expended in 562  
accordance with section 307.671 of the Revised Code and division 563  
(N) of this section. The levy of a tax imposed under division 564  
(N) of this section may not commence prior to the first day of 565  
the month next following the execution of the cooperative 566  
agreement authorized by section 307.671 of the Revised Code by 567  
all parties to that agreement. 568

(4) The tax shall remain in effect at the rate at which it 569  
is imposed for the period of time described in division (C) of 570  
section 307.671 of the Revised Code for which the revenue from 571  
the tax has been pledged by the county to the corporation 572  
pursuant to that section, but, to any extent provided for in the 573  
cooperative agreement, for no lesser period than the period of 574  
time required for payment of the debt service charges on bonds, 575  
or notes in anticipation of bonds, described in division (B)(1) 576  
(b) of that section. 577

(O)(1) For the purpose of paying the costs of acquiring, 578  
constructing, equipping, and improving a municipal educational 579  
and cultural facility, including debt service charges on bonds 580  
provided for in division (B) of section 307.672 of the Revised 581  
Code, and for any additional purposes determined by the county 582  
in the resolution levying the tax or amendments to the 583  
resolution, including subsequent amendments providing for paying 584  
costs of acquiring, constructing, renovating, rehabilitating, 585

equipping, and improving a port authority educational and 586  
cultural performing arts facility, as defined in section 307.674 587  
of the Revised Code, and including debt service charges on bonds 588  
provided for in division (B) of section 307.674 of the Revised 589  
Code, the legislative authority of a county, by resolution 590  
adopted within ninety days after June 30, 1993, by a majority of 591  
the members of the legislative authority, may levy an additional 592  
excise tax not to exceed one and one-half per cent on 593  
transactions by which lodging by a hotel is or is to be 594  
furnished to transient guests. The excise tax authorized by 595  
division (O) of this section shall be in addition to any tax 596  
that is levied pursuant to divisions (A) to (N) of this section, 597  
to any excise tax levied pursuant to section 5739.08 of the 598  
Revised Code, and to any excise tax levied pursuant to section 599  
351.021 of the Revised Code. 600

(2) The legislative authority of the county shall 601  
establish all regulations necessary to provide for the 602  
administration and allocation of the tax. The regulations may 603  
prescribe the time for payment of the tax, and may provide for 604  
the imposition of a penalty or interest, or both, for late 605  
payments, provided that the penalty does not exceed ten per cent 606  
of the amount of tax due, and the rate at which interest accrues 607  
does not exceed the rate per annum prescribed pursuant to 608  
section 5703.47 of the Revised Code. 609

(3) All revenues arising from the tax shall be expended in 610  
accordance with section 307.672 of the Revised Code and this 611  
division. The levy of a tax imposed under this division shall 612  
not commence prior to the first day of the month next following 613  
the execution of the cooperative agreement authorized by section 614  
307.672 of the Revised Code by all parties to that agreement. 615



The tax shall remain in effect at the rate at which it is 616  
imposed for the period of time determined by the legislative 617  
authority of the county. That period of time shall not exceed 618  
fifteen years, except that the legislative authority of a county 619  
with a population of less than two hundred fifty thousand 620  
according to the most recent federal decennial census, by 621  
resolution adopted by a majority of its members before the 622  
original tax or any extension thereof expires, may extend the 623  
duration of the tax for an additional period of time. The 624  
additional period of time by which a legislative authority 625  
extends a tax levied under division (O) of this section shall 626  
not exceed fifteen years. 627

(P) (1) The legislative authority of a county that has 628  
levied a tax under division (O) of this section may, by 629  
resolution adopted within one hundred eighty days after January 630  
4, 2001, by a majority of the members of the legislative 631  
authority, amend the resolution levying a tax under that 632  
division to provide for the use of the proceeds of that tax, to 633  
the extent that it is no longer needed for its original purpose 634  
as determined by the parties to a cooperative agreement 635  
amendment pursuant to division (D) of section 307.672 of the 636  
Revised Code, to pay costs of acquiring, constructing, 637  
renovating, rehabilitating, equipping, and improving a port 638  
authority educational and cultural performing arts facility, 639  
including debt service charges on bonds provided for in division 640  
(B) of section 307.674 of the Revised Code, and to pay all 641  
obligations under any guaranty agreements, reimbursement 642  
agreements, or other credit enhancement agreements described in 643  
division (C) of section 307.674 of the Revised Code. 644

(2) The resolution may also provide for the extension of 645

the tax at the same rate for the longer of the period of time 646  
determined by the legislative authority of the county, but not 647  
to exceed an additional twenty-five years, or the period of time 648  
required to pay all debt service charges on bonds provided for 649  
in division (B) of section 307.672 of the Revised Code and on 650  
port authority revenue bonds provided for in division (B) of 651  
section 307.674 of the Revised Code. 652

(3) All revenues arising from the amendment and extension 653  
of the tax shall be expended in accordance with section 307.674 654  
of the Revised Code and divisions (O) and (P) of this section. 655

(Q) (1) As used in division (Q) of this section: 656

(a) "Convention facilities authority" has the same meaning 657  
as in section 351.01 of the Revised Code. 658

(b) "Convention center" has the same meaning as in section 659  
307.695 of the Revised Code. 660

(2) Notwithstanding any contrary provision of division (N) 661  
of this section, the legislative authority of a county with a 662  
population of one million or more according to the most recent 663  
federal decennial census that has levied a tax under division 664  
(N) of this section may, by resolution adopted by a majority of 665  
the members of the legislative authority, provide for the 666  
extension of such levy and may provide that the proceeds of that 667  
tax, to the extent that they are no longer needed for their 668  
original purpose as defined by a cooperative agreement entered 669  
into under section 307.671 of the Revised Code, shall be 670  
deposited into the county general revenue fund. The resolution 671  
shall provide for the extension of the tax at a rate not to 672  
exceed the rate specified in division (N) of this section for a 673  
period of time determined by the legislative authority of the 674

county, but not to exceed an additional forty years.

(3) The legislative authority of a county with a population of one million or more that has levied a tax under division (A) of this section may, by resolution adopted by a majority of the members of the legislative authority, increase the rate of the tax levied by such county under division (A) of this section to a rate not to exceed five per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. Notwithstanding any contrary provision of division (A) of this section, the resolution may provide that all collections resulting from the rate levied in excess of three per cent, after deducting the real and actual costs of administering the tax, shall be deposited in the county general fund.

(4) The legislative authority of a county with a population of one million or more that has levied a tax under division (A) of this section may, by resolution adopted on or before August 30, 2004, by a majority of the members of the legislative authority, provide that all or a portion of the proceeds of the tax levied under division (A) of this section, after deducting the real and actual costs of administering the tax and the amounts required to be returned to townships and municipal corporations with respect to the first three per cent levied under division (A) of this section, shall be deposited in the county general fund, provided that such proceeds shall be used to satisfy any pledges made in connection with an agreement entered into under section 307.695 of the Revised Code.

(5) No amount collected from a tax levied, extended, or required to be deposited in the county general fund under division (Q) of this section shall be contributed to a

convention facilities authority, corporation, or other entity 705  
created after July 1, 2003, for the principal purpose of 706  
constructing, improving, expanding, equipping, financing, or 707  
operating a convention center unless the mayor of the municipal 708  
corporation in which the convention center is to be operated by 709  
that convention facilities authority, corporation, or other 710  
entity has consented to the creation of that convention 711  
facilities authority, corporation, or entity. Notwithstanding 712  
any contrary provision of section 351.04 of the Revised Code, if 713  
a tax is levied by a county under division (Q) of this section, 714  
the board of county commissioners of that county may determine 715  
the manner of selection, the qualifications, the number, and 716  
terms of office of the members of the board of directors of any 717  
convention facilities authority, corporation, or other entity 718  
described in division (Q) (5) of this section. 719

(6) (a) No amount collected from a tax levied, extended, or 720  
required to be deposited in the county general fund under 721  
division (Q) of this section may be used for any purpose other 722  
than paying the direct and indirect costs of constructing, 723  
improving, expanding, equipping, financing, or operating a 724  
convention center and for the real and actual costs of 725  
administering the tax, unless, prior to the adoption of the 726  
resolution of the legislative authority of the county 727  
authorizing the levy, extension, increase, or deposit, the 728  
county and the mayor of the most populous municipal corporation 729  
in that county have entered into an agreement as to the use of 730  
such amounts, provided that such agreement has been approved by 731  
a majority of the mayors of the other municipal corporations in 732  
that county. The agreement shall provide that the amounts to be 733  
used for purposes other than paying the convention center or 734  
administrative costs described in division (Q) (6) (a) of this 735

section be used only for the direct and indirect costs of 736  
capital improvements, including the financing of capital 737  
improvements, except that the agreement may subsequently be 738  
amended by the parties that have entered into that agreement to 739  
authorize such amounts to instead be used for any costs related 740  
to the promotion or support of tourism or tourism-related 741  
programs. 742

(b) If the county in which the tax is levied has an 743  
association of mayors and city managers, the approval of that 744  
association of an agreement described in division (Q) (6) (a) of 745  
this section shall be considered to be the approval of the 746  
majority of the mayors of the other municipal corporations for 747  
purposes of that division. 748

(7) Each year, the auditor of state shall conduct an audit 749  
of the uses of any amounts collected from taxes levied, 750  
extended, or deposited under division (Q) of this section and 751  
shall prepare a report of the auditor of state's findings. The 752  
auditor of state shall submit the report to the legislative 753  
authority of the county that has levied, extended, or deposited 754  
the tax, the speaker of the house of representatives, the 755  
president of the senate, and the leaders of the minority parties 756  
of the house of representatives and the senate. 757

(R) (1) As used in division (R) of this section: 758

(a) "Convention facilities authority" has the same meaning 759  
as in section 351.01 of the Revised Code. 760

(b) "Convention center" has the same meaning as in section 761  
307.695 of the Revised Code. 762

(2) Notwithstanding any contrary provision of division (N) 763  
of this section, the legislative authority of a county with a 764

population of one million two hundred thousand or more according 765  
to the most recent federal decennial census or the most recent 766  
annual population estimate published or released by the United 767  
States census bureau at the time the resolution is adopted 768  
placing the levy on the ballot, that has levied a tax under 769  
division (N) of this section may, by resolution adopted by a 770  
majority of the members of the legislative authority, provide 771  
for the extension of such levy and may provide that the proceeds 772  
of that tax, to the extent that the proceeds are no longer 773  
needed for their original purpose as defined by a cooperative 774  
agreement entered into under section 307.671 of the Revised Code 775  
and after deducting the real and actual costs of administering 776  
the tax, shall be used for paying the direct and indirect costs 777  
of constructing, improving, expanding, equipping, financing, or 778  
operating a convention center. The resolution shall provide for 779  
the extension of the tax at a rate not to exceed the rate 780  
specified in division (N) of this section for a period of time 781  
determined by the legislative authority of the county, but not 782  
to exceed an additional forty years. 783

(3) The legislative authority of a county with a 784  
population of one million two hundred thousand or more that has 785  
levied a tax under division (A) of this section may, by 786  
resolution adopted by a majority of the members of the 787  
legislative authority, increase the rate of the tax levied by 788  
such county under division (A) of this section to a rate not to 789  
exceed five per cent on transactions by which lodging by a hotel 790  
is or is to be furnished to transient guests. Notwithstanding 791  
any contrary provision of division (A) of this section, the 792  
resolution shall provide that all collections resulting from the 793  
rate levied in excess of three per cent, after deducting the 794  
real and actual costs of administering the tax, shall be used 795

for paying the direct and indirect costs of constructing, 796  
improving, expanding, equipping, financing, or operating a 797  
convention center. 798

(4) The legislative authority of a county with a 799  
population of one million two hundred thousand or more that has 800  
levied a tax under division (A) of this section may, by 801  
resolution adopted on or before July 1, 2008, by a majority of 802  
the members of the legislative authority, provide that all or a 803  
portion of the proceeds of the tax levied under division (A) of 804  
this section, after deducting the real and actual costs of 805  
administering the tax and the amounts required to be returned to 806  
townships and municipal corporations with respect to the first 807  
three per cent levied under division (A) of this section, shall 808  
be used to satisfy any pledges made in connection with an 809  
agreement entered into under section 307.695 of the Revised Code 810  
or shall otherwise be used for paying the direct and indirect 811  
costs of constructing, improving, expanding, equipping, 812  
financing, or operating a convention center. 813

(5) Any amount collected from a tax levied or extended 814  
under division (R) of this section may be contributed to a 815  
convention facilities authority created before July 1, 2005, but 816  
no amount collected from a tax levied or extended under division 817  
(R) of this section may be contributed to a convention 818  
facilities authority, corporation, or other entity created after 819  
July 1, 2005, unless the mayor of the municipal corporation in 820  
which the convention center is to be operated by that convention 821  
facilities authority, corporation, or other entity has consented 822  
to the creation of that convention facilities authority, 823  
corporation, or entity. 824

(S) As used in division (S) of this section, "soldiers" 825

memorial" means a memorial constructed and funded under Chapter 826  
345. of the Revised Code. 827

The board of county commissioners of a county with a 828  
population between one hundred three thousand and one hundred 829  
seven thousand according to the most recent federal decennial 830  
census, by resolution adopted by a majority of the members of 831  
the board within six months after September 15, 2014, may levy a 832  
tax not to exceed three per cent on transactions by which a 833  
hotel is or is to be furnished to transient guests. The purpose 834  
of the tax shall be to pay the costs of expanding, maintaining, 835  
or operating a soldiers' memorial and the costs of administering 836  
the tax. All revenue arising from the tax shall be credited to 837  
one or more special funds in the county treasury and shall be 838  
spent solely for the purposes of paying those costs. 839

The board of county commissioners shall adopt all rules 840  
necessary to provide for the administration of the tax subject 841  
to the same limitations on imposing penalty or interest under 842  
division (A) of this section. 843

(T) As used in division (T) of this section: 844

(1) "Eligible county" means a county in which a county 845  
agricultural society or independent agricultural society is 846  
organized under section 1711.01 or 1711.02 of the Revised Code, 847  
provided the agricultural society owns a facility or site in the 848  
county at which an annual harness horse race is conducted where 849  
one-day attendance equals at least forty thousand attendees. 850

(2) "Permanent improvements," "debt charges," and 851  
"financing costs" have the same meanings as in section 133.01 of 852  
the Revised Code. 853

(3) "Costs of permanent improvements" include all costs 854



allowed in section 133.15 of the Revised Code. 855

A board of county commissioners of an eligible county, by 856  
resolution adopted by a majority of the members of the board, 857  
may levy an excise tax at the rate of up to three per cent on 858  
transactions by which lodging by a hotel is or is to be 859  
furnished to transient guests for the purpose of paying the 860  
costs of permanent improvements at sites at which one or more 861  
agricultural societies conduct fairs or exhibits, including 862  
paying financing costs and debt charges on bonds, or notes in 863  
anticipation of bonds, paying the costs of maintaining or 864  
operating such permanent improvements, and paying the costs of 865  
administering the tax. 866

A resolution adopted under division (T) of this section, 867  
other than a resolution that only extends the period of time for 868  
which the tax is levied, shall direct the board of elections to 869  
submit the question of the proposed lodging tax to the electors 870  
of the county at a special election held on the date specified 871  
by the board in the resolution, provided that the election 872  
occurs not less than ninety days after a certified copy of the 873  
resolution is transmitted to the board of elections. A 874  
resolution submitted to the electors under division (T) of this 875  
section shall not go into effect unless it is approved by a 876  
majority of those voting upon it. The resolution takes effect on 877  
the date the board of county commissioners receives notification 878  
from the board of elections of an affirmative vote. 879

The tax shall remain in effect for the period specified in 880  
the resolution, not to exceed five years, and may be extended 881  
for an additional period of years that is at least the number of 882  
years required for payment of the debt charges on bonds or notes 883  
in anticipation of bonds authorized under this division but not 884

in excess of fifteen years thereafter by a resolution adopted by 885  
a majority of the members of the board. A resolution extending 886  
the period of time for which the tax is in effect is not subject 887  
to approval of the electors of the county, but is subject to 888  
referendum under sections 305.31 to 305.99 of the Revised Code. 889  
All revenue arising from the tax shall be credited to one or 890  
more special funds in the county treasury and shall be spent 891  
solely for the purposes of paying the costs of such permanent 892  
improvements, including paying financing costs and debt charges 893  
on bonds, or notes in anticipation of bonds, and maintaining or 894  
operating the improvements. Revenue allocated for the use of a 895  
county agricultural society may be credited to the county 896  
agricultural society fund created in section 1711.16 of the 897  
Revised Code upon appropriation by the board. If revenue is 898  
credited to that fund, it shall be expended only as provided in 899  
that section. 900

The board of county commissioners shall adopt all rules 901  
necessary to provide for the administration of the tax. The 902  
rules may prescribe the time for payment of the tax, and may 903  
provide for the imposition or penalty or interest, or both, for 904  
late payments, provided that the penalty does not exceed ten per 905  
cent of the amount of tax due, and the rate at which interest 906  
accrues does not exceed the rate per annum prescribed in section 907  
5703.47 of the Revised Code. 908

The board of county commissioners may issue bonds, or 909  
notes in anticipation thereof, pursuant to Chapter 133. of the 910  
Revised Code, for the purpose of paying the costs of permanent 911  
improvements as authorized in this division and pledge the 912  
revenue arising from the tax for that purpose. The board of 913  
county commissioners may pledge or contribute the revenue 914

arising from the tax levied under this division to a port 915  
authority created under Chapter 4582. of the Revised Code, and 916  
the port authority may issue bonds, or notes in anticipation 917  
thereof, pursuant to that chapter, for the purpose of paying the 918  
costs of permanent improvements as authorized in this division. 919

(U) As used in division (U) of this section, "eligible 920  
county" means a county in which a tax is levied under division 921  
(A) of this section at a rate of three per cent and whose 922  
territory includes a part of Lake Erie the shoreline of which 923  
represents at least fifty per cent of the linear length of the 924  
county's border with other counties of this state. 925

The board of county commissioners of an eligible county 926  
that has entered into an agreement with a port authority in the 927  
county under section 4582.56 of the Revised Code may levy an 928  
additional lodging tax on transactions by which lodging by a 929  
hotel is or is to be furnished to transient guests for the 930  
purpose of financing lakeshore improvement projects constructed 931  
or financed by the port authority under that section. The 932  
resolution levying the tax shall specify the purpose of the tax, 933  
the rate of the tax, which shall not exceed two per cent, and 934  
the number of years the tax will be levied or that it will be 935  
levied for a continuing period of time. The tax shall be 936  
administered pursuant to the regulations adopted by the board 937  
under division (A) of this section, except that all the proceeds 938  
of the tax levied under this division shall be pledged to the 939  
payment of the costs, including debt charges, of lakeshore 940  
improvements undertaken by a port authority pursuant to the 941  
agreement under section 4582.56 of the Revised Code. No revenue 942  
from the tax may be used to pay the current expenses of the port 943  
authority. 944

A resolution levying a tax under division (U) of this 945  
section is subject to referendum under sections 305.31 to 305.41 946  
and 305.99 of the Revised Code. 947

(V) (1) As used in division (V) of this section: 948

(a) "Tourism development district" means a district 949  
designated by a municipal corporation under section 715.014 of 950  
the Revised Code or by a township under section 503.56 of the 951  
Revised Code. 952

(b) "Lodging tax" means a tax levied pursuant to this 953  
section or section 5739.08 of the Revised Code. 954

(c) "Tourism development district lodging tax proceeds" 955  
means all proceeds of a lodging tax derived from transactions by 956  
which lodging by a hotel located in a tourism development 957  
district is or is to be provided to transient guests. 958

(d) "Eligible county" has the same meaning as in section 959  
307.678 of the Revised Code. 960

(2) (a) Notwithstanding division (A) of this section, the 961  
board of county commissioners, board of township trustees, or 962  
legislative authority of any county, township, or municipal 963  
corporation that levies a lodging tax on September 29, 2017, and 964  
in which any part of a tourism development district is located 965  
on or after that date shall amend the ordinance or resolution 966  
levying the tax to require either of the following: 967

(i) In the case of a tax levied by a county, that all 968  
tourism development district lodging tax proceeds from that tax 969  
be used exclusively to foster and develop tourism in the tourism 970  
development district; 971

(ii) In the case of a tax levied by a township or 972

municipal corporation, that all tourism development district 973  
lodging tax proceeds from that tax be used exclusively to foster 974  
and develop tourism in the tourism development district. 975

(b) Notwithstanding division (A) of this section, any 976  
ordinance or resolution levying a lodging tax adopted on or 977  
after September 29, 2017, by a county, township, or municipal 978  
corporation in which any part of a tourism development district 979  
is located on or after that date shall require that all tourism 980  
development district lodging tax proceeds from that tax be used 981  
exclusively to foster and develop tourism in the tourism 982  
development district. 983

(c) A county shall not use any of the proceeds described 984  
in division (V) (2) (a) (i) or (V) (2) (b) of this section unless the 985  
convention and visitors' bureau operating within the county 986  
approves the manner in which such proceeds are used to foster 987  
and develop tourism in the tourism development district. Upon 988  
obtaining such approval, the county may pay such proceeds to the 989  
bureau to use for the agreed-upon purpose. 990

A municipal corporation or township shall not use any of 991  
the proceeds described in division (V) (2) (a) (ii) or (V) (2) (b) of 992  
this section unless the convention and visitors' bureau 993  
operating within the municipal corporation or township approves 994  
the manner in which such proceeds are used to foster and develop 995  
tourism in the tourism development district. Upon obtaining such 996  
approval, the municipal corporation or township may pay such 997  
proceeds to the bureau to use for the agreed-upon purpose. 998

(3) (a) Notwithstanding division (A) of this section, the 999  
board of county commissioners of an eligible county that levies 1000  
a lodging tax on March 23, 2018, may amend the resolution 1001  
levying that tax to require that all or a portion of the 1002

proceeds of that tax otherwise required to be spent solely to 1003  
make contributions to the convention and visitors' bureau 1004  
operating within the county shall be used to foster and develop 1005  
tourism in a tourism development district. 1006

(b) Notwithstanding division (A) of this section, the 1007  
board of county commissioners of an eligible county that adopts 1008  
a resolution levying a lodging tax on or after March 23, 2018, 1009  
may require that all or a portion of the proceeds of that tax 1010  
otherwise required to be spent solely to make contributions to 1011  
the convention and visitors' bureau operating within the county 1012  
pursuant to division (A) of this section shall be used to foster 1013  
and develop tourism in a tourism development district. 1014

(c) A county shall not use any of the proceeds in the 1015  
manner described in division (V) (3) (a) or (b) of this section 1016  
unless the convention and visitors' bureau operating within the 1017  
county approves the manner in which such proceeds are used to 1018  
foster and develop tourism in the tourism development district. 1019  
Upon obtaining such approval, the county may pay such proceeds 1020  
to the bureau to use for the agreed upon purpose. 1021

(W) (1) As used in division (W) of this section: 1022

(a) "Eligible county" means a county with a population 1023  
greater than three hundred thousand and less than three hundred 1024  
fifty thousand that levies a tax under division (A) of this 1025  
section at a rate of three per cent; 1026

(b) "Cost" and "facility" have the same meanings as in 1027  
section 351.01 of the Revised Code. 1028

(2) A board of county commissioners of an eligible county, 1029  
by resolution adopted by a majority of the members of the board, 1030  
may levy an excise tax at the rate of up to three per cent on 1031

transactions by which lodging by a hotel is or is to be 1032  
furnished to transient guests. All of the revenue from the tax 1033  
shall be used to pay the costs of administering the tax or 1034  
pledged and contributed to a convention facilities authority 1035  
established by the board of county commissioners under Chapter 1036  
351. of the Revised Code and used by the authority to pay the 1037  
cost of constructing a facility in the county, including paying 1038  
bonds, or notes issued in anticipation of bonds, as provided by 1039  
that chapter, or paying the expenses of maintaining, operating, 1040  
or promoting such a facility. No portion of the revenue arising 1041  
from the tax need be returned to municipal corporations or 1042  
townships as required for taxes levied under division (A) of 1043  
this section. 1044

(3) A resolution adopted under division (W) of this 1045  
section shall direct the board of elections to submit the 1046  
question of the proposed lodging tax to the electors of the 1047  
county at a special election held on the date specified by the 1048  
board in the resolution, provided that the election occurs not 1049  
less than ninety days after a certified copy of the resolution 1050  
is transmitted to the board of elections. A resolution submitted 1051  
to the electors under division (W) of this section shall not go 1052  
into effect unless it is approved by a majority of those voting 1053  
upon it. The resolution takes effect on the date the board of 1054  
county commissioners receives notification from the board of 1055  
elections of an affirmative vote. 1056

(4) Once the tax is approved by the electors of the county 1057  
pursuant to division (W) (3) of this section, it shall not be 1058  
subject to diminution by initiative or referendum or by law 1059  
while any bonds, or notes in anticipation of bonds, issued by 1060  
the authority under Chapter 351. of the Revised Code to which 1061

the revenue is pledged, remain outstanding in accordance with 1062  
their terms, unless provision is made by law or by the board of 1063  
county commissioners for an adequate substitute therefore that 1064  
is satisfactory to the trustee if a trust agreement secures the 1065  
bonds. 1066

(5) The tax authorized by division (W) of this section 1067  
shall be in addition to any other tax that is levied pursuant to 1068  
this section. 1069

(X) (1) As used in division (X) of this section: 1070

(a) "Convention facilities authority," "cost," and 1071  
"facility" have the same meanings as in section 351.01 of the 1072  
Revised Code, except that "facility" does not include a "sports 1073  
facility," as that term is defined in that section, other than a 1074  
facility intended to house a major league soccer team. 1075

(b) "Eligible county" means a county with a population 1076  
greater than eight hundred thousand but less than one million 1077  
that levies a tax under division (A) of this section. 1078

(c) "Port authority" means a port authority created under 1079  
Chapter 4582. of the Revised Code. 1080

(2) A board of county commissioners or the legislative 1081  
authority of an eligible county may, by resolution adopted by a 1082  
majority of the members of the board or legislative authority, 1083  
levy an excise tax at a rate not to exceed one per cent on 1084  
transactions by which lodging by a hotel is or is to be 1085  
furnished to transient guests. All revenue arising from the tax 1086  
shall be used to pay the costs of administering the tax or 1087  
pledged and contributed to the convention and visitors' bureau 1088  
operating within the applicable eligible county, a convention 1089  
facilities authority within the applicable eligible county, or a 1090



port authority and used by the convention and visitors' bureau, 1091  
the convention facilities authority, or the port authority to 1092  
pay the cost of acquiring, constructing, renovating, expanding, 1093  
maintaining, or operating one or more facilities in the county, 1094  
including paying bonds, or notes issued in anticipation of 1095  
bonds, or paying the expenses of maintaining, operating, or 1096  
promoting one or more facilities. No portion of the revenue 1097  
arising from the tax need be returned to municipal corporations 1098  
or townships as required for taxes levied under division (A) of 1099  
this section. 1100

(3) The tax authorized by division (X) of this section 1101  
shall be in addition to any other tax that is levied pursuant to 1102  
this section. 1103

(4) Any board of county commissioners of an eligible 1104  
county that, pursuant to division (D)(2) of this section, has 1105  
amended a resolution levying the tax authorized by division (A) 1106  
of this section may further amend the resolution to provide that 1107  
all or a portion of the revenue referred to in division (D)(2) 1108  
(b) of this section and division (A) of this section may be 1109  
pledged and contributed to pay the costs of acquiring, 1110  
constructing, renovating, expanding, maintaining, or operating 1111  
one or more facilities in the county, including paying bonds, or 1112  
notes issued in anticipation of bonds, or paying the expenses of 1113  
maintaining, operating, or promoting one or more facilities. " 1114  
Update the title, amend, enact, or repeal clauses accordingly 1115

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

1116

**Special lodging tax extension**

1117

**R.C. 5739.09**

1118

Authorizes Fairfield County commissioners to renew a  
special lodging tax levied to finance a municipal educational  
and cultural facility for up to 15 additional years at a time.  
Currently, the tax is scheduled to expire in 2028 and cannot be  
extended further.

1119

1120

1121

1122

1123

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 68100, strike through "the chairpersons of the" 1

Strike through lines 68101 and 68102 2

In line 68103, strike through "environmental issues" and insert "a 3  
member of the house of representatives appointed by the speaker of the 4  
house of representatives and a member of the senate appointed by the 5  
president of the senate," 6

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 7

**Emergency Response Commission** 8

**R.C. 3750.02** 9

Modifies membership of the Emergency Response Commission 10  
by requiring the Speaker to appoint a member of the House and 11  
the Senate President to appoint a member of the Senate as 12  
opposed the chairpersons of the respective standing committees 13  
that are primarily responsible for considering environmental 14

Legislative Service Commission



mjxy5mijfbgmof2ukjckcr

issues serving as nonvoting members.

15

\_\_\_\_\_ moved to amend as follows:

In the table on line 119908, after row J, insert:

"

	1	2	3	4	5
A	GRF	415515	DeafBlind Fund	\$100,000	\$100,000

"

In the table on line 119908, in rows K and AE, add  
\$100,000 to each fiscal year

After line 119955, insert:

"DEAFBLIND FUND

The foregoing appropriation item 415515, DeafBlind Fund,  
shall be distributed to the Columbus Speech and Hearing Center  
for the recruitment and training of support service providers  
and to connect support service providers with DeafBlind  
individuals."

The motion was \_\_\_\_\_ agreed to.

Legislative Service Commission



gbenxau2sbt6xcvnxc8tsi

<u>SYNOPSIS</u>	14
<b>Opportunities for Ohioans with Disabilities Agency</b>	15
<b>Sections 353.10 and 353.20</b>	16
Appropriates \$100,000 in each fiscal year in GRF ALI	17
415515, DeafBlind Fund. Requires the funds to be distributed to	18
the Columbus Speech and Hearing Center for the recruitment and	19
training of support service providers and to connect support	20
service providers with DeafBlind individuals.	21

\_\_\_\_\_ moved to amend as follows:

After line 1703, insert:

"Sec. 101.82. As used in sections 101.82 to 101.87 of the  
Revised Code:

(A) "Agency" means any board, commission, committee, or  
council, or any other similar state public body required to be  
established pursuant to state statutes for the exercise of any  
function of state government and to which members are appointed  
or elected. "Agency" does not include the following:

(1) The general assembly, or any commission, committee, or  
other body composed entirely of members of the general assembly;

(2) Any court;

(3) Any public body created by or directly pursuant to the  
constitution of this state;

(4) The board of trustees of any institution of higher  
education financially supported in whole or in part by the  
state;

(5) Any public body that has the authority to issue bonds  
or notes or that has issued bonds or notes that have not been



fully repaid;	19
(6) The public utilities commission of Ohio;	20
(7) The consumers' counsel governing board;	21
(8) The Ohio board of regents;	22
(9) Any state board or commission that has the authority	23
to issue any final adjudicatory order that may be appealed to	24
the court of common pleas under Chapter 119. of the Revised	25
Code;	26
(10) Any board of elections;	27
(11) The board of directors of the Ohio insurance guaranty	28
association and the board of governors of the Ohio fair plan	29
underwriting association;	30
(12) <del>The Ohio public employees deferred compensation</del>	31
<del>board;</del>	32
<del>(13)</del> The Ohio retirement study council;	33
<del>(14)</del> <u>(13)</u> The board of trustees of the Ohio police and fire	34
pension fund, public employees retirement board, school	35
employees retirement board, state highway patrol retirement	36
board, and state teachers retirement board;	37
<del>(15)</del> <u>(14)</u> The industrial commission;	38
<del>(16)</del> <u>(15)</u> The parole board;	39
<del>(17)</del> <u>(16)</u> The board of tax appeals;	40
<del>(18)</del> <u>(17)</u> The controlling board;	41
<del>(19)</del> <u>(18)</u> The release authority of department of youth	42
services;	43



<del>(20)</del> <u>(19)</u> The environmental review appeals commission;	44
<del>(21)</del> <u>(20)</u> The Ohio ethics commission;	45
<del>(22)</del> <u>(21)</u> The Ohio public works commission;	46
<del>(23)</del> <u>(22)</u> The self-insuring employers evaluation board;	47
<del>(24)</del> <u>(23)</u> The state board of deposit;	48
<del>(25)</del> <u>(24)</u> The state employment relations board;	49
<del>(26)</del> <u>(25)</u> An agency that is exempted from the requirements	50
of sections 101.82 to 101.87 of the Revised Code by the agency's	51
enabling statutes; and	52
<del>(27)</del> <u>(26)</u> The following agencies, deemed to have a purpose	53
related to federal law:	54
(a) The early childhood advisory council, under section	55
5104.50 of the Revised Code;	56
(b) The emergency response commission under section	57
3750.02 of the Revised Code;	58
(c) The public defender commission under section 120.01 of	59
the Revised Code;	60
(d) The homeland security advisory council under division	61
(E) of section 5502.011 of the Revised Code;	62
(e) The unemployment compensation review commission under	63
section 4141.06 of the Revised Code.	64
(B) "Abolish" means to repeal the statutes creating and	65
empowering an agency, remove its personnel, and transfer its	66
records to the department of administrative services pursuant to	67
division (E) of section 149.331 of the Revised Code.	68

(C) "Terminate" means to amend or repeal the statutes  
creating and empowering an agency, remove its personnel, and  
reassign its functions and records to another agency or officer  
designated by the general assembly.

(D) "Transfer" means to amend the statutes creating and  
empowering an agency so that its functions, records, and  
personnel are conveyed to another agency or officer.

(E) "Renew" means to continue an agency, and may include  
amendment of the statutes creating and empowering the agency, or  
recommendations for changes in agency operation or personnel.

**Sec. 101.83.** (A) It is the intent of the general assembly  
that an agency shall expire by operation of sunset review law,  
sections 101.82 to 101.87 of the Revised Code, four years more  
or less after the effective date of the act that established the  
agency. Unless renewed in accordance with division (E) of this  
section:

(1) An agency created during an even-numbered general  
assembly expires at the end of the thirty-first day of December  
in the second year of the next odd-numbered general assembly;

(2) An agency created during an odd-numbered general  
assembly expires at the end of the thirty-first day of December  
in the second year of the next even-numbered general assembly;  
and

(3) An agency renewed by a prior sunset review committee  
expires on the expiration date specified in the act that renewed  
the agency.

(B) Any act renewing an agency shall contain a distinct  
section providing a specific expiration date for the agency in

accordance with this section. With respect to an agency 97  
scheduled to expire through operation of sunset review law, 98  
sections 101.82 to 101.87 of the Revised Code, the specific 99  
expiration date shall be the thirty-first day of December in the 100  
second year of a general assembly. 101

(C) If the general assembly does not renew or transfer an 102  
agency on or before its expiration date, it expires on that 103  
date. 104

The director of budget and management shall not authorize 105  
the expenditure of any moneys for any agency on or after the 106  
date of its expiration. 107

(D) The general assembly may provide by law for the 108  
orderly, efficient, and expeditious conclusion of an agency's 109  
business and operation. The rules, orders, licenses, contracts, 110  
and other actions made, taken, granted, or performed by the 111  
agency continue in effect according to their terms 112  
notwithstanding the agency's abolition, unless the general 113  
assembly provides otherwise by law. The general assembly may 114  
provide by law for the temporary or permanent transfer of some 115  
or all of a terminated or transferred agency's functions and 116  
personnel to a successor agency or officer. 117

The abolition, termination, or transfer of an agency does 118  
not cause the termination or dismissal of any claim pending 119  
against the agency by any person, or any claim pending against 120  
any person by the agency. Unless the general assembly provides 121  
otherwise by law for the substitution of parties, the attorney 122  
general shall succeed the agency with reference to any pending 123  
claim. 124

(E) An agency may be renewed by passage of a bill that 125

continues the statutes creating and empowering the agency, that 126  
amends or repeals those statutes, or that enacts new statutes, 127  
to improve agency usefulness, performance, or effectiveness. 128

(F) The chairperson of an agency listed in division ~~(A)~~ 129  
~~(27)~~ (A) (26) of section 101.82 of the Revised Code shall notify 130  
the speaker of the house of representatives and the president of 131  
the senate, in the manner specified in section 101.68 of the 132  
Revised Code, and shall notify the governor, if federal law is 133  
modified to eliminate the purpose or necessity for the agency's 134  
existence. The notification shall be in writing and include the 135  
following disclosure: 136

"The agency known as the \_\_\_\_\_ was exempted from sunset 137  
review law because it had a purpose related to federal law. The 138  
federal law specifying that purpose has been amended or repealed 139  
eliminating the purpose or necessity for the agency. The sunset 140  
review committee, next convened under section 101.82 to 101.87 141  
of the Revised Code, shall schedule the agency for review and 142  
shall make a recommendation with respect to the agency in 143  
accordance with section 101.87 of the Revised Code."" 144

After line 12307, insert: 145

"**Sec. 145.09.** The public employees retirement board shall 146  
elect from its membership a chairperson. The board shall appoint 147  
an executive director who shall serve as secretary to the board, 148  
an actuary, and other employees as necessary for the transaction 149  
of the business of the public employees retirement system. The 150  
compensation of all persons so appointed shall be fixed by the 151  
board. Such persons appointed by the board are not employees of 152  
the state and are not subject to Chapter 124. of the Revised 153  
Code. 154

~~If the board provides health care coverage to employees of~~ 155  
~~the retirement system, it may permit employees of the Ohio~~ 156  
~~public employees deferred compensation board to participate.~~ 157

Effective ninety days after September 15, 2004, the board 158  
may not employ a state retirement system investment officer, as 159  
defined in section 1707.01 of the Revised Code, who does not 160  
hold a valid state retirement system investment officer license 161  
issued by the division of securities in the department of 162  
commerce. 163

Every expense voucher of an employee, officer, or board 164  
member of the public employees retirement system shall itemize 165  
all purchases and expenditures. 166

The board shall perform other functions as required for 167  
the proper execution of this chapter, and may adopt rules in 168  
accordance with section 111.15 of the Revised Code for the 169  
proper administration and management of this chapter. 170

The board may take all appropriate action to avoid payment 171  
by the system or its members of federal or state income taxes on 172  
contributions to the system or amounts earned on such 173  
contributions. 174

Notice of proposed rules shall be given to interested 175  
parties and rules adopted by the board shall be published and 176  
otherwise made available. When it files a rule with the joint 177  
committee on agency rule review pursuant to section 111.15 of 178  
the Revised Code, the board shall submit to the Ohio retirement 179  
study council a copy of the full text of the rule, and if 180  
applicable, a copy of the rule summary and fiscal analysis 181  
required by division (B) of section 106.024 of the Revised Code. 182

The board may sue and be sued, plead and be impleaded, 183

contract and be contracted with. All of its business shall be 184  
transacted, all of its funds invested, all warrants for money 185  
drawn and payments made, and all of its cash and securities and 186  
other property shall be held in the name of the board, or in the 187  
name of its nominee, provided that nominees are authorized by 188  
retirement board resolution for the purpose of facilitating the 189  
ownership and transfer of investments. 190

If the Ohio retirement study council establishes a uniform 191  
format for any report the board is required to submit to the 192  
council, the board shall submit the report in that format. 193

**Sec. 145.091.** The public employees retirement system shall 194  
administer the PERS defined benefit plan~~and~~, the PERS defined 195  
contribution plans, and the Ohio public employees deferred 196  
compensation program established under Chapter 148. of the 197  
Revised Code. 198

**Sec. 148.01.** (A) As used in this chapter: 199

(1) "Eligible employee" means any public employee, as 200  
defined in division (A) of section 145.01 of the Revised Code; 201  
any person eligible to become a member of the public employees 202  
retirement system under section 145.20 of the Revised Code; any 203  
employee, as defined in division (C) of section 742.01, division 204  
(B) of section 3309.01, or division (A) of section 5505.01 of 205  
the Revised Code; any electing employee, as defined in section 206  
3305.01 of the Revised Code; and any member of the state 207  
teachers retirement system. 208

(2) "Participant account" means any of the following 209  
accounts: 210

(a) An account that is maintained by the ~~Ohio public~~ 211  
employees ~~deferred compensation~~ retirement board and that 212

evidences moneys that have been deferred by, or on behalf of, a 213  
continuing member or participating employee and transmitted to 214  
the board by the retirement system of the continuing member or 215  
participating employee; 216

(b) An account that is maintained by the governing board, 217  
administrator, depository, or trustee of a deferred compensation 218  
program of a municipal corporation and that evidences moneys 219  
that have been deferred by an officer or employee of that 220  
municipal corporation and transmitted to the governing board, 221  
administrator, depository, or trustee by the retirement system 222  
of the officer or employee or in another manner; 223

(c) An account that is maintained by a governing board, as 224  
defined in section 148.06 of the Revised Code, and that 225  
evidences moneys that have been deferred by an officer or 226  
employee of a government unit, as defined in that section, and 227  
transmitted to the governing board by the retirement system of 228  
the officer or employee or in another manner. 229

(3) "Participating employee" means any eligible employee 230  
who is having compensation deferred pursuant to either of the 231  
following: 232

(a) An agreement that is entered into before the 233  
compensation is earned and that is with the eligible employee's 234  
employer and the ~~Ohio public employees deferred compensation~~ 235  
retirement board; 236

(b) Automatic enrollment in the Ohio public employees 237  
deferred compensation program under section 148.042 of the 238  
Revised Code. 239

(4) "Continuing member" means any former participating 240  
employee who is not currently having compensation deferred, or 241

the former participating employee's beneficiary, to whom payment 242  
has not been made of all deferred compensation distributions. 243

(B) Notwithstanding section 145.01 of the Revised Code, 244  
the definitions of that section are applicable to this chapter 245  
only to any extent necessary to fully understand the provisions 246  
of this chapter. Reference may also be had to Chapters 742., 247  
3305., 3307., 3309., and 5505. of the Revised Code for that 248  
purpose. 249

**Sec. 148.02.** The Ohio public employees deferred 250  
compensation ~~board shall be comprised of a member of the house~~ 251  
~~of representatives and a member of the senate, who shall not be~~ 252  
~~of the same political party, each to be appointed to serve at~~ 253  
~~the pleasure of the member's respective leadership, and the~~ 254  
~~members of the public employees retirement board as constituted~~ 255  
~~by section 145.04 of the Revised Code, who are~~ program is hereby 256  
~~created as a separate legal entity for the purpose of~~ 257  
~~administering a deferred compensation system~~ for all eligible 258  
employees. The public employees retirement board created in 259  
section 145.04 of the Revised Code shall administer the program. 260  
The board may utilize its employees and property in the 261  
administration of the ~~system on behalf of the Ohio public~~ 262  
~~employees deferred compensation board,~~ program in consideration 263  
of a reasonable service charge to be applied in a 264  
nondiscriminatory manner to all amounts of compensation deferred 265  
under ~~this system~~ the program. 266

The ~~Ohio public employees deferred compensation board~~ may 267  
exercise the same powers granted by section 145.09 of the 268  
Revised Code necessary to perform its functions under this 269  
chapter. The attorney general shall be the legal adviser of the 270  
board. The Ohio public employees deferred compensation receiving 271



account, which is hereby created, shall be in the custody of the treasurer of state, but shall not be part of the state treasury. The Ohio public employees deferred compensation receiving account is a legal entity that is separate from the various funds created under Chapter 145. of the Revised Code.

**Sec. 148.021.** Whenever the Ohio public employees deferred compensation board or the executive director of that board or a variation thereof is used, referred to, or designated in any statute, rule, contract, grant, or other document, the use, reference, or designation shall be deemed to refer to the public employees retirement board or the executive director of the public employees retirement system, as the case may be.

**Sec. 148.04.** (A) The ~~Ohio public employees deferred compensation retirement~~ board shall initiate, plan, expedite, and, subject to an appropriate assurance of the approval of the internal revenue service, promulgate and offer to all eligible employees, and thereafter administer on behalf of all participating employees and continuing members, and alter as required, a program for deferral of compensation, including a reasonable number of options to the employee for the investment of deferred funds, always in such form as will assure the desired tax treatment of such funds. The members of the board are the trustees of any deferred funds and shall discharge their duties with respect to the funds solely in the interest of and for the exclusive benefit of participating employees, continuing members, and their beneficiaries. With respect to such deferred funds, section 148.09 of the Revised Code shall apply to claims against participating employees or continuing members and their employers.

(B) Every employer of an eligible employee shall enroll

the employee in a deferred compensation program offered by the 302  
board on the employee's application to participate, on the 303  
employee's election under section 148.041 of the Revised Code, 304  
or by automatic enrollment under section 148.042 of the Revised 305  
Code. 306

(C) The board shall take all actions necessary to ensure 307  
that the program qualifies as an eligible deferred compensation 308  
plan under section 457(b) of the Internal Revenue Code of 1986, 309  
26 U.S.C. 457. The board shall, subject to any applicable 310  
provisions of the Ohio public employees deferred compensation 311  
program plan, undertake to obtain as favorable conditions of tax 312  
treatment as possible, both in the initial programs and any 313  
permitted alterations of them or additions to them, as to such 314  
matters as terms of distribution, designation of beneficiaries, 315  
withdrawal upon disability, financial hardship, or termination 316  
of public employment, and other optional provisions. 317

The board may establish a designated Roth account feature 318  
or any other feature in which an employee may make tax-deferred 319  
or nontax-deferred contributions to an eligible government plan 320  
in accordance with 26 U.S.C. 457, as amended. 321

(D) In no event shall the total of the amount of deferred 322  
compensation to be set aside under a deferred compensation 323  
program and the employee's nondeferred income for any year 324  
exceed the total annual salary or compensation under the 325  
existing salary schedule or classification plan applicable to 326  
the employee in that year. 327

Such a deferred compensation program shall be in addition 328  
to any retirement or any other benefit program provided by law 329  
for employees of this state. The board shall adopt rules 330  
pursuant to Chapter 119. of the Revised Code to provide any 331

necessary standards or conditions for the administration of its 332  
programs, including any limits on the portion of a participating 333  
employee's compensation that may be deferred in order to avoid 334  
adverse treatment of the program by the internal revenue service 335  
or the occurrence of deferral, withholding, or other deductions 336  
in excess of the compensation available for any pay period. 337

Both of the following apply to a deferred compensation 338  
program established under this section: 339

(1) Any income deferred under the program shall continue 340  
to be included as regular compensation for the purpose of 341  
computing the contributions to and benefits from the retirement 342  
system of an employee; 343

(2) Any sums deferred shall not be included in the 344  
computation of any federal and state income taxes withheld on 345  
behalf of an employee. Sums contributed to a Roth account 346  
feature or other feature to which nontax-deferred contributions 347  
are made shall be included in the computation of any federal and 348  
state income taxes withheld on behalf of an employee. 349

(E) This section does not limit the authority of any 350  
municipal corporation, county, township, park district, 351  
conservancy district, sanitary district, health district, public 352  
library, county law library, public institution of higher 353  
education, or school district to provide separate authorized 354  
plans or programs for deferring compensation of their officers 355  
and employees in addition to the program for the deferral of 356  
compensation offered by the board. Any municipal corporation, 357  
township, public institution of higher education, or school 358  
district that offers such plans or programs shall include a 359  
reasonable number of options to its officers or employees for 360  
the investment of the deferred funds, including annuities, 361

variable annuities, regulated investment trusts, or other forms 362  
of investment approved by the municipal corporation, township, 363  
public institution of higher education, or school district, that 364  
will assure the desired tax treatment of the funds. 365

**Sec. 148.041.** (A) Unless the employee will be 366  
automatically enrolled in the Ohio public employees deferred 367  
compensation program under section 148.042 of the Revised Code, 368  
whenever an eligible employee becomes employed in a position 369  
paid by warrant of the director of budget and management, the 370  
employee's employer shall do both of the following at the time 371  
the employee completes the employee's initial employment 372  
paperwork: 373

(1) Provide to the employee materials provided by the ~~Ohio~~ 374  
public employees ~~deferred compensation retirement~~ board under 375  
division (D) of this section regarding the benefits of long-term 376  
savings through deferred compensation; 377

(2) Except as otherwise provided in division (E) of this 378  
section, secure, in writing or by electronic means, the 379  
employee's election to participate or not participate in a 380  
deferred compensation program offered by the board. 381

(B) An election regarding participation under this section 382  
shall be made in the manner prescribed by the board. 383

(C) The employer shall forward each election completed 384  
under this section to the program not later than forty-five days 385  
after the date the employee's employment begins. 386

(D) The board shall provide informational materials and 387  
participation forms to employers required to comply with this 388  
section. 389

(E) If an eligible employee transfers employment from one 390  
position paid by warrant of the director of budget and 391  
management to another position paid by warrant of the director 392  
of budget and management and, at the time of transfer, is a 393  
participating employee, the employee's new employer shall not be 394  
required to secure the employee's election to participate or not 395  
participate under division (A) (2) of this section. 396

**Sec. 148.042.** (A) As used in this section, "employing 397  
authority" means both of the following: 398

(1) The supreme court, house of representatives, senate, 399  
legislative service commission, secretary of state, auditor of 400  
state, treasurer of state, or attorney general with respect to 401  
employees of those entities; 402

(2) The director of administrative services, with respect 403  
to eligible employees employed in a position paid by warrant of 404  
the director of budget and management who are not employed by a 405  
person or entity listed in division (A) (1) of this section. 406

(B) (1) An employing authority may elect to automatically 407  
enroll employees described in division (C) (1) of this section in 408  
the Ohio public employees deferred compensation program. An 409  
employing authority that elects automatic enrollment shall 410  
notify the ~~Ohio public employees deferred compensation~~ 411  
retirement board of that election. Automatic enrollment shall 412  
commence as soon as administratively practical for the board and 413  
the employing authority. 414

(2) An employing authority that elects automatic 415  
enrollment may cease automatic enrollment by notifying the 416  
board. The employing authority shall specify in the notice the 417  
date on which automatic enrollment will cease, and that date 418

must be at least ninety days after the date the employing 419  
authority sends the notice. An employee who commences employment 420  
after automatic enrollment ceases may elect to participate in 421  
the program in accordance with section 148.04 or 148.041 of the 422  
Revised Code. Cessation of automatic enrollment does not affect 423  
the enrollment of employees enrolled during an automatic 424  
enrollment period. 425

An employing authority that ceases automatic enrollment 426  
may subsequently elect automatic enrollment by complying with 427  
division (B) (1) of this section. 428

(C) (1) An eligible employee employed by an employing 429  
authority that has elected automatic enrollment shall be 430  
automatically enrolled in the program if one of the following 431  
applies to the employee: 432

(a) The employee initially commences employment with the 433  
employing authority on or after the date automatic enrollment 434  
begins under division (B) of this section. 435

(b) The employee separates from employment with an 436  
employing authority, becomes a continuing member, and, on or 437  
after the date automatic enrollment begins, commences employment 438  
with that employing authority or a different employing 439  
authority. 440

(c) The employee is employed in a position paid by warrant 441  
of the director of budget and management and the employee 442  
transfers employment from an employing authority that has not 443  
elected to automatically enroll employees under this section to 444  
another position paid by warrant of the director of budget and 445  
management under an employing authority that has elected to 446  
automatically enroll employees, if the transfer occurs on or 447

after the date automatic enrollment begins. 448

(2) An employee who, at the time of transferring from one 449  
employing authority to another as described in division (C) (1) 450  
(c) of this section, is a participating employee shall not be 451  
automatically enrolled in the program by the employing authority 452  
to which the employee transfers. 453

(D) The board shall establish the automatic deferral 454  
amounts and specify the investment options into which those 455  
deferred amounts will be invested for participating employees 456  
who are enrolled under this section. Deferral amounts shall not 457  
exceed the lesser of either ten per cent of an eligible 458  
employee's compensation or the maximum contribution that the 459  
employee is eligible to contribute under federal law. 460

(E) An employing authority that elects to automatically 461  
enroll employees under this section shall provide those 462  
employees with notice of the employee's rights and obligations 463  
in the manner prescribed by the board. 464

(F) An employing authority shall not elect to 465  
automatically enroll an eligible employee under this section, or 466  
elect to cease automatic enrollment, if that election conflicts 467  
with any collective bargaining agreement entered into between 468  
the employing authority and an exclusive representative as 469  
defined in section 4117.01 of the Revised Code. 470

**Sec. 148.05.** (A) (1) As used in this division, "personal 471  
history record" means information maintained by the ~~Ohio~~-public 472  
employees ~~deferred compensation retirement~~ board on an 473  
individual who is a participating employee or continuing member 474  
that includes the address, telephone number, social security 475  
number, record of contributions, records of benefits, 476

correspondence with the Ohio public employees deferred 477  
compensation program, or other information the board determines 478  
to be confidential. 479

(2) The records of the board shall be open to public 480  
inspection, except that the following shall be excluded, except 481  
with the written authorization of the individual concerned: 482

(a) Information pertaining to an individual's participant 483  
account; 484

(b) The individual's personal history record. 485

(B) (1) All medical reports, records, and recommendations 486  
of a participating employee or a continuing member that are in 487  
the possession of the board are privileged. 488

(2) All tax information of a participating employee, 489  
continuing member, or former participant or member that is in 490  
the possession of the board shall be confidential to the extent 491  
the information is confidential under Title LVII or any other 492  
provision of the Revised Code. 493

(C) Notwithstanding the exceptions to public inspection in 494  
division (A) (2) of this section, the board may furnish the 495  
following information: 496

(1) If a participating employee, continuing member, or 497  
former participant or member is subject to an order issued under 498  
section 2907.15 of the Revised Code or is convicted of or pleads 499  
guilty to a violation of section 2921.41 of the Revised Code, on 500  
written request of a prosecutor as defined in section 2935.01 of 501  
the Revised Code, the board shall furnish to the prosecutor the 502  
information requested from the individual's personal history 503  
record or participant account. 504



(2) Pursuant to a court or administrative order issued 505  
pursuant to Chapter 3119., 3121., 3123., or 3125. of the Revised 506  
Code, the board shall furnish to a court or child support 507  
enforcement agency the information required under that section. 508

(3) Pursuant to an administrative subpoena issued by a 509  
state agency, the board shall furnish the information required 510  
by the subpoena. 511

(4) The board shall comply with orders issued under 512  
section 3105.87 of the Revised Code. 513

(D) A statement that contains information obtained from 514  
the program's records that is signed by the executive director 515  
or the director's designee and to which the board's official 516  
seal is affixed, or copies of the program's records to which the 517  
signature and seal are attached, shall be received as true 518  
copies of the board's records in any court or before any officer 519  
of this state. 520

**Sec. 148.10.** (A) Notwithstanding any other provision of 521  
this chapter, any payment, other than a survivorship benefit, 522  
that is to be made to a person by a deferred compensation 523  
program pursuant to those sections or a deferred compensation 524  
program offered by a government unit, as defined in section 525  
148.06 of the Revised Code, or by a municipal corporation is 526  
subject to any withholding order issued pursuant to section 527  
2907.15 or division (C) (2) (b) of section 2921.41 of the Revised 528  
Code. The ~~Ohio public employees deferred compensation retirement~~ 529  
board, the governing board, as defined in section 148.06 of the 530  
Revised Code, that is associated with a government unit, and the 531  
governing board, administrator, depository, or trustee of a 532  
deferred compensation program of a municipal corporation shall 533  
comply with that withholding order in making payment. 534

(B) Notwithstanding any other provision of this chapter, 535  
if a deferred compensation program receives a notice pursuant to 536  
section 2907.15 or division (D) of section 2921.41 of the 537  
Revised Code that a person who has a participant account has 538  
been charged with a violation of section 2907.02, 2907.03, 539  
2907.04, 2907.05, or 2921.41 of the Revised Code, no payment 540  
from that account shall be made prior to whichever of the 541  
following is applicable: 542

(1) If the person is convicted of or pleads guilty to the 543  
violation and a motion for a withholding order for purposes of 544  
restitution has not been filed under section 2907.15 or division 545  
(C) (2) (b) (i) of section 2921.41 of the Revised Code, thirty days 546  
after the day on which the person is sentenced for the 547  
violation; 548

(2) If the person is convicted of or pleads guilty to the 549  
violation and a motion for a withholding order for purposes of 550  
restitution has been filed under section 2907.15 or division (C) 551  
(2) (b) (i) of section 2921.41 of the Revised Code, the day on 552  
which the court decides the motion; 553

(3) If the charge is dismissed or the person is found not 554  
guilty or not guilty by reason of insanity of the violation, the 555  
day on which the dismissal of the charge or the verdict is 556  
entered in the journal of the court." 557

After line 32577, insert: 558

**"Sec. 2329.66.** (A) Every person who is domiciled in this 559  
state may hold property exempt from execution, garnishment, 560  
attachment, or sale to satisfy a judgment or order, as follows: 561

(1) (a) In the case of a judgment or order regarding money 562  
owed for health care services rendered or health care supplies 563

provided to the person or a dependent of the person, one parcel 564  
or item of real or personal property that the person or a 565  
dependent of the person uses as a residence. Division (A) (1) (a) 566  
of this section does not preclude, affect, or invalidate the 567  
creation under this chapter of a judgment lien upon the exempted 568  
property but only delays the enforcement of the lien until the 569  
property is sold or otherwise transferred by the owner or in 570  
accordance with other applicable laws to a person or entity 571  
other than the surviving spouse or surviving minor children of 572  
the judgment debtor. Every person who is domiciled in this state 573  
may hold exempt from a judgment lien created pursuant to 574  
division (A) (1) (a) of this section the person's interest, not to 575  
exceed one hundred twenty-five thousand dollars, in the exempted 576  
property. 577

(b) In the case of all other judgments and orders, the 578  
person's interest, not to exceed one hundred twenty-five 579  
thousand dollars, in one parcel or item of real or personal 580  
property that the person or a dependent of the person uses as a 581  
residence. 582

(c) For purposes of divisions (A) (1) (a) and (b) of this 583  
section, "parcel" means a tract of real property as identified 584  
on the records of the auditor of the county in which the real 585  
property is located. 586

(2) The person's interest, not to exceed three thousand 587  
two hundred twenty-five dollars, in one motor vehicle; 588

(3) The person's interest, not to exceed four hundred 589  
dollars, in cash on hand, money due and payable, money to become 590  
due within ninety days, tax refunds, and money on deposit with a 591  
bank, savings and loan association, credit union, public 592  
utility, landlord, or other person, other than personal 593

earnings. 594

(4) (a) The person's interest, not to exceed five hundred 595  
twenty-five dollars in any particular item or ten thousand seven 596  
hundred seventy-five dollars in aggregate value, in household 597  
furnishings, household goods, wearing apparel, appliances, 598  
books, animals, crops, musical instruments, firearms, and 599  
hunting and fishing equipment that are held primarily for the 600  
personal, family, or household use of the person; 601

(b) The person's aggregate interest in one or more items 602  
of jewelry, not to exceed one thousand three hundred fifty 603  
dollars, held primarily for the personal, family, or household 604  
use of the person or any of the person's dependents. 605

(5) The person's interest, not to exceed an aggregate of 606  
two thousand twenty-five dollars, in all implements, 607  
professional books, or tools of the person's profession, trade, 608  
or business, including agriculture; 609

(6) (a) The person's interest in a beneficiary fund set 610  
apart, appropriated, or paid by a benevolent association or 611  
society, as exempted by section 2329.63 of the Revised Code; 612

(b) The person's interest in contracts of life or 613  
endowment insurance or annuities, as exempted by section 3911.10 614  
of the Revised Code; 615

(c) The person's interest in a policy of group insurance 616  
or the proceeds of a policy of group insurance, as exempted by 617  
section 3917.05 of the Revised Code; 618

(d) The person's interest in money, benefits, charity, 619  
relief, or aid to be paid, provided, or rendered by a fraternal 620  
benefit society, as exempted by section 3921.18 of the Revised 621

Code; 622

(e) The person's interest in the portion of benefits under 623  
policies of sickness and accident insurance and in lump sum 624  
payments for dismemberment and other losses insured under those 625  
policies, as exempted by section 3923.19 of the Revised Code. 626

(7) The person's professionally prescribed or medically 627  
necessary health aids; 628

(8) The person's interest in a burial lot, including, but 629  
not limited to, exemptions under section 517.09 or 1721.07 of 630  
the Revised Code; 631

(9) The person's interest in the following: 632

(a) Moneys paid or payable for maintenance or rights, as 633  
exempted by section 3304.19 of the Revised Code; 634

(b) Workers' compensation, as exempted by section 4123.67 635  
of the Revised Code; 636

(c) Unemployment compensation benefits, as exempted by 637  
section 4141.32 of the Revised Code; 638

(d) Cash assistance payments under the Ohio works first 639  
program, as exempted by section 5107.75 of the Revised Code; 640

(e) Benefits and services under the prevention, retention, 641  
and contingency program, as exempted by section 5108.08 of the 642  
Revised Code; 643

(f) Payments under section 24 or 32 of the "Internal 644  
Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 645

(10)(a) Except in cases in which the person was convicted 646  
of or pleaded guilty to a violation of section 2921.41 of the 647  
Revised Code and in which an order for the withholding of 648

restitution from payments was issued under division (C) (2) (b) of 649  
that section, in cases in which an order for withholding was 650  
issued under section 2907.15 of the Revised Code, in cases in 651  
which an order for forfeiture was issued under division (A) or 652  
(B) of section 2929.192 of the Revised Code, and in cases in 653  
which an order was issued under section 2929.193 or 2929.194 of 654  
the Revised Code, and only to the extent provided in the order, 655  
and except as provided in sections 3105.171, 3105.63, 3119.80, 656  
3119.81, 3121.02, 3121.03, and 3123.06 of the Revised Code, the 657  
person's rights to or interests in a pension, benefit, annuity, 658  
retirement allowance, or accumulated contributions, the person's 659  
rights to or interests in a participant account in any deferred 660  
compensation program offered by the ~~Ohio~~ public employees 661  
~~deferred compensation retirement~~ board, a government unit, or a 662  
municipal corporation, or the person's other accrued or accruing 663  
rights or interests, as exempted by section 143.11, 145.56, 664  
146.13, 148.09, 742.47, 3307.41, 3309.66, or 5505.22 of the 665  
Revised Code, and the person's rights to or interests in 666  
benefits from the Ohio public safety officers death benefit 667  
fund; 668

(b) Except as provided in sections 3119.80, 3119.81, 669  
3121.02, 3121.03, and 3123.06 of the Revised Code, the person's 670  
rights to receive or interests in receiving a payment or other 671  
benefits under any pension, annuity, or similar plan or 672  
contract, not including a payment or benefit from a stock bonus 673  
or profit-sharing plan or a payment included in division (A) (6) 674  
(b) or (10) (a) of this section, on account of illness, 675  
disability, death, age, or length of service, to the extent 676  
reasonably necessary for the support of the person and any of 677  
the person's dependents, except if all the following apply: 678

(i) The plan or contract was established by or under the 679  
auspices of an insider that employed the person at the time the 680  
person's rights or interests under the plan or contract arose. 681

(ii) The payment is on account of age or length of 682  
service. 683

(iii) The plan or contract is not qualified under the 684  
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as 685  
amended. 686

(c) Except for any portion of the assets that were 687  
deposited for the purpose of evading the payment of any debt and 688  
except as provided in sections 3119.80, 3119.81, 3121.02, 689  
3121.03, and 3123.06 of the Revised Code, the person's rights or 690  
interests in the assets held in, or to directly or indirectly 691  
receive any payment or benefit under, any individual retirement 692  
account, individual retirement annuity, "Roth IRA," account 693  
opened pursuant to a program administered by a state under 694  
section 529 or 529A of the "Internal Revenue Code of 1986," 100 695  
Stat. 2085, 26 U.S.C. 1, as amended, or education individual 696  
retirement account that provides payments or benefits by reason 697  
of illness, disability, death, retirement, or age or provides 698  
payments or benefits for purposes of education or qualified 699  
disability expenses, to the extent that the assets, payments, or 700  
benefits described in division (A)(10)(c) of this section are 701  
attributable to or derived from any of the following or from any 702  
earnings, dividends, interest, appreciation, or gains on any of 703  
the following: 704

(i) Contributions of the person that were less than or 705  
equal to the applicable limits on deductible contributions to an 706  
individual retirement account or individual retirement annuity 707  
in the year that the contributions were made, whether or not the 708

person was eligible to deduct the contributions on the person's 709  
federal tax return for the year in which the contributions were 710  
made; 711

(ii) Contributions of the person that were less than or 712  
equal to the applicable limits on contributions to a Roth IRA or 713  
education individual retirement account in the year that the 714  
contributions were made; 715

(iii) Contributions of the person that are within the 716  
applicable limits on rollover contributions under subsections 717  
219, 402(c), 403(a)(4), 403(b)(8), 408(b), 408(d)(3), 408A(c)(3) 718  
(B), 408A(d)(3), and 530(d)(5) of the "Internal Revenue Code of 719  
1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended; 720

(iv) Contributions by any person into any plan, fund, or 721  
account that is formed, created, or administered pursuant to, or 722  
is otherwise subject to, section 529 or 529A of the "Internal 723  
Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 724

(d) Except for any portion of the assets that were 725  
deposited for the purpose of evading the payment of any debt and 726  
except as provided in sections 3119.80, 3119.81, 3121.02, 727  
3121.03, and 3123.06 of the Revised Code, the person's rights or 728  
interests in the assets held in, or to receive any payment 729  
under, any Keogh or "H.R. 10" plan that provides benefits by 730  
reason of illness, disability, death, retirement, or age, to the 731  
extent reasonably necessary for the support of the person and 732  
any of the person's dependents. 733

(e) The person's rights to or interests in any assets held 734  
in, or to directly or indirectly receive any payment or benefit 735  
under, any individual retirement account, individual retirement 736  
annuity, "Roth IRA," account opened pursuant to a program 737



administered by a state under section 529 or 529A of the 738  
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as 739  
amended, or education individual retirement account that a 740  
decedent, upon or by reason of the decedent's death, directly or 741  
indirectly left to or for the benefit of the person, either 742  
outright or in trust or otherwise, including, but not limited 743  
to, any of those rights or interests in assets or to receive 744  
payments or benefits that were transferred, conveyed, or 745  
otherwise transmitted by the decedent by means of a will, trust, 746  
exercise of a power of appointment, beneficiary designation, 747  
transfer or payment on death designation, or any other method or 748  
procedure. 749

(f) The exemptions under divisions (A)(10)(a) to (e) of 750  
this section also shall apply or otherwise be available to an 751  
alternate payee under a qualified domestic relations order 752  
(QDRO) or other similar court order. 753

(g) A person's interest in any plan, program, instrument, 754  
or device described in divisions (A)(10)(a) to (e) of this 755  
section shall be considered an exempt interest even if the plan, 756  
program, instrument, or device in question, due to an error made 757  
in good faith, failed to satisfy any criteria applicable to that 758  
plan, program, instrument, or device under the "Internal Revenue 759  
Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 760

(11) The person's right to receive spousal support, child 761  
support, an allowance, or other maintenance to the extent 762  
reasonably necessary for the support of the person and any of 763  
the person's dependents; 764

(12) The person's right to receive, or moneys received 765  
during the preceding twelve calendar months from, any of the 766  
following: 767

(a) An award of reparations under sections 2743.51 to 768  
2743.72 of the Revised Code, to the extent exempted by division 769  
(D) of section 2743.66 of the Revised Code; 770

(b) A payment on account of the wrongful death of an 771  
individual of whom the person was a dependent on the date of the 772  
individual's death, to the extent reasonably necessary for the 773  
support of the person and any of the person's dependents; 774

(c) Except in cases in which the person who receives the 775  
payment is an inmate, as defined in section 2969.21 of the 776  
Revised Code, and in which the payment resulted from a civil 777  
action or appeal against a government entity or employee, as 778  
defined in section 2969.21 of the Revised Code, a payment, not 779  
to exceed twenty thousand two hundred dollars, on account of 780  
personal bodily injury, not including pain and suffering or 781  
compensation for actual pecuniary loss, of the person or an 782  
individual for whom the person is a dependent; 783

(d) A payment in compensation for loss of future earnings 784  
of the person or an individual of whom the person is or was a 785  
dependent, to the extent reasonably necessary for the support of 786  
the debtor and any of the debtor's dependents. 787

(13) Except as provided in sections 3119.80, 3119.81, 788  
3121.02, 3121.03, and 3123.06 of the Revised Code, personal 789  
earnings of the person owed to the person for services in an 790  
amount equal to the greater of the following amounts: 791

(a) If paid weekly, thirty times the current federal 792  
minimum hourly wage; if paid biweekly, sixty times the current 793  
federal minimum hourly wage; if paid semimonthly, sixty-five 794  
times the current federal minimum hourly wage; or if paid 795  
monthly, one hundred thirty times the current federal minimum 796

hourly wage that is in effect at the time the earnings are 797  
payable, as prescribed by the "Fair Labor Standards Act of 798  
1938," 52 Stat. 1060, 29 U.S.C. 206(a)(1), as amended; 799

(b) Seventy-five per cent of the disposable earnings owed 800  
to the person. 801

(14) The person's right in specific partnership property, 802  
as exempted by the person's rights in a partnership pursuant to 803  
section 1776.50 of the Revised Code, except as otherwise set 804  
forth in section 1776.50 of the Revised Code; 805

(15) A seal and official register of a notary public, as 806  
exempted by section 147.04 of the Revised Code; 807

(16) The person's interest in a tuition unit or a payment 808  
under section 3334.09 of the Revised Code pursuant to a tuition 809  
payment contract, as exempted by section 3334.15 of the Revised 810  
Code; 811

(17) Any other property that is specifically exempted from 812  
execution, attachment, garnishment, or sale by federal statutes 813  
other than the "Bankruptcy Reform Act of 1978," 92 Stat. 2549, 814  
11 U.S.C.A. 101, as amended; 815

(18) The person's aggregate interest in any property, not 816  
to exceed one thousand seventy-five dollars, except that 817  
division (A)(18) of this section applies only in bankruptcy 818  
proceedings. 819

(B) On April 1, 2010, and on the first day of April in 820  
each third calendar year after 2010, the Ohio judicial 821  
conference shall adjust each dollar amount set forth in this 822  
section to reflect any increase in the consumer price index for 823  
all urban consumers, as published by the United States 824

department of labor, or, if that index is no longer published, a 825  
generally available comparable index, for the three-year period 826  
ending on the thirty-first day of December of the preceding 827  
year. Any adjustments required by this division shall be rounded 828  
to the nearest twenty-five dollars. 829

The Ohio judicial conference shall prepare a memorandum 830  
specifying the adjusted dollar amounts. The judicial conference 831  
shall transmit the memorandum to the director of the legislative 832  
service commission, and the director shall publish the 833  
memorandum in the register of Ohio. (Publication of the 834  
memorandum in the register of Ohio shall continue until the next 835  
memorandum specifying an adjustment is so published.) The 836  
judicial conference also may publish the memorandum in any other 837  
manner it concludes will be reasonably likely to inform persons 838  
who are affected by its adjustment of the dollar amounts. 839

(C) As used in this section: 840

(1) "Disposable earnings" means net earnings after the 841  
garnishee has made deductions required by law, excluding the 842  
deductions ordered pursuant to section 3119.80, 3119.81, 843  
3121.02, 3121.03, or 3123.06 of the Revised Code. 844

(2) "Insider" means: 845

(a) If the person who claims an exemption is an 846  
individual, a relative of the individual, a relative of a 847  
general partner of the individual, a partnership in which the 848  
individual is a general partner, a general partner of the 849  
individual, or a corporation of which the individual is a 850  
director, officer, or in control; 851

(b) If the person who claims an exemption is a 852  
corporation, a director or officer of the corporation; a person 853

in control of the corporation; a partnership in which the 854  
corporation is a general partner; a general partner of the 855  
corporation; or a relative of a general partner, director, 856  
officer, or person in control of the corporation; 857

(c) If the person who claims an exemption is a 858  
partnership, a general partner in the partnership; a general 859  
partner of the partnership; a person in control of the 860  
partnership; a partnership in which the partnership is a general 861  
partner; or a relative in, a general partner of, or a person in 862  
control of the partnership; 863

(d) An entity or person to which or whom any of the 864  
following applies: 865

(i) The entity directly or indirectly owns, controls, or 866  
holds with power to vote, twenty per cent or more of the 867  
outstanding voting securities of the person who claims an 868  
exemption, unless the entity holds the securities in a fiduciary 869  
or agency capacity without sole discretionary power to vote the 870  
securities or holds the securities solely to secure to debt and 871  
the entity has not in fact exercised the power to vote. 872

(ii) The entity is a corporation, twenty per cent or more 873  
of whose outstanding voting securities are directly or 874  
indirectly owned, controlled, or held with power to vote, by the 875  
person who claims an exemption or by an entity to which division 876  
(C) (2) (d) (i) of this section applies. 877

(iii) A person whose business is operated under a lease or 878  
operating agreement by the person who claims an exemption, or a 879  
person substantially all of whose business is operated under an 880  
operating agreement with the person who claims an exemption. 881

(iv) The entity operates the business or all or 882

substantially all of the property of the person who claims an 883  
exemption under a lease or operating agreement. 884

(e) An insider, as otherwise defined in this section, of a 885  
person or entity to which division (C)(2)(d)(i), (ii), (iii), or 886  
(iv) of this section applies, as if the person or entity were a 887  
person who claims an exemption; 888

(f) A managing agent of the person who claims an 889  
exemption. 890

(3) "Participant account" has the same meaning as in 891  
section 148.01 of the Revised Code. 892

(4) "Government unit" has the same meaning as in section 893  
148.06 of the Revised Code. 894

(D) For purposes of this section, "interest" shall be 895  
determined as follows: 896

(1) In bankruptcy proceedings, as of the date a petition 897  
is filed with the bankruptcy court commencing a case under Title 898  
11 of the United States Code; 899

(2) In all cases other than bankruptcy proceedings, as of 900  
the date of an appraisal, if necessary under section 2329.68 of 901  
the Revised Code, or the issuance of a writ of execution. 902

An interest, as determined under division (D)(1) or (2) of 903  
this section, shall not include the amount of any lien otherwise 904  
valid pursuant to section 2329.661 of the Revised Code. 905

**Sec. 2907.15.** (A) As used in this section: 906

(1) "Public retirement system" means the public employees 907  
retirement system, state teachers retirement system, school 908  
employees retirement system, Ohio police and fire pension fund, 909

state highway patrol retirement system, or a municipal 910  
retirement system of a municipal corporation of this state. 911

(2) "Government deferred compensation program" means such 912  
a program offered by the ~~Ohio~~ public employees ~~deferred-~~ 913  
~~compensation-retirement~~ board; a municipal corporation; or a 914  
~~governmental-government~~ unit, as defined in section 148.06 of 915  
the Revised Code. 916

(3) "Deferred compensation program participant" means a 917  
"participating employee" or "continuing member," as defined in 918  
section 148.01 of the Revised Code, or any other public employee 919  
who has funds in a government deferred compensation program. 920

(4) "Alternative retirement plan" means an alternative 921  
retirement plan provided pursuant to Chapter 3305. of the 922  
Revised Code. 923

(5) "Prosecutor" has the same meaning as in section 924  
2935.01 of the Revised Code. 925

In any case in which a sentencing court orders restitution 926  
to the victim under section 2929.18 or 2929.28 of the Revised 927  
Code for a violation of section 2907.02, 2907.03, 2907.04, or 928  
2907.05 of the Revised Code and in which the offender is a 929  
government deferred compensation program participant, is an 930  
electing employee, as defined in section 3305.01 of the Revised 931  
Code, or is a member of, or receiving a pension, benefit, or 932  
allowance, other than a survivorship benefit, from, a public 933  
retirement system and committed the offense against a child, 934  
student, patient, or other person with whom the offender had 935  
contact in the context of the offender's public employment, at 936  
the request of the victim the prosecutor shall file a motion 937  
with the sentencing court specifying the government deferred 938

compensation program, alternative retirement plan, or public 939  
retirement system and requesting that the court issue an order 940  
requiring the government deferred compensation program, 941  
alternative retirement plan, or public retirement system to 942  
withhold the amount required as restitution from one or more of 943  
the following: any payment to be made from a government deferred 944  
compensation program, any payment or benefit under an 945  
alternative retirement plan, or under a pension, annuity, 946  
allowance, or any other benefit, other than a survivorship 947  
benefit, that has been or is in the future granted to the 948  
offender; from any payment of accumulated employee contributions 949  
standing to the offender's credit with the government deferred 950  
compensation program, alternative retirement plan, or public 951  
retirement system; or from any payment of any other amounts to 952  
be paid to the offender pursuant to Chapter 145., 148., 742., 953  
3307., 3309., or 5505. of the Revised Code on withdrawal of 954  
contributions. The motion may be filed at any time subsequent to 955  
the conviction of the offender or entry of a guilty plea. On the 956  
filing of the motion, the clerk of the court in which the motion 957  
is filed shall notify the offender and the government deferred 958  
compensation program, alternative retirement plan, or public 959  
retirement system, in writing, of all of the following: that the 960  
motion was filed; that the offender will be granted a hearing on 961  
the issuance of the requested order if the offender files a 962  
written request for a hearing with the clerk prior to the 963  
expiration of thirty days after the offender receives the 964  
notice; that, if a hearing is requested, the court will schedule 965  
a hearing as soon as possible and notify the offender and the 966  
government deferred compensation program, alternative retirement 967  
plan, or public retirement system of the date, time, and place 968  
of the hearing; that, if a hearing is conducted, it will be 969



limited to a consideration of whether the offender can show good 970  
cause why the order should not be issued; that, if a hearing is 971  
conducted, the court will not issue the order if the court 972  
determines, based on evidence presented at the hearing by the 973  
offender, that there is good cause for the order not to be 974  
issued; that the court will issue the order if a hearing is not 975  
requested or if a hearing is conducted but the court does not 976  
determine, based on evidence presented at the hearing by the 977  
offender, that there is good cause for the order not to be 978  
issued; and that, if the order is issued, the government 979  
deferred compensation program, alternative retirement plan, or 980  
public retirement system specified in the motion will be 981  
required to withhold the amount required as restitution from 982  
payments to the offender. 983

(B) In any case in which a motion requesting the issuance 984  
of a withholding order as described in division (A) of this 985  
section is filed, the offender may receive a hearing on the 986  
motion by delivering a written request for a hearing to the 987  
court prior to the expiration of thirty days after the 988  
offender's receipt of the notice provided pursuant to division 989  
(A) of this section. If the offender requests a hearing within 990  
the prescribed time, the court shall schedule a hearing as soon 991  
as possible after the request is made and notify the offender 992  
and the government deferred compensation program, alternative 993  
retirement plan, or public retirement system of the date, time, 994  
and place of the hearing. A hearing scheduled under this 995  
division shall be limited to a consideration of whether there is 996  
good cause, based on evidence presented by the offender, for the 997  
requested order not to be issued. If the court determines, based 998  
on evidence presented by the offender, that there is good cause 999  
for the order not to be issued, the court shall deny the motion 1000

and shall not issue the order. Good cause for not issuing the 1001  
order includes a determination by the court that the order would 1002  
severely impact the offender's ability to support the offender's 1003  
dependents. 1004

If the offender does not request a hearing within the 1005  
prescribed time or the court conducts a hearing but does not 1006  
determine, based on evidence presented by the offender, that 1007  
there is good cause for the order not to be issued, the court 1008  
shall order the government deferred compensation program, 1009  
alternative retirement plan, or public retirement system to 1010  
withhold the amount required as restitution from one or more of 1011  
the following: any payments to be made from a government 1012  
deferred compensation program, any payment or benefit under an 1013  
alternative retirement plan, or under a pension, annuity, 1014  
allowance, or under any other benefit, other than a survivorship 1015  
benefit, that has been or is in the future granted to the 1016  
offender; from any payment of accumulated employee contributions 1017  
standing to the offender's credit with the government deferred 1018  
compensation program, alternative retirement plan, or public 1019  
retirement system; or from any payment of any other amounts to 1020  
be paid to the offender upon withdrawal of contributions 1021  
pursuant to Chapter 145., 148., 742., 3307., 3309., or 5505. of 1022  
the Revised Code and to continue the withholding for that 1023  
purpose, in accordance with the order, out of each payment to be 1024  
made on or after the date of issuance of the order, until 1025  
further order of the court. On receipt of an order issued under 1026  
this division, the government deferred compensation program, 1027  
alternative retirement plan, or public retirement system shall 1028  
withhold the amount required as restitution, in accordance with 1029  
the order, from any such payments and immediately forward the 1030  
amount withheld to the clerk of the court in which the order was 1031

issued for payment to the person to whom restitution is to be 1032  
made. The order shall not apply to any portion of payments made 1033  
from a government deferred compensation program, alternative 1034  
retirement plan, or public retirement system to a person other 1035  
than the offender pursuant to a previously issued domestic court 1036  
order. 1037

(C) Service of a notice required by division (A) or (B) of 1038  
this section shall be effected in the same manner as provided in 1039  
the Rules of Civil Procedure for the service of process. 1040

(D) Upon the filing of charges under section 2907.02, 1041  
2907.03, 2907.04, or 2907.05 of the Revised Code against a 1042  
person who is a deferred compensation program participant, an 1043  
electing employee participating in an alternative retirement 1044  
plan, or a member of, or receiving a pension benefit, or 1045  
allowance, other than a survivorship benefit, from a public 1046  
retirement system for an offense against a child, student, 1047  
patient, or other person with whom the offender had contact in 1048  
the context of the offender's public employment, the prosecutor 1049  
shall send written notice that charges have been filed against 1050  
that person to the appropriate government deferred compensation 1051  
program, alternative retirement plan, or public retirement 1052  
system. The notice shall specifically identify the person 1053  
charged." 1054

After line 33688, insert: 1055

**"Sec. 2921.41.** (A) No public official or party official 1056  
shall commit any theft offense, as defined in division (K) of 1057  
section 2913.01 of the Revised Code, when either of the 1058  
following applies: 1059

(1) The offender uses the offender's office in aid of 1060

committing the offense or permits or assents to its use in aid 1061  
of committing the offense; 1062

(2) The property or service involved is owned by this 1063  
state, any other state, the United States, a county, a municipal 1064  
corporation, a township, or any political subdivision, 1065  
department, or agency of any of them, is owned by a political 1066  
party, or is part of a political campaign fund. 1067

(B) Whoever violates this section is guilty of theft in 1068  
office. Except as otherwise provided in this division, theft in 1069  
office is a felony of the fifth degree. If the value of property 1070  
or services stolen is one thousand dollars or more and is less 1071  
than seven thousand five hundred dollars, theft in office is a 1072  
felony of the fourth degree. If the value of property or 1073  
services stolen is seven thousand five hundred dollars or more 1074  
and is less than one hundred fifty thousand dollars, theft in 1075  
office is a felony of the third degree. If the value of property 1076  
or services stolen is one hundred fifty thousand dollars or more 1077  
and is less than seven hundred fifty thousand dollars, theft in 1078  
office is a felony of the second degree. If the value of 1079  
property or services stolen is seven hundred fifty thousand 1080  
dollars or more, theft in office is a felony of the first 1081  
degree. 1082

(C) (1) A public official or party official who pleads 1083  
guilty to theft in office and whose plea is accepted by the 1084  
court or a public official or party official against whom a 1085  
verdict or finding of guilt for committing theft in office is 1086  
returned is forever disqualified from holding any public office, 1087  
employment, or position of trust in this state. 1088

(2) (a) (i) A court that imposes sentence for a violation of 1089  
this section based on conduct described in division (A) (2) of 1090

this section shall require the public official or party official 1091  
who is convicted of or pleads guilty to the offense to make 1092  
restitution for all of the property or the service that is the 1093  
subject of the offense, in addition to the term of imprisonment 1094  
and any fine imposed. The total amount of restitution imposed 1095  
under this division shall include costs of auditing the public 1096  
entities specified in division (A) (2) of this section that own 1097  
the property or service involved in the conduct described in 1098  
that division that is a violation of this section, but, except 1099  
as otherwise provided in a negotiated plea agreement, shall not 1100  
exceed the amount of the restitution imposed for all of the 1101  
property or the service that is the subject of the offense. 1102

(ii) A court that imposes sentence for a violation of this 1103  
section based on conduct described in division (A) (1) of this 1104  
section and that determines at trial that this state or a 1105  
political subdivision of this state if the offender is a public 1106  
official, or a political party in the United States or this 1107  
state if the offender is a party official, suffered actual loss 1108  
as a result of the offense shall require the offender to make 1109  
restitution to the state, political subdivision, or political 1110  
party for all of the actual loss experienced, in addition to the 1111  
term of imprisonment and any fine imposed. The total amount of 1112  
restitution imposed under this division shall include costs of 1113  
auditing the state, political subdivision, or political party 1114  
that suffered the actual loss based on conduct described in that 1115  
division that is a violation of this section, but, except as 1116  
otherwise provided in a negotiated plea agreement, shall not 1117  
exceed the amount of the restitution imposed for all of the 1118  
actual loss suffered. 1119

(b) (i) In any case in which a sentencing court is required 1120

to order restitution under division (C) (2) (a) of this section 1121  
and in which the offender, at the time of the commission of the 1122  
offense or at any other time, was a member of the public 1123  
employees retirement system, the Ohio police and fire pension 1124  
fund, the state teachers retirement system, the school employees 1125  
retirement system, or the state highway patrol retirement 1126  
system; was an electing employee, as defined in section 3305.01 1127  
of the Revised Code, participating in an alternative retirement 1128  
plan provided pursuant to Chapter 3305. of the Revised Code; was 1129  
a participating employee or continuing member, as defined in 1130  
section 148.01 of the Revised Code, in a deferred compensation 1131  
program offered by the ~~Ohio~~ public employees ~~deferred~~ 1132  
~~compensation-retirement~~ board; was an officer or employee of a 1133  
municipal corporation who was a participant in a deferred 1134  
compensation program offered by that municipal corporation; was 1135  
an officer or employee of a government unit, as defined in 1136  
section 148.06 of the Revised Code, who was a participant in a 1137  
deferred compensation program offered by that government unit, 1138  
or was a participating employee, continuing member, or 1139  
participant in any deferred compensation program described in 1140  
this division and a member of a retirement system specified in 1141  
this division or a retirement system of a municipal corporation, 1142  
the entity to which restitution is to be made may file a motion 1143  
with the sentencing court specifying any retirement system, any 1144  
provider as defined in section 3305.01 of the Revised Code, and 1145  
any deferred compensation program of which the offender was a 1146  
member, electing employee, participating employee, continuing 1147  
member, or participant and requesting the court to issue an 1148  
order requiring the specified retirement system, the specified 1149  
provider under the alternative retirement plan, or the specified 1150  
deferred compensation program, or, if more than one is specified 1151

in the motion, the applicable combination of these, to withhold 1152  
the amount required as restitution from any payment that is to 1153  
be made under a pension, annuity, or allowance, under an option 1154  
in the alternative retirement plan, under a participant account, 1155  
as defined in section 148.01 of the Revised Code, or under any 1156  
other type of benefit, other than a survivorship benefit, that 1157  
has been or is in the future granted to the offender, from any 1158  
payment of accumulated employee contributions standing to the 1159  
offender's credit with that retirement system, that provider of 1160  
the option under the alternative retirement plan, or that 1161  
deferred compensation program, or, if more than one is specified 1162  
in the motion, the applicable combination of these, and from any 1163  
payment of any other amounts to be paid to the offender upon the 1164  
offender's withdrawal of the offender's contributions pursuant 1165  
to Chapter 145., 148., 742., 3307., 3309., or 5505. of the 1166  
Revised Code. A motion described in this division may be filed 1167  
at any time subsequent to the conviction of the offender or 1168  
entry of a guilty plea. Upon the filing of the motion, the clerk 1169  
of the court in which the motion is filed shall notify the 1170  
offender, the specified retirement system, the specified 1171  
provider under the alternative retirement plan, or the specified 1172  
deferred compensation program, or, if more than one is specified 1173  
in the motion, the applicable combination of these, in writing, 1174  
of all of the following: that the motion was filed; that the 1175  
offender will be granted a hearing on the issuance of the 1176  
requested order if the offender files a written request for a 1177  
hearing with the clerk prior to the expiration of thirty days 1178  
after the offender receives the notice; that, if a hearing is 1179  
requested, the court will schedule a hearing as soon as possible 1180  
and notify the offender, any specified retirement system, any 1181  
specified provider under an alternative retirement plan, and any 1182

specified deferred compensation program of the date, time, and 1183  
place of the hearing; that, if a hearing is conducted, it will 1184  
be limited only to a consideration of whether the offender can 1185  
show good cause why the requested order should not be issued; 1186  
that, if a hearing is conducted, the court will not issue the 1187  
requested order if the court determines, based on evidence 1188  
presented at the hearing by the offender, that there is good 1189  
cause for the requested order not to be issued; that the court 1190  
will issue the requested order if a hearing is not requested or 1191  
if a hearing is conducted but the court does not determine, 1192  
based on evidence presented at the hearing by the offender, that 1193  
there is good cause for the requested order not to be issued; 1194  
and that, if the requested order is issued, any retirement 1195  
system, any provider under an alternative retirement plan, and 1196  
any deferred compensation program specified in the motion will 1197  
be required to withhold the amount required as restitution from 1198  
payments to the offender. 1199

(ii) In any case in which a sentencing court is required 1200  
to order restitution under division (C)(2)(a) of this section 1201  
and in which a motion requesting the issuance of a withholding 1202  
order as described in division (C)(2)(b)(i) of this section is 1203  
filed, the offender may receive a hearing on the motion by 1204  
delivering a written request for a hearing to the court prior to 1205  
the expiration of thirty days after the offender's receipt of 1206  
the notice provided pursuant to division (C)(2)(b)(i) of this 1207  
section. If a request for a hearing is made by the offender 1208  
within the prescribed time, the court shall schedule a hearing 1209  
as soon as possible after the request is made and shall notify 1210  
the offender, the specified retirement system, the specified 1211  
provider under the alternative retirement plan, or the specified 1212  
deferred compensation program, or, if more than one is specified 1213



in the motion, the applicable combination of these, of the date, 1214  
time, and place of the hearing. A hearing scheduled under this 1215  
division shall be limited to a consideration of whether there is 1216  
good cause, based on evidence presented by the offender, for the 1217  
requested order not to be issued. If the court determines, based 1218  
on evidence presented by the offender, that there is good cause 1219  
for the order not to be issued, the court shall deny the motion 1220  
and shall not issue the requested order. If the offender does 1221  
not request a hearing within the prescribed time or if the court 1222  
conducts a hearing but does not determine, based on evidence 1223  
presented by the offender, that there is good cause for the 1224  
order not to be issued, the court shall order the specified 1225  
retirement system, the specified provider under the alternative 1226  
retirement plan, or the specified deferred compensation program, 1227  
or, if more than one is specified in the motion, the applicable 1228  
combination of these, to withhold the amount required as 1229  
restitution under division (C) (2) (a) of this section from any 1230  
payments to be made under a pension, annuity, or allowance, 1231  
under a participant account, as defined in section 148.01 of the 1232  
Revised Code, under an option in the alternative retirement 1233  
plan, or under any other type of benefit, other than a 1234  
survivorship benefit, that has been or is in the future granted 1235  
to the offender, from any payment of accumulated employee 1236  
contributions standing to the offender's credit with that 1237  
retirement system, that provider under the alternative 1238  
retirement plan, or that deferred compensation program, or, if 1239  
more than one is specified in the motion, the applicable 1240  
combination of these, and from any payment of any other amounts 1241  
to be paid to the offender upon the offender's withdrawal of the 1242  
offender's contributions pursuant to Chapter 145., 148., 742., 1243  
3307., 3309., or 5505. of the Revised Code, and to continue the 1244

withholding for that purpose, in accordance with the order, out 1245  
of each payment to be made on or after the date of issuance of 1246  
the order, until further order of the court. Upon receipt of an 1247  
order issued under this division, the public employees 1248  
retirement system, the Ohio police and fire pension fund, the 1249  
state teachers retirement system, the school employees 1250  
retirement system, the state highway patrol retirement system, a 1251  
municipal corporation retirement system, the provider under the 1252  
alternative retirement plan, and the deferred compensation 1253  
program offered by the ~~Ohio~~ public employees ~~deferred~~ 1254  
~~compensation~~ retirement board, a municipal corporation, or a 1255  
government unit, as defined in section 148.06 of the Revised 1256  
Code, whichever are applicable, shall withhold the amount 1257  
required as restitution, in accordance with the order, from any 1258  
such payments and immediately shall forward the amount withheld 1259  
to the clerk of the court in which the order was issued for 1260  
payment to the entity to which restitution is to be made. 1261

(iii) Service of a notice required by division (C) (2) (b) 1262  
(i) or (ii) of this section shall be effected in the same manner 1263  
as provided in the Rules of Civil Procedure for the service of 1264  
process. 1265

(c) Consistent with the ruling of the supreme court of the 1266  
United States in Kelly v. Robinson, 479 U.S. 36 (1986), 1267  
restitution imposed under division (C) (2) (a) of this section is 1268  
not dischargeable under Chapter 7 of the United States 1269  
Bankruptcy Code pursuant to 11 U.S.C. 523, as amended. 1270

(D) Upon the filing of charges against a person under this 1271  
section, the prosecutor, as defined in section 2935.01 of the 1272  
Revised Code, who is assigned the case shall send written notice 1273  
that charges have been filed against that person to the public 1274

employees retirement system, the Ohio police and fire pension 1275  
fund, the state teachers retirement system, the school employees 1276  
retirement system, the state highway patrol retirement system, 1277  
the provider under an alternative retirement plan, any municipal 1278  
corporation retirement system in this state, and the deferred 1279  
compensation program offered by the ~~Ohio~~-public employees 1280  
~~deferred compensation retirement~~ board, a municipal corporation, 1281  
or a government unit, as defined in section 148.06 of the 1282  
Revised Code. The written notice shall specifically identify the 1283  
person charged." 1284

After line 35587, insert: 1285

**"Sec. 3105.171.** (A) As used in this section: 1286

(1) "Distributive award" means any payment or payments, in 1287  
real or personal property, that are payable in a lump sum or 1288  
over time, in fixed amounts, that are made from separate 1289  
property or income, and that are not made from marital property 1290  
and do not constitute payments of spousal support, as defined in 1291  
section 3105.18 of the Revised Code. 1292

(2) "During the marriage" means whichever of the following 1293  
is applicable: 1294

(a) Except as provided in division (A) (2) (b) of this 1295  
section, the period of time from the date of the marriage 1296  
through the date of the final hearing in an action for divorce 1297  
or in an action for legal separation; 1298

(b) If the court determines that the use of either or both 1299  
of the dates specified in division (A) (2) (a) of this section 1300  
would be inequitable, the court may select dates that it 1301  
considers equitable in determining marital property. If the 1302  
court selects dates that it considers equitable in determining 1303

marital property, "during the marriage" means the period of time 1304  
between those dates selected and specified by the court. 1305

(3) (a) "Marital property" means, subject to division (A) 1306  
(3) (b) of this section, all of the following: 1307

(i) All real and personal property that currently is owned 1308  
by either or both of the spouses, including, but not limited to, 1309  
the retirement benefits of the spouses, and that was acquired by 1310  
either or both of the spouses during the marriage; 1311

(ii) All interest that either or both of the spouses 1312  
currently has in any real or personal property, including, but 1313  
not limited to, the retirement benefits of the spouses, and that 1314  
was acquired by either or both of the spouses during the 1315  
marriage; 1316

(iii) Except as otherwise provided in this section, all 1317  
income and appreciation on separate property, due to the labor, 1318  
monetary, or in-kind contribution of either or both of the 1319  
spouses that occurred during the marriage; 1320

(iv) A participant account, as defined in section 148.01 1321  
of the Revised Code, of either of the spouses, to the extent of 1322  
the following: the moneys that have been deferred by a 1323  
continuing member or participating employee, as defined in that 1324  
section, and that have been transmitted to the ~~Ohio~~-public 1325  
employees ~~deferred compensation~~-retirement board during the 1326  
marriage and any income that is derived from the investment of 1327  
those moneys during the marriage; the moneys that have been 1328  
deferred by an officer or employee of a municipal corporation 1329  
and that have been transmitted to the governing board, 1330  
administrator, depository, or trustee of the deferred 1331  
compensation program of the municipal corporation during the 1332

marriage and any income that is derived from the investment of 1333  
those moneys during the marriage; or the moneys that have been 1334  
deferred by an officer or employee of a government unit, as 1335  
defined in section 148.06 of the Revised Code, and that have 1336  
been transmitted to the governing board, as defined in that 1337  
section, during the marriage and any income that is derived from 1338  
the investment of those moneys during the marriage. 1339

(b) "Marital property" does not include any separate 1340  
property. 1341

(4) "Passive income" means income acquired other than as a 1342  
result of the labor, monetary, or in-kind contribution of either 1343  
spouse. 1344

(5) "Personal property" includes both tangible and 1345  
intangible personal property. 1346

(6) (a) "Separate property" means all real and personal 1347  
property and any interest in real or personal property that is 1348  
found by the court to be any of the following: 1349

(i) An inheritance by one spouse by bequest, devise, or 1350  
descent during the course of the marriage; 1351

(ii) Any real or personal property or interest in real or 1352  
personal property that was acquired by one spouse prior to the 1353  
date of the marriage; 1354

(iii) Passive income and appreciation acquired from 1355  
separate property by one spouse during the marriage; 1356

(iv) Any real or personal property or interest in real or 1357  
personal property acquired by one spouse after a decree of legal 1358  
separation issued under section 3105.17 of the Revised Code; 1359

(v) Any real or personal property or interest in real or 1360

personal property that is excluded by a valid antenuptial or 1361  
postnuptial agreement; 1362

(vi) Compensation to a spouse for the spouse's personal 1363  
injury, except for loss of marital earnings and compensation for 1364  
expenses paid from marital assets; 1365

(vii) Any gift of any real or personal property or of an 1366  
interest in real or personal property that is made after the 1367  
date of the marriage and that is proven by clear and convincing 1368  
evidence to have been given to only one spouse. 1369

(b) The commingling of separate property with other 1370  
property of any type does not destroy the identity of the 1371  
separate property as separate property, except when the separate 1372  
property is not traceable. 1373

(B) In divorce proceedings, the court shall, and in legal 1374  
separation proceedings upon the request of either spouse, the 1375  
court may, determine what constitutes marital property and what 1376  
constitutes separate property. In either case, upon making such 1377  
a determination, the court shall divide the marital and separate 1378  
property equitably between the spouses, in accordance with this 1379  
section. For purposes of this section, the court has 1380  
jurisdiction over all property, excluding the social security 1381  
benefits of a spouse other than as set forth in division (F) (9) 1382  
of this section, in which one or both spouses have an interest. 1383

(C) (1) Except as provided in this division or division (E) 1384  
of this section, the division of marital property shall be 1385  
equal. If an equal division of marital property would be 1386  
inequitable, the court shall not divide the marital property 1387  
equally but instead shall divide it between the spouses in the 1388  
manner the court determines equitable. In making a division of 1389

marital property, the court shall consider all relevant factors, 1390  
including those set forth in division (F) of this section. 1391

(2) Each spouse shall be considered to have contributed 1392  
equally to the production and acquisition of marital property. 1393

(3) The court shall provide for an equitable division of 1394  
marital property under this section prior to making any award of 1395  
spousal support to either spouse under section 3105.18 of the 1396  
Revised Code and without regard to any spousal support so 1397  
awarded. 1398

(4) If the marital property includes a participant 1399  
account, as defined in section 148.01 of the Revised Code, the 1400  
court shall not order the division or disbursement of the moneys 1401  
and income described in division (A)(3)(a)(iv) of this section 1402  
to occur in a manner that is inconsistent with the law, rules, 1403  
or plan governing the deferred compensation program involved or 1404  
prior to the time that the spouse in whose name the participant 1405  
account is maintained commences receipt of the moneys and income 1406  
credited to the account in accordance with that law, rules, and 1407  
plan. 1408

(D) Except as otherwise provided in division (E) of this 1409  
section or by another provision of this section, the court shall 1410  
disburse a spouse's separate property to that spouse. If a court 1411  
does not disburse a spouse's separate property to that spouse, 1412  
the court shall make written findings of fact that explain the 1413  
factors that it considered in making its determination that the 1414  
spouse's separate property should not be disbursed to that 1415  
spouse. 1416

(E) (1) The court may make a distributive award to 1417  
facilitate, effectuate, or supplement a division of marital 1418

property. The court may require any distributive award to be 1419  
secured by a lien on the payor's specific marital property or 1420  
separate property. 1421

(2) The court may make a distributive award in lieu of a 1422  
division of marital property in order to achieve equity between 1423  
the spouses, if the court determines that a division of the 1424  
marital property in kind or in money would be impractical or 1425  
burdensome. 1426

(3) The court shall require each spouse to disclose in a 1427  
full and complete manner all marital property, separate 1428  
property, and other assets, debts, income, and expenses of the 1429  
spouse. 1430

(4) If a spouse has engaged in financial misconduct, 1431  
including, but not limited to, the dissipation, destruction, 1432  
concealment, nondisclosure, or fraudulent disposition of assets, 1433  
the court may compensate the offended spouse with a distributive 1434  
award or with a greater award of marital property. 1435

(5) If a spouse has substantially and willfully failed to 1436  
disclose marital property, separate property, or other assets, 1437  
debts, income, or expenses as required under division (E)(3) of 1438  
this section, the court may compensate the offended spouse with 1439  
a distributive award or with a greater award of marital property 1440  
not to exceed three times the value of the marital property, 1441  
separate property, or other assets, debts, income, or expenses 1442  
that are not disclosed by the other spouse. 1443

(F) In making a division of marital property and in 1444  
determining whether to make and the amount of any distributive 1445  
award under this section, the court shall consider all of the 1446  
following factors: 1447



(1) The duration of the marriage;	1448
(2) The assets and liabilities of the spouses;	1449
(3) The desirability of awarding the family home, or the	1450
right to reside in the family home for reasonable periods of	1451
time, to the spouse with custody of the children of the	1452
marriage;	1453
(4) The liquidity of the property to be distributed;	1454
(5) The economic desirability of retaining intact an asset	1455
or an interest in an asset;	1456
(6) The tax consequences of the property division upon the	1457
respective awards to be made to each spouse;	1458
(7) The costs of sale, if it is necessary that an asset be	1459
sold to effectuate an equitable distribution of property;	1460
(8) Any division or disbursement of property made in a	1461
separation agreement that was voluntarily entered into by the	1462
spouses;	1463
(9) Any retirement benefits of the spouses, excluding the	1464
social security benefits of a spouse except as may be relevant	1465
for purposes of dividing a public pension;	1466
(10) Any other factor that the court expressly finds to be	1467
relevant and equitable.	1468
(G) In any order for the division or disbursement of	1469
property or a distributive award made pursuant to this section,	1470
the court shall make written findings of fact that support the	1471
determination that the marital property has been equitably	1472
divided and shall specify the dates it used in determining the	1473
meaning of "during the marriage."	1474

(H) Except as otherwise provided in this section, the holding of title to property by one spouse individually or by both spouses in a form of co-ownership does not determine whether the property is marital property or separate property.

(I) A division or disbursement of property or a distributive award made under this section is not subject to future modification by the court except upon the express written consent or agreement to the modification by both spouses.

(J) The court may issue any orders under this section that it determines equitable, including, but not limited to, either of the following types of orders:

(1) An order granting a spouse the right to use the marital dwelling or any other marital property or separate property for any reasonable period of time;

(2) An order requiring the sale or encumbering of any real or personal property, with the proceeds from the sale and the funds from any loan secured by the encumbrance to be applied as determined by the court.

**Sec. 3105.63.** (A) (1) A petition for dissolution of marriage shall be signed by both spouses and shall have attached and incorporated a separation agreement agreed to by both spouses. The separation agreement shall provide for a division of all property; spousal support; if there are minor children of the marriage, the allocation of parental rights and responsibilities for the care of the minor children, the designation of a residential parent and legal custodian of the minor children, child support, and parenting time rights; and, if the spouses so desire, an authorization for the court to modify the amount or terms of spousal support, or the division

of property, provided in the separation agreement. If there are 1504  
minor children of the marriage, the spouses may address the 1505  
allocation of the parental rights and responsibilities for the 1506  
care of the minor children by including in the separation 1507  
agreement a plan under which both parents will have shared 1508  
rights and responsibilities for the care of the minor children. 1509  
The spouses shall file the plan with the petition for 1510  
dissolution of marriage and shall include in the plan the 1511  
provisions described in division (G) of section 3109.04 of the 1512  
Revised Code. 1513

(2) The division of property in the separation agreement 1514  
shall include any participant account, as defined in section 1515  
148.01 of the Revised Code, of either of the spouses, to the 1516  
extent of the following: 1517

(a) The moneys that have been deferred by a continuing 1518  
member or participating employee, as defined in that section, 1519  
and that have been transmitted to the ~~Ohio~~-public employees 1520  
~~deferred compensation retirement~~ board during the marriage and 1521  
any income that is derived from the investment of those moneys 1522  
during the marriage; 1523

(b) The moneys that have been deferred by an officer or 1524  
employee of a municipal corporation and that have been 1525  
transmitted to the governing board, administrator, depository, 1526  
or trustee of the deferred compensation program of the municipal 1527  
corporation during the marriage and any income that is derived 1528  
from the investment of those moneys during the marriage; 1529

(c) The moneys that have been deferred by an officer or 1530  
employee of a government unit, as defined in section 148.06 of 1531  
the Revised Code, and that have been transmitted to the 1532  
governing board, as defined in that section, during the marriage 1533

and any income that is derived from the investment of those 1534  
moneys during the marriage. 1535

(3) The separation agreement shall not require or permit 1536  
the division or disbursement of the moneys and income described 1537  
in division (A) (2) of this section to occur in a manner that is 1538  
inconsistent with the law, rules, or plan governing the deferred 1539  
compensation program involved or prior to the time that the 1540  
spouse in whose name the participant account is maintained 1541  
commences receipt of the moneys and income credited to the 1542  
account in accordance with that law, rules, and plan. 1543

(B) An amended separation agreement may be filed at any 1544  
time prior to or during the hearing on the petition for 1545  
dissolution of marriage. Upon receipt of a petition for 1546  
dissolution of marriage, the court may cause an investigation to 1547  
be made pursuant to the Rules of Civil Procedure. 1548

(C) (1) If a petition for dissolution of marriage contains 1549  
an authorization for the court to modify the amount or terms of 1550  
spousal support provided in the separation agreement, the 1551  
modification shall be in accordance with section 3105.18 of the 1552  
Revised Code. 1553

(2) If a petition for dissolution of marriage contains an 1554  
authorization for the court to modify the division of property 1555  
provided in the separation agreement, the modification shall be 1556  
made with the express written consent or agreement of both 1557  
spouses." 1558

After line 124376, insert: 1559

**"Section 525.00.01.** On the effective date of this section, 1560  
the Ohio Public Employees Deferred Compensation Board is 1561  
abolished. All records, assets, and liabilities of the Ohio 1562

Public Employees Deferred Compensation Board shall be 1563  
transferred to the Public Employees Retirement Board. The Public 1564  
Employees Retirement Board is successor to, and assumes the 1565  
obligations of, the Ohio Public Employees Deferred Compensation 1566  
Board. 1567

Any business commenced, but not completed by, the Ohio 1568  
Public Employees Deferred Compensation Board or the Executive 1569  
Director of that Board on the effective date of this section 1570  
shall be completed by the Public Employees Retirement Board or 1571  
the Executive Director of the Public Employees Retirement System 1572  
in the same manner, and with the same effect, as if completed by 1573  
the Ohio Public Employees Deferred Compensation Board or the 1574  
Executive Director of that Board. No validation, cure, right, 1575  
privilege, remedy, obligation, or liability is lost or impaired 1576  
by reason of the transfer required by this section. 1577

All employees of the Ohio Public Employees Deferred 1578  
Compensation Board are transferred to the Public Employees 1579  
Retirement System and retain their positions and all of the 1580  
benefits accruing thereto. 1581

No action or proceeding pending on the effective date of 1582  
this section is affected by the transfer, and any such action or 1583  
proceeding shall be prosecuted or defended in the name of the 1584  
Public Employees Retirement Board or the Executive Director of 1585  
the Public Employees Retirement System. In all such actions and 1586  
proceedings, the Public Employees Retirement Board or the 1587  
Executive Director of the Public Employees Retirement System, on 1588  
application to the court, shall be substituted as a party." 1589

Update the title, amend, enact, or repeal clauses accordingly. 1590

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

	1591
<b>Ohio Public Employees Deferred Compensation Program</b>	1592
<b>R.C. 145.091, 148.02, and 148.021, with conforming changes</b>	1593
<b>in R.C. 101.82, 101.83, 145.09, 148.01, 148.04, 148.041,</b>	1594
<b>148.042, 148.05, 148.10, 2329.66, 2907.15, 2921.41, 3105.171,</b>	1595
<b>and 3105.63; Section 525.00.01</b>	1596
Transfers the administration of the Ohio Public Employees	1597
Deferred Compensation Program from the Ohio Public Employees	1598
Deferred Compensation Board to the PERS Board.	1599
Includes the standard transfer language and abolishes the	1600
Ohio Public Employees Deferred Compensation Board on the	1601
transfer provision's effective date.	1602

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 83749, insert:

"Sec. 4911.18. (A) For the sole purpose of maintaining and  
administering the office of the consumers' counsel and  
exercising the powers of the consumers' counsel under this  
chapter, an amount equal to the appropriation to the office of  
the consumers' counsel in each fiscal year shall be apportioned  
among and assessed against each public utility within this  
state, as defined in section 4911.01 of the Revised Code, by  
first computing an assessment as though it were to be made in  
proportion to the intrastate gross earnings or receipts of the  
public utility for the calendar year next preceding that in  
which the assessment is made, excluding earnings or receipts  
from sales to other public utilities for resale. The office may  
include in that first computation any amount of a public  
utility's intrastate gross earnings or receipts underreported in  
a prior year. In addition to whatever penalties apply under the  
Revised Code to such underreporting, the office shall assess the  
public utility interest at the rate stated in division (A) of  
section 1343.01 of the Revised Code. The office shall deposit  
any interest so collected into the consumers' counsel operating



fund. The office may exclude from that first computation any 21  
such amounts that were over-reported in a prior year. 22

The final computation of the assessment shall consist of 23  
imposing upon each public utility whose assessment under the 24  
first computation would have been one hundred dollars or less an 25  
assessment of one hundred dollars and recomputing the assessment 26  
of the remaining companies by apportioning an amount equal to 27  
the appropriation to the office of consumers' counsel in each 28  
fiscal year less the total amount to be recovered from those 29  
paying the minimum assessment, in proportion to the intrastate 30  
gross earnings or receipts of the remaining companies for the 31  
calendar year next preceding that in which the assessments are 32  
made, excluding earnings or receipts from sales to other public 33  
utilities for resale. 34

In the case of an assessment based on intrastate gross 35  
receipts under this section against a public utility that is an 36  
electric utility as defined in section 4928.01 of the Revised 37  
Code, or an electric services company, electric cooperative, or 38  
governmental aggregator subject to certification under section 39  
4928.08 of the Revised Code, such receipts shall be those 40  
specified in the utility's, company's, cooperative's, or 41  
aggregator's most recent report of intrastate gross receipts and 42  
sales of kilowatt hours of electricity, filed with the public 43  
utilities commission pursuant to division (F) of section 4928.06 44  
of the Revised Code, and verified by the commission. 45

In the case of an assessment based on intrastate gross 46  
receipts under this section against a retail natural gas 47  
supplier or governmental aggregator subject to certification 48  
under section 4929.20 of the Revised Code, such receipts shall 49  
be those specified in the supplier's or aggregator's most recent 50



report of intrastate gross receipts and sales of hundred cubic 51  
feet of natural gas, filed with the commission pursuant to 52  
division (B) of section 4929.23 of the Revised Code, and 53  
verified by the commission. However, no such retail natural gas 54  
supplier or such governmental aggregator serving or proposing to 55  
serve customers of a particular natural gas company, as defined 56  
in section 4929.01 of the Revised Code, shall be assessed under 57  
this section until after the commission, pursuant to section 58  
4905.26 or 4909.18 of the Revised Code, has removed from the 59  
base rates of the natural gas company the amount of assessment 60  
under this section that is attributable to the value of 61  
commodity sales service, as defined in section 4929.01 of the 62  
Revised Code, in the base rates paid by those customers of the 63  
company that do not purchase that service from the natural gas 64  
company. 65

(B) Through calendar year 2005, on or before the first day 66  
of October in each year, the office of consumers' counsel shall 67  
notify each public utility of the sum assessed against it, 68  
whereupon payment shall be made to the counsel, who shall 69  
deposit it into the state treasury to the credit of the 70  
consumers' counsel operating fund, which is hereby created. 71  
Beginning in calendar year 2006, on or before the fifteenth day 72  
of May in each year, the consumers' counsel shall notify each 73  
public utility that had a sum assessed against it for the 74  
current fiscal year of more than one thousand dollars that fifty 75  
per cent of that amount shall be paid to the consumers' counsel 76  
by the twentieth day of June of that year as an initial payment 77  
of the assessment against the company for the next fiscal year. 78  
On or before the first day of October in each year, the 79  
consumers' counsel shall make a final determination of the sum 80  
of the assessment against each public utility and shall notify 81

each public utility of the sum assessed against it. The 82  
consumers' counsel shall deduct from the assessment for each 83  
public utility any initial payment received. Payment of the 84  
assessment shall be made to the consumers' counsel by the first 85  
day of November of that year. The consumers' counsel shall 86  
deposit the payments received into the state treasury to the 87  
credit of the consumers' counsel operating fund. Any such 88  
amounts paid into the fund but not expended by the office shall 89  
be credited ratably by the office to the public utilities that 90  
pay more than the minimum assessment, according to the 91  
respective portions of such sum assessable against them for the 92  
ensuing fiscal year, after first deducting any deficits 93  
accumulated from prior years. The assessments for such fiscal 94  
year shall be reduced correspondingly. 95

(C) Within five days after the beginning of each fiscal 96  
year through fiscal year 2006, the director of budget and 97  
management shall transfer from the general revenue fund to the 98  
consumers' counsel operating fund an amount sufficient for 99  
maintaining and administering the office of the consumers' 100  
counsel and exercising the powers of the consumers' counsel 101  
under this chapter during the first four months of the fiscal 102  
year. Not later than the thirty-first day of December of the 103  
fiscal year, the same amount shall be transferred back to the 104  
general revenue fund from the consumers' counsel operating fund. 105

~~(D)~~ (D) (1) As used in this section, "public utility" 106  
includes: 107

~~(1)~~ (a) In addition to an electric utility as defined in 108  
section 4928.01 of the Revised Code, an electric services 109  
company, an electric cooperative, or a governmental aggregator 110  
subject to certification under section 4928.08 of the Revised 111

Code, to the extent of the company's, cooperative's, or 112  
 aggregator's engagement in the business of supplying or 113  
 arranging for the supply in this state of any retail electric 114  
 service for which it must be so certified; 115

~~(2)~~ (b) In addition to a natural gas company as defined in 116  
 section 4929.01 of the Revised Code, a retail natural gas 117  
 supplier or governmental aggregator subject to certification 118  
 under section 4929.20 of the Revised Code, to the extent of the 119  
 supplier's or aggregator's engagement in the business of 120  
 supplying or arranging for the supply in this state of any 121  
 competitive retail natural gas service for which it must be 122  
 certified. 123

(2) As used in this section, "public utility" does not 124  
include a wireless service provider or reseller as defined in 125  
section 128.01 of the Revised Code, to the extent either of them 126  
are providing wireless service as defined under section 128.01 127  
of the Revised Code. " 128

Update the title, amend, enact, or repeal clauses accordingly 129

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 130

#### **Wireless service providers exempt from OCC assessment** 131

#### **R.C. 4911.18** 132

Exempts a wireless service provider or reseller, to the 133  
 extent either are providing wireless service, from being 134  
 considered a "public utility" subject to the assessment for 135

purposes of funding OCC.

136

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 20322, insert:

"Sec. 519.12. (A) (1) Amendments to the zoning resolution  
may be initiated by motion of the township zoning commission, by  
the passage of a resolution by the board of township trustees,  
or by the filing of an application by one or more of the owners  
or lessees of property within the area proposed to be changed or  
affected by the proposed amendment with the township zoning  
commission. The board of township trustees may require that the  
owner or lessee of property filing an application to amend the  
zoning resolution pay a fee to defray the cost of advertising,  
mailing, filing with the county recorder, and other expenses. If  
the board of township trustees requires such a fee, it shall be  
required generally, for each application. The board of township  
trustees, upon the passage of such a resolution, shall certify  
it to the township zoning commission.

(2) Upon the adoption of a motion by the township zoning  
commission, the certification of a resolution by the board of  
township trustees to the commission, or the filing of an  
application by property owners or lessees as described in  
division (A) (1) of this section with the commission, the

commission shall set a date for a public hearing, which date 21  
shall not be less than twenty nor more than forty days from the 22  
date of the certification of such a resolution, the date of 23  
adoption of such a motion, or the date of the filing of such an 24  
application. Notice of the hearing shall be given by the 25  
commission by one publication at least ten days before the date 26  
of the hearing using at least one of the following methods: 27

(a) In the print or digital edition of one or more 28  
newspapers of general circulation in the township; 29

(b) On the official public notice web site established 30  
under section 125.182 of the Revised Code; 31

(c) On the web site and social media account of the 32  
township. 33

(B) If the proposed amendment intends to rezone or 34  
redistrict ten or fewer parcels of land, as listed on the county 35  
auditor's current tax list, written notice of the hearing shall 36  
be mailed by the township zoning commission, by first class 37  
mail, at least ten days before the date of the public hearing to 38  
all owners of property within and contiguous to and directly 39  
across the street from the area proposed to be rezoned or 40  
redistricted to the addresses of those owners appearing on the 41  
county auditor's current tax list. The failure of delivery of 42  
that notice shall not invalidate any such amendment. 43

(C) If the proposed amendment intends to rezone or 44  
redistrict ten or fewer parcels of land as listed on the county 45  
auditor's current tax list, the published and mailed notices 46  
shall set forth the time, date, and place of the public hearing 47  
and include all of the following: 48

(1) The name of the township zoning commission that will 49

be conducting the hearing; 50

(2) A statement indicating that the motion, resolution, or 51  
application is an amendment to the zoning resolution; 52

(3) A list of the addresses of all properties to be 53  
rezoned or redistricted by the proposed amendment and of the 54  
names of owners of those properties, as they appear on the 55  
county auditor's current tax list; 56

(4) The present zoning classification of property named in 57  
the proposed amendment and the proposed zoning classification of 58  
that property; 59

(5) The time and place where the motion, resolution, or 60  
application proposing to amend the zoning resolution will be 61  
available for examination for a period of at least ten days 62  
prior to the hearing; 63

(6) The name of the person responsible for giving notice 64  
of the hearing by publication, by mail, or by both publication 65  
and mail; 66

(7) A statement that, after the conclusion of the hearing, 67  
the matter will be submitted to the board of township trustees 68  
for its action; 69

(8) Any other information requested by the commission. 70

(D) If the proposed amendment alters the text of the 71  
zoning resolution, or rezones or redistricts more than ten 72  
parcels of land as listed on the county auditor's current tax 73  
list, the published notice shall set forth the time, date, and 74  
place of the public hearing and include all of the following: 75

(1) The name of the township zoning commission that will 76  
be conducting the hearing on the proposed amendment; 77

- (2) A statement indicating that the motion, application, 78  
or resolution is an amendment to the zoning resolution; 79
- (3) The time and place where the text and maps of the 80  
proposed amendment will be available for examination for a 81  
period of at least ten days prior to the hearing; 82
- (4) The name of the person responsible for giving notice 83  
of the hearing by publication; 84
- (5) A statement that, after the conclusion of the hearing, 85  
the matter will be submitted to the board of township trustees 86  
for its action; 87
- (6) Any other information requested by the commission. 88
- (E) (1) (a) Except as provided in division (E) (1) (b) of this 89  
section, within five days after the adoption of the motion 90  
described in division (A) of this section, the certification of 91  
the resolution described in division (A) of this section, or the 92  
filing of the application described in division (A) of this 93  
section, the township zoning commission shall transmit a copy of 94  
it together with text and map pertaining to it to the county or 95  
regional planning commission, if there is such a commission, for 96  
approval, disapproval, or suggestions. 97
- The county or regional planning commission shall recommend 98  
the approval or denial of the proposed amendment or the approval 99  
of some modification of it and shall submit its recommendation 100  
to the township zoning commission. The recommendation shall be 101  
considered at the public hearing held by the township zoning 102  
commission on the proposed amendment. 103
- (b) The township zoning commission of a township that has 104  
adopted a limited home rule government under Chapter 504. of the 105



Revised Code is not subject to division (E)(1)(a) of this 106  
section but may choose to comply with division (E)(1)(a) of this 107  
section. 108

(2) The township zoning commission, within thirty days 109  
after the hearing, shall recommend the approval or denial of the 110  
proposed amendment, or the approval of some modification of it, 111  
and submit that recommendation together with the motion, 112  
application, or resolution involved, the text and map pertaining 113  
to the proposed amendment, and the recommendation of the county 114  
or regional planning commission on it to the board of township 115  
trustees. 116

(3) The board of township trustees, upon receipt of that 117  
recommendation, shall set a time for a public hearing on the 118  
proposed amendment, which date shall not be more than thirty 119  
days from the date of the receipt of that recommendation. Notice 120  
of the hearing shall be given by the board by one publication at 121  
least ten days before the date of the hearing using at least one 122  
of the following methods: 123

(a) In the print or digital edition of one or more 124  
newspapers of general circulation in the township; 125

(b) On the official public notice web site established 126  
under section 125.182 of the Revised Code; 127

(c) On the web site and social media account of the 128  
township. 129

(F) If the proposed amendment intends to rezone or 130  
redistrict ten or fewer parcels of land as listed on the county 131  
auditor's current tax list, the published notice shall set forth 132  
the time, date, and place of the public hearing and include all 133  
of the following: 134

- (1) The name of the board of township trustees that will be conducting the hearing; 135  
136
- (2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution; 137  
138
- (3) A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment and of the names of owners of those properties, as they appear on the county auditor's current tax list; 139  
140  
141  
142
- (4) The present zoning classification of property named in the proposed amendment and the proposed zoning classification of that property; 143  
144  
145
- (5) The time and place where the motion, application, or resolution proposing to amend the zoning resolution will be available for examination for a period of at least ten days prior to the hearing; 146  
147  
148  
149
- (6) The name of the person responsible for giving notice of the hearing by publication, by mail, or by both publication and mail; 150  
151  
152
- (7) Any other information requested by the board. 153
- (G) If the proposed amendment alters the text of the zoning resolution, or rezones or redistricts more than ten parcels of land as listed on the county auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing and include all of the following: 154  
155  
156  
157  
158
- (1) The name of the board of township trustees that will be conducting the hearing on the proposed amendment; 159  
160
- (2) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution; 161  
162

(3) The time and place where the text and maps of the  
proposed amendment will be available for examination for a  
period of at least ten days prior to the hearing;

(4) The name of the person responsible for giving notice  
of the hearing by publication;

(5) Any other information requested by the board.

(H) Within twenty days after its public hearing, the board  
of township trustees shall either adopt or deny the  
recommendations of the township zoning commission or adopt some  
modification of them. If the board denies or modifies the  
commission's recommendations, a majority vote of the board shall  
be required.

~~The~~ Except as provided in division (J) of this section,  
the proposed amendment, if adopted by the board, shall become  
effective in thirty days after the date of its adoption, unless,  
within thirty days after the adoption, there is presented to the  
board of township trustees a petition, signed by a number of  
registered electors residing in the unincorporated area of the  
township or part of that unincorporated area included in the  
zoning plan equal to not less than fifteen per cent of the total  
vote cast for all candidates for governor in that area at the  
most recent general election at which a governor was elected,  
requesting the board of township trustees to submit the  
amendment to the electors of that area for approval or rejection  
at a special election to be held on the day of the next primary  
or general election that occurs at least ninety days after the  
petition is filed. Each part of this petition shall contain the  
number and the full and correct title, if any, of the zoning  
amendment resolution, motion, or application, furnishing the  
name by which the amendment is known and a brief summary of its

contents. In addition to meeting the requirements of this 193  
section, each petition shall be governed by the rules specified 194  
in section 3501.38 of the Revised Code. 195

The form of a petition calling for a zoning referendum and 196  
the statement of the circulator shall be substantially as 197  
follows: 198

"PETITION FOR ZONING REFERENDUM 199

(if the proposal is identified by a particular name or 200  
number, or both, these should be inserted here) 201

\_\_\_\_\_ 202

A proposal to amend the zoning map of the unincorporated 203  
area of \_\_\_\_\_ Township, \_\_\_\_\_ County, Ohio, 204  
adopted \_\_\_\_ (date) \_\_\_\_ (followed by brief summary of the 205  
proposal). 206

To the Board of Township Trustees of \_\_\_\_\_ 207  
Township, \_\_\_\_\_ County, Ohio: 208

We, the undersigned, being electors residing in the 209  
unincorporated area of \_\_\_\_\_ Township, 210  
included within the \_\_\_\_\_ Township Zoning Plan, equal to 211  
not less than fifteen per cent of the total vote cast for all 212  
candidates for governor in the area at the preceding general 213  
election at which a governor was elected, request the Board of 214  
Township Trustees to submit this amendment of the zoning 215  
resolution to the electors of \_\_\_\_\_ Township 216  
residing within the unincorporated area of the township included 217  
in the \_\_\_\_\_ Township Zoning Resolution, for 218  
approval or rejection at a special election to be held on the 219  
day of the primary or general election to be held on 220  
\_\_\_\_ (date) \_\_\_\_, pursuant to section 519.12 of the Revised 221

Code. 222

Street Address Date of 223

Signature or R.F.D. Township Precinct County Signing 224

\_\_\_\_\_ 225

\_\_\_\_\_ 226

STATEMENT OF CIRCULATOR 227

I, \_\_\_\_\_ (name of circulator) \_\_\_\_\_, declare 228

under penalty of election falsification that I am an elector of 229

the state of Ohio and reside at the address appearing below my 230

signature; that I am the circulator of the foregoing part 231

petition containing \_\_\_\_\_ (number) \_\_\_\_\_ signatures; that I 232

have witnessed the affixing of every signature; that all signers 233

were to the best of my knowledge and belief qualified to sign; 234

and that every signature is to the best of my knowledge and 235

belief the signature of the person whose signature it purports 236

to be or of an attorney in fact acting pursuant to section 237

3501.382 of the Revised Code. 238

\_\_\_\_\_ 239

(Signature of circulator) 240

\_\_\_\_\_ 241

(Address of circulator's permanent 242

residence in this state) 243

\_\_\_\_\_ 244

(City, village, or township, 245

and zip code) 246

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A 247

FELONY OF THE FIFTH DEGREE."

248

The petition shall be filed with the board of township trustees and shall be accompanied by an appropriate map of the area affected by the zoning proposal. Within two weeks after receiving a petition filed under this section, the board of township trustees shall certify the petition to the board of elections. A petition filed under this section shall be certified to the board of elections not less than ninety days prior to the election at which the question is to be voted upon.

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The board of elections shall determine the sufficiency and validity of each petition certified to it by a board of township trustees under this section. If the board of elections determines that a petition is sufficient and valid, the question shall be voted upon at a special election to be held on the day of the next primary or general election that occurs at least ninety days after the date the petition is filed with the board of township trustees, regardless of whether any election will be held to nominate or elect candidates on that day.

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No amendment for which such a referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment. Upon certification by the board of elections that the amendment has been approved by the voters, it shall take immediate effect.

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(I) Within five working days after an amendment's effective date, the board of township trustees shall file the text and maps of the amendment in the office of the county recorder and with the county or regional planning commission, if one exists.

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The failure to file any amendment, or any text and maps,

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or duplicates of any of these documents, with the office of the  
county recorder or the county or regional planning commission as  
required by this section does not invalidate the amendment and  
is not grounds for an appeal of any decision of the board of  
zoning appeals.

(J) Notwithstanding any contrary provision of the Revised  
Code, a decision of the board of township trustees to adopt a  
proposed amendment to the zoning text or map to rezone,  
redistrict, or otherwise make an amendment related to, any  
property involved in a megaproject as defined in section 122.17  
of the Revised Code shall take effect immediately upon adoption  
and is exempt from the referendum procedures in division (H) of  
this section."

Update the title, amend, enact, or repeal clauses accordingly

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS

## **Zoning -- megaprojects**

### **R.C. 519.12**

Exempts township zoning amendments related to megaprojects  
from the zoning referendum process.

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 66988, delete "of five thousand dollars"

1

In line 66989, after the period insert "The additional annual fee shall be a dollar amount that equals five thousand dollars multiplied by the total tons of regulated pollutants emitted from the air contaminant source in the previous calendar year divided by one hundred."

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In line 67053, after "facility" insert "shall pay an annual fee, which shall be an amount in dollars equal to five thousand dollars multiplied by the total tons of regulated pollutants emitted from the synthetic minor facility in the previous calendar year divided by one hundred. In addition, through June 30, 2028, the synthetic minor facility"

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In line 67054, after "an" insert "additional"; delete "of five thousand dollars in addition to"

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In line 67055, delete "a fee"

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The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

14

Legislative Service Commission



58pnsmxv3sievfzzpeoz6u



<b>Ohio EPA Division of Air Pollution Control - fee increases</b>	15
<b>R.C. 3745.11</b>	16
Alters the additional \$5,000 annual fee levied on Title V	17
air pollution control permit holders in the bill by stating that	18
the additional annual fee is a dollar amount that equals \$5,000	19
multiplied by the total tons of regulated pollutants emitted	20
from the air contaminant source in the previous calendar year	21
divided by 100.	22
Alters the additional \$5,000 annual fee levied on	23
synthetic minor facilities in the bill by specifying that the	24
additional annual fee is a dollar amount that equals \$5,000	25
multiplied by the total tons of regulated pollutants of air	26
contaminants emitted from the synthetic minor facility in the	27
previous calendar year divided by 100.	28

\_\_\_\_\_ moved to amend as follows:

After line 118758, insert:

**"Section 333.13. SOCIAL GENDER TRANSITION**

To the extent permitted by federal law, no funds appropriated in Section 333.10 of this act shall be distributed for mental health services that promote or affirm social gender transition, in which an individual goes from identifying with and living as a gender that corresponds to the individual's biological sex to identifying with and living as a gender different from the individual's biological sex."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Social gender transition**

**Section 333.13**

Prohibits the distribution of Medicaid funds to provide mental health services that promote or affirm social gender

Legislative Service Commission



wsvvwmznm3nice9ft7fkg

transition.

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Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 40871, delete "(F)" insert "(F)(1) The department shall  
 compile the scores attained by students with a scholarship account and  
 provided to the treasurer of state under section 3310.23 of the Revised  
 Code. The department shall aggregate the scores as follows:

(a) By state, which shall include all students with a scholarship  
 account;

(b) By school district, which shall include all students with a  
 scholarship account and for whom the district is the student's resident  
 district;

(c) By nonchartered nonpublic school, which shall include all  
 students with a scholarship account and who were enrolled in that school.

(2) The department shall disaggregate the student performance data  
 described in division (F)(1) of this section according to the following  
 categories:

(a) Grade level;

(b) Race and ethnicity;

(c) Gender;

(d) Students with a scholarship account who have participated in the 18  
program for three or more years; 19

(e) Students with a scholarship account who have participated in the 20  
program for more than one year and less than three years; 21

(f) Students with a scholarship account who have participated in the 22  
program for one year or less; 23

(g) Economically disadvantaged students. 24

(3) Not later than the first day of February each year, the 25  
department shall post the student performance data required under 26  
divisions (F) (1) and (F) (2) of this section on its web site. In reporting 27  
student performance data under this division, the department shall not 28  
include any data that is statistically unreliable or that could result in 29  
the identification of individual students. For this purpose, the 30  
department shall not report performance data for any group that contains 31  
less than ten students. 32

(4) Not later than July 1, 2026, the department shall develop a 33  
measure of student growth for students with scholarship accounts that are 34  
enrolled in nonchartered nonpublic schools. The measure of student growth 35  
shall be used to report data annually on student growth for students in 36  
grades four through eight during the school year in which data is 37  
reported. No data shall be reported for schools with fewer than ten 38  
students with scholarship accounts. The department shall make the growth 39  
reports available on its publicly accessible web site. 40

(5) The treasurer of state shall collect and provide to the 41  
department any data necessary for the department to perform its duties 42  
under this division. 43

(G) " 44

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

	45
<b>Aggregation of ESA student assessment scores</b>	46
<b>R.C. 3310.25</b>	47
Requires DEW to do all of the following:	48
(1) Compile the assessment scores attained by students for	49
whom a scholarship account is established and aggregate the	50
scores as follows:	51
(a) By state, which must include all students with a	52
scholarship account;	53
(b) By school district, which must include all students	54
with a scholarship account and for whom the district is the	55
student's resident district; and	56
(c) By nonchartered nonpublic school, which must include	57
all students with a scholarship account and who were enrolled in	58
that school.	59
(2) Disaggregate the performance data according to the	60
following categories:	61
(a) Grade level;	62
(b) Race and ethnicity;	63
(c) Gender;	64
(d) Students with a scholarship account who have	65
participated in the program for three or more years;	66
(e) Students with a scholarship account who have	67

participated in the program for more than one year and less than 68  
three years; 69

(f) Students with a scholarship account who have 70  
participated in the program for one year or less; and 71

(g) Economically disadvantaged students. 72

(3) Post the student performance data on its website by 73  
February 1 each year and prohibits DEW from including any data 74  
that is statistically unreliable or that could result in the 75  
identification of individual students. 76

(4) Not later than July 1, 2026, develop a measure of 77  
student growth for students with scholarship accounts that are 78  
enrolled in nonchartered nonpublic schools and requires the 79  
measure to be used to report data annually on student growth for 80  
students in grades 4-8 during the school year in which data is 81  
reported and prohibits data reporting for schools with fewer 82  
than ten students who have established scholarship accounts. 83

(5) Make the growth reports available on its publicly 84  
accessible website. 85

Requires the TOS to collect and provide to DEW any data 86  
that DEW needs to fulfill its duties under the bill. 87

\_\_\_\_\_ moved to amend as follows:

In the table on line 115411, after row I, insert:

"

	1	2	3	4	5
A GRF	322510	Best Buddies Ohio		\$100,000	\$100,000

"

In the table on line 115411, in rows L and AG, add  
\$100,000 to each fiscal year

After line 115497, insert:

**"Section 261.73. BEST BUDDIES OHIO**

The foregoing appropriation item 322510, Best Buddies  
Ohio, shall be provided to the Best Buddies Ohio program to  
support the delivery and expansion of skills-building services  
throughout Ohio schools and communities."

The motion was \_\_\_\_\_ agreed to.

Legislative Service Commission





<u>SYNOPSIS</u>	13
<b>Department of Developmental Disabilities</b>	14
<b>Sections 261.10 and 261.73</b>	15
Establishes GRF ALI 322510, Best Buddies Ohio, with	16
appropriations of \$100,000 in each fiscal year, and earmarks	17
that amount for Best Buddies Ohio program to support the	18
delivery and expansion of skills-building services throughout	19
Ohio schools and communities.	20

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 114939, in row M delete "\$2,515,000" and insert 1  
"\$2,765,000" 2

In the table on line 114939, in rows T and CO, add 3  
\$250,000 to fiscal year 2026 4

After line 115113, insert: 5

"Of the foregoing appropriation item 195503, Local 6  
Development Projects, \$250,000 in fiscal year 2026 shall be 7  
granted to Boardman Township to provide matching funds for the 8  
flood mitigation assistance grant awarded to the township by the 9  
Federal Emergency Management Agency." 10

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 11

**Department of Development** 12

**Sections 259.10 and 259.20** 13

Legislative Service Commission



Increases GRF ALI 195503, Local Development Projects, by	14
\$250,000 in FY 2026. Earmarks the increase for Boardman Township	15
to provide matching funds for the flood mitigation assistance	16
grant awarded to the township by the Federal Emergency	17
Management Agency.	18

\_\_\_\_\_ moved to amend as follows:

In line 121586, delete "chartered"	1
In line 121588, delete "chartered"	2
In line 121590, delete "chartered"	3
In line 121601, delete "chartered"	4

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 5

**Governor's Merit Scholarship** 6

**Section 381.400** 7

Expands eligibility for a Governor's Merit Scholarship to	8
students enrolled in nonchartered nonpublic schools who meet the	9
other criteria to receive a scholarship.	10



Sub. H. B. No. 96

I\_136\_0001-4

DNRCD30

\_\_\_\_\_ moved to amend as follows:

In the table on line 119765, in row AT, delete "\$7,282,184" and 1  
insert "\$7,454,184" 2

In the table on line 119765, in rows BB and CH, add \$172,000 to 3  
fiscal year 2026 4

After line 119867, insert: 5

"Of the foregoing appropriation item 725414, Waterways Improvement, 6  
\$172,000 in fiscal year 2026 shall be used by the Director of Natural 7  
Resources for channel excavation and removal of sediment at Grand Lake St. 8  
Marys." 9

In line 123991, delete "\$1,750,000" and insert "\$1,922,000" 10

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 11

**Department of Natural Resources** 12

Legislative Service Commission



<b>Sections 343.10, 343.40, and 512.10</b>	13
Increases Fund 7086 ALI 725414, Waterways Improvement, by	14
\$172,000 in FY 2026.	15
Requires the DNR Director to use the increased amount for	16
channel excavation and removal of sediment at Grand Lake St.	17
Marys.	18
Increases the amount of cash the OBM Director must	19
transfer from the GRF to the Waterways Safety Fund (Fund 7086)	20
in FY 2026 by \$172,000.	21

\_\_\_\_\_ moved to amend as follows:

After line 64466, insert:

**"Sec. 3722.15.** (A) A hospital that is a medicaid provider  
and that operates a maternity unit shall agree to a written  
transfer agreement with any freestanding birthing center if both  
of the following apply:

(1) The freestanding birthing center is located within a  
thirty mile radius of the hospital.

(2) The freestanding birthing center has requested a  
transfer agreement.

(B) A transfer agreement shall specify an effective  
procedure for the safe and immediate transfer of patients from  
the freestanding birthing center to the hospital when medical  
care beyond the care that can be provided at the freestanding  
birthing center is necessary, including when emergency  
situations occur or medical complications arise.

(C) The freestanding birthing center shall file a copy of  
the transfer agreement with the director of health."

Update the title, amend, enact, or repeal clauses accordingly

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

	19
<b>Transfer agreements with freestanding birthing centers</b>	20
<b>R.C. 3722.15</b>	21
Requires a hospital with a maternity unit that accepts	22
Medicaid to enter into a transfer agreement with any	23
freestanding birthing center located within a 30 mile radius	24
that requests one.	25
Requires the freestanding birthing center to file a copy	26
of the transfer agreement with the ODH Director.	27



Sub. H. B. No. 96

I\_136\_0001-4

DEVCD56

\_\_\_\_\_ moved to amend as follows:

In line 5552, after "(C)" insert "Tourism attractions or  
professional sports facilities may use funds received from the development  
services agency, in accordance with this section, to make improvements  
associated with the retail and residential components of the total  
development of which they are a part."

(D) "

After line 15929, insert:

"**Sec. 166.01.** As used in this chapter:

(A) "Allowable costs" means all or part of the costs of  
project facilities, eligible projects, eligible innovation  
projects, eligible research and development projects, eligible  
advanced energy projects, or eligible logistics and distribution  
projects, including costs of acquiring, constructing,  
reconstructing, rehabilitating, renovating, enlarging,  
improving, equipping, or furnishing project facilities, eligible  
projects, eligible innovation projects, eligible research and  
development projects, eligible advanced energy projects, or  
eligible logistics and distribution projects, site clearance and

preparation, supplementing and relocating public capital 19  
improvements or utility facilities, designs, plans, 20  
specifications, surveys, studies, and estimates of costs, 21  
expenses necessary or incident to determining the feasibility or 22  
practicability of assisting an eligible project, an eligible 23  
innovation project, an eligible research and development 24  
project, an eligible advanced energy project, or an eligible 25  
logistics and distribution project, or providing project 26  
facilities or facilities related to an eligible project, an 27  
eligible innovation project, an eligible research and 28  
development project, an eligible advanced energy project, or an 29  
eligible logistics and distribution project, architectural, 30  
engineering, and legal services fees and expenses, the costs of 31  
conducting any other activities as part of a voluntary action, 32  
and such other expenses as may be necessary or incidental to the 33  
establishment or development of an eligible project, an eligible 34  
innovation project, an eligible research and development 35  
project, an eligible advanced energy project, or an eligible 36  
logistics and distribution project, and reimbursement of moneys 37  
advanced or applied by any governmental agency or other person 38  
for allowable costs. 39

(B) "Allowable innovation costs" includes allowable costs 40  
of eligible innovation projects and, in addition, includes the 41  
costs of research and development of eligible innovation 42  
projects; obtaining or creating any requisite software or 43  
computer hardware related to an eligible innovation project or 44  
the products or services associated therewith; testing 45  
(including, without limitation, quality control activities 46  
necessary for initial production), perfecting, and marketing of 47  
such products and services; creating and protecting intellectual 48  
property related to an eligible innovation project or any 49

products or services related thereto, including costs of 50  
 securing appropriate patent, trademark, trade secret, trade 51  
 dress, copyright, or other form of intellectual property 52  
 protection for an eligible innovation project or related 53  
 products and services; all to the extent that such expenditures 54  
 could be capitalized under then-applicable generally accepted 55  
 accounting principles; and the reimbursement of moneys advanced 56  
 or applied by any governmental agency or other person for 57  
 allowable innovation costs. 58

(C) "Eligible innovation project" includes an eligible 59  
 project, including any project facilities associated with an 60  
 eligible innovation project and, in addition, includes all 61  
 tangible and intangible property related to a new product or 62  
 process based on new technology or the creative application of 63  
 existing technology, including research and development, product 64  
 or process testing, quality control, market research, and 65  
 related activities, that is to be acquired, established, 66  
 expanded, remodeled, rehabilitated, or modernized for industry, 67  
 commerce, distribution, development of tourism attractions or 68  
professional sports facilities, or research, or any combination 69  
 thereof, the operation of which, alone or in conjunction with 70  
 other eligible projects, eligible innovation projects, or 71  
 innovation property, will create new jobs or preserve existing 72  
 jobs and employment opportunities and improve the economic 73  
 welfare of the people of the state. 74

(D) "Eligible project" means project facilities to be 75  
 acquired, established, expanded, remodeled, rehabilitated, or 76  
 modernized for industry, commerce, distribution, development of 77  
tourism attractions or professional sports facilities, or 78  
 research, or any combination thereof, the operation of which, 79

alone or in conjunction with other facilities, will create new 80  
jobs or preserve existing jobs and employment opportunities and 81  
improve the economic welfare of the people of the state. 82  
"Eligible project" includes, without limitation, a voluntary 83  
action. For purposes of this division, "new jobs" does not 84  
include existing jobs transferred from another facility within 85  
the state, and "existing jobs" includes only those existing jobs 86  
with work places within the municipal corporation or 87  
unincorporated area of the county in which the eligible project 88  
is located. 89

~~"Eligible project" does not include project facilities to-~~ 90  
~~be acquired, established, expanded, remodeled, rehabilitated, or~~ 91  
~~modernized for industry, commerce, distribution, or research, or~~ 92  
~~any combination of industry, commerce, distribution, or~~ 93  
~~research, if the project facilities consist solely of point-of-~~ 94  
~~final-purchase retail facilities. If the project facilities~~ 95  
~~consist of both point-of-final-purchase retail facilities and~~ 96  
~~nonretail facilities, only the portion of the project facilities~~ 97  
~~consisting of nonretail facilities is an eligible project. If a~~ 98  
~~warehouse facility is part of a point-of-final-purchase retail~~ 99  
~~facility and supplies only that facility, the warehouse facility~~ 100  
~~is not an eligible project. Catalog distribution facilities are~~ 101  
~~not considered point-of-final-purchase retail facilities for~~ 102  
~~purposes of this paragraph, and are eligible projects.~~ 103

(E) "Eligible research and development project" means an 104  
eligible project, including project facilities, comprising, 105  
within, or related to, a facility or portion of a facility at 106  
which research is undertaken for the purpose of discovering 107  
information that is technological in nature and the application 108  
of which is intended to be useful in the development of a new or 109

improved product, process, technique, formula, or invention, a 110  
new product or process based on new technology, or the creative 111  
application of existing technology. 112

(F) "Financial assistance" means inducements under 113  
division (B) of section 166.02 of the Revised Code, loan 114  
guarantees under section 166.06 of the Revised Code, and direct 115  
loans under section 166.07 of the Revised Code. 116

(G) "Governmental action" means any action by a 117  
governmental agency relating to the establishment, development, 118  
or operation of an eligible project, eligible innovation 119  
project, eligible research and development project, eligible 120  
advanced energy project, or eligible logistics and distribution 121  
project, and project facilities that the governmental agency 122  
acting has authority to take or provide for the purpose under 123  
law, including, but not limited to, actions relating to 124  
contracts and agreements, zoning, building, permits, acquisition 125  
and disposition of property, public capital improvements, 126  
utility and transportation service, taxation, employee 127  
recruitment and training, and liaison and coordination with and 128  
among governmental agencies. 129

(H) "Governmental agency" means the state and any state 130  
department, division, commission, institution or authority; a 131  
municipal corporation, county, or township, and any agency 132  
thereof, and any other political subdivision or public 133  
corporation or the United States or any agency thereof; any 134  
agency, commission, or authority established pursuant to an 135  
interstate compact or agreement; and any combination of the 136  
above. 137

(I) "Innovation financial assistance" means inducements 138  
under division (B) of section 166.12 of the Revised Code, 139

innovation Ohio loan guarantees under section 166.15 of the 140  
Revised Code, and innovation Ohio loans under section 166.16 of 141  
the Revised Code. 142

(J) "Innovation Ohio loan guarantee reserve requirement" 143  
means, at any time, with respect to innovation loan guarantees 144  
made under section 166.15 of the Revised Code, a balance in the 145  
innovation Ohio loan guarantee fund equal to the greater of 146  
twenty per cent of the then-outstanding principal amount of all 147  
outstanding innovation loan guarantees made pursuant to section 148  
166.15 of the Revised Code or fifty per cent of the principal 149  
amount of the largest outstanding guarantee made pursuant to 150  
section 166.15 of the Revised Code. 151

(K) "Innovation property" includes property and also 152  
includes software, inventory, licenses, contract rights, 153  
goodwill, intellectual property, including without limitation, 154  
patents, patent applications, trademarks and service marks, and 155  
trade secrets, and other tangible and intangible property, and 156  
any rights and interests in or connected to the foregoing. 157

(L) "Loan guarantee reserve requirement" means, at any 158  
time, with respect to loan guarantees made under section 166.06 159  
of the Revised Code, a balance in the loan guarantee fund equal 160  
to the greater of twenty per cent of the then-outstanding 161  
principal amount of all outstanding guarantees made pursuant to 162  
section 166.06 of the Revised Code or fifty per cent of the 163  
principal amount of the largest outstanding guarantee made 164  
pursuant to section 166.06 of the Revised Code. 165

(M) "Person" means any individual, firm, partnership, 166  
association, corporation, or governmental agency, and any 167  
combination thereof. 168

(N) "Project facilities" means buildings, structures, and other improvements, and equipment and other property, excluding small tools, supplies, and inventory, and any one, part of, or combination of the above, comprising all or part of, or serving or being incidental to, an eligible project, an eligible innovation project, an eligible research and development project, an eligible advanced energy project, or an eligible logistics and distribution project, including, but not limited to, public capital improvements.

(O) "Property" means real and personal property and interests therein.

(P) "Public capital improvements" means capital improvements or facilities that any governmental agency has authority to acquire, pay the costs of, own, maintain, or operate, or to contract with other persons to have the same done, including, but not limited to, highways, roads, streets, water and sewer facilities, railroad and other transportation facilities, and air and water pollution control and solid waste disposal facilities. For purposes of this division, "air pollution control facilities" includes, without limitation, solar, geothermal, biofuel, biomass, wind, hydro, wave, and other advanced energy projects as defined in section 3706.25 of the Revised Code.

(Q) "Research and development financial assistance" means inducements under section 166.17 of the Revised Code, research and development loans under section 166.21 of the Revised Code, and research and development tax credits under sections 5733.352 and 5747.331 of the Revised Code.

(R) "Targeted innovation industry sectors" means industry sectors involving the production or use of advanced materials,

instruments, controls and electronics, power and propulsion, 199  
biosciences, and information technology, or such other sectors 200  
as may be designated by the director of development. 201

(S) "Voluntary action" means a voluntary action, as 202  
defined in section 3746.01 of the Revised Code, that is 203  
conducted under the voluntary action program established in 204  
Chapter 3746. of the Revised Code. 205

(T) "Project financing obligations" means obligations 206  
issued pursuant to section 166.08 of the Revised Code other than 207  
obligations for which the bond proceedings provide that bond 208  
service charges shall be paid from receipts of the state 209  
representing gross profit on the sale of spirituous liquor as 210  
referred to in division (B)(4) of section 4310.10 of the Revised 211  
Code. 212

(U) "Regional economic development entity" means an entity 213  
that is under contract with the director to administer a loan 214  
program under this chapter in a particular area of this state. 215

(V) "Eligible advanced energy project" means an eligible 216  
project that is an "advanced energy project" as defined in 217  
section 3706.25 of the Revised Code. 218

(W) "Eligible logistics and distribution project" means an 219  
eligible project, including project facilities, to be acquired, 220  
established, expanded, remodeled, rehabilitated, or modernized 221  
for transportation logistics and distribution infrastructure 222  
purposes. As used in this division, "transportation logistics 223  
and distribution infrastructure purposes" means promoting, 224  
providing for, and enabling improvements to the ground, air, and 225  
water transportation infrastructure comprising the 226  
transportation system in this state, including, without 227



limitation, highways, streets, roads, bridges, railroads 228  
carrying freight, and air and water ports and port facilities, 229  
and all related supporting facilities. 230

(X) "Professional sports facility" has the same meaning as 231  
in section 5516.01 of the Revised Code. 232

**Sec. 166.02.** (A) The general assembly finds that many 233  
local areas throughout the state are experiencing economic 234  
stagnation or decline, and that the economic development 235  
programs provided for in this chapter will constitute deserved, 236  
necessary reinvestment by the state in those areas, materially 237  
contribute to their economic revitalization, and result in 238  
improving the economic welfare of all the people of the state. 239  
Accordingly, it is declared to be the public policy of the 240  
state, through the operations of this chapter and other 241  
applicable laws adopted pursuant to Section 2p or 13 of Article 242  
VIII, Ohio Constitution, and other authority vested in the 243  
general assembly, to assist in and facilitate the establishment 244  
or development of eligible projects or assist and cooperate with 245  
any governmental agency in achieving such purpose. 246

(B) In furtherance of such public policy and to implement 247  
such purpose, the director of development may: 248

(1) After consultation with appropriate governmental 249  
agencies, enter into agreements with persons engaged in 250  
industry, commerce, distribution, development of tourism 251  
attractions or professional sports facilities, or research and 252  
with governmental agencies to induce such persons to acquire, 253  
construct, reconstruct, rehabilitate, renovate, enlarge, 254  
improve, equip, or furnish, or otherwise develop, eligible 255  
projects and make provision therein for project facilities and 256  
governmental actions, as authorized by this chapter and other 257

applicable laws, subject to any required actions by the general 258  
assembly or the controlling board and subject to applicable 259  
local government laws and regulations; 260

(2) Provide for the guarantees and loans as provided for 261  
in sections 166.06 and 166.07 of the Revised Code; 262

(3) Subject to release of such moneys by the controlling 263  
board, contract for labor and materials needed for, or contract 264  
with others, including governmental agencies, to provide, 265  
project facilities the allowable costs of which are to be paid 266  
for or reimbursed from moneys in the facilities establishment 267  
fund, and contract for the operation of such project facilities; 268

(4) Subject to release thereof by the controlling board, 269  
from moneys in the facilities establishment fund acquire or 270  
contract to acquire by gift, exchange, or purchase, including 271  
the obtaining and exercise of purchase options, property, and 272  
convey or otherwise dispose of, or provide for the conveyance or 273  
disposition of, property so acquired or contracted to be 274  
acquired by sale, exchange, lease, lease purchase, conditional 275  
or installment sale, transfer, or other disposition, including 276  
the grant of an option to purchase, to any governmental agency 277  
or to any other person without necessity for competitive bidding 278  
and upon such terms and conditions and manner of consideration 279  
pursuant to and as the director determines to be appropriate to 280  
satisfy the objectives of sections 166.01 to 166.11 of the 281  
Revised Code; 282

(5) Retain the services of or employ financial 283  
consultants, appraisers, consulting engineers, superintendents, 284  
managers, construction and accounting experts, attorneys, and 285  
employees, agents, and independent contractors as are necessary 286  
in the director's judgment and fix the compensation for their 287

services;	288
(6) Receive and accept from any person grants, gifts, and	289
contributions of money, property, labor, and other things of	290
value, to be held, used and applied only for the purpose for	291
which such grants, gifts, and contributions are made;	292
(7) Enter into appropriate arrangements and agreements	293
with any governmental agency for the taking or provision by that	294
governmental agency of any governmental action;	295
(8) Do all other acts and enter into contracts and execute	296
all instruments necessary or appropriate to carry out the	297
provisions of this chapter;	298
(9) Adopt rules to implement any of the provisions of this	299
chapter applicable to the director.	300
(C) The determinations by the director that facilities	301
constitute eligible projects, that facilities are project	302
facilities, that costs of such facilities are allowable costs,	303
and all other determinations relevant thereto or to an action	304
taken or agreement entered into shall be conclusive for purposes	305
of the validity and enforceability of rights of parties arising	306
from actions taken and agreements entered into under this	307
chapter.	308
(D) Except as otherwise prescribed in this chapter, all	309
expenses and obligations incurred by the director in carrying	310
out the director's powers and in exercising the director's	311
duties under this chapter, shall be payable solely from, as	312
appropriate, moneys in the facilities establishment fund, the	313
loan guarantee fund, the innovation Ohio loan guarantee fund,	314
the innovation Ohio loan fund, the research and development loan	315
fund, the logistics and distribution infrastructure fund, or	316

moneys appropriated for such purpose by the general assembly. 317  
This chapter does not authorize the director or the issuing 318  
authority under section 166.08 of the Revised Code to incur 319  
bonded indebtedness of the state or any political subdivision 320  
thereof, or to obligate or pledge moneys raised by taxation for 321  
the payment of any bonds or notes issued or guarantees made 322  
pursuant to this chapter. 323

(E) Any governmental agency may enter into an agreement 324  
with the director, any other governmental agency, or a person to 325  
be assisted under this chapter, to take or provide for the 326  
purposes of this chapter any governmental action it is 327  
authorized to take or provide, and to undertake on behalf and at 328  
the request of the director any action which the director is 329  
authorized to undertake pursuant to divisions (B) (3), (4), and 330  
(5) of this section or divisions (B) (3), (4), and (5) of section 331  
166.12 of the Revised Code. Governmental agencies of the state 332  
shall cooperate with and provide assistance to the director of 333  
development and the controlling board in the exercise of their 334  
respective functions under this chapter." 335

After line 16491, insert: 336

**"Sec. 166.12.** (A) The general assembly finds that in order 337  
to maintain and enhance the competitiveness of the Ohio economy 338  
and to improve the economic welfare of all of the people of the 339  
state, it is necessary to ensure that high-value jobs based on 340  
research, technology, and innovation will be available to the 341  
people of this state. Further, the general assembly finds that 342  
the attraction of such jobs and their presence in this state 343  
will materially contribute to the economic welfare of all of the 344  
people of the state. Accordingly, it is declared to be the 345  
public policy of this state, through the operations under 346

sections 166.01 and 166.12 to 166.16 of the Revised Code, and 347  
the loan and loan guarantee provisions contained in those 348  
sections, applicable laws adopted pursuant to Section 13 of 349  
Article VIII, Ohio Constitution, and other authority vested in 350  
the general assembly, to assist in and facilitate the 351  
establishment or development of eligible innovation projects or 352  
assist and cooperate with any governmental agency in achieving 353  
that purpose. 354

(B) In furtherance of that public policy and to implement 355  
that purpose, the director of development may: 356

(1) After consultation with appropriate governmental 357  
agencies, enter into agreements with persons engaged in 358  
industry, commerce, distribution, development of tourism 359  
attractions or professional sports facilities, or research and 360  
with governmental agencies to induce such persons to acquire, 361  
construct, reconstruct, rehabilitate, renovate, enlarge, 362  
improve, equip, or furnish, or otherwise develop, eligible 363  
innovation projects and make provision therein for project 364  
facilities and governmental actions, as authorized by sections 365  
166.01 and 166.12 to 166.16 of the Revised Code and other 366  
applicable laws; 367

(2) Provide for innovation Ohio loan guarantees and loans 368  
under sections 166.15 and 166.16 of the Revised Code; 369

(3) Subject to the release of such moneys by the 370  
controlling board, contract for labor and materials needed for, 371  
or contract with others, including governmental agencies, to 372  
provide, eligible innovation projects the allowable innovation 373  
costs of which are to be paid for or reimbursed from moneys in 374  
the innovation Ohio loan fund, and contract for the operation of 375  
such eligible innovation projects; 376

(4) Subject to release thereof by the controlling board, 377  
from moneys in the innovation Ohio loan fund, acquire or 378  
contract to acquire by gift, exchange, or purchase, including 379  
the obtaining and exercise of purchase options, innovation 380  
property, and convey or otherwise dispose of, or provide for the 381  
conveyance or disposition of, innovation property so acquired or 382  
contracted to be acquired by sale, exchange, lease, lease 383  
purchase, conditional or installment sale, transfer, or other 384  
disposition, including the grant of an option to purchase, to 385  
any governmental agency or to any other person without necessity 386  
for competitive bidding and upon such terms and conditions and 387  
manner of consideration pursuant to, and as the director 388  
determines to be appropriate to satisfy the objectives of, 389  
Chapter 166. of the Revised Code; 390

(5) Retain the services of or employ financial 391  
consultants, appraisers, consulting engineers, superintendents, 392  
managers, construction and accounting experts, attorneys, and 393  
employees, agents, and independent contractors as are necessary 394  
in the director's judgment and fix the compensation for their 395  
services; 396

(6) Receive and accept from any person grants, gifts, and 397  
contributions of money, property, labor, and other things of 398  
value, to be held, used, and applied only for the purpose for 399  
which such grants, gifts, and contributions are made; 400

(7) Enter into appropriate arrangements and agreements 401  
with any governmental agency for the taking or provision by that 402  
governmental agency of any governmental action with respect to 403  
innovation projects; 404

(8) Do all other acts and enter into contracts and execute 405  
all instruments necessary or appropriate to carry out the 406

provisions of sections 166.01 and 166.12 to 166.16 of the 407  
Revised Code; 408

(9) With respect to property, including but not limited to 409  
innovation property, take such interests, including but not 410  
limited to mortgages, security interests, assignments, and 411  
exclusive or non-exclusive licenses, as may be necessary or 412  
appropriate under the circumstances, to ensure that innovation 413  
property is used within this state and that products or services 414  
associated with that innovation property are produced or, in the 415  
case of services, delivered, by persons employed within this 416  
state; 417

(10) Adopt rules necessary to implement any of the 418  
provisions of sections 166.01 and 166.12 to 166.16 of the 419  
Revised Code applicable to the director. 420

(C) The determinations by the director that facilities or 421  
property constitute eligible innovation projects and that costs 422  
of such facilities or property are allowable innovation costs, 423  
and all other determinations relevant thereto or to an action 424  
taken or agreement entered into, shall be conclusive for 425  
purposes of the validity and enforceability of rights of parties 426  
arising from actions taken and agreements entered into under 427  
sections 166.01 and 166.12 to 166.16 of the Revised Code. 428

**Sec. 166.17.** (A) The general assembly finds that in order 429  
to enhance the economic opportunities available to and improve 430  
the economic welfare of all the people of the state, and to 431  
maintain and enhance the competitiveness of the Ohio economy, it 432  
is necessary to ensure that the people of the state will 433  
continue to have access to high-value jobs in technology, and 434  
that, to facilitate such continued access, it is necessary to 435  
provide incentives to retain and attract businesses that will 436

develop new or improved technologies, processes, and products, 437  
or apply existing technologies in new ways. Further, the general 438  
assembly finds that the attraction of such jobs and their 439  
presence in this state will materially contribute to the 440  
economic welfare of all the people of the state. Accordingly, it 441  
is declared to be the public policy of this state, through 442  
operations under sections 166.17 to 166.21, 5733.352, and 443  
5747.331 of the Revised Code and the provisions for financial 444  
assistance contained in those sections, other applicable laws 445  
adopted pursuant to Section 13 of Article VIII, Ohio 446  
Constitution, and other authority vested in the general 447  
assembly, to assist in and facilitate the establishment or 448  
development of eligible research and development projects or 449  
assist and cooperate with any governmental agency in achieving 450  
that purpose. 451

(B) In furtherance of that public policy and to implement 452  
that purpose, the director of development may do any of the 453  
following: 454

(1) After consultation with appropriate governmental 455  
agencies, enter into agreements with persons engaged in 456  
industry, commerce, distribution, development of tourism 457  
attractions or professional sports facilities, or research and 458  
with governmental agencies, to induce such persons to acquire, 459  
construct, reconstruct, rehabilitate, renovate, enlarge, 460  
improve, equip, furnish, or develop eligible research and 461  
development projects, or to enable governmental agencies to 462  
acquire, construct, reconstruct, rehabilitate, renovate, 463  
enlarge, improve, equip, furnish, or develop eligible research 464  
and development projects for lease to persons engaged in 465  
industry, commerce, distribution, development of tourism 466



attractions or professional sports facilities, or research; 467

(2) Provide for loans under section 166.21 of the Revised 468  
Code to finance eligible research and development projects; 469

(3) Subject to the release of moneys in the research and 470  
development loan fund by the controlling board, contract for 471  
labor and materials needed for, or contract with others, 472  
including governmental agencies, to provide, eligible research 473  
and development projects, the allowable costs of which are to be 474  
paid for or reimbursed from such moneys, and contract for the 475  
operation of those projects; 476

(4) From moneys in the research and development loan fund, 477  
subject to release thereof by the controlling board, acquire or 478  
contract to acquire property by gift, exchange, or purchase, 479  
including by obtaining and exercising purchase options, and 480  
convey or otherwise dispose of, or provide for the conveyance or 481  
disposition of, that property by sale, exchange, lease, lease 482  
purchase, conditional or installment sale, transfer, or other 483  
disposition, including the grant of an option to purchase, to 484  
any governmental agency or to any other person without necessity 485  
for competitive bidding and upon such terms and conditions and 486  
manner of consideration pursuant to, and as the director 487  
determines to be appropriate to satisfy the objectives of, 488  
Chapter 166. of the Revised Code; 489

(5) Retain the services of or employ financial 490  
consultants, appraisers, consulting engineers, superintendents, 491  
managers, construction and accounting experts, attorneys, 492  
employees, agents, and independent contractors as are necessary 493  
in the director's judgment, and fix the compensation for their 494  
services; 495

(6) Receive and accept from any person, grants, gifts, and 496  
contributions of money, property, labor, and other things of 497  
value, to be held, used, and applied only for the purpose for 498  
which such grants, gifts, and contributions are made; 499

(7) Enter into arrangements and agreements with any 500  
governmental agency for the agency to take or provide any 501  
governmental action with respect to eligible research and 502  
development projects; 503

(8) Do all other acts, enter into contracts, execute all 504  
instruments, and make all certifications necessary or 505  
appropriate to carry out sections 166.01, 166.17 to 166.21, 506  
5733.352, and 5747.331 of the Revised Code; 507

(9) With respect to property that is the subject of or 508  
related to research and development financial assistance, take 509  
such interests, including, but not limited to, mortgages, 510  
security interests, leasehold interests, assignments, and 511  
exclusive or nonexclusive licenses, as may be necessary or 512  
appropriate under the circumstances, to ensure that the property 513  
is used within this state and that products or services 514  
associated with that property are produced or, in the case of 515  
services, delivered, by persons employed within this state; 516

(10) Adopt rules necessary to implement any of the 517  
provisions of sections 166.17 to 166.21, 5733.352, and 5747.331 518  
of the Revised Code that are applicable to the director. 519

(C) The determination by the director that facilities or 520  
property constitute an eligible research and development project 521  
and that the costs of such facilities or property are allowable 522  
costs related to the project, and all other determinations 523  
relevant thereto, or to an action taken or agreement entered 524

into, shall be conclusive for purposes of the validity and 525  
 enforceability of rights of parties arising from actions taken 526  
 and agreements entered into under sections 166.17 to 166.21, 527  
 5733.352, and 5747.331 of the Revised Code." 528  
 Update the title, amend, enact, or repeal clauses accordingly 529

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 530

**Roadwork Development Fund and Facilities Establishment 531**  
**Fund 532**

**R.C. 122.14, 166.01, 166.02, 166.12, and 166.17 533**

Expands the purposes of the existing Roadwork Development 534  
 Fund to allow tourism attractions and professional sports 535  
 facilities to use money from the Fund towards improvements 536  
 associated with the retail and residential components that are 537  
 within the same development. 538

Expands the purposes of the existing Facilities 539  
 Establishment Fund to include allowing loans through the fund to 540  
 persons engaged in developing tourism attractions and 541  
 professional sports facilities. 542

Removes the current law exclusion of point-of-final- 543  
 purchase retail facilities as eligible projects for purposes of 544  
 the Facilities Establishment Fund and its associated programs. 545

Sub. H. B. No. 96

I\_136\_0001-4

KIDCD17

\_\_\_\_\_ moved to amend as follows:

In the table on line 123134, in row AY, delete "\$277,850,000 1  
\$277,850,000" and insert "\$327,850,000 \$327,850,000" 2

In the table on line 123134, in rows AZ and BA, add \$50,000,000 to 3  
each fiscal year 4

After line 123445, after "year," insert ", along with \$50,000,000 in 5  
each fiscal year in appropriation item 830605, TANF Block Grant," 6

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Department of Children and Youth**

**Sections 423.10 and 423.190**

Increases Fund 3V62 ALI 830605, TANF Block Grant, by 10  
\$50,000,000 in each fiscal year. Requires the increase in funds 11  
to be used for the Child Care Choice Voucher Program. 12

Legislative Service Commission



esrqbxk5bxp6uvtmfepmi

Sub. H. B. No. 96

I\_136\_0001-4

EDUCD56

\_\_\_\_\_ moved to amend as follows:

In the table on line 115638, in row AB, delete "\$8,517,236,974 1  
\$8,715,447,875" and insert "\$8,518,736,974 \$8,716,947,875" 2

In the table on line 115638, in rows AC and BZ, add \$1,500,000 to 3  
each fiscal year. 4

After line 116272, insert: 5

"Of the foregoing appropriation item 200550, Foundation Funding - 6  
All Students, up to \$1,500,000 in each fiscal year shall be used by the 7  
Department to support the Stay in the Game! Network and efforts to reduce 8  
chronic absenteeism." 9

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 10

**Department of Education and Workforce** 11

**Sections 265.10 and 265.210** 12

Legislative Service Commission



fggko4gruxrev8mxdcztko

Increases GRF ALI 200550, Foundation Funding - All	13
Students, by \$1,500,000 in each fiscal year, and earmarks the	14
increases to support support the Stay in the Game! Network.	15

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 124778, insert:

**"Section 733.50.** (A) The Career-Technical Planning District Construction Study Committee is established to examine and make recommendations for creating an equitable and sustained funding model within the Ohio Facilities Construction Commission for lead districts, as defined in section 3317.023 of the Revised Code, to build, renovate, and maintain career-technical education facilities.

(B) The membership of the committee consists of all of the following:

(1) Two representatives from joint vocational school districts appointed by the Ohio Association of Career-Technical Superintendents;

(2) Two representatives from comprehensive or compact career-technical districts appointed by the Ohio Association of Comprehensive and Compact Career-Technical Schools;

(3) Two representatives from lead districts of career-technical planning districts appointed by the Ohio Association for Career and Technical Education;

Legislative Service Commission



wcbiqmfqpnzwmrjrbvbd15

(4) One representative from the Ohio Facilities Construction Commission;	20 21
(5) One representative from the Governor's Office of Workforce Transformation;	22 23
(6) One member of the Ohio Senate, appointed by the Senate President;	24 25
(7) One member of the Ohio House of Representatives, appointed by the Speaker of the House of Representatives.	26 27
(C) The committee shall do all of the following:	28
(1) Assess the Ohio Facilities Construction Commission's facilities funding regulations and processes for joint vocational, comprehensive, and compact career-technical districts and compare the processes to those of Ohio's kindergarten through twelve school facilities;	29 30 31 32 33
(2) Identify barriers to flexibility for career-technical education facilities construction and renovation;	34 35
(3) Propose solutions to mitigate the identified barriers;	36
(4) Evaluate best practices in other states and jurisdictions that allow for greater flexibility for career-technical education facilities construction and renovation related to workforce development;	37 38 39 40
(5) Make recommendations for policy changes, funding mechanisms, and resources that would enhance funding opportunities for career-technical education facilities construction projects, including a dedicated funding stream for career-technical education facilities.	41 42 43 44 45
(D) The committee shall convene at least quarterly, or as	46



needed, to fulfill its duties, and the Ohio Facilities  
Construction Commission shall provide administrative support,  
including scheduling meetings, preparing meeting materials, and  
maintaining records.

(E) Not later than June 30, 2026, the committee shall  
issue a comprehensive report that includes its findings and  
recommendations under division (C) of this section to the  
Governor and the General Assembly, in accordance with section  
101.68 of the Revised Code.

(F) The committee ceases to exist upon the submission of  
the report required in this section."

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS

## **Career-Technical Planning District Construction Study Committee**

### **Section 733.50**

Establishes the Career-Technical Planning District  
Construction Study Committee to examine and make recommendations  
for creating an equitable and sustained funding model within the  
OFCC for lead districts to build, renovate, and maintain career-  
technical education facilities.

Appoints the members as follows:

- Two representatives from joint vocational school  
districts appointed by the Ohio Association of Career-Technical

Superintendents;	70
- Two representatives from comprehensive or compact	71
career-technical districts appointed by the Ohio Association of	72
Comprehensive and Compact Career-Technical Schools;	73
- Two representatives from lead districts of career-	74
technical planning districts appointed by the Ohio Association	75
for Career and Technical Education;	76
- One representative from the Ohio Facilities Construction	77
Commission;	78
- One representative from the Governor's Office of	79
Workforce Transformation;	80
- One member of the Ohio Senate, appointed by the Senate	81
President;	82
- One member of the Ohio House, appointed by the Speaker	83
of the House.	84
Requires the committee to submit a report of its findings	85
and recommendations by June 30, 2026, to the Governor and	86
General Assembly and dissolves the committee upon submission of	87
the report.	88

Sub. H. B. No. 96

I\_136\_0001-4

MHACD10

\_\_\_\_\_ moved to amend as follows:

In line 119310, delete "to" and insert ", including how  
expenditures, uses, and outcomes relate to the community addiction and  
mental health plans that boards of alcohol, drug addiction, and mental  
health services are required to submit to the Department in accordance  
with section 340.03 of the Revised Code. The reporting structure shall" 1  
2  
3  
4  
5

In line 119312, delete "This" and insert "Data points to be  
collected include, but are not limited to: 6  
7

(1) The type of service provided and number of individuals served; 8

(2) The amount spent for each state block grant broken down by  
primary, secondary, tertiary, and targeted expenditures; 9  
10

(3) Data regarding provider determination and monitoring activities; 11

(4) Key performance indicators and outcomes achieved. 12

This" 13

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	14
<b>Department of Behavioral Health</b>	15
<b>Section 337.20</b>	16
Requires the DBH Director to include in the state block	17
grant reporting structure how expenditures, uses, and outcomes	18
are tied to ADAMHS boards' community plans. Requires certain	19
data points to be collected, including data regarding	20
expenditures, types of services provided and number of	21
individuals served, provider determination and monitoring	22
activities, and performance indicators and outcomes.	23

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 120421, in row BB, delete "\$2,550,486 1  
\$2,550,651" and insert "\$3,000,000 \$3,000,000" 2

In the table on line 120421, in rows BH and CH, add \$449,514 to 3  
fiscal year 2026 and \$449,349 to fiscal year 2027 4

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 5

**Department of Higher Education** 6

**Section 381.10** 7

Increases GRF ALI 235595, Commercial Truck Driver Student 8  
Aid Program, by \$449,514 in FY 2026 and \$449,349 in 2027. 9

\_\_\_\_\_ moved to amend as follows:

In the table on line 114135, in row R, delete the first  
"\$380,000" and insert "\$880,000"

In the table on line 114135, in rows V and BL, add  
\$500,000 to fiscal year 2026

After line 114145, insert:

"Of the foregoing appropriation item 700501, County  
Agricultural Societies, \$500,000 in fiscal year 2026 shall be  
used to support the construction of the Mercer County  
Fairgrounds Grand Events Center."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Department of Agriculture**

**Sections 211.10 and 211.20**

Increases GRF ALI 700501, County Agricultural Societies,

Legislative Service Commission



mk7uqpvt32kpbb9jgazhs2

by \$500,000 in FY 2026. Earmarks this amount to support the	14
construction of the Mercer County Fairgrounds Grand Events	15
Center.	16

\_\_\_\_\_ moved to amend as follows:

Delete lines 15245 through 15283 (remove R.C. 156.04)	1
In line 16024, reinsert "Ohio"; delete " <u>office of</u> "	2
In line 16025, reinsert "authority"	3
In line 16073, reinsert "Ohio"; delete " <u>office of</u> "; reinsert	4
"authority"	5
In line 16272, reinsert "Ohio"; delete " <u>office</u> "	6
In line 16273, delete " <u>of</u> "; reinsert "authority"	7
In line 16279, reinsert "Ohio"; delete " <u>office of</u> "	8
In line 16280, reinsert "authority"	9
Delete lines 20299 through 20322 (remove R.C. 503.59)	10
Delete lines 28964 through 29106 (remove R.C. 1710.06)	11
In line 62336, reinsert "Ohio"; delete " <u>office of</u> "	12
In line 62337, reinsert "authority"	13
In line 62340, reinsert "authority"; delete " <u>office</u> "	14
In line 62342, reinsert "authority"; delete " <u>office</u> "	15



In line 62354, reinsert "authority"; delete "office" 16

In line 62372, reinsert "resolution of the authority" and delete the 17  
balance of the line 18

In line 62373, delete "environmental protection" 19

In line 62389, reinsert "authority"; delete "office" 20

In line 62395, reinsert "authority"; delete "office" 21

In line 62400, reinsert "authority"; delete "office" 22

Delete lines 62481 through 63623 (removes R.C. 3706.02, 3706.03, 23  
3706.04, 3706.041, 3706.05, 3706.051, 3706.07, 3706.08, 3706.09, 3706.10, 24  
3706.11, 3706.12, 3706.13, 3706.15, 3706.16, 3706.17, 3706.18, 3706.19, 25  
3706.20, 3706.28, 3706.29, 3706.41, 3706.43, 3706.431, 3706.45, 3706.49, 26  
3706.491, 3706.55, 3706.551, 3706.59, 3706.63, and 3706.65) 27

Delete lines 83669 through 83749 (remove R.C. 4905.40) 28

In line 84471, reinsert "director of the"; delete "office of"; 29  
reinsert "authority" 30

After line 114190, insert: 31

**"Section 213.10.** 32  
33

1	2	3	4	5
A	AIR AIR QUALITY DEVELOPMENT AUTHORITY			
B	Dedicated Purpose Fund Group			
C	4Z90	898602	Small Business Ombudsman	\$246,000 \$248,000
D	5700	898601	Operating Expenses	\$3,600,000 \$4,300,000

E	5A00 898603 Small Business Assistance	\$150,000	\$225,000
F	Dedicated Purpose Fund Group Total	\$3,996,000	\$4,773,000
G	TOTAL ALL BUDGET FUND GROUPS	\$3,996,000	\$4,773,000

" 34

**"Section 213.20. REIMBURSEMENT TO AIR QUALITY DEVELOPMENT** 35  
**AUTHORITY TRUST ACCOUNT** 36

Notwithstanding any other provision of law to the 37  
contrary, the Air Quality Development Authority may reimburse 38  
the Air Quality Development Authority trust account established 39  
under section 3706.10 of the Revised Code from all operating 40  
funds of the agency for expenses pertaining to the 41  
administration and shared costs incurred by the Air Quality 42  
Development Authority in the execution of responsibilities as 43  
prescribed in Chapter 3706. of the Revised Code. The 44  
reimbursement shall occur in accordance with an administrative 45  
cost recovery plan approved by the Air Quality Development 46  
Authority Board." 47

In the table on line 117429, delete rows Q, Y, and AA 48

In the table on line 117429, in rows AX and BO, subtract \$3,096,000 49  
from fiscal year 2026 and \$4,073,000 from fiscal year 2027 50

Delete lines 117452 through 117464 51

Delete lines 124335 through 124376 (remove Section 525.30) 52

Update the title, amend, enact, or repeal clauses accordingly 53

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	54
<b>Ohio Air Quality Development Authority transfer to OEPA</b>	55
<b>R.C. 3706.02 and numerous conforming changes; Sections</b>	56
<b>213.10, 213.20, and 737.00.01</b>	57
Removes the bill's provisions that do all of the	58
following:	59
1. Abolish the Ohio Air Quality Development Authority and	60
transfer all of the functions, duties, and responsibilities of	61
the Authority to the Office of Air Quality Development, which is	62
created by the bill, in the Ohio Environmental Protection Agency	63
(OEPA);	64
2. Require that any business commenced, but not completed	65
by the Authority or the Executive Director of the Authority	66
prior to the bill's effective date to be completed by the OEPA	67
Director in the same manner, and with the same effect, as if	68
completed by the Authority or by the Executive Director of the	69
Authority; and	70
3. Make conforming changes to effectuate the transfer of	71
the Authority.	72
<b>Air Quality Development Authority</b>	73
<b>Sections 213.10 and 213.20</b>	74
Restores the Air Quality budget to the Executive's amounts	75
in FY 2026 and FY 2027, including appropriations in the	76
following ALIs: 898602 Small Business Ombudsman (Fund 4Z90) with	77
appropriations of \$246,000 in FY 2026 and \$248,000 in FY 2027;	78
ALI 898601 Operating Expenses (Fund 5700) with appropriations of	79
\$3,600,000 in FY 2026 and \$4,300,000 in FY 2027; and ALI 898603	80
Small Business Assistance (Fund 5A00) with appropriations of	81

\$150,000 in FY 2026 and \$225,000 in FY 2027.	82
Restores the Air Quality Development Authority to	83
reimburse the Air Quality Development Authority trust account.	84
<b>Environmental Protection Agency</b>	85
<b>Sections 277.10 and 277.20</b>	86
Eliminates Fund 4Z90 ALI 715610, Small Business Ombudsman,	87
appropriation of \$246,000 in FY 2026 and \$248,000 in FY 2027.	88
Eliminates Fund 5700 ALI 715616, Office of Air Quality	89
Development, appropriation of \$2,700,000 in FY 2026 and	90
\$3,600,000 in FY 2027.	91
Eliminates Fund 5A00 ALI 715647, Small Business	92
Assistance, appropriation of \$150,000 in FY 2026 and \$225,000 in	93
FY 2027.	94
Removes the authority for OEPA to reimburse the Air	95
Quality Development Authority Trust Account for expenses	96
relating to administration and shared costs incurred by the	97
Office of Air Quality Development.	98

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 122484, in row C, delete "\$1,465,770,700 " and 1  
insert "\$1,466,770,700" 2

In the table on line 122484, in rows N and AI, add \$1,000,000 to 3  
fiscal year 2026 4

In line 122485, after "383.20." insert: 5

"ANALYTICS PLATFORM PILOT 6

Of the foregoing appropriation item 501321, Institutional 7  
Operations, \$1,000,000 in fiscal year 2026 shall be used by the Department 8  
of Rehabilitation and Correction to procure a software analytics platform 9  
to establish a pilot program to transcribe and analyze all inmate phone 10  
calls to increase the security and safety of Department of Rehabilitation 11  
and Correction facilities. The procured analytics platform shall be 12  
accessible to all law enforcement agencies in this state to support 13  
criminal investigations. The Correctional Institution Inspection Committee 14  
shall approve the location of the pilot program. The Department shall 15  
submit a report of its findings from the pilot program to the Committee by 16  
December 31, 2026." 17

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	18
<b>Department of Rehabilitation and Correction</b>	19
<b>Sections 383.10 and 383.20</b>	20
Increases GRF ALI 501321, Institutional Operations, by	21
\$1,000,000 in FY 2026 and earmarks the increase for DRC to	22
procure a software analytics platform to establish a pilot	23
program to transcribe and analyze all inmate phone calls to	24
increase the security and safety of DRC facilities.	25
Requires the procured analytics platform to be accessible	26
to all law enforcement agencies in this state to support	27
criminal investigations.	28
Requires CIIC to approve the location of the pilot	29
program.	30
Requires DRC to submit a report of its findings from the	31
pilot program to CIIC by December 31, 2026.	32

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 114135, in row R, delete "\$380,000 1  
\$380,000" and insert "\$1,180,000 \$1,180,000" 2

In the table on line 114135, in rows V and BL, add 3  
\$800,000 to each fiscal year 4

After line 114145, insert: 5

"Of the foregoing appropriation item 700501, County 6  
Agricultural Societies, \$800,000 in each fiscal year shall be 7  
used to offset up to fifty per cent of the rental and equipment 8  
costs for state and national livestock events held at the Ohio 9  
Expo Center." 10

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 11

**Department of Agriculture** 12

**Sections 211.10 and 211.20** 13

Legislative Service Commission



pgvnfwhv7eob8xydoexbec

Increases GRF ALI 700501, County Agricultural Societies,	14
by \$800,000 in each fiscal year. Earmarks these funds to be used	15
to support up to 50% of the rental and equipment costs	16
associated with hosting state and national livestock events at	17
the Ohio Expo Center.	18



Sub. H. B. No. 96

I\_136\_0001-4

EPACD16

\_\_\_\_\_ moved to amend as follows:

In line 64810, reinsert "and" and delete the balance of the line	1
In line 64811, delete " <u>applicant</u> "; reinsert "make" and delete the	2
balance of the line	3
In line 64812, delete " <u>(i) Make</u> "	4
In line 64814, delete the underlined semicolon	5
Delete lines 64815 through 64822	6
In line 64823, delete everything before the period	7
In line 64875, delete the underlined period	8
Delete lines 64876 through 64882	9
In line 64883, delete everything before the period	10
Delete lines 64912 through 64951	11

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	12
<b>Solid waste - community impact analysis and meetings</b>	13
<b>R.C. 3734.05</b>	14
Removes provisions from the bill that do both of the following:	15 16
1. Require a person proposing to open a new solid waste facility or to modify an existing solid waste facility, when making an application for a permit, to submit with the application a community impact analysis that both evaluates the impact of the proposed solid waste disposal facility on the local economy and considers mitigation measures to minimize adverse impact on the host community.	17 18 19 20 21 22 23
2. Require the applicant to maintain a publicly accessible website (to include the permit application and supporting documents, the community impact analysis, and public involvement information), provide public notices and hold meetings, maintain and distribute transcripts, and hold a public community involvement session on the application within the county in which the solid waste facility is located or within a contiguous county.	24 25 26 27 28 29 30 31

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 123134, in row N, delete "\$8,000,000" and insert "\$8,250,000 \$8,250,000"

In the table on line 123134, in rows AA and BA, add \$250,000 to each fiscal year

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Department of Children and Youth**

**Section 423.10**

Increases GRF ALI 830411, Imagination Library, by \$250,000 in each fiscal year.

Sub. H. B. No. 96

I\_136\_0001-4

SOSCD6

\_\_\_\_\_ moved to amend as follows:

In the table on line 122786, in row O, delete "\$200,000 \$200,000" 1  
and insert "\$375,000 \$400,000" 2

In the table on line 122786, in rows P and W, add \$175,000 in fiscal 3  
year 2026 and \$200,000 in fiscal year 2027 4

In line 122834, delete "\$200,000" and insert "\$400,000" 5

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 6

**Secretary of State** 7

**Sections 395.10 and 395.20** 8

Increases Fund 5SN0 ALI 050626, Address Confidentiality, 9  
by \$175,000 in FY 2026 and \$200,000 in FY 2027. Increases the 10  
amount the SOS may request that the OBM Director transfer from 11  
the Business Services Operating Fund (Fund 5990) to the Address 12  
Confidentiality Fund (Fund 5SN0) from \$200,000 to \$400,000 in 13

Legislative Service Commission



dgmkcqoapsspkkylgzj9he

each fiscal year.

14

\_\_\_\_\_ moved to amend as follows:

Delete lines 32691 to 33387 (remove R.C. 2915.01) and insert:

**"Sec. 2915.01.** As used in this chapter:

(A) "Bookmaking" means the business of receiving or paying off bets.

(B) "Bet" means the hazarding of anything of value upon the result of an event, undertaking, or contingency, but does not include a bona fide business risk.

(C) "Scheme of chance" means a slot machine unless authorized under Chapter 3772. of the Revised Code, lottery unless authorized under Chapter 3770. of the Revised Code, numbers game, pool conducted for profit, or other scheme in which a participant gives a valuable consideration for a chance to win a prize, but does not include bingo, a skill-based amusement machine, or a pool not conducted for profit. "Scheme of chance" includes the use of an electronic device to reveal the results of a game entry if valuable consideration is paid, directly or indirectly, for a chance to win a prize. Valuable consideration is deemed to be paid for a chance to win a prize in the following instances:



- (1) Less than fifty per cent of the goods or services sold 20  
by a scheme of chance operator in exchange for game entries are 21  
used or redeemed by participants at any one location; 22
- (2) Less than fifty per cent of participants who purchase 23  
goods or services at any one location do not accept, use, or 24  
redeem the goods or services sold or purportedly sold; 25
- (3) More than fifty per cent of prizes at any one location 26  
are revealed to participants through an electronic device 27  
simulating a game of chance or a "casino game" as defined in 28  
section 3772.01 of the Revised Code; 29
- (4) The good or service sold by a scheme of chance 30  
operator in exchange for a game entry cannot be used or redeemed 31  
in the manner advertised; 32
- (5) A participant pays more than fair market value for 33  
goods or services offered by a scheme of chance operator in 34  
order to receive one or more game entries; 35
- (6) A participant may use the electronic device to 36  
purchase additional game entries; 37
- (7) A participant may purchase additional game entries by 38  
using points or credits won as prizes while using the electronic 39  
device; 40
- (8) A scheme of chance operator pays out in prize money 41  
more than twenty per cent of the gross revenue received at one 42  
location; or 43
- (9) A participant makes a purchase or exchange in order to 44  
obtain any good or service that may be used to facilitate play 45  
on the electronic device. 46
- As used in this division, "electronic device" means a 47

mechanical, video, digital, or electronic machine or device that 48  
is capable of displaying information on a screen or other 49  
mechanism and that is owned, leased, or otherwise possessed by 50  
any person conducting a scheme of chance, or by that person's 51  
partners, affiliates, subsidiaries, or contractors. "Electronic 52  
device" does not include an electronic instant bingo system. 53

(D) "Game of chance" means poker, craps, roulette, or 54  
other game in which a player gives anything of value in the hope 55  
of gain, the outcome of which is determined largely by chance, 56  
but does not include bingo. 57

(E) "Game of chance conducted for profit" means any game 58  
of chance designed to produce income for the person who conducts 59  
or operates the game of chance, but does not include bingo. 60

(F) "Gambling device" means any of the following: 61

(1) A book, totalizer, or other equipment for recording 62  
bets; 63

(2) A ticket, token, or other device representing a 64  
chance, share, or interest in a scheme of chance or evidencing a 65  
bet; 66

(3) A deck of cards, dice, gaming table, roulette wheel, 67  
slot machine, or other apparatus designed for use in connection 68  
with a game of chance; 69

(4) Any equipment, device, apparatus, or paraphernalia 70  
specially designed for gambling purposes; 71

(5) Bingo supplies sold or otherwise provided, or used, in 72  
violation of this chapter. 73

(G) "Gambling offense" means any of the following: 74



(1) A violation of this chapter;	75
(2) A violation of an existing or former municipal ordinance or law of this or any other state or the United States substantially equivalent to any provision of this chapter or a violation of section 2915.06 of the Revised Code as it existed prior to July 1, 1996;	76 77 78 79 80
(3) An offense under an existing or former municipal ordinance or law of this or any other state or the United States, of which gambling is an element;	81 82 83
(4) A conspiracy or attempt to commit, or complicity in committing, any offense under division (G) (1), (2), or (3) of this section.	84 85 86
(H) Except as otherwise provided in this chapter, "charitable organization" means either of the following:	87 88
(1) An organization that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c) (3) of the Internal Revenue Code;	89 90 91
(2) A volunteer rescue service organization, volunteer firefighter's organization, veteran's organization, fraternal organization, or sporting organization that is exempt from federal income taxation under subsection 501(c) (4), (c) (7), (c) (8), (c) (10), or (c) (19) of the Internal Revenue Code.	92 93 94 95 96
To qualify as a "charitable organization," an organization shall have been in continuous existence as such in this state for a period of two years immediately preceding either the making of an application for a bingo license under section 2915.08 of the Revised Code or the conducting of any game of chance as provided in division (D) of section 2915.02 of the	97 98 99 100 101 102

Revised Code. 103

(I) "Religious organization" means any church, body of 104  
communicants, or group that is not organized or operated for 105  
profit and that gathers in common membership for regular worship 106  
and religious observances. 107

(J) "Veteran's organization" means any individual post or 108  
state headquarters of a national veteran's association or an 109  
auxiliary unit of any individual post of a national veteran's 110  
association, which post, state headquarters, or auxiliary unit 111  
is incorporated as a nonprofit corporation and either has 112  
received a letter from the state headquarters of the national 113  
veteran's association indicating that the individual post or 114  
auxiliary unit is in good standing with the national veteran's 115  
association or has received a letter from the national veteran's 116  
association indicating that the state headquarters is in good 117  
standing with the national veteran's association. As used in 118  
this division, "national veteran's association" means any 119  
veteran's association that has been in continuous existence as 120  
such for a period of at least five years and either is 121  
incorporated by an act of the United States congress or has a 122  
national dues-paying membership of at least five thousand 123  
persons. 124

(K) "Volunteer firefighter's organization" means any 125  
organization of volunteer firefighters, as defined in section 126  
146.01 of the Revised Code, that is organized and operated 127  
exclusively to provide financial support for a volunteer fire 128  
department or a volunteer fire company and that is recognized or 129  
ratified by a county, municipal corporation, or township. 130

(L) "Fraternal organization" means any society, order, 131  
state headquarters, or association within this state, except a 132

college or high school fraternity, that is not organized for 133  
profit, that is a branch, lodge, or chapter of a national or 134  
state organization, that exists exclusively for the common 135  
business or sodality of its members. 136

(M) "Volunteer rescue service organization" means any 137  
organization of volunteers organized to function as an emergency 138  
medical service organization, as defined in section 4765.01 of 139  
the Revised Code. 140

(N) "Charitable bingo game" means any bingo game described 141  
in division (O) (1) or (2) of this section that is conducted by a 142  
charitable organization that has obtained a license pursuant to 143  
section 2915.08 of the Revised Code and the proceeds of which 144  
are used for a charitable purpose. 145

(O) "Bingo" means either of the following: 146

(1) A game with all of the following characteristics: 147

(a) The participants use bingo cards or sheets, including 148  
paper formats and electronic representation or image formats, 149  
that are divided into twenty-five spaces arranged in five 150  
horizontal and five vertical rows of spaces, with each space, 151  
except the central space, being designated by a combination of a 152  
letter and a number and with the central space being designated 153  
as a free space. 154

(b) The participants cover the spaces on the bingo cards 155  
or sheets that correspond to combinations of letters and numbers 156  
that are announced by a bingo game operator. 157

(c) A bingo game operator announces combinations of 158  
letters and numbers that appear on objects that a bingo game 159  
operator selects by chance, either manually or mechanically, 160

from a receptacle that contains seventy-five objects at the 161  
beginning of each game, each object marked by a different 162  
combination of a letter and a number that corresponds to one of 163  
the seventy-five possible combinations of a letter and a number 164  
that can appear on the bingo cards or sheets. 165

(d) The winner of the bingo game includes any participant 166  
who properly announces during the interval between the 167  
announcements of letters and numbers as described in division 168  
(O) (1) (c) of this section, that a predetermined and preannounced 169  
pattern of spaces has been covered on a bingo card or sheet 170  
being used by the participant. 171

(2) Instant bingo, electronic instant bingo, and raffles. 172

(P) "Conduct" means to back, promote, organize, manage, 173  
carry on, sponsor, or prepare for the operation of bingo or a 174  
game of chance, a scheme of chance, or a sweepstakes. 175

(Q) "Bingo game operator" means any person, except 176  
security personnel, who performs work or labor at the site of 177  
bingo, including, but not limited to, collecting money from 178  
participants, handing out bingo cards or sheets or objects to 179  
cover spaces on bingo cards or sheets, selecting from a 180  
receptacle the objects that contain the combination of letters 181  
and numbers that appear on bingo cards or sheets, calling out 182  
the combinations of letters and numbers, distributing prizes, 183  
selling or redeeming instant bingo tickets or cards, selling or 184  
redeeming electronic instant bingo tickets, credits, or 185  
vouchers, accessing an electronic instant bingo system other 186  
than as a participant, supervising the operation of a punch 187  
board, selling raffle tickets, selecting raffle tickets from a 188  
receptacle and announcing the winning numbers in a raffle, and 189  
preparing, selling, and serving food or beverages. "Bingo game 190

operator" does not include a person who is installing, 191  
maintaining, updating, or repairing an electronic instant bingo 192  
system. 193

(R) "Participant" means any person who plays bingo. 194

(S) "Bingo session" means a period that includes both of 195  
the following: 196

(1) Not to exceed five continuous hours for the conduct of 197  
one or more games described in division (O) (1) of this section, 198  
instant bingo, and electronic instant bingo; 199

(2) A period for the conduct of instant bingo and 200  
electronic instant bingo for not more than two hours before and 201  
not more than two hours after the period described in division 202  
(S) (1) of this section. 203

(T) "Gross receipts" means all money or assets, including 204  
admission fees, that a person receives from bingo without the 205  
deduction of any amounts for prizes paid out or for the expenses 206  
of conducting bingo. "Gross receipts" does not include any money 207  
directly taken in from the sale of food or beverages by a 208  
charitable organization conducting bingo, or by a bona fide 209  
auxiliary unit or society of a charitable organization 210  
conducting bingo, provided all of the following apply: 211

(1) The auxiliary unit or society has been in existence as 212  
a bona fide auxiliary unit or society of the charitable 213  
organization for at least two years prior to conducting bingo. 214

(2) The person who purchases the food or beverage receives 215  
nothing of value except the food or beverage and items 216  
customarily received with the purchase of that food or beverage. 217

(3) The food and beverages are sold at customary and 218

reasonable prices. 219

(U) "Security personnel" includes any person who either is 220  
a sheriff, deputy sheriff, marshal, deputy marshal, township 221  
constable, or member of an organized police department of a 222  
municipal corporation or has successfully completed a peace 223  
officer's training course pursuant to sections 109.71 to 109.79 224  
of the Revised Code and who is hired to provide security for the 225  
premises on which bingo is conducted. 226

(V) "Charitable purpose" means that the net profit of 227  
bingo, other than instant bingo or electronic instant bingo, is 228  
used by, or is given, donated, or otherwise transferred to, any 229  
of the following: 230

(1) Any organization that is described in subsection 231  
509(a)(1), 509(a)(2), or 509(a)(3) of the Internal Revenue Code 232  
and is either a governmental unit or an organization that is tax 233  
exempt under subsection 501(a) and described in subsection 234  
501(c)(3) of the Internal Revenue Code; 235

(2) A veteran's organization that is a post, chapter, or 236  
organization of veterans, or an auxiliary unit or society of, or 237  
a trust or foundation for, any such post, chapter, or 238  
organization organized in the United States or any of its 239  
possessions, at least seventy-five per cent of the members of 240  
which are veterans and substantially all of the other members of 241  
which are individuals who are spouses, widows, or widowers of 242  
veterans, or such individuals, provided that no part of the net 243  
earnings of such post, chapter, or organization inures to the 244  
benefit of any private shareholder or individual, and further 245  
provided that the net profit is used by the post, chapter, or 246  
organization for the charitable purposes set forth in division 247  
(B)(12) of section 5739.02 of the Revised Code, is used for 248

awarding scholarships to or for attendance at an institution 249  
mentioned in division (B) (12) of section 5739.02 of the Revised 250  
Code, is donated to a governmental agency, or is used for 251  
nonprofit youth activities, the purchase of United States or 252  
Ohio flags that are donated to schools, youth groups, or other 253  
bona fide nonprofit organizations, promotion of patriotism, or 254  
disaster relief; 255

(3) A fraternal organization that has been in continuous 256  
existence in this state for fifteen years and that uses the net 257  
profit exclusively for religious, charitable, scientific, 258  
literary, or educational purposes, or for the prevention of 259  
cruelty to children or animals, if contributions for such use 260  
would qualify as a deductible charitable contribution under 261  
subsection 170 of the Internal Revenue Code; 262

(4) A volunteer firefighter's organization that uses the 263  
net profit for the purposes set forth in division (K) of this 264  
section. 265

(W) "Internal Revenue Code" means the "Internal Revenue 266  
Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as now or hereafter 267  
amended. 268

(X) "Youth athletic organization" means any organization, 269  
not organized for profit, that is organized and operated 270  
exclusively to provide financial support to, or to operate, 271  
athletic activities for persons who are twenty-one years of age 272  
or younger by means of sponsoring, organizing, operating, or 273  
contributing to the support of an athletic team, club, league, 274  
or association. 275

(Y) "Youth athletic park organization" means any 276  
organization, not organized for profit, that satisfies both of 277

the following: 278

(1) It owns, operates, and maintains playing fields that 279  
satisfy both of the following: 280

(a) The playing fields are used for athletic activities by 281  
one or more organizations, not organized for profit, each of 282  
which is organized and operated exclusively to provide financial 283  
support to, or to operate, athletic activities for persons who 284  
are eighteen years of age or younger by means of sponsoring, 285  
organizing, operating, or contributing to the support of an 286  
athletic team, club, league, or association. 287

(b) The playing fields are not used for any profit-making 288  
activity at any time during the year. 289

(2) It uses the proceeds of bingo it conducts exclusively 290  
for the operation, maintenance, and improvement of its playing 291  
fields of the type described in division (Y)(1) of this section. 292

(Z) "Bingo supplies" means bingo cards or sheets; instant 293  
bingo tickets or cards; electronic bingo aids; raffle tickets; 294  
punch boards; seal cards; instant bingo ticket dispensers; 295  
electronic instant bingo systems; and devices for selecting or 296  
displaying the combination of bingo letters and numbers or 297  
raffle tickets. Items that are "bingo supplies" are not gambling 298  
devices if sold or otherwise provided, and used, in accordance 299  
with this chapter. For purposes of this chapter, "bingo 300  
supplies" are not to be considered equipment used to conduct a 301  
bingo game. 302

(AA) "Instant bingo" means a form of bingo that shall use 303  
folded or banded tickets or paper cards with perforated break- 304  
open tabs, a face of which is covered or otherwise hidden from 305  
view to conceal a number, letter, or symbol, or set of numbers, 306



letters, or symbols, some of which have been designated in 307  
advance as prize winners, and may also include games in which 308  
some winners are determined by the random selection of one or 309  
more bingo numbers by the use of a seal card or bingo blower. 310  
"Instant bingo" also includes a punch board game. In all 311  
"instant bingo" the prize amount and structure shall be 312  
predetermined. "Instant bingo" does not include electronic 313  
instant bingo or any device that is activated by the insertion 314  
of a coin, currency, token, or an equivalent, and that contains 315  
as one of its components a video display monitor that is capable 316  
of displaying numbers, letters, symbols, or characters in 317  
winning or losing combinations. 318

(BB) "Seal card" means a form of instant bingo that uses 319  
instant bingo tickets in conjunction with a board or placard 320  
that contains one or more seals that, when removed or opened, 321  
reveal predesignated winning numbers, letters, or symbols. 322

(CC) "Raffle" means a form of bingo in which the one or 323  
more prizes are won by one or more persons who have purchased a 324  
raffle ticket. The one or more winners of the raffle are 325  
determined by drawing a ticket stub or other detachable section 326  
from a receptacle containing ticket stubs or detachable sections 327  
corresponding to all tickets sold for the raffle. "Raffle" does 328  
not include the drawing of a ticket stub or other detachable 329  
section of a ticket purchased to attend a professional sporting 330  
event if both of the following apply: 331

(1) The ticket stub or other detachable section is used to 332  
select the winner of a free prize given away at the professional 333  
sporting event; and 334

(2) The cost of the ticket is the same as the cost of a 335  
ticket to the professional sporting event on days when no free 336

prize is given away. 337

(DD) "Punch board" means a form of instant bingo that uses 338  
a board containing a number of holes or receptacles of uniform 339  
size in which are placed, mechanically and randomly, serially 340  
numbered slips of paper that may be punched or drawn from the 341  
hole or receptacle. A player may punch or draw the numbered 342  
slips of paper from the holes or receptacles and obtain the 343  
prize established for the game if the number drawn corresponds 344  
to a winning number or, if the punch board includes the use of a 345  
seal card, a potential winning number. 346

(EE) "Gross profit" means gross receipts minus the amount 347  
actually expended for the payment of prize awards. 348

(FF) "Net profit" means gross profit minus expenses. 349

(GG) "Expenses" means the reasonable amount of gross 350  
profit actually expended for all of the following: 351

(1) The purchase or lease of bingo supplies; 352

(2) The annual license fee required under section 2915.08 353  
of the Revised Code; 354

(3) Bank fees and service charges for a bingo session or 355  
game account described in section 2915.10 of the Revised Code; 356

(4) Audits and accounting services; 357

(5) Safes; 358

(6) Cash registers; 359

(7) Hiring security personnel; 360

(8) Advertising bingo; 361

(9) Renting premises in which to conduct a bingo session; 362

(10) Tables and chairs;	363
(11) Expenses for maintaining and operating a charitable organization's facilities, including, but not limited to, a post home, club house, lounge, tavern, or canteen and any grounds attached to the post home, club house, lounge, tavern, or canteen;	364 365 366 367 368
(12) Payment of real property taxes and assessments that are levied on a premises on which bingo is conducted;	369 370
(13) Any other product or service directly related to the conduct of bingo that is authorized in rules adopted by the attorney general under division (F)(1) of section 2915.08 of the Revised Code.	371 372 373 374
(HH) "Person" has the same meaning as in section 1.59 of the Revised Code and includes any firm or any other legal entity, however organized.	375 376 377
(II) "Revoke" means to void permanently all rights and privileges of the holder of a license issued under section 2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable gaming license issued by another jurisdiction.	378 379 380 381
(JJ) "Suspend" means to interrupt temporarily all rights and privileges of the holder of a license issued under section 2915.08, 2915.081, or 2915.082 of the Revised Code or a charitable gaming license issued by another jurisdiction.	382 383 384 385
(KK) "Distributor" means any person who purchases or obtains bingo supplies and who does either of the following:	386 387
(1) Sells, offers for sale, or otherwise provides or offers to provide the bingo supplies to another person for use in this state;	388 389 390

(2) Modifies, converts, adds to, or removes parts from the 391  
bingo supplies to further their promotion or sale for use in 392  
this state. 393

(LL) "Manufacturer" means any person who assembles 394  
completed bingo supplies from raw materials, other items, or 395  
subparts or who modifies, converts, adds to, or removes parts 396  
from bingo supplies to further their promotion or sale. 397

(MM) "Gross annual revenues" means the annual gross 398  
receipts derived from the conduct of bingo described in division 399  
(O) (1) of this section plus the annual net profit derived from 400  
the conduct of bingo described in division (O) (2) of this 401  
section. 402

(NN) "Instant bingo ticket dispenser" means a mechanical 403  
device that dispenses an instant bingo ticket or card as the 404  
sole item of value dispensed and that has the following 405  
characteristics: 406

(1) It is activated upon the insertion of United States 407  
currency. 408

(2) It performs no gaming functions. 409

(3) It does not contain a video display monitor or 410  
generate noise. 411

(4) It is not capable of displaying any numbers, letters, 412  
symbols, or characters in winning or losing combinations. 413

(5) It does not simulate or display rolling or spinning 414  
reels. 415

(6) It is incapable of determining whether a dispensed 416  
bingo ticket or card is a winning or nonwinning ticket or card 417  
and requires a winning ticket or card to be paid by a bingo game 418

operator. 419

(7) It may provide accounting and security features to aid 420  
in accounting for the instant bingo tickets or cards it 421  
dispenses. 422

(8) It is not part of an electronic network and is not 423  
interactive. 424

(OO) (1) "Electronic bingo aid" means an electronic device 425  
used by a participant to monitor bingo cards or sheets purchased 426  
at the time and place of a bingo session and that does all of 427  
the following: 428

(a) It provides a means for a participant to input numbers 429  
and letters announced by a bingo caller. 430

(b) It compares the numbers and letters entered by the 431  
participant to the bingo faces previously stored in the memory 432  
of the device. 433

(c) It identifies a winning bingo pattern. 434

(2) "Electronic bingo aid" does not include any device 435  
into which a coin, currency, token, or an equivalent is inserted 436  
to activate play. 437

(PP) "Deal" means a single game of instant bingo tickets, 438  
or a single game of electronic instant bingo tickets, all with 439  
the same serial number. 440

(QQ) (1) "Slot machine" means either of the following: 441

(a) Any mechanical, electronic, video, or digital device 442  
that is capable of accepting anything of value, directly or 443  
indirectly, from or on behalf of a player who gives the thing of 444  
value in the hope of gain; 445

(b) Any mechanical, electronic, video, or digital device 446  
that is capable of accepting anything of value, directly or 447  
indirectly, from or on behalf of a player to conduct bingo or a 448  
scheme or game of chance. 449

(2) "Slot machine" does not include a skill-based 450  
amusement machine, an instant bingo ticket dispenser, or an 451  
electronic instant bingo system. 452

~~(RR) "Net profit from the proceeds of the sale of instant 453  
bingo or electronic instant bingo" means gross profit minus the 454  
ordinary, necessary, and reasonable expense expended for the 455  
purchase of bingo supplies for the purpose of conducting instant 456  
bingo or electronic instant bingo, and, in the case of instant 457  
bingo or electronic instant bingo conducted by a veteran's, 458  
fraternal, or sporting organization, minus the payment by that 459  
organization of real property taxes and assessments levied on a 460  
premises on which instant bingo or electronic instant bingo is 461  
conducted.— 462~~

~~(SS) "Charitable instant bingo organization" means an 463  
organization that is exempt from federal income taxation under 464  
subsection 501(a) and described in subsection 501(c)(3) of the 465  
Internal Revenue Code and is a charitable organization as 466  
defined in this section. A "charitable instant bingo 467  
organization" does not include a charitable organization that is 468  
exempt from federal income taxation under subsection 501(a) and 469  
described in subsection 501(c)(3) of the Internal Revenue Code 470  
and that is created by a veteran's organization, a fraternal 471  
organization, or a sporting organization in regards to bingo 472  
conducted or assisted by a veteran's organization, a fraternal 473  
organization, or a sporting organization pursuant to section 474  
2915.13 of the Revised Code. 475~~

~~(TT)~~ (SS) "Game flare" means the board or placard, or  
electronic representation of a board or placard, that  
accompanies each deal of instant bingo or electronic instant  
bingo tickets and that includes the following information for  
the game:

- (1) The name of the game;
- (2) The manufacturer's name or distinctive logo;
- (3) The form number;
- (4) The ticket count;
- (5) The prize structure, including the number of winning  
tickets by denomination and the respective winning symbol or  
number combinations for the winning tickets;
- (6) The cost per play;
- (7) The serial number of the game.

~~(UU) (1)~~ (TT) (1) "Skill-based amusement machine" means a  
mechanical, video, digital, or electronic device that rewards  
the player or players, if at all, only with merchandise prizes  
or with redeemable vouchers redeemable only for merchandise  
prizes, provided that with respect to rewards for playing the  
game all of the following apply:

(a) The wholesale value of a merchandise prize awarded as  
a result of the single play of a machine does not exceed ten  
dollars;

(b) Redeemable vouchers awarded for any single play of a  
machine are not redeemable for a merchandise prize with a  
wholesale value of more than ten dollars;

(c) Redeemable vouchers are not redeemable for a

merchandise prize that has a wholesale value of more than ten 503  
dollars times the fewest number of single plays necessary to 504  
accrue the redeemable vouchers required to obtain that prize; 505  
and 506

(d) Any redeemable vouchers or merchandise prizes are 507  
distributed at the site of the skill-based amusement machine at 508  
the time of play. 509

A card for the purchase of gasoline is a redeemable 510  
voucher for purposes of division ~~(UU) (1)~~ (TT) (1) of this section 511  
even if the skill-based amusement machine for the play of which 512  
the card is awarded is located at a place where gasoline may not 513  
be legally distributed to the public or the card is not 514  
redeemable at the location of, or at the time of playing, the 515  
skill-based amusement machine. 516

(2) A device shall not be considered a skill-based 517  
amusement machine and shall be considered a slot machine if it 518  
pays cash or one or more of the following apply: 519

(a) The ability of a player to succeed at the game is 520  
impacted by the number or ratio of prior wins to prior losses of 521  
players playing the game. 522

(b) Any reward of redeemable vouchers is not based solely 523  
on the player achieving the object of the game or the player's 524  
score; 525

(c) The outcome of the game, or the value of the 526  
redeemable voucher or merchandise prize awarded for winning the 527  
game, can be controlled by a source other than any player 528  
playing the game. 529

(d) The success of any player is or may be determined by a 530



chance event that cannot be altered by player actions. 531

(e) The ability of any player to succeed at the game is 532  
determined by game features not visible or known to the player. 533

(f) The ability of the player to succeed at the game is 534  
impacted by the exercise of a skill that no reasonable player 535  
could exercise. 536

(3) All of the following apply to any machine that is 537  
operated as described in division ~~(UU)(1)~~ (TT)(1) of this 538  
section: 539

(a) As used in division ~~(UU)~~ (TT) of this section, "game" 540  
and "play" mean one event from the initial activation of the 541  
machine until the results of play are determined without payment 542  
of additional consideration. An individual utilizing a machine 543  
that involves a single game, play, contest, competition, or 544  
tournament may be awarded redeemable vouchers or merchandise 545  
prizes based on the results of play. 546

(b) Advance play for a single game, play, contest, 547  
competition, or tournament participation may be purchased. The 548  
cost of the contest, competition, or tournament participation 549  
may be greater than a single noncontest, competition, or 550  
tournament play. 551

(c) To the extent that the machine is used in a contest, 552  
competition, or tournament, that contest, competition, or 553  
tournament has a defined starting and ending date and is open to 554  
participants in competition for scoring and ranking results 555  
toward the awarding of redeemable vouchers or merchandise prizes 556  
that are stated prior to the start of the contest, competition, 557  
or tournament. 558

(4) For purposes of division ~~(UU) (1)~~ (TT) (1) of this 559  
section, the mere presence of a device, such as a pin-setting, 560  
ball-releasing, or scoring mechanism, that does not contribute 561  
to or affect the outcome of the play of the game does not make 562  
the device a skill-based amusement machine. 563

~~(VV)~~ (UU) "Merchandise prize" means any item of value, but 564  
shall not include any of the following: 565

(1) Cash, gift cards, or any equivalent thereof; 566

(2) Plays on games of chance, state lottery tickets, or 567  
bingo; 568

(3) Firearms, tobacco, or alcoholic beverages; or 569

(4) A redeemable voucher that is redeemable for any of the 570  
items listed in division ~~(VV) (1)~~ (UU) (1), (2), or (3) of this 571  
section. 572

~~(WW)~~ (VV) "Redeemable voucher" means any ticket, token, 573  
coupon, receipt, or other noncash representation of value. 574

~~(XX)~~ (WW) "Pool not conducted for profit" means a scheme 575  
in which a participant gives a valuable consideration for a 576  
chance to win a prize and the total amount of consideration 577  
wagered is distributed to a participant or participants. 578

~~(YY)~~ (XX) "Sporting organization" means a hunting, 579  
fishing, or trapping organization, other than a college or high 580  
school fraternity or sorority, that is not organized for profit, 581  
that is affiliated with a state or national sporting 582  
organization, including but not limited to, the league of Ohio 583  
sportsmen, and that has been in continuous existence in this 584  
state for a period of three years. 585

~~(ZZ)~~ (YY) "Community action agency" has the same meaning 586

as in section ~~122.66~~ 5101.311 of the Revised Code. 587

~~(AAA) (1)~~ (ZZ) (1) "Sweepstakes terminal device" means a 588  
mechanical, video, digital, or electronic machine or device that 589  
is owned, leased, or otherwise possessed by any person 590  
conducting a sweepstakes, or by that person's partners, 591  
affiliates, subsidiaries, or contractors, that is intended to be 592  
used by a sweepstakes participant, and that is capable of 593  
displaying information on a screen or other mechanism. A device 594  
is a sweepstakes terminal device if any of the following apply: 595

(a) The device uses a simulated game terminal as a 596  
representation of the prizes associated with the results of the 597  
sweepstakes entries. 598

(b) The device utilizes software such that the simulated 599  
game influences or determines the winning of or value of the 600  
prize. 601

(c) The device selects prizes from a predetermined finite 602  
pool of entries. 603

(d) The device utilizes a mechanism that reveals the 604  
content of a predetermined sweepstakes entry. 605

(e) The device predetermines the prize results and stores 606  
those results for delivery at the time the sweepstakes entry 607  
results are revealed. 608

(f) The device utilizes software to create a game result. 609

(g) The device reveals the prize incrementally, even 610  
though the device does not influence the awarding of the prize 611  
or the value of any prize awarded. 612

(h) The device determines and associates the prize with an 613  
entry or entries at the time the sweepstakes is entered. 614

(2) As used in this division and in section 2915.02 of the Revised Code: 615  
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(a) "Enter" means the act by which a person becomes 617  
eligible to receive any prize offered in a sweepstakes. 618

(b) "Entry" means one event from the initial activation of 619  
the sweepstakes terminal device until all the sweepstakes prize 620  
results from that activation are revealed. 621

(c) "Prize" means any gift, award, gratuity, good, 622  
service, credit, reward, or any other thing of value that may be 623  
transferred to a person, whether possession of the prize is 624  
actually transferred, or placed on an account or other record as 625  
evidence of the intent to transfer the prize. 626

(d) "Sweepstakes terminal device facility" means any 627  
location in this state where a sweepstakes terminal device is 628  
provided to a sweepstakes participant, except as provided in 629  
division (G) of section 2915.02 of the Revised Code. 630

~~(BBB)~~ (AAA) "Sweepstakes" means any game, contest, 631  
advertising scheme or plan, or other promotion where 632  
consideration is not required for a person to enter to win or 633  
become eligible to receive any prize, the determination of which 634  
is based upon chance. "Sweepstakes" does not include bingo as 635  
authorized under this chapter, pari-mutuel wagering as 636  
authorized by Chapter 3769. of the Revised Code, lotteries 637  
conducted by the state lottery commission as authorized by 638  
Chapter 3770. of the Revised Code, and casino gaming as 639  
authorized by Chapter 3772. of the Revised Code. 640

~~(CCC) (1)~~ (BBB) (1) "Electronic instant bingo" means a form 641  
of bingo that consists of an electronic or digital 642  
representation of instant bingo in which a participant wins a 643

prize if the participant's electronic instant bingo ticket 644  
contains a combination of numbers or symbols that was designated 645  
in advance as a winning combination, and to which all of the 646  
following apply: 647

(a) Each deal has a predetermined, finite number of 648  
winning and losing tickets and a predetermined prize amount and 649  
deal structure, provided that there may be multiple winning 650  
combinations in each deal and multiple winning tickets. 651

(b) Each electronic instant bingo ticket within a deal has 652  
a unique serial number that is not regenerated. 653

(c) Each electronic instant bingo ticket within a deal is 654  
sold for the same price. 655

(d) After a participant purchases an electronic instant 656  
bingo ticket, the combination of numbers or symbols on the 657  
ticket is revealed to the participant. 658

(e) The reveal of numbers or symbols on the ticket may 659  
incorporate an entertainment or bonus theme, provided that the 660  
reveal does not include spinning reels that resemble a slot 661  
machine. 662

(f) The reveal theme, if any, does not require additional 663  
consideration or award any prize other than any predetermined 664  
prize associated with the electronic instant bingo ticket. 665

(2) "Electronic instant bingo" shall not include any of 666  
the following: 667

(a) Any game, entertainment, or bonus theme that 668  
replicates or simulates any of the following: 669

(i) The gambling games of keno, blackjack, roulette, 670  
poker, craps, other casino-style table games; 671

- (ii) Horse racing; 672
- (iii) Gambling games offered in this state on slot 673  
machines or video lottery terminals. As used in this division, 674  
"video lottery terminal" has the same meaning as in section 675  
3770.21 of the Revised Code. 676
- (b) Any device operated by dropping one or more coins or 677  
tokens into a slot and pulling a handle or pushing a button or 678  
touchpoint on a touchscreen to activate one to three or more 679  
rotating reels marked into horizontal segments by varying 680  
symbols, where the predetermined prize amount depends on how and 681  
how many of the symbols line up when the rotating reels come to 682  
a rest; 683
- (c) Any device that includes a coin or token slot, tray, 684  
or hopper and the ability to dispense coins, cash, tokens, or 685  
anything of value other than a credit ticket voucher. 686
- ~~(DDD)~~ (CCC) "Electronic instant bingo system" means both 687  
of the following: 688
- (1) A mechanical, electronic, digital, or video device and 689  
associated software to which all of the following apply: 690
- (a) It is used by not more than one player at a time to 691  
play electronic instant bingo on a single screen that is 692  
physically connected to the device; 693
- (b) It is located on the premises of the principal place 694  
of business of a veteran's or fraternal organization that holds 695  
a type II or type III bingo license to conduct electronic 696  
instant bingo at that location issued under section 2915.08 of 697  
the Revised Code. 698
- (2) Any associated equipment or software used to manage, 699

monitor, or document any aspect of electronic instant bingo. 700

**Sec. 2915.02.** (A) No person shall do any of the following: 701

(1) Engage in bookmaking, or knowingly engage in conduct 702  
that facilitates bookmaking; 703

(2) Establish, promote, or operate or knowingly engage in 704  
conduct that facilitates any game of chance conducted for profit 705  
or any scheme of chance; 706

(3) Knowingly procure, transmit, exchange, or engage in 707  
conduct that facilitates the procurement, transmission, or 708  
exchange of information for use in establishing odds or 709  
determining winners in connection with bookmaking or with any 710  
game of chance conducted for profit or any scheme of chance; 711

(4) Engage in betting or in playing any scheme or game of 712  
chance as a substantial source of income or livelihood; 713

(5) Conduct, or participate in the conduct of, a 714  
sweepstakes with the use of a sweepstakes terminal device at a 715  
sweepstakes terminal device facility and either: 716

(a) Give to another person any item described in division- 717  
~~(VV) (1)~~ (UU) (1), (2), (3), or (4) of section 2915.01 of the 718  
Revised Code as a prize for playing or participating in a 719  
sweepstakes; or 720

(b) Give to another person any merchandise prize, or a 721  
redeemable voucher for a merchandise prize, the wholesale value 722  
of which is in excess of ten dollars and which is awarded as a 723  
single entry for playing or participating in a sweepstakes. 724  
Redeemable vouchers shall not be redeemable for a merchandise 725  
prize that has a wholesale value of more than ten dollars. 726

(6) Conduct, or participate in the conduct of, a 727

sweepstakes with the use of a sweepstakes terminal device at a 728  
sweepstakes terminal device facility without first obtaining a 729  
current annual "certificate of registration" from the attorney 730  
general as required by division (F) of this section; 731

(7) With purpose to violate division (A)(1), (2), (3), 732  
(4), (5), or (6) of this section, acquire, possess, control, or 733  
operate any gambling device. 734

(B) For purposes of division (A)(1) of this section, a 735  
person facilitates bookmaking if the person in any way knowingly 736  
aids an illegal bookmaking operation, including, without 737  
limitation, placing a bet with a person engaged in or 738  
facilitating illegal bookmaking. For purposes of division (A)(2) 739  
of this section, a person facilitates a game of chance conducted 740  
for profit or a scheme of chance if the person in any way 741  
knowingly aids in the conduct or operation of any such game or 742  
scheme, including, without limitation, playing any such game or 743  
scheme. 744

(C) This section does not prohibit conduct in connection 745  
with gambling expressly permitted by law. 746

(D) This section does not apply to any of the following: 747

(1) Games of chance, if all of the following apply: 748

(a) The games of chance are not craps for money or 749  
roulette for money. 750

(b) The games of chance are conducted by a charitable 751  
organization that is, and has received from the internal revenue 752  
service a determination letter that is currently in effect, 753  
stating that the organization is, exempt from federal income 754  
taxation under subsection 501(a) and described in subsection 755



501(c) (3) of the Internal Revenue Code.

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(c) The games of chance are conducted at festivals of the charitable organization that are conducted not more than a total of five days a calendar year, and are conducted on premises owned by the charitable organization for a period of no less than one year immediately preceding the conducting of the games of chance, on premises leased from a governmental unit, or on premises that are leased from a veteran's or fraternal organization and that have been owned by the lessor veteran's or fraternal organization for a period of no less than one year immediately preceding the conducting of the games of chance.

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A charitable organization shall not lease premises from a veteran's or fraternal organization to conduct a festival described in division (D) (1) (c) of this section if the veteran's or fraternal organization already has leased the premises twelve times during the preceding year to charitable organizations for that purpose. If a charitable organization leases premises from a veteran's or fraternal organization to conduct a festival described in division (D) (1) (c) of this section, the charitable organization shall not pay a rental rate for the premises per day of the festival that exceeds the rental rate per bingo session that a charitable organization may pay under division (B) (1) of section 2915.09 of the Revised Code when it leases premises from another charitable organization to conduct bingo games.

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(d) All of the money or assets received from the games of chance after deduction only of prizes paid out during the conduct of the games of chance are used by, or given, donated, or otherwise transferred to, any organization that is described in subsection 509(a) (1), 509(a) (2), or 509(a) (3) of the Internal

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Revenue Code and is either a governmental unit or an 786  
organization that is tax exempt under subsection 501(a) and 787  
described in subsection 501(c)(3) of the Internal Revenue Code; 788

(e) The games of chance are not conducted during, or 789  
within ten hours of, a bingo game conducted for amusement 790  
purposes only pursuant to section 2915.12 of the Revised Code. 791

No person shall receive any commission, wage, salary, 792  
reward, tip, donation, gratuity, or other form of compensation, 793  
directly or indirectly, for operating or assisting in the 794  
operation of any game of chance. 795

(2) Any tag fishing tournament operated under a permit 796  
issued under section 1533.92 of the Revised Code, as "tag 797  
fishing tournament" is defined in section 1531.01 of the Revised 798  
Code; 799

(3) Bingo conducted by a charitable organization that 800  
holds a license issued under section 2915.08 of the Revised 801  
Code. 802

(E) Division (D) of this section shall not be construed to 803  
authorize the sale, lease, or other temporary or permanent 804  
transfer of the right to conduct games of chance, as granted by 805  
that division, by any charitable organization that is granted 806  
that right. 807

(F) Any person desiring to conduct, or participate in the 808  
conduct of, a sweepstakes with the use of a sweepstakes terminal 809  
device at a sweepstakes terminal device facility shall first 810  
register with the office of the attorney general and obtain an 811  
annual certificate of registration by providing a filing fee of 812  
two hundred dollars and all information as required by rule 813  
adopted under division (H) of this section. Not later than the 814

tenth day of each month, each sweepstakes terminal device 815  
operator shall file a sweepstakes terminal device monthly report 816  
with the attorney general and provide a filing fee of fifty 817  
dollars and all information required by rule adopted under 818  
division (H) of this section. All information provided to the 819  
attorney general under this division shall be available to law 820  
enforcement upon request. 821

(G) A person may apply to the attorney general, on a form 822  
prescribed by the attorney general, for a certificate of 823  
compliance that the person is not operating a sweepstakes 824  
terminal device facility. The form shall require the person to 825  
include the address of the business location where sweepstakes 826  
terminal devices will be used and to make the following 827  
certifications: 828

(1) That the person will not use more than two sweepstakes 829  
terminal devices at the business location; 830

(2) That the retail value of sweepstakes prizes to be 831  
awarded at the business location using sweepstakes terminal 832  
devices during a reporting period will be less than three per 833  
cent of the gross revenue received at the business location 834  
during the reporting period; 835

(3) That no other form of gaming except lottery ticket 836  
sales as authorized under Chapter 3770. of the Revised Code will 837  
be conducted at the business location or in an adjoining area of 838  
the business location; 839

(4) That any sweepstakes terminal device at the business 840  
location will not allow any deposit of any money, coin, or 841  
token, or the use of any credit card, debit card, prepaid card, 842  
or any other method of similar payment to be used, directly or 843

indirectly, to participate in a sweepstakes; 844

(5) That notification of any prize will not take place on 845  
the same day as a participant's sweepstakes entry; and 846

(6) That the person consents to provide any other 847  
information to the attorney general as required by rule adopted 848  
under division (H) of this section. 849

The filing fee for a certificate of compliance is two 850  
hundred fifty dollars. The attorney general may charge up to an 851  
additional two hundred fifty dollars for reasonable expenses 852  
resulting from any investigation related to an application for a 853  
certificate of compliance. 854

A certificate of compliance is effective for one year. The 855  
certificate holder may reapply for a certificate of compliance. 856  
A person issued a certificate of compliance shall file 857  
semiannual reports with the attorney general stating the number 858  
of sweepstakes terminal devices at the business location and 859  
that the retail value of prizes awarded at the business location 860  
using sweepstakes terminal devices is less than three per cent 861  
of the gross revenue received at the business location. 862

(H) The attorney general shall adopt rules setting forth: 863

(1) The required information to be submitted by persons 864  
conducting a sweepstakes with the use of a sweepstakes terminal 865  
device at a sweepstakes terminal device facility as described in 866  
division (F) of this section; and 867

(2) The requirements pertaining to a certificate of 868  
compliance under division (G) of this section, which shall 869  
provide for a person to file a consolidated application and a 870  
consolidated semiannual report if a person has more than one 871

business location.

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The attorney general shall issue a certificate of registration or a certificate of compliance to all persons who have successfully satisfied the applicable requirements of this section. The attorney general shall post online a registry of all properly registered and certified sweepstakes terminal device operators.

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(I) The attorney general may refuse to issue an annual certificate of registration or certificate of compliance to any person or, if one has been issued, the attorney general may revoke a certificate of registration or a certificate of compliance if the applicant has provided any information to the attorney general as part of a registration, certification, monthly report, semiannual report, or any other information that is materially false or misleading, or if the applicant or any officer, partner, or owner of five per cent or more interest in the applicant has violated any provision of this chapter.

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(J) The attorney general may take any necessary and reasonable action to determine a violation of this chapter, including requesting documents and information, performing inspections of premises, or requiring the attendance of any person at an examination under oath.

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(K) Whoever violates this section is guilty of gambling, a misdemeanor of the first degree. If the offender previously has been convicted of any gambling offense, gambling is a felony of the fifth degree. Notwithstanding this division, failing to file a sweepstakes terminal device monthly report as required by division (F) of this section or the semiannual report required by division (G) of this section is a misdemeanor of the first degree.

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**Sec. 2915.06.** (A) No person shall give to another person 902  
any item described in division ~~(VV) (1)~~ (UU) (1), (2), (3), or (4) 903  
of section 2915.01 of the Revised Code in exchange for a noncash 904  
prize, toy, or novelty received as a reward for playing or 905  
operating a skill-based amusement machine or for a free or 906  
reduced-price game won on a skill-based amusement machine. 907

(B) Whoever violates division (A) of this section is 908  
guilty of skill-based amusement machine prohibited conduct. A 909  
violation of division (A) of this section is a misdemeanor of 910  
the first degree for each redemption of a prize that is involved 911  
in the violation. If the offender previously has been convicted 912  
of a violation of division (A) of this section, a violation of 913  
that division is a felony of the fifth degree for each 914  
redemption of a prize that is involved in the violation. The 915  
maximum fine authorized to be imposed for a felony of the fifth 916  
degree shall be imposed upon the offender. 917

**Sec. 2915.101.** Except as otherwise provided by law, a 918  
charitable organization that conducts instant bingo or 919  
electronic instant bingo shall distribute the ~~net profit from~~ 920  
~~the proceeds of the sale of instant bingo or electronic instant~~ 921  
~~bingo as follows:~~ proceeds in accordance with this section. 922

(A) (1) If a veteran's organization, a fraternal 923  
organization, or a sporting organization ~~conducted the~~ conducts 924  
instant bingo ~~or electronic instant bingo~~, the organization 925  
shall distribute the ~~net gross profit from the proceeds of the~~ 926  
~~sale of instant bingo or electronic instant bingo~~, as follows: 927

(a) For the first ~~two hundred fifty three~~ three hundred thirty 928  
thousand dollars, or a greater amount prescribed by the attorney 929  
general to adjust for changes in prices as measured by the 930  
consumer price index as defined in section 325.18 of the Revised 931

Code and other factors affecting the organization's expenses, ~~as defined in division (GG) of section 2915.01 of the Revised Code,~~  
or less of ~~net gross~~ profit from the proceeds of the sale of  
instant bingo ~~or electronic instant bingo~~ generated in a  
calendar year:

(i) At least twenty-five per cent shall be distributed to  
an organization described in division (V)(1) of section 2915.01  
of the Revised Code or to a department or agency of the federal  
government, the state, or any political subdivision.

(ii) Not more than seventy-five per cent may be deducted  
and retained by the organization for reimbursement of or for the  
organization's expenses, ~~as defined in division (GG) of section~~  
~~2915.01 of the Revised Code,~~ in conducting the instant bingo ~~or~~  
~~electronic instant bingo~~ game.

(b) For any ~~net gross~~ profit from the proceeds of the sale  
of instant bingo ~~or electronic instant bingo~~ of more than ~~two~~  
~~hundred fifty~~ three hundred thirty thousand dollars or an  
adjusted amount generated in a calendar year:

(i) A minimum of fifty per cent shall be distributed to an  
organization described in division (V)(1) of section 2915.01 of  
the Revised Code or to a department or agency of the federal  
government, the state, or any political subdivision.

(ii) Five per cent may be distributed for the  
organization's own charitable purposes or to a community action  
agency.

(iii) Forty-five per cent may be deducted and retained by  
the organization for reimbursement of or for the organization's  
expenses, ~~as defined in division (GG) of section 2915.01 of the~~  
~~Revised Code,~~ in conducting the instant bingo ~~or electronic~~

~~instant bingo game.~~

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(2) If a veteran's organization, a fraternal organization, or a sporting organization does not distribute the full percentages specified in divisions (A) (1) (a) and (b) of this section for the purposes specified in those divisions, the organization shall distribute the balance of the ~~net gross~~ profit ~~from the proceeds of the sale of instant bingo or electronic instant bingo~~ not distributed or retained for those purposes to an organization described in division (V) (1) of section 2915.01 of the Revised Code.

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~~(B)~~ (B) (1) If a veteran's or fraternal organization conducts electronic instant bingo, the organization shall distribute the gross profit as follows:

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(a) For the first three hundred thirty thousand dollars, or a greater amount prescribed by the attorney general to adjust for changes in prices as measured by the consumer price index as defined in section 325.18 of the Revised Code and other factors affecting the organization's expenses, or less of gross profit from the proceeds of the sale of electronic instant bingo generated in a calendar year:

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(i) At least twenty-five per cent shall be distributed to an organization described in division (V) (1) of section 2915.01 of the Revised Code or to a department or agency of the federal government, the state, or any political subdivision.

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(ii) Not more than seventy-five per cent may be deducted and retained by the organization for reimbursement of or for the organization's expenses in conducting the electronic instant bingo game.

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(b) For any gross profit from the proceeds of the sale of

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electronic instant bingo of more than three hundred thirty 990  
thousand dollars or an adjusted amount generated in a calendar 991  
year: 992

(i) A minimum of fifty per cent shall be distributed to an 993  
organization described in division (V) (1) of section 2915.01 of 994  
the Revised Code or to a department or agency of the federal 995  
government, the state, or any political subdivision. 996

(ii) Five per cent may be distributed for the 997  
organization's own charitable purposes or to a community action 998  
agency. 999

(iii) Forty-five per cent may be deducted and retained by 1000  
the organization for reimbursement of or for the organization's 1001  
expenses in conducting the electronic instant bingo game. 1002

(2) If a veteran's or fraternal organization does not 1003  
distribute the full percentages specified in divisions (B) (1) (a) 1004  
and (b) of this section for the purposes specified in those 1005  
divisions, the organization shall distribute the balance of the 1006  
gross profit not distributed or retained for those purposes to 1007  
an organization described in division (V) (1) of section 2915.01 1008  
of the Revised Code. 1009

(C) If a charitable organization other than a veteran's 1010  
organization, a fraternal organization, or a sporting 1011  
organization ~~conducted the~~ conducts instant bingo or electronic 1012  
instant bingo, the organization shall distribute one hundred per 1013  
cent of the net profit ~~from the proceeds of the sale of instant~~ 1014  
~~bingo or electronic instant bingo~~ to an organization described 1015  
in division (V) (1) of section 2915.01 of the Revised Code or to 1016  
a department or agency of the federal government, the state, or 1017  
any political subdivision. 1018

~~(C)~~ (D) Nothing in this section prohibits a veteran's  
organization, a fraternal organization, or a sporting  
organization from distributing any ~~net-gross~~ profit ~~from the~~  
~~proceeds of the sale of instant bingo or electronic instant~~  
~~bingo~~ to an organization that is described in subsection 501(c)  
(3) of the Internal Revenue Code when the organization that is  
described in subsection 501(c) (3) of the Internal Revenue Code  
is one that makes donations to other organizations and permits  
donors to advise or direct such donations so long as the  
donations comply with requirements established in or pursuant to  
subsection 501(c) (3) of the Internal Revenue Code.

**Sec. 2915.13.** (A) Subject to the requirements of sections  
2915.14 and 2915.15 of the Revised Code concerning electronic  
instant bingo, a veteran's organization, a fraternal  
organization, or a sporting organization authorized to conduct a  
bingo session pursuant to this chapter may conduct instant  
bingo, electronic instant bingo, or both other than at a bingo  
session under a type III license issued under section 2915.08 of  
the Revised Code if all of the following apply:

(1) The veteran's organization, fraternal organization, or  
sporting organization limits the sale of instant bingo or  
electronic instant bingo to twelve hours during any day,  
provided that the sale does not begin earlier than ten a.m. and  
ends not later than two a.m.

(2) The veteran's organization, fraternal organization, or  
sporting organization limits the sale of instant bingo or  
electronic instant bingo to its own premises and to its own  
members and invited guests.

(3) The veteran's organization, fraternal organization, or  
sporting organization is raising money for an organization that

is described in subsection 509(a) (1), 509(a) (2), or 509(a) (3) of 1049  
the Internal Revenue Code and is either a governmental unit or 1050  
an organization that maintains its principal place of business 1051  
in this state, that is exempt from federal income taxation under 1052  
subsection 501(a) and described in subsection 501(c) (3) of the 1053  
Internal Revenue Code, and that is in good standing in this 1054  
state and executes a written contract with that organization as 1055  
required in division (B) of this section. 1056

(B) If a veteran's organization, fraternal organization, 1057  
or sporting organization authorized to conduct instant bingo or 1058  
electronic instant bingo pursuant to division (A) of this 1059  
section is raising money for another organization that is 1060  
described in subsection 509(a) (1), 509(a) (2), or 509(a) (3) of 1061  
the Internal Revenue Code and is either a governmental unit or 1062  
an organization that maintains its principal place of business 1063  
in this state, that is exempt from federal income taxation under 1064  
subsection 501(a) and described in subsection 501(c) (3) of the 1065  
Internal Revenue Code, and that is in good standing in this 1066  
state, the veteran's organization, fraternal organization, or 1067  
sporting organization shall execute a written contract with the 1068  
organization that is described in subsection 509(a) (1), 509(a) 1069  
(2), or 509(a) (3) of the Internal Revenue Code and is either a 1070  
governmental unit or an organization that maintains its 1071  
principal place of business in this state, that is exempt from 1072  
federal income taxation under subsection 501(a) and described in 1073  
subsection 501(c) (3) of the Internal Revenue Code, and that is 1074  
in good standing in this state in order to conduct instant bingo 1075  
or electronic instant bingo. That contract shall include a 1076  
statement of the percentage of the net-proceeds-gross profit 1077  
that the veteran's, fraternal, or sporting organization will be 1078  
distributing to the organization that is described in subsection 1079

509(a) (1), 509(a) (2), or 509(a) (3) of the Internal Revenue Code 1080  
and is either a governmental unit or an organization that 1081  
maintains its principal place of business in this state, that is 1082  
exempt from federal income taxation under subsection 501(a) and 1083  
described in subsection 501(c) (3) of the Internal Revenue Code, 1084  
and that is in good standing in this state under section 1085  
2915.101 of the Revised Code. 1086

(C) (1) If a veteran's organization, fraternal 1087  
organization, or sporting organization authorized to conduct 1088  
instant bingo or electronic instant bingo pursuant to division 1089  
(A) of this section has been issued a liquor permit under 1090  
Chapter 4303. of the Revised Code, that permit may be subject to 1091  
suspension, revocation, or cancellation if the veteran's 1092  
organization, fraternal organization, or sporting organization 1093  
violates a provision of this chapter. 1094

(2) No veteran's organization, fraternal organization, or 1095  
sporting organization that enters into a written contract 1096  
pursuant to division (B) of this section shall violate any 1097  
provision of this chapter or permit, aid, or abet any other 1098  
person in violating any provision of this chapter. 1099

(D) A veteran's organization, fraternal organization, or 1100  
sporting organization shall give all required proceeds earned 1101  
from the conduct of instant bingo or electronic instant bingo to 1102  
the organization with which the veteran's organization, 1103  
fraternal organization, or sporting organization has entered 1104  
into a written contract. 1105

(E) Whoever violates this section is guilty of illegal 1106  
instant bingo or electronic instant bingo conduct. Except as 1107  
otherwise provided in this division, illegal instant bingo or 1108  
electronic instant bingo conduct is a misdemeanor of the first 1109

degree. If the offender previously has been convicted of a 1110  
violation of this section, illegal instant bingo or electronic 1111  
instant bingo conduct is a felony of the fifth degree. " 1112

After line 69433, insert: 1113

"Sec. 3774.01. As used in this chapter: 1114

(A) "Commission" means the Ohio casino control commission. 1115

(B) "Entry fee" means cash or cash equivalent that a 1116  
fantasy contest operator requires to be paid by a fantasy 1117  
contest player to participate in a fantasy contest. 1118

(C) "Fantasy contest" means a simulated game or contest 1119  
with an entry fee that satisfies all of the following 1120  
conditions: 1121

(1) The value of all prizes and awards offered to winning 1122  
fantasy contest players is established and made known to the 1123  
players in advance of the contest. 1124

(2) All winning outcomes reflect the relative knowledge 1125  
and skill of the fantasy contest players and are determined 1126  
predominantly by accumulated statistical results of the 1127  
performance of managing rosters of athletes whose performance 1128  
directly corresponds with the actual performance of athletes in 1129  
professional sports competitions. 1130

(3) Winning outcomes are not based on randomized or 1131  
historical events, or on the score, point spread, or any 1132  
performance of any single actual team or combination of teams or 1133  
solely on any single performance of an individual athlete or 1134  
player in any single actual event. 1135

(4) The game or contest does not involve horses or horse 1136  
racing. 1137

(D) "Fantasy contest operator" means a person that offers 1138  
fantasy contests with an entry fee for a prize or award to the 1139  
general public. Fantasy contest operator does not include a 1140  
person that offers a pool not conducted for profit as defined 1141  
under division ~~(XX)~~ (WW) of section 2915.01 of the Revised Code. 1142

(E) "Fantasy contest platform" means any digital or online 1143  
method through which a fantasy contest operator provides access 1144  
to a fantasy contest. 1145

(F) "Fantasy contest player" means a person who 1146  
participates in a fantasy contest offered by a fantasy contest 1147  
operator. 1148

(G) "Holding company" means any corporation, firm, 1149  
partnership, limited partnership, limited liability company, 1150  
trust, or other form of business organization not a natural 1151  
person that directly or indirectly does any of the following: 1152

(1) Has the power or right to control a fantasy contest 1153  
operator; 1154

(2) Holds an ownership interest of ten per cent or more, 1155  
as determined by the commission, in a fantasy contest operator; 1156

(3) Holds voting rights with the power to vote ten per 1157  
cent or more of the outstanding voting rights of a fantasy 1158  
contest operator. 1159

(H) "Key employee" means a person, employed by a fantasy 1160  
contest operator, who is responsible for ensuring, and has the 1161  
authority necessary to ensure, that all requirements under this 1162  
chapter and the rules adopted under this chapter and division 1163  
(I) of section 3772.03 of the Revised Code are met. 1164

(I) "Management company" means an organization retained by 1165

a fantasy contest operator to manage a fantasy contest platform 1166  
and provide services such as accounting, general administration, 1167  
maintenance, recruitment, and other operational services. 1168

(J) "Material nonpublic information" means information 1169  
related to the play of a fantasy contest by a fantasy contest 1170  
player that is not readily available to the general public and 1171  
is obtained as a result of a person's employment. 1172

(K) "Script" means a list of commands that a fantasy- 1173  
contest-related computer program can execute and that is created 1174  
by a fantasy contest player, or by a third party for a fantasy 1175  
contest player, to automate processes on a fantasy contest 1176  
platform." 1177

Update the title, amend, enact, or repeal clauses accordingly 1178

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 1179

**Proceeds of instant bingo and electronic instant bingo** 1180

**R.C. 2915.01, 2915.02, 2915.06, 2915.101, 2915.13, and** 1181  
**3774.01** 1182

Modifies the formula that determines the amount of a 1183  
veteran's, fraternal, or sporting organization's proceeds from 1184  
instant bingo and electronic instant bingo that must go to a 1185  
501(c)(3) or government entity, and how much the organization 1186  
may keep to cover its expenses in conducting bingo. 1187

Increases, from \$250,000 to \$330,000, the threshold that 1188

determines the percentage of the annual proceeds that must be 1189  
given to a 501(c)(3) or government entity and the percentage the 1190  
organization may keep to cover its expenses, in order to match 1191  
the current threshold set by the AG by rule. 1192

Requires instant bingo gross profit and electronic instant 1193  
bingo gross profit to be calculated and distributed separately, 1194  
meaning that a veteran's or fraternal organization that conducts 1195  
both instant bingo and electronic instant bingo may keep more of 1196  
the combined gross profit to cover its expenses. 1197

Clarifies that "gross profit" means the amount raised 1198  
minus prizes paid out and that "net profit" means gross profit 1199  
minus the organization's expenses in conducting bingo, as under 1200  
the continuing law definitions in the Bingo Law. 1201



Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 7012, insert:

**"Sec. 122.634. (A) As used in this section:**

(1) "Major workforce housing project" means a project that reserves at least twenty units, designed for residential occupancy by at least twenty individuals or families living independently from each other, for households earning between sixty and one hundred per cent of the median income for the county where the project is located, as determined by the director of development pursuant to section 174.04 of the Revised Code.

(2) "Quadplex housing" means a parcel with four dwelling units that are designed for residential occupancy by four individuals or families living independently from each other.

(B) The department of development shall provide grants to townships and municipal corporations that adopt and implement at least three pro-housing policies in accordance with this section. A township or municipal corporation may apply for such a grant in the form and manner prescribed by the department. The application shall, at minimum, include both of the following:



(1) Documentation or other evidence that shows the 20  
township or municipal corporation has adopted and implemented at 21  
least three of the pro-housing policies described in division 22  
(D) of this section; 23

(2) A description of how the township or municipal 24  
corporation intends to utilize the grant funds received. 25

The department shall review applications and award grants 26  
under this section annually, to the extent that funds are 27  
available, provided that no township or municipal corporation 28  
may receive more than fifteen per cent of the total funds 29  
available, regardless of the number of applicants. 30

(C) (1) Except as otherwise provided in division (F) of 31  
this section, the first ten townships and municipal corporations 32  
that timely submit an application and that demonstrate, to the 33  
satisfaction of the department, that they have adopted and 34  
implemented at least three of the pro-housing policies, 35  
including at least one policy from each of divisions (D) (1), 36  
(2), and (3) of this section, shall receive a portion of the 37  
available funds. The department shall determine the amount of 38  
the grant awarded to each such township and municipal 39  
corporation based on population. Approximately seventy-five per 40  
cent of the available funds shall be awarded under division (C) 41  
(1) of this section. 42

(2) Approximately twenty-five per cent of the available 43  
funds shall be awarded to townships and municipal corporations 44  
that have adopted and implemented six or more of the pro-housing 45  
policies described in division (D) of this section. A township 46  
or municipal corporation that received funds under division (C) 47  
(1) of this section may receive additional funds under this 48  
division. 49

(D) All of the following are pro-housing policies for 50  
purposes of this section: 51

(1) (a) Having no or minimal parking requirements for 52  
developments that include residential units; 53

(b) Allowing at least quadplex housing in at least 54  
seventy-five per cent of the territory of the township or 55  
municipal corporation; 56

(c) Repealing minimum lot size requirements for 57  
developers; 58

(d) Having reduced, by at least fifty per cent, the 59  
portion of territory within the township or municipal 60  
corporation that is zoned for single-family use only, as 61  
compared to the portion of territory zoned for that purpose ten 62  
years before the application date. 63

(2) (a) Subsidizing or decreasing costs related to water or 64  
sewer connections for major workforce housing projects; 65

(b) Acquiring and readying sites that are ready to be 66  
financed and built upon by housing developers; 67

(c) Providing incentives related to increased density to 68  
developers that provide low-income housing and workforce housing 69  
in census tracts that are at or above the area median income; 70

(d) Providing incentives for modular housing or 71  
manufactured homes; 72

(e) Adopting road regulations and specifications for 73  
county roads recommended by the department of transportation for 74  
all roads constructed for the purpose of housing projects; 75

(f) Adopting a building code that is not more restrictive 76

<u>than the state's building code for the specific style of</u>	77
<u>exterior cladding or finish materials for residential buildings.</u>	78
<u>(3) (a) Having a process in place to reduce the time it</u>	79
<u>takes to review and complete all regulatory approvals for</u>	80
<u>housing developments by at least thirty per cent or that reduces</u>	81
<u>the time it takes to review and grant permits to four months or</u>	82
<u>less;</u>	83
<u>(b) Having a pre-approval process in place to create an</u>	84
<u>expedited review and granting of permits for a diverse range of</u>	85
<u>developers;</u>	86
<u>(c) Having an expedited approval process for development</u>	87
<u>plans sharing ninety per cent of the elements of a development</u>	88
<u>plan that was previously approved;</u>	89
<u>(d) Having a housing plan within the last five years that</u>	90
<u>tracks the needs, gaps, and potential strategies for increasing</u>	91
<u>housing across all income levels within the township or</u>	92
<u>municipal corporation for at least the next ten years and</u>	93
<u>identifies opportunities to reduce the regulatory burden on</u>	94
<u>housing development;</u>	95
<u>(e) Having policies that preserve existing moderate and</u>	96
<u>low-income housing;</u>	97
<u>(f) Allowing accessory dwelling units.</u>	98
<u>(E) A township or municipal corporation that receives a</u>	99
<u>grant under this section shall use at least half of the funds</u>	100
<u>for the following purposes:</u>	101
<u>(1) Providing capital for housing development through</u>	102
<u>grants or loans;</u>	103
<u>(2) Supporting first-time home buyers;</u>	104

<u>(3) Providing funds for home repairs for low-income</u>	105
<u>homeowners;</u>	106
<u>(4) Providing funds for multi-family building improvements</u>	107
<u>for low- and middle-income landlords;</u>	108
<u>(5) Enforcing zoning and residential building regulations;</u>	109
<u>(6) Enforcing anti-discrimination housing regulations;</u>	110
<u>(7) Providing funds for tenant protection and empowerment;</u>	111
<u>(8) Acquiring and readying sites for housing development;</u>	112
<u>(9) Funding a conversion under the rental assistance</u>	113
<u>demonstration program;</u>	114
<u>(10) Providing long-term housing for difficult to house</u>	115
<u>populations.</u>	116
<u>(F) Townships and municipal corporations that receive a</u>	117
<u>grant under this section shall provide documentation sufficient</u>	118
<u>to prove, to the satisfaction of the department, that at least</u>	119
<u>half of the funds were used for the purposes specified in</u>	120
<u>division (E) of this section. A township or municipal</u>	121
<u>corporation that does not expend at least half of the funds for</u>	122
<u>the purposes specified in division (E) of this section shall not</u>	123
<u>receive funds under this section for five years following the</u>	124
<u>date those funds were expended improperly.</u>	125
<u>(G) The housing accelerator fund is created in the state</u>	126
<u>treasury. Money in the fund shall be used to provide grants</u>	127
<u>under this section and section 175.42 of the Revised Code. All</u>	128
<u>investment earnings of the fund shall be credited to the fund."</u>	129
<u>In the table on line 114939, after row Q, insert:</u>	130
<u>"</u>	131

					132
	1	2	3	4	5
A	GRF	1954A6 Housing Accelerator		\$2,500,000	\$2,500,000
	"				133
	In the table on line 114939, in rows T and CO add \$2,500,000 to each				134
	fiscal year				135
	After line 115139, insert:				136
	"HOUSING ACCELERATOR				137
	The foregoing appropriation item 1954A6, Housing Accelerator, shall				138
	be used to support the housing development incentive programs under				139
	section 122.634 of the Revised Code.				140
	An amount equal to the unexpended, unencumbered, balance of				141
	appropriation item 1954A6, Housing Accelerator, at the end of fiscal year				142
	2026 is hereby reappropriated to the same appropriation item for the same				143
	purpose in fiscal year 2027."				144
	Update the title, amend, enact, or repeal clauses accordingly				145

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS

#### **Housing grants**

#### **R.C. 122.634**

Establishes a grant program to be administered by the  
Department of Development for townships and municipal

corporations that adopt pro-housing policies.	151
<b>Department of Development</b>	152
<b>Sections 259.10 and 259.20</b>	153
Appropriates \$2,500,000 in each fiscal year under GRF ALI	154
1954A6, Housing Accelerator, to support the housing development	155
incentive program described above.	156
Reappropriates the unexpended, unencumbered amount of the	157
appropriation remaining at the end of FY 2026 for use in FY	158
2027.	159

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 120595, after "education" insert "and secondary students 1  
enrolling in Ohio Technical Center programs pursuant to section 3313.901 2  
of the Revised Code" 3

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 4

**Department of Higher Education** 5

**Section 381.210** 6

Requires GRF ALI 235444, Ohio Technical Centers, be used 7  
to support secondary students enrolling in Ohio Technical Center 8  
programs through a contract with a school district, in addition 9  
to supporting post-secondary adult career-technical education as 10  
required under the current version of the bill. 11



Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 93184, insert:

"**Sec. 5119.85.** (A) As used in this section, "telephone company" has the same meaning as in section 128.01 of the Revised Code.

(B) Except for willful or wanton misconduct, a telephone company, a provider of interconnected voice over internet protocol service, and any other installer, maintainer, or provider, through the sale or otherwise, of customer premises equipment, or service used for or with the 9-8-8 hotline, and their respective officers, directors, employees, agents, suppliers, corporate parents, and affiliates are not liable in damages in a civil action for injuries, death or loss to persons or property incurred by any person resulting from such an entity's or its officers', directors', employees', agents', or suppliers' participation in or acts or omissions in connection with participating in or developing, maintaining, or operating the 9-8-8 hotline."

Update the title, amend, enact, or repeal clauses accordingly

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

	19
<b>Voice over internet protocol service immunity</b>	20
<b>R.C. 5119.85</b>	21
Exempts, except for willful or wanton misconduct, voice	22
over internet protocol service providers from liability in a	23
civil action for damages resulting from their acts or omissions	24
in connection with the 9-8-8 Hotline.	25

Sub. H. B. No. 96

I\_136\_0001-4

MCDCD45

\_\_\_\_\_ moved to amend as follows:

In line 118758, after the period insert "This section does not apply 1  
to funds appropriated to provide services that support access to the 2  
community for Medicaid recipients with intellectual and developmental 3  
disabilities." 4

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Diversity, equity, and inclusion**

**Section 333.12**

Excludes funds used to provide access to the community for 8  
Medicaid recipients with intellectual and developmental 9  
disabilities from the prohibition on using Medicaid funds for 10  
diversity, equity, and inclusion initiatives. 11



Sub. H. B. No. 96

I\_136\_0001-4

TAXCD91

\_\_\_\_\_ moved to amend as follows:

In line 102593, delete "submit" and insert "make the certification  
required under section 5705.36 of the Revised Code" 1 2

In line 102594, delete the second "the" 3

Delete lines 102595 through 102597 4

In line 102598, delete "state"; delete "thirtieth" and insert 5  
"fifteenth"; delete "November" and insert "July"; delete "The board" 6

Delete lines 102599 and 102600 7

In line 102603, delete "December" and insert "August"; delete 8  
"projections" and insert "certifications from each such school district" 9

In line 102605, delete "twenty-five" and insert "thirty" 10

In line 102614, after the underlined period insert "These reductions  
shall be made without regard to maintaining the reduction limit imposed  
under division (E) (2) of section 319.301 of the Revised Code." 11 12 13

After line 125332, insert: 14

"**Section 757.00.01.** Notwithstanding section 5705.316 of 15  
the Revised Code, each county budget commission or, if 16



applicable, joint budget commission, shall convene not later 17  
 than October 31, 2025, to proceed as described in that section. 18  
 At that meeting, the commission shall review the certification 19  
 required for fiscal year 2025 under section 5705.36 of the 20  
 Revised Code for each city, local, or exempted village school 21  
 district in the county. If the carry-over balance in a 22  
 district's general operating budget exceeds thirty per cent of 23  
 the district's general fund expenditures made in that fiscal 24  
 year, the commission shall reduce the rate of, or the annual 25  
 amount of money to be raised by any or all of the current 26  
 expense taxes levied by the district for tax year 2025 to the 27  
 extent described in section 5705.316 of the Revised Code. 28

This section does not apply to an island school district 29  
 or a joint state school district." 30

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 31

**School district property tax reductions** 32

**R.C. 5705.316; Section 757.00.01** 33

Modifies, as follows, a provision added by the substitute 34  
 bill that requires a county budget commission to reduce the 35  
 property tax rates levied by a city, local, or exempted village 36  
 district for current expenses so as to reduce collections by the 37  
 amount of a specified excess carry-over balance in its general 38  
 operating budget: 39

--Modifies the specified carry-over balance from 25% to 40

30% of the district's general fund expenditures for the prior 41  
fiscal year. 42

--Instead of considering data of its five-year fiscal 43  
projections submitted by the district by November 30 to DEW and 44  
the AOS, requires the commission to consider an earlier set of 45  
data already submitted to the budget commission, and specifies 46  
that this earlier data must be submitted to the commission by 47  
July 15; 48

--Requires the commission to meet to consider rate 49  
reductions by August 15 instead of December 15; 50

--Provides a special timeline for making FY 2025 reviews 51  
and tax year 2025 rate adjustments by requiring the commission 52  
to convene and make its review and adjustments by October 31, 53  
2025; 54

--Clarifies that the commission may reduce current expense 55  
levy rates even below a total collections threshold of 20 mills 56  
that applies under current law as part of calculating the tax 57  
reduction factor ("20-mill floor"). 58

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 5888, insert: 1

"(6) "Fiscal year" means the fiscal year of this state as specified 2  
in section 9.34 of the Revised Code." 3

In line 5893, after the period insert "The director shall administer 4  
the program so that the total reimbursement to each training provider 5  
approved to participate in the program occurs at least once per fiscal 6  
year." 7

In line 5896, after "development" insert "at the beginning or before 8  
the beginning of a fiscal year, but not later than the date established by 9  
the director" 10

In line 5949, after "shall" insert "submit the reimbursement 11  
application during the fiscal year in which the training provider applied 12  
under division (C) of this section, but not later than the date 13  
established by the director. The training provider shall" 14

In line 5965, after the period insert "However, each participating 15  
training provider that is a state institution of higher education may 16  
receive a total reimbursement or advance payment amount under section 17  
122.1713 of the Revised Code of one million dollars in a fiscal year." 18

In line 5971, strike through "both" and insert "all" 19

In line 5975, after "(2)" insert "Create applications to participate 20  
in and seek advance payments under the platinum provider programs 21  
established under sections 122.1712 and 122.1713 of the Revised Code; 22

(3) " 23

In line 5987, after "section" insert "and sections 122.1712 and 24  
122.1713 of the Revised Code" 25

After line 5996, insert: 26

**"Sec. 122.1712. (A) As used in this section:** 27

(1) "Fiscal year" means the fiscal year of this state as 28  
specified in section 9.34 of the Revised Code. 29

(2) "Individual microcredential assistance program" means 30  
the individual microcredential assistance program created under 31  
section 122.1710 of the Revised Code. 32

(3) "Microcredential" has the same meaning as in section 33  
122.178 of the Revised Code. 34

(4) "Training provider" means all of the following: 35

(a) An Ohio technical center as defined in section 3333.94 36  
of the Revised Code; 37

(b) A private business or institution that offers training 38  
to allow an individual to earn one or more microcredentials; 39

(c) A state institution of higher education as defined in 40  
section 3345.011 of the Revised Code. 41

(B) The director of development, in consultation with the 42  
governor's office of workforce transformation, shall establish a 43



platinum provider program. A training provider that is approved 44  
to participate in the individual microcredential assistance 45  
program and that meets the requirements specified under this 46  
section is eligible to participate in the platinum provider 47  
program. A training provider approved to participate in the 48  
platinum provider program may receive one or more advance 49  
payments to cover the training costs for individuals to earn a 50  
microcredential under the individual microcredential assistance 51  
program. 52

(C) A training provider seeking to participate in the 53  
platinum provider program shall apply to the director on a form 54  
prescribed by the director after the training provider is 55  
approved to participate in the individual microcredential 56  
assistance program. The training provider shall include in the 57  
application all of the following information: 58

(1) The advance payment amount the training provider is 59  
seeking, not to exceed twenty per cent of the total 60  
reimbursement amount the training provider seeks under division 61  
(C) of section 122.1710 of the Revised Code; 62

(2) Evidence that at least eighty per cent of individuals 63  
who participated in training programs offered by the training 64  
provider in the previous fiscal year earned a microcredential 65  
under the individual microcredential assistance program; 66

(3) The number of microcredentials for which the training 67  
provider is seeking an advance payment and the names of the 68  
microcredentials; 69

(4) The cost of the training for each microcredential for 70  
which the training provider is seeking an advance payment; 71

(5) Proof that the training provider has obtained a surety 72

bond that meets the requirements of division (J) of this 73  
section. 74

(D) The director shall notify a training provider in 75  
writing of the director's decision to approve or deny an 76  
application the training provider submits under division (C) of 77  
this section. If the director approves the application, the 78  
director shall do both of the following: 79

(1) Designate the training provider as a platinum 80  
provider; 81

(2) Provide an initial advance payment to the platinum 82  
provider in the amount specified in the application but not 83  
exceeding any of the amounts described under division (F) of 84  
this section. 85

(E) After each training program that a platinum provider 86  
administers during a fiscal year that results in at least one 87  
individual earning a microcredential, the provider may apply for 88  
a subsequent advance payment of not more than the least of the 89  
amounts described under division (F) of this section. The 90  
provider shall include in the application the same information 91  
as described under division (C) of this section. If a provider 92  
applies for a subsequent advance payment under this division, 93  
one of the following applies depending on the training program's 94  
completion rate: 95

(1) If at least eighty per cent of the individuals who 96  
participated in the training program earned a microcredential, 97  
the director shall provide a subsequent advance payment to the 98  
provider in the amount specified in the application. 99

(2) If less than eighty per cent of the individuals who 100  
participated in the training program earned a microcredential, 101

to be eligible for a subsequent advance payment, the provider 102  
shall refund to the director a certain per cent of the advance 103  
payment amount that was last provided to the provider during the 104  
fiscal year as determined under division (E) (2) (a) of this 105  
section. 106

(a) The per cent a provider must refund to be eligible for 107  
a subsequent advance payment under division (E) (2) of this 108  
section is the difference between eighty per cent and the per 109  
cent of individuals who earned a microcredential. 110

(b) For a provider to whom division (E) (2) of this section 111  
applies, if the provider complies with that division, the 112  
director shall provide a subsequent advance payment to the 113  
provider in the amount specified in the provider's application. 114  
If the provider does not comply with that division, the director 115  
shall not provide a subsequent advance payment. 116

(F) In no case shall the director provide an advance 117  
payment under this section that exceeds the least of the 118  
following amounts: 119

(1) Twenty per cent of the total amount of reimbursement 120  
the platinum provider seeks under division (C) of section 121  
122.1710 of the Revised Code; 122

(2) The amount of the provider's surety bond required by 123  
division (J) of this section, less any previous advance payment 124  
the provider is required to refund to the director under 125  
division (G) of this section, if the provider has not yet 126  
completed the refund; 127

(3) One hundred thousand dollars. 128

(G) (1) If the director approves a reimbursement 129

application that a platinum provider submits under division (F) 130  
of section 122.1710 of the Revised Code, the director shall 131  
reimburse the platinum provider for the total actual cost for 132  
the platinum provider to provide training to individuals who 133  
earned a microcredential in accordance with that division less 134  
the total advance payment amount provided to the platinum 135  
provider under this section. The director shall not reimburse 136  
the platinum provider for any amounts the platinum provider 137  
refunded to the director under division (E) (2) of this section. 138  
If the platinum provider specifies in the reimbursement 139  
application that the total actual cost for the platinum provider 140  
to provide the training is less than the total advance payment 141  
amount provided to the platinum provider under this section, the 142  
platinum provider shall refund to the director the difference 143  
between the advance payment amount and the actual training cost. 144

(2) If a platinum provider fails to apply for 145  
reimbursement under division (F) of section 122.1710 of the 146  
Revised Code, the director shall require the platinum provider 147  
to refund the total advance payment amount provided to the 148  
platinum provider under this section. 149

(H) If, at the time a platinum provider seeks 150  
reimbursement under division (F) of section 122.1710 of the 151  
Revised Code, the director determines that less than eighty per 152  
cent of individuals who participated in training programs 153  
provided by the platinum provider in the fiscal year earned a 154  
microcredential or that the platinum provider has failed to 155  
maintain the bond required under division (J) of this section, 156  
both of the following apply: 157

(1) The director shall revoke the provider's status as a 158  
platinum provider; 159

(2) The provider is ineligible to participate in the 160  
platinum provider program for the following fiscal year. 161

(I) A training provider whose platinum status is revoked 162  
under division (H) of this section may reapply to participate in 163  
the platinum provider program in the fiscal year that follows 164  
the fiscal year in which the training provider is ineligible to 165  
participate in the program under that division. 166

(J) A training provider that is certified as a platinum 167  
provider or that seeks to participate in the platinum provider 168  
program shall maintain a surety bond issued by a bonding company 169  
or an insurance company licensed to do business in this state. 170  
The bond shall be in favor of the director in an amount not less 171  
than the sum of the total advance payments received by the 172  
provider for the fiscal year plus any advance payments for 173  
previous fiscal years that the provider is required to refund 174  
under division (G) of this section, if the provider has not yet 175  
completed the refund. The provider shall maintain the bond for 176  
so long as it participates in the program and shall not allow it 177  
to expire or terminate until all of the provider's obligations 178  
under division (G) of this section are fulfilled. 179

**Sec. 122.1713. (A) As used in this section:** 180

(1) "Fiscal year" means the fiscal year of this state as 181  
specified in section 9.34 of the Revised Code. 182

(2) "Individual microcredential assistance program" means 183  
the individual microcredential assistance program created under 184  
section 122.1710 of the Revised Code. 185

(3) "Microcredential" has the same meaning as in section 186  
122.178 of the Revised Code. 187

(4) "State institution of higher education" has the same 188  
meaning as in section 3345.011 of the Revised Code. 189

(B) The director of development, in consultation with the 190  
governor's office of workforce transformation, shall establish 191  
an institutional platinum provider program for state 192  
institutions of higher education approved to participate in the 193  
individual microcredential assistance program. 194

(C) Each state institution of higher education shall do 195  
both of the following: 196

(1) Provide at least two in-person training programs and 197  
at least one online training program for individuals to earn a 198  
microcredential; 199

(2) Not later than the thirty-first day of December 200  
immediately after the effective date of this section, and not 201  
later than the thirty-first day of December of each year 202  
thereafter, apply to participate in the individual 203  
microcredential assistance program. 204

(D) If the director approves a state institution of higher 205  
education's application to participate in the individual 206  
microcredential assistance program, all of the following apply: 207

(1) The director shall designate the institution as an 208  
institutional platinum provider. 209

(2) The institution may participate in the institutional 210  
platinum provider program established under this section. 211

(3) The institution is eligible to apply for one or more 212  
advance payments under this section to cover training costs for 213  
individuals to earn a microcredential. 214

(E) An institutional platinum provider may apply for an 215

initial advance payment of not more than twenty per cent of the 216  
total reimbursement amount the institution seeks under division 217  
(C) of section 122.1710 of the Revised Code. If an institution 218  
submits an application under this division, the director shall 219  
provide an advance payment to the institution in the amount 220  
specified in the application. 221

(F) After each training program that an institutional 222  
platinum provider administers during a fiscal year that results 223  
in at least one individual earning a microcredential, the 224  
institution may apply for a subsequent advance payment of not 225  
more than twenty per cent of the total reimbursement amount the 226  
institution seeks under division (C) of section 122.1710 of the 227  
Revised Code. If an institution applies for a subsequent advance 228  
payment under this division, one of the following applies 229  
depending on the training program's completion rate: 230

(1) If at least fifty per cent of the individuals who 231  
participated in the training program earned a microcredential, 232  
the director shall provide a subsequent advance payment to the 233  
institution in the amount specified in the application. 234

(2) If less than fifty per cent of the individuals who 235  
participated in the training program earned a microcredential, 236  
to be eligible for a subsequent advance payment, the institution 237  
shall refund to the director a certain per cent of the advance 238  
payment amount that was last provided to the institution during 239  
the fiscal year as determined under division (F) (2) (a) of this 240  
section. 241

(a) The per cent an institution must refund to be eligible 242  
for a subsequent advance payment under division (F) (2) of this 243  
section is the difference between fifty per cent and the per 244  
cent of individuals who earned a microcredential. 245

(b) For an institution to whom division (F) (2) of this 246  
section applies, if the institution complies with that division, 247  
the director shall provide a subsequent advance payment to the 248  
institution in the amount specified in the institution's 249  
application. If the institution does not comply with that 250  
division, the director shall not provide a subsequent advance 251  
payment. 252

(G) In no case shall the total amount of the advance 253  
payments an institutional platinum provider receives under this 254  
section during any fiscal year exceed the total reimbursement 255  
amount the institution seeks under division (C) of section 256  
122.1710 of the Revised Code. 257

(H) If the director approves a reimbursement application 258  
that an institutional platinum provider submits under division 259  
(F) of section 122.1710 of the Revised Code, the director shall 260  
reimburse the institution in accordance with that division for 261  
the total actual cost for the institution to provide training to 262  
individuals who earned a microcredential less the total advance 263  
payment amount provided to the institution under this section. 264  
The director shall not reimburse the institution for any amounts 265  
the institution refunded to the director under division (F) (2) 266  
of this section. If the institution specifies in the 267  
reimbursement application that the total actual cost for the 268  
institution to provide the training is less than the total 269  
advance payment amount provided to the institution under this 270  
section, the institution shall refund to the director the 271  
difference between the advance payment amount and the actual 272  
training cost." 273

In line 115125, after "122.178" insert a comma 274

In line 115126, delete "and"; after "122.1710" insert ", 122.1712," 275



and 122.1713" 276

After line 124729, insert: 277

"**Section 701.00.01.** Sections 122.1712 and 122.1713 of the 278  
Revised Code, as enacted by this act, shall be known as the 279  
Platinum Provider Act." 280

Update the title, amend, enact, or repeal clauses accordingly 281

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 282

#### **Individual Microcredential Assistance Program** 283

#### **R.C. 122.1710, 122.1712, and 122.1713** 284

Creates the Institutional Platinum Provider Program (IPPP) 285  
for state institutions of higher of education participating in 286  
the Individual Microcredential Assistance Program (IMAP) under 287  
which an institution may receive one or more advance payments to 288  
train individuals to earn a microcredential. 289

Increases from \$500,000 to \$1,000,000 the total advance 290  
payment or reimbursement amount an institution participating in 291  
IPPP may receive in a fiscal year. 292

Creates the Platinum Provider Program for Ohio technical 293  
centers, state institutions of higher education, and private 294  
businesses or institutions participating in IMAP under which an 295  
eligible participant may receive one or more advance payments to 296  
train individuals to earn a microcredential. 297

<b>Department of Development</b>	298
<b>Section 259.20</b>	299
Requires GRF ALI 195556, TechCred Program, to support the	300
Platinum Provider Program and Institutional Platinum Provider	301
Program in addition to the existing Techcred and IMAP programs.	302

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 325 of the title, after "5180.34," insert "5310.05, 5310.06, 1  
5310.07, 5310.08, 5310.09, 5310.10, 5310.11, 5310.12, 5310.13, 5310.14," 2

After line 101002, insert: 3

"**Sec. 5310.47.** Abolition of land registration in a county 4  
does not bar ~~either of the following:~~ 5

~~(A) A~~ a person who is deprived of land, any interest 6  
therein, or any encumbrance thereon as the result of a decree 7  
obtained by fraud in a case relating to registered land or to 8  
the initial registration of land from filing a complaint to open 9  
up and review the case as provided in section 5309.23 or 5309.81 10  
of the Revised Code. 11

~~(B) A person who has a cause of action under section 12  
5310.07 of the Revised Code from commencing and prosecuting an 13  
action as provided in that section, subject to the period of 14  
limitation provided in section 5310.12 of the Revised Code. If 15  
judgment is rendered for the plaintiff in such an action, 16  
recovery shall be had as provided in sections 5310.09 to 5310.11 17  
and 5310.13 of the Revised Code." 18~~

In line 113627, after "5180.34," insert "5310.05, 5310.06, 5310.07, 19

5310.08, 5310.09, 5310.10, 5310.11, 5310.12, 5310.13, 5310.14," 20

In the table on line 123054, after row I insert: 21

" 22

23

1	2	3	4	5
A	5BD1	090576	County Recorder	\$1,750,000
			Electronic Record	\$0
			Supplement	

" 24

In the table on line 123054, in rows M and Q, add 25

\$1,750,000 to fiscal year 2026 26

In line 123055, delete "TAX REFUNDS" and insert "COUNTY 27

RECORDER ELECTRONIC RECORD MODERNIZATION PROGRAM 28

An amount equal to the unexpended, unencumbered balance of 29

appropriation item 090409, County Recorder Electronic 30

Modernization Program, at the end of fiscal year 2025 is hereby 31

reappropriated to the same appropriation item for the same 32

purpose in fiscal year 2026. 33

TAX REFUNDS" 34

After line 123076, insert: 35

**"Section 413.50.** COUNTY RECORDER ELECTRONIC RECORD 36

MODERNIZATION FUND 37

The County Recorder Electronic Modernization Fund (Fund 38

5BD1) is created in the state treasury. Money in the fund shall 39

be used to distribute funds to reimburse counties under the 40

County Recorder Electronic Record Modernization Program, for use 41

by county recorder's offices to implement the requirements set  
forth in divisions (E) and (F) of section 317.13 of the Revised  
Code. The Treasurer of State shall reimburse counties on a  
rolling basis until the appropriation is expended. Counties that  
met the requirements set forth in divisions (E) and (F) of  
section 317.13 of the Revised Code on October 24, 2024, are  
ineligible for funds under the Program. To be eligible for  
reimbursement under the Program, an expense must be incurred on  
or after October 24, 2024; expenses incurred before that date  
are not eligible for reimbursement. A county that receives funds  
under the Program shall credit those funds to the Recorder's  
Technology Fund at least to the extent necessary to reimburse  
the fund for money the county recorder spent to implement the  
requirements set forth in divisions (E) and (F) of section  
317.13 of the Revised Code.

On July 1, 2025, or as soon as possible thereafter, the  
Treasurer of State shall transfer the cash balance including  
accrued interest and investment earnings from the Torrens Law  
Assurance Fund in the custody of the Treasurer of State, to the  
County Recorder Electronic Modernization Fund (Fund 5BD1). Upon  
completion of the transfer and on the effective date of its  
repeal by this act, the Torrens Law Assurance Fund is hereby  
abolished."

Update the title, amend, enact, or repeal clauses accordingly

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS

**Torrens Law Assurance Fund**

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**R.C. 5310.05, 5310.06, 5310.07, 5310.08, 5310.09, 5310.10,  
5310.11, 5310.12, 5310.13, and 5310.14 (repealed); R.C. 5310.47;  
Sections 413.10, 413.20, and 413.50**

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Eliminates the Torrens Law Assurance Fund and all related  
statutory content, including its creation, its funding, and its  
use to compensate owners of registered land who suffer damages  
or are otherwise deprived of their land due to fraud, mistake or  
error relating to the registration.

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Reappropriates the available balance of GRF ALI 090409,  
County Recorder Electronic Modernization Program, at the end of  
FY 2025 for the same purpose in FY 2026.

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Appropriates \$1.75 million in FY 2026 in ALI 090576,  
County Recorder Electronic Record Supplement (Fund 5BD1), to be  
used to distribute funds to reimburse counties under the County  
Recorder Electronic Record Modernization Program, for use by  
county recorder's offices to implement record digitization and  
electronic recording requirements. Requires Treasurer of State  
to reimburse counties on a rolling basis until the appropriation  
is expended.

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Specifies eligibility requirements related to funds  
reimbursement under the Program. Requires a county that receives  
funds under the Program to credit those funds to the Recorder's  
Technology Fund at least to the extent necessary to reimburse  
the fund for money the county recorder spent to implement the  
record digitization and electronic recording requirements.

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Requires the Treasurer of State, on July 1, 2025, or as  
soon as possible thereafter, to transfer the cash balance,  
including accrued interest and investment earnings, from the

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Torrens Law Assurance Fund, in the custody of the Treasurer of	96
State, to the County Recorder Electronic Modernization Fund	97
(Fund 5BD1). Repeals and abolishes the Torrens Law Assurance	98
Fund upon completion of the required transfer.	99

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 98031, insert:

"**Sec. 5164.91.** (A) The medicaid director may implement a demonstration project called the integrated care delivery system to test and evaluate the integration of the care that dual eligible individuals receive under medicare and medicaid. No provision of Title LI of the Revised Code applies to the integrated care delivery system if that provision implements or incorporates a provision of federal law governing medicaid and that provision of federal law does not apply to the system.

If the director terminates the integrated care delivery system, the director may develop and establish a successor integrated care delivery system, as approved by the United States centers for medicare and medicaid services, to serve dual eligible individuals in all counties of this state.

(B) (1) The director shall allow participants in the integrated care delivery system or the ICDS successor program the choice to enroll in a medicare coordination only dual special needs plan offered by an entity that does not participate in the successor program and allow participants to remain with their current medicare dual special needs plan.





(2) The director shall grant medicaid provider contracts 21  
for coordination only dual special needs plans that are offered 22  
by entities not selected to participate in the integrated care 23  
delivery system or the successor program and permit the entities 24  
offering those plans to enroll in those plans dual eligible 25  
individuals and participants in the integrated care delivery 26  
system or the successor program." 27

After line 98513, insert: 28

"(M) "Medicare coordination only dual special needs plan" means a 29  
dual special needs plan established in accordance with 42 C.F.R. 30  
422.107(D) ." 31

In line 98514, delete "(M)" and insert "(N)" 32

In line 98516, delete "(N)" and insert "(O)" 33

In line 98518, delete "(O)" and insert "(P)" 34

In line 98521, delete "(P)" and insert "(Q)" 35

In line 98523, delete "(Q)" and insert "(R)" 36

In line 98525, delete "(R)" and insert "(S)" 37

In line 98527, delete "(S)" and insert "(T)" 38

In line 98529, delete "(T)" and insert "(U)" 39

In line 98533, delete "(U)" and insert "(V)" 40

In line 98535, delete "(V)" and insert "(W)" 41

In line 98538, delete "(W)" and insert "(X)" 42

After line 98590, insert: 43

"(F) The director shall allow participants in the integrated care 44  
delivery system or the ICDS successor program the choice to enroll in a 45

medicare coordination only dual special needs plan offered by an entity 46  
that does not participate in the successor program and allow participants 47  
to remain with their current medicare dual special needs plan. 48

The director shall grant medicaid provider contracts for 49  
coordination only dual special needs plans that are offered by entities 50  
not selected to participate in the integrated care delivery system or the 51  
successor program and permit the entities offering those plans to enroll 52  
in those plans dual eligible individuals and participants in the 53  
integrated care delivery system or the successor program." 54

After line 119007, insert: 55

"(1) In contracting with entities under division (B) of this 56  
section, the Director shall allow participants in the Integrated Care 57  
Delivery System or the ICDS successor program the choice to enroll in a 58  
Medicare coordination only dual special needs plan, as defined in section 59  
5167.01 of the Revised Code, offered by an entity that does not 60  
participate in the successor program and allow participants to remain with 61  
their current Medicare dual special needs plan. 62

(2) The Director shall approve entity contracts pursuant to division 63  
(B) of this section for coordination only dual special needs plans that 64  
are offered by entities not selected to participate in the Integrated Care 65  
Delivery System or the successor program and permit the entities offering 66  
those plans to enroll in those plans dual eligible individuals and 67  
participants in the Integrated Care Delivery System or the successor 68  
program." 69

Update the title, amend, enact, or repeal clauses accordingly 70

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	71
<b>Medicare coordination only dual special needs plans</b>	72
<b>R.C. 5164.91, 5167.01, and 5167.03; Section 333.250</b>	73
Specifically authorizes the ODM Director to establish an	74
ICDS successor program to operate in all Ohio counties, if the	75
Director terminates the ICDS.	76
With respect to the ICDS or the ICDS successor program,	77
requires the Director to allow participants the choice to enroll	78
in Medicare coordination only dual special needs plans offered	79
by entities that do not participate in the ICDS or the ICDS	80
successor program, and requires the Director to approve Medicaid	81
provider contracts to entities not selected to participate in	82
either program and allow those entities to enroll dual eligible	83
individuals and program participants.	84

Sub. H. B. No. 96

I\_136\_0001-4

MHACD10

\_\_\_\_\_ moved to amend as follows:

In line 119366, delete the semicolon and insert ". In selecting 1  
mental health service providers with which to contract, a board of 2  
alcohol, drug addiction, and mental health services shall not refuse to 3  
contract with a hospital or inpatient unit that is within the board's 4  
service district if the hospital or inpatient unit is in good standing 5  
with the Department of Behavioral Health and is willing to accept the 6  
terms of a contract with the board." 7

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 8

**Department of Behavioral Health** 9

**Section 337.20** 10

Prohibits an ADAMHS board, when using Mental Health State 11  
Block Grant funds in GRF ALI 336421, Continuum of Care Services, 12  
for certain mental health services, from refusing to contract 13

Legislative Service Commission



with a hospital that is in the board's service district if the	14
hospital is in good standing with DBH and is willing to accept	15
the board's contract terms.	16

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 117659, in row R, delete "\$12,187,500 1  
\$12,187,500" and insert "\$13,187,500 \$13,187,500" 2

In the table on line 117659, in rows Z and BW, add \$1,000,000 to 3  
each fiscal year 4

After line 117765, insert: 5

"Of the foregoing appropriation item 440485, Health Program Support, 6  
\$1,000,000 in each fiscal year shall be provided to Memorial Hospital for 7  
the Mid-Ohio Cardiovascular Health Improvement Initiative." 8

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 9

**Department of Health** 10

**Sections 291.10 and 291.20** 11

Increases GRF ALI 440485, Health Program Support, by 12  
\$1,000,000 in each fiscal year. Requires the increase in funds 13

Legislative Service Commission



to be provided to Memorial Hospital for the Mid-Ohio	14
Cardiovascular Health Improvement Initiative.	15

\_\_\_\_\_ moved to amend as follows:

In the table on line 114939, after row D, insert:

"

	1	2	3	4	5
A GRF	195406	Helping Ohioans Stay in		\$4,000,000	\$4,000,000
		their Homes			

"

In the table on line 114939, in rows T and CO add \$4,000,000 to each  
fiscal year

After line 114953, insert:

"HELPING OHIOANS STAY IN THEIR HOMES

The foregoing appropriation item 195406, Helping Ohioans Stay in  
their Homes, shall be granted to People Working Cooperatively for the Safe  
and Healthy at Home Initiative."

The motion was \_\_\_\_\_ agreed to.



<u>SYNOPSIS</u>	12
<b>Department of Development</b>	13
<b>Sections 259.10 and 259.20</b>	14
Appropriates \$4,000,000 in each fiscal year to GRF ALI	15
195406, Helping Ohioans Stay in their Homes, and earmarks the	16
amount to People Working Cooperatively for the Safe and Healthy	17
at Home Initiative.	18

\_\_\_\_\_ moved to amend as follows:

In the table on line 119271, in row P, delete "\$1,100,000 1  
\$1,100,000" and insert "\$3,100,000 \$3,100,000" 2

In the table on line 119271, in rows S and AW, add \$2,000,000 to 3  
each fiscal year 4

After line 119680, insert: 5

"Of the foregoing appropriation item 336519, Community Projects, 6  
\$2,000,000 in each fiscal year shall be distributed to the Values-In- 7  
Action Foundation for the Kindland initiative." 8

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 9

**Department of Behavioral Health** 10

**Sections 337.10 and 337.117** 11

Increases GRF ALI 336519, Community Projects, by 12  
\$2,000,000 in each fiscal year. Earmarks these funds for the 13

Legislative Service Commission



Values-In-Action Foundation for the Kindland initiative.

14

\_\_\_\_\_ moved to amend as follows:

- In line 41740, strike through "and"
1
- In line 41741, after the comma insert "the governing
2
- authorities of any chartered nonpublic schools,"
3
- In line 41790, strike through "and"; after the second "schools"
4
- insert ", and chartered nonpublic schools"
5
- In line 41811, strike through "and"; after the second "schools"
6
- insert ", and chartered nonpublic schools"
7
- In line 41813, strike through "or"; after the second "school" insert
8
- ", or chartered nonpublic school"
9
- In line 41820, strike through "or"
10
- In line 41821, after "school" insert ", or chartered nonpublic
11
- school"
12
- In line 41835, strike through "or"; after the second "school" insert
13
- ", or chartered nonpublic school"
14
- In line 41840, strike through "or"
15
- In line 41841, after "school" insert ", or the governing
16

authority of a chartered nonpublic school" 17

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 18

**Unused school facilities** 19

**R.C. 3313.411** 20

Adds chartered nonpublic schools in the list of qualifying 21  
schools to which school districts must offer unused school 22  
facilities for sale or lease under the involuntary disposition 23  
of school district property law. 24

\_\_\_\_\_ moved to amend as follows:

In the table on line 115411, in row C, delete "\$100,000 \$100,000" 1  
and insert "\$250,000 \$250,000" 2

In the table on line 115411, in rows L and AG, add \$150,000 to each 3  
fiscal year 4

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Department of Developmental Disabilities**

**Section 261.10**

Increases the appropriation in GRF ALI 320411, Special 8  
Olympics, by \$150,000 in each fiscal year. 9

Sub. H. B. No. 96

I\_136\_0001-4

EPACD13

\_\_\_\_\_ moved to amend as follows:

In line 66348, strike through "2026" and insert "2041"

1

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

2

**Extend the sunset date for fee levied on sale of tires**

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**R.C. 3734.901**

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Extends, by 15 years, the expiration date of the 50¢ fee levied on each tire sold, the proceeds of which are deposited into the Soil and Water Conservation District Assistance Fund.

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Sets the new expiration date as June 30, 2041, rather than June 30, 2026, as in current law.

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HC2631

Sub. H. B. No. 96

I\_136\_0001-4

OBMCD34

\_\_\_\_\_ moved to amend as follows:

In line 10917, strike through "If the"	1
Strike through line 10918	2
In line 10919, delete " <u>director of budget and management</u> "; strike	3
through ", in"	4
In line 10920, strike through "consultation with"; strike through	5
"the"	6
In line 10921, strike through "director of natural resources,	7
shall"; delete " <u>transfer</u> "	8
In line 10922, delete everything before "to" and strike through the	9
balance of the line	10
Strike through line 10923	11
In line 10924, strike through "the department," and delete the	12
balance of the line	13
Delete line 10925	14
In line 10926, delete " <u>royalty fund</u> "; strike through the period	15

Legislative Service Commission



njz3aeodcuv5npyyftsoeg



The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**State Land Royalty Fund**

**R.C. 131.50**

Regarding the bill's provisions governing the State Land Royalty Fund, eliminates the requirement that money from the fund be transferred to funds administered by divisions in the Department of Natural Resources.

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Sub. H. B. No. 96

I\_136\_0001-4

TAXCD91

\_\_\_\_\_ moved to amend as follows:

After line 19005, insert:

"**Sec. 323.131.** (A) Each tax bill prepared and mailed or delivered under section 323.13 of the Revised Code shall be in the form and contain the information required by the tax commissioner. The commissioner may prescribe different forms for each county and may authorize the county auditor to make up tax bills and tax receipts to be used by the county treasurer. For any county in which the board of county commissioners has granted a partial property tax exemption on homesteads under section 323.158 of the Revised Code, the commissioner shall require that the tax bills for those homesteads include a notice of the amount of the tax reduction that results from the partial exemption. In addition to the information required by the commissioner, each tax bill shall contain the following information:

(1) The taxes levied and the taxes charged and payable against the property;

(2) The effective tax rate. The words "effective tax rate"



shall appear in boldface type. 19

(3) The following notices: 20

(a) "Notice: If the taxes are not paid within sixty days 21  
from the date they are certified delinquent, the property is 22  
subject to foreclosure for tax delinquency." Failure to provide 23  
such notice has no effect upon the validity of any tax 24  
foreclosure to which a property is subjected. 25

(b) "Notice: If the taxes charged against this parcel have 26  
been reduced by the 2-1/2 per cent tax reduction for residences 27  
occupied by the owner but the property is not a residence 28  
occupied by the owner, the owner must notify the county 29  
auditor's office not later than March 31 of the year following 30  
the year for which the taxes are due. Failure to do so may 31  
result in the owner being convicted of a fourth degree 32  
misdemeanor, which is punishable by imprisonment up to 30 days, 33  
a fine up to \$250, or both, and in the owner having to repay the 34  
amount by which the taxes were erroneously or illegally reduced, 35  
plus any interest that may apply. 36

If the taxes charged against this parcel have not been 37  
reduced by the 2-1/2 per cent tax reduction and the parcel 38  
includes a residence occupied by the owner, the parcel may 39  
qualify for the tax reduction. To obtain an application for the 40  
tax reduction or further information, the owner may contact the 41  
county auditor's office at \_\_\_\_\_ (insert the address and 42  
telephone number of the county auditor's office). 43

(4) For a tract or lot on the real property tax suspension 44  
list under section 319.48 of the Revised Code, the following 45  
notice: "Notice: The taxes shown due on this bill are for the 46  
current year only. Delinquent taxes, penalties, and interest 47

also are due on this property. Contact the county treasurer to 48  
learn the total amount due." 49

(5) For a property, the tax liability of which has been 50  
reduced under section 5705.316 of the Revised Code for the 51  
current tax year, the following notice: "Notice: The school 52  
district taxes shown due on this bill are reduced only for the 53  
current year due to the school district's excess carry-over 54  
balance." 55

The tax bill shall not contain or be mailed or delivered 56  
with any information or material that is not required by this 57  
section or that is not authorized by section 321.45 of the 58  
Revised Code or by the tax commissioner. 59

(B) If the property is residential rental property, the 60  
tax bill shall contain a statement that the owner of the 61  
residential rental property shall file with the county auditor 62  
the information required under division (A) or (C) of section 63  
5323.02 of the Revised Code. 64

(C) Each county auditor and treasurer shall post on their 65  
respective web sites, or on the county's web site, the 66  
percentage of property taxes charged by each taxing unit and, in 67  
the case of the county as a taxing unit, the percentage of taxes 68  
charged by the county for each of the county purposes for which 69  
taxes are charged. 70

(D) As used in this section, "residential rental property" 71  
has the same meaning as in section 5323.01 of the Revised Code. 72  
" 73

After line 74448, insert: 74

**"Sec. 4503.06.** (A) The owner of each manufactured or 75

mobile home that has acquired situs in this state shall pay 76  
either a real property tax pursuant to Title LVII of the Revised 77  
Code or a manufactured home tax pursuant to division (C) of this 78  
section. 79

(B) The owner of a manufactured or mobile home shall pay 80  
real property taxes if either of the following applies: 81

(1) The manufactured or mobile home acquired situs in the 82  
state or ownership in the home was transferred on or after 83  
January 1, 2000, and all of the following apply: 84

(a) The home is affixed to a permanent foundation as 85  
defined in division (C)(5) of section 3781.06 of the Revised 86  
Code. 87

(b) The home is located on land that is owned by the owner 88  
of the home. 89

(c) The certificate of title has been inactivated by the 90  
clerk of the court of common pleas that issued it, pursuant to 91  
division (H) of section 4505.11 of the Revised Code. 92

(2) The manufactured or mobile home acquired situs in the 93  
state or ownership in the home was transferred before January 1, 94  
2000, and all of the following apply: 95

(a) The home is affixed to a permanent foundation as 96  
defined in division (C)(5) of section 3781.06 of the Revised 97  
Code. 98

(b) The home is located on land that is owned by the owner 99  
of the home. 100

(c) The owner of the home has elected to have the home 101  
taxed as real property and, pursuant to section 4505.11 of the 102  
Revised Code, has surrendered the certificate of title to the 103

auditor of the county containing the taxing district in which 104  
the home has its situs, together with proof that all taxes have 105  
been paid. 106

(d) The county auditor has placed the home on the real 107  
property tax list and delivered the certificate of title to the 108  
clerk of the court of common pleas that issued it and the clerk 109  
has inactivated the certificate. 110

(C) (1) Any mobile or manufactured home that is not taxed 111  
as real property as provided in division (B) of this section is 112  
subject to an annual manufactured home tax, payable by the 113  
owner, for locating the home in this state. The tax as levied in 114  
this section is for the purpose of supplementing the general 115  
revenue funds of the local subdivisions in which the home has 116  
its situs pursuant to this section. 117

(2) The year for which the manufactured home tax is levied 118  
commences on the first day of January and ends on the following 119  
thirty-first day of December. The state shall have the first 120  
lien on any manufactured or mobile home on the list for the 121  
amount of taxes, penalties, and interest charged against the 122  
owner of the home under this section. The lien of the state for 123  
the tax for a year shall attach on the first day of January to a 124  
home that has acquired situs on that date. The lien for a home 125  
that has not acquired situs on the first day of January, but 126  
that acquires situs during the year, shall attach on the next 127  
first day of January. The lien shall continue until the tax, 128  
including any penalty or interest, is paid. 129

(3) (a) The situs of a manufactured or mobile home located 130  
in this state on the first day of January is the local taxing 131  
district in which the home is located on that date. 132

(b) The situs of a manufactured or mobile home not located 133  
in this state on the first day of January, but located in this 134  
state subsequent to that date, is the local taxing district in 135  
which the home is located thirty days after it is acquired or 136  
first enters this state. 137

(4) The tax is collected by and paid to the county 138  
treasurer of the county containing the taxing district in which 139  
the home has its situs. 140

(D) The manufactured home tax shall be computed and 141  
assessed by the county auditor of the county containing the 142  
taxing district in which the home has its situs as follows: 143

(1) On a home that acquired situs in this state prior to 144  
January 1, 2000: 145

(a) By multiplying the assessable value of the home by the 146  
tax rate of the taxing district in which the home has its situs, 147  
and deducting from the product thus obtained any reduction 148  
authorized under section 4503.065 of the Revised Code. The tax 149  
levied under this formula shall not be less than thirty-six 150  
dollars, unless the home qualifies for a reduction in assessable 151  
value under section 4503.065 of the Revised Code, in which case 152  
there shall be no minimum tax and the tax shall be the amount 153  
calculated under this division. 154

(b) The assessable value of the home shall be forty per 155  
cent of the amount arrived at by the following computation: 156

(i) If the cost to the owner, or market value at time of 157  
purchase, whichever is greater, of the home includes the 158  
furnishings and equipment, such cost or market value shall be 159  
multiplied according to the following schedule: 160

161

	1	2	3
A	For the first calendar year in which the home is owned by the current owner	x	80%
B	2nd calendar year	x	75%
C	3rd "	x	70%
D	4th "	x	65%
E	5th "	x	60%
F	6th "	x	55%
G	7th "	x	50%
H	8th "	x	45%
I	9th "	x	40%
J	10th and each year thereafter	x	35%

The first calendar year means any period between the first day of January and the thirty-first day of December of the first year.

(ii) If the cost to the owner, or market value at the time of purchase, whichever is greater, of the home does not include the furnishings and equipment, such cost or market value shall be multiplied according to the following schedule:

	1	2	3
A	For the first calendar year in which the	x	95%



home is owned by the current owner

B	2nd calendar year	x	90%
C	3rd "	x	85%
D	4th "	x	80%
E	5th "	x	75%
F	6th "	x	70%
G	7th "	x	65%
H	8th "	x	60%
I	9th "	x	55%
J	10th and each year thereafter	x	50%

The first calendar year means any period between the first 170  
day of January and the thirty-first day of December of the first 171  
year. 172

(2) On a home in which ownership was transferred or that 173  
first acquired situs in this state on or after January 1, 2000: 174

(a) By multiplying the assessable value of the home by the 175  
effective tax rate, as defined in section 323.08 of the Revised 176  
Code, for residential real property of the taxing district in 177  
which the home has its situs, and deducting from the product 178  
thus obtained the reductions required or authorized under 179  
section 319.302, division (B) of section 323.152, or section 180  
4503.065 of the Revised Code. 181

(b) The assessable value of the home shall be thirty-five 182  
per cent of its true value as determined under division (L) of 183  
this section. 184

(3) On or before the fifteenth day of January each year, 185  
the county auditor shall record the assessable value and the 186  
amount of tax on the manufactured or mobile home on the tax list 187  
and deliver a duplicate of the list to the county treasurer. In 188  
the case of an emergency as defined in section 323.17 of the 189  
Revised Code, the tax commissioner, by journal entry, may extend 190  
the times for delivery of the duplicate for an additional 191  
fifteen days upon receiving a written application from the 192  
county auditor regarding an extension for the delivery of the 193  
duplicate, or from the county treasurer regarding an extension 194  
of the time for the billing and collection of taxes. The 195  
application shall contain a statement describing the emergency 196  
that will cause the unavoidable delay and must be received by 197  
the tax commissioner on or before the last day of the month 198  
preceding the day delivery of the duplicate is otherwise 199  
required. When an extension is granted for delivery of the 200  
duplicate, the time period for payment of taxes shall be 201  
extended for a like period of time. When a delay in the closing 202  
of a tax collection period becomes unavoidable, the tax 203  
commissioner, upon application by the county auditor and county 204  
treasurer, may order the time for payment of taxes to be 205  
extended if the tax commissioner determines that penalties have 206  
accrued or would otherwise accrue for reasons beyond the control 207  
of the taxpayers of the county. The order shall prescribe the 208  
final extended date for payment of taxes for that collection 209  
period. 210

(4) After January 1, 1999, the owner of a manufactured or 211

mobile home taxed pursuant to division (D)(1) of this section 212  
may elect to have the home taxed pursuant to division (D)(2) of 213  
this section by filing a written request with the county auditor 214  
of the taxing district in which the home is located on or before 215  
the first day of December of any year. Upon the filing of the 216  
request, the county auditor shall determine whether all taxes 217  
levied under division (D)(1) of this section have been paid, and 218  
if those taxes have been paid, the county auditor shall tax the 219  
manufactured or mobile home pursuant to division (D)(2) of this 220  
section commencing in the next tax year. 221

(5) A manufactured or mobile home that acquired situs in 222  
this state prior to January 1, 2000, shall be taxed pursuant to 223  
division (D)(2) of this section if no manufactured home tax had 224  
been paid for the home and the home was not exempted from 225  
taxation pursuant to division (E) of this section for the year 226  
for which the taxes were not paid. 227

(6) (a) Immediately upon receipt of any manufactured home 228  
tax duplicate from the county auditor, but not less than twenty 229  
days prior to the last date on which the first one-half taxes 230  
may be paid without penalty as prescribed in division (F) of 231  
this section, the county treasurer shall cause to be prepared 232  
and mailed or delivered to each person charged on that duplicate 233  
with taxes, or to an agent designated by such person, the tax 234  
bill prescribed by the tax commissioner under division (D)(7) of 235  
this section. When taxes are paid by installments, the county 236  
treasurer shall mail or deliver to each person charged on such 237  
duplicate or the agent designated by that person a second tax 238  
bill showing the amount due at the time of the second tax 239  
collection. The second half tax bill shall be mailed or 240  
delivered at least twenty days prior to the close of the second 241

half tax collection period. A change in the mailing address, 242  
electronic mail address, or telephone number of any tax bill 243  
shall be made in writing to the county treasurer. Failure to 244  
receive a bill required by this section does not excuse failure 245  
or delay to pay any taxes shown on the bill or, except as 246  
provided in division (B) (1) of section 5715.39 of the Revised 247  
Code, avoid any penalty, interest, or charge for such delay. 248

A policy adopted by a county treasurer under division (A) 249  
(2) of section 323.13 of the Revised Code shall also allow any 250  
person required to receive a tax bill under division (D) (6) (a) 251  
of this section to request electronic delivery of that tax bill 252  
in the same manner. A person may rescind such a request in the 253  
same manner as a request made under division (A) (2) of section 254  
323.13 of the Revised Code. The request shall terminate upon a 255  
change in the name of the person charged with the taxes pursuant 256  
to section 4503.061 of the Revised Code. 257

(b) After delivery of the copy of the delinquent 258  
manufactured home tax list under division (H) of this section, 259  
the county treasurer may prepare and mail to each person in 260  
whose name a home is listed an additional tax bill showing the 261  
total amount of delinquent taxes charged against the home as 262  
shown on the list. The tax bill shall include a notice that the 263  
interest charge prescribed by division (G) of this section has 264  
begun to accrue. 265

(7) Each tax bill prepared and mailed or delivered under 266  
division (D) (6) of this section shall be in the form and contain 267  
the information required by the tax commissioner. The 268  
commissioner may prescribe different forms for each county and 269  
may authorize the county auditor to make up tax bills and tax 270  
receipts to be used by the county treasurer. The tax bill shall 271

not contain or be mailed or delivered with any information or 272  
material that is not required by this section or that is not 273  
authorized by section 321.45 of the Revised Code or by the tax 274  
commissioner. In addition to the information required by the 275  
commissioner, each tax bill shall contain the following 276  
information: 277

(a) The taxes levied and the taxes charged and payable 278  
against the manufactured or mobile home; 279

(b) The following notice: "Notice: If the taxes are not 280  
paid within sixty days after the county auditor delivers the 281  
delinquent manufactured home tax list to the county treasurer, 282  
you and your home may be subject to collection proceedings for 283  
tax delinquency." Failure to provide such notice has no effect 284  
upon the validity of any tax judgment to which a home may be 285  
subjected. 286

(c) In the case of manufactured or mobile homes taxed 287  
under division (D) (2) of this section, the following additional 288  
information: 289

(i) The effective tax rate. The words "effective tax rate" 290  
shall appear in boldface type. 291

(ii) The following notice: "Notice: If the taxes charged 292  
against this home have been reduced by the 2-1/2 per cent tax 293  
reduction for residences occupied by the owner but the home is 294  
not a residence occupied by the owner, the owner must notify the 295  
county auditor's office not later than March 31 of the year for 296  
which the taxes are due. Failure to do so may result in the 297  
owner being convicted of a fourth degree misdemeanor, which is 298  
punishable by imprisonment up to 30 days, a fine up to \$250, or 299  
both, and in the owner having to repay the amount by which the 300

taxes were erroneously or illegally reduced, plus any interest 301  
that may apply. 302

If the taxes charged against this home have not been 303  
reduced by the 2-1/2 per cent tax reduction and the home is a 304  
residence occupied by the owner, the home may qualify for the 305  
tax reduction. To obtain an application for the tax reduction or 306  
further information, the owner may contact the county auditor's 307  
office at \_\_\_\_\_ (insert the address and telephone number of 308  
the county auditor's office). 309

(d) For a manufactured or mobile home, the tax liability 310  
of which has been reduced under section 5705.316 of the Revised 311  
Code for the current tax year, the following notice: "Notice: 312  
The school district taxes shown due on this bill are reduced 313  
only for the current year due to the school district's excess 314  
carry-over balance." 315

(E) (1) A manufactured or mobile home is not subject to 316  
this section when any of the following applies: 317

(a) It is taxable as personal property pursuant to section 318  
5709.01 of the Revised Code. Any manufactured or mobile home 319  
that is used as a residence shall be subject to this section and 320  
shall not be taxable as personal property pursuant to section 321  
5709.01 of the Revised Code. 322

(b) It bears a license plate issued by any state other 323  
than this state unless the home is in this state in excess of an 324  
accumulative period of thirty days in any calendar year. 325

(c) The annual tax has been paid on the home in this state 326  
for the current year. 327

(d) The tax commissioner has determined, pursuant to 328

section 5715.27 of the Revised Code, that the property is exempt 329  
from taxation, or would be exempt from taxation under Chapter 330  
5709. of the Revised Code if it were classified as real 331  
property. 332

(2) A travel trailer or park trailer, as these terms are 333  
defined in section 4501.01 of the Revised Code, is not subject 334  
to this section if it is unused or unoccupied and stored at the 335  
owner's normal place of residence or at a recognized storage 336  
facility. 337

(3) A travel trailer or park trailer, as these terms are 338  
defined in section 4501.01 of the Revised Code, is subject to 339  
this section and shall be taxed as a manufactured or mobile home 340  
if it has a situs longer than thirty days in one location and is 341  
connected to existing utilities, unless either of the following 342  
applies: 343

(a) The situs is in a state facility or a camping or park 344  
area as defined in division (C), (Q), (S), or (V) of section 345  
3729.01 of the Revised Code. 346

(b) The situs is in a camping or park area that is a tract 347  
of land that has been limited to recreational use by deed or 348  
zoning restrictions and subdivided for sale of five or more 349  
individual lots for the express or implied purpose of occupancy 350  
by either self-contained recreational vehicles as defined in 351  
division (T) of section 3729.01 of the Revised Code or by 352  
dependent recreational vehicles as defined in division (D) of 353  
section 3729.01 of the Revised Code. 354

(F) Except as provided in division (D) (3) of this section, 355  
the manufactured home tax is due and payable as follows: 356

(1) When a manufactured or mobile home has a situs in this 357

state, as provided in this section, on the first day of January, 358  
one-half of the amount of the tax is due and payable on or 359  
before the first day of March and the balance is due and payable 360  
on or before the thirty-first day of July. At the option of the 361  
owner of the home, the tax for the entire year may be paid in 362  
full on the first day of March. 363

(2) When a manufactured or mobile home first acquires a 364  
situs in this state after the first day of January, no tax is 365  
due and payable for that year. 366

(G) (1) (a) Except as otherwise provided in division (G) (1) 367  
(b) of this section, if one-half of the current taxes charged 368  
under this section against a manufactured or mobile home, 369  
together with the full amount of any delinquent taxes, are not 370  
paid on or before the first day of March in that year, or on or 371  
before the last day for such payment as extended pursuant to 372  
section 4503.063 of the Revised Code, a penalty of ten per cent 373  
shall be charged against the unpaid balance of such half of the 374  
current taxes. If the total amount of all such taxes is not paid 375  
on or before the thirty-first day of July, next thereafter, or 376  
on or before the last day for payment as extended pursuant to 377  
section 4503.063 of the Revised Code, a like penalty shall be 378  
charged on the balance of the total amount of the unpaid current 379  
taxes. 380

(b) After a valid delinquent tax contract that includes 381  
unpaid current taxes from a first-half collection period 382  
described in division (F) of this section has been entered into 383  
under section 323.31 of the Revised Code, no ten per cent 384  
penalty shall be charged against such taxes after the second- 385  
half collection period while the delinquent tax contract remains 386  
in effect. On the day a delinquent tax contract becomes void, 387



the ten per cent penalty shall be charged against such taxes and 388  
shall equal the amount of penalty that would have been charged 389  
against unpaid current taxes outstanding on the date on which 390  
the second-half penalty would have been charged thereon under 391  
division (G) (1) (a) of this section if the contract had not been 392  
in effect. 393

(2) (a) On the first day of the month following the last 394  
day the second installment of taxes may be paid without penalty 395  
beginning in 2000, interest shall be charged against and 396  
computed on all delinquent taxes other than the current taxes 397  
that became delinquent taxes at the close of the last day such 398  
second installment could be paid without penalty. The charge 399  
shall be for interest that accrued during the period that began 400  
on the preceding first day of December and ended on the last day 401  
of the month that included the last date such second installment 402  
could be paid without penalty. The interest shall be computed at 403  
the rate per annum prescribed by section 5703.47 of the Revised 404  
Code and shall be entered as a separate item on the delinquent 405  
manufactured home tax list compiled under division (H) of this 406  
section. 407

(b) On the first day of December beginning in 2000, the 408  
interest shall be charged against and computed on all delinquent 409  
taxes. The charge shall be for interest that accrued during the 410  
period that began on the first day of the month following the 411  
last date prescribed for the payment of the second installment 412  
of taxes in the current year and ended on the immediately 413  
preceding last day of November. The interest shall be computed 414  
at the rate per annum prescribed by section 5703.47 of the 415  
Revised Code and shall be entered as a separate item on the 416  
delinquent manufactured home tax list. 417

(c) After a valid undertaking has been entered into for 418  
the payment of any delinquent taxes, no interest shall be 419  
charged against such delinquent taxes while the undertaking 420  
remains in effect in compliance with section 323.31 of the 421  
Revised Code. If a valid undertaking becomes void, interest 422  
shall be charged against the delinquent taxes for the periods 423  
that interest was not permitted to be charged while the 424  
undertaking was in effect. The interest shall be charged on the 425  
day the undertaking becomes void and shall equal the amount of 426  
interest that would have been charged against the unpaid 427  
delinquent taxes outstanding on the dates on which interest 428  
would have been charged thereon under divisions (G) (1) and (2) 429  
of this section had the undertaking not been in effect. 430

(3) If the full amount of the taxes due at either of the 431  
times prescribed by division (F) of this section is paid within 432  
ten days after such time, the county treasurer shall waive the 433  
collection of and the county auditor shall remit one-half of the 434  
penalty provided for in this division for failure to make that 435  
payment by the prescribed time. 436

(4) The treasurer shall compile and deliver to the county 437  
auditor a list of all tax payments the treasurer has received as 438  
provided in division (G) (3) of this section. The list shall 439  
include any information required by the auditor for the 440  
remission of the penalties waived by the treasurer. The taxes so 441  
collected shall be included in the settlement next succeeding 442  
the settlement then in process. 443

(H) (1) The county auditor shall compile annually a 444  
"delinquent manufactured home tax list" consisting of homes the 445  
county treasurer's records indicate have taxes that were not 446  
paid within the time prescribed by divisions (D) (3) and (F) of 447

this section, have taxes that remain unpaid from prior years, or 448  
have unpaid tax penalties or interest that have been assessed. 449

(2) Within thirty days after the settlement under division 450  
(H) (2) of section 321.24 of the Revised Code, the county auditor 451  
shall deliver a copy of the delinquent manufactured home tax 452  
list to the county treasurer. The auditor shall update and 453  
publish the delinquent manufactured home tax list annually in 454  
the same manner as delinquent real property tax lists are 455  
published. The county auditor may apportion the cost of 456  
publishing the list among taxing districts in proportion to the 457  
amount of delinquent manufactured home taxes so published that 458  
each taxing district is entitled to receive upon collection of 459  
those taxes, or the county auditor may charge the owner of a 460  
home on the list a flat fee established under section 319.54 of 461  
the Revised Code for the cost of publishing the list and, if the 462  
fee is not paid, may place the fee upon the delinquent 463  
manufactured home tax list as a lien on the listed home, to be 464  
collected as other manufactured home taxes. 465

(3) When taxes, penalties, or interest are charged against 466  
a person on the delinquent manufactured home tax list and are 467  
not paid within sixty days after the list is delivered to the 468  
county treasurer, the county treasurer shall, in addition to any 469  
other remedy provided by law for the collection of taxes, 470  
penalties, and interest, enforce collection of such taxes, 471  
penalties, and interest by civil action in the name of the 472  
treasurer against the owner for the recovery of the unpaid taxes 473  
following the procedures for the recovery of delinquent real 474  
property taxes in sections 323.25 to 323.28 of the Revised Code. 475  
The action may be brought in municipal or county court, provided 476  
the amount charged does not exceed the monetary limitations for 477

original jurisdiction for civil actions in those courts. 478

It is sufficient, having made proper parties to the suit, 479  
for the county treasurer to allege in the treasurer's bill of 480  
particulars or petition that the taxes stand chargeable on the 481  
books of the county treasurer against such person, that they are 482  
due and unpaid, and that such person is indebted in the amount 483  
of taxes appearing to be due the county. The treasurer need not 484  
set forth any other matter relating thereto. If it is found on 485  
the trial of the action that the person is indebted to the 486  
state, judgment shall be rendered in favor of the county 487  
treasurer prosecuting the action. The judgment debtor is not 488  
entitled to the benefit of any law for stay of execution or 489  
exemption of property from levy or sale on execution in the 490  
enforcement of the judgment. 491

Upon the filing of an entry of confirmation of sale or an 492  
order of forfeiture in a proceeding brought under this division, 493  
title to the manufactured or mobile home shall be in the 494  
purchaser. The clerk of courts shall issue a certificate of 495  
title to the purchaser upon presentation of proof of filing of 496  
the entry of confirmation or order and, in the case of a 497  
forfeiture, presentation of the county auditor's certificate of 498  
sale. 499

(I) The total amount of taxes collected shall be 500  
distributed in the following manner: four per cent shall be 501  
allowed as compensation to the county auditor for the county 502  
auditor's service in assessing the taxes; two per cent shall be 503  
allowed as compensation to the county treasurer for the services 504  
the county treasurer renders as a result of the tax levied by 505  
this section. Such amounts shall be paid into the county 506  
treasury, to the credit of the county general revenue fund, on 507

the warrant of the county auditor. Fees to be paid to the credit 508  
of the real estate assessment fund shall be collected pursuant 509  
to division (C) of section 319.54 of the Revised Code and paid 510  
into the county treasury, on the warrant of the county auditor. 511  
The balance of the taxes collected shall be distributed among 512  
the taxing subdivisions of the county in which the taxes are 513  
collected and paid in the same proportions that the amount of 514  
manufactured home tax levied by each taxing subdivision of the 515  
county in the current tax year bears to the amount of such tax 516  
levied by all such subdivisions in the county in the current tax 517  
year. The taxes levied and revenues collected under this section 518  
shall be in lieu of any general property tax and any tax levied 519  
with respect to the privilege of using or occupying a 520  
manufactured or mobile home in this state except as provided in 521  
sections 4503.04 and 5741.02 of the Revised Code. 522

(J) An agreement to purchase or a bill of sale for a 523  
manufactured home shall show whether or not the furnishings and 524  
equipment are included in the purchase price. 525

(K) If the county treasurer and the county prosecuting 526  
attorney agree that an item charged on the delinquent 527  
manufactured home tax list is uncollectible, they shall certify 528  
that determination and the reasons to the county board of 529  
revision. If the board determines the amount is uncollectible, 530  
it shall certify its determination to the county auditor, who 531  
shall strike the item from the list. 532

(L) (1) The county auditor shall appraise at its true value 533  
any manufactured or mobile home in which ownership is 534  
transferred or which first acquires situs in this state on or 535  
after January 1, 2000, and any manufactured or mobile home the 536  
owner of which has elected, under division (D) (4) of this 537

section, to have the home taxed under division (D) (2) of this 538  
section. The true value shall include the value of the home, any 539  
additions, and any fixtures, but not any furnishings in the 540  
home. In determining the true value of a manufactured or mobile 541  
home, the auditor shall consider all facts and circumstances 542  
relating to the value of the home, including its age, its 543  
capacity to function as a residence, any obsolete 544  
characteristics, and other factors that may tend to prove its 545  
true value. 546

(2) (a) If a manufactured or mobile home has been the 547  
subject of an arm's length sale between a willing seller and a 548  
willing buyer within a reasonable length of time prior to the 549  
determination of true value, the county auditor shall consider 550  
the sale price of the home to be the true value for taxation 551  
purposes. 552

(b) The sale price in an arm's length transaction between 553  
a willing seller and a willing buyer shall not be considered the 554  
true value of the home if either of the following occurred after 555  
the sale: 556

(i) The home has lost value due to a casualty. 557

(ii) An addition or fixture has been added to the home. 558

(3) The county auditor shall have each home viewed and 559  
appraised at least once in each six-year period in the same year 560  
in which real property in the county is appraised pursuant to 561  
Chapter 5713. of the Revised Code, and shall update the 562  
appraised values in the third calendar year following the 563  
appraisal. The person viewing or appraising a home may enter the 564  
home to determine by actual view any additions or fixtures that 565  
have been added since the last appraisal. In conducting the 566

appraisals and establishing the true value, the auditor shall 567  
follow the procedures set forth for appraising real property in 568  
sections 5713.01 and 5713.03 of the Revised Code. 569

(4) The county auditor shall place the true value of each 570  
home on the manufactured home tax list upon completion of an 571  
appraisal. 572

(5) (a) If the county auditor changes the true value of a 573  
home, the auditor shall notify the owner of the home in writing, 574  
delivered by mail or in person. The notice shall be given at 575  
least thirty days prior to the issuance of any tax bill that 576  
reflects the change. Failure to receive the notice does not 577  
invalidate any proceeding under this section. 578

(b) Any owner of a home or any other person or party that 579  
would be authorized to file a complaint under division (A) of 580  
section 5715.19 of the Revised Code if the home was real 581  
property may file a complaint against the true value of the home 582  
as appraised under this section. The complaint shall be filed 583  
with the county auditor on or before the thirty-first day of 584  
March of the current tax year or the date of closing of the 585  
collection for the first half of manufactured home taxes for the 586  
current tax year, whichever is later. The auditor shall present 587  
to the county board of revision all complaints filed with the 588  
auditor under this section. The board shall hear and investigate 589  
the complaint and may take action on it as provided under 590  
sections 5715.11 to 5715.19 of the Revised Code. 591

(c) If the county board of revision determines, pursuant 592  
to a complaint against the valuation of a manufactured or mobile 593  
home filed under this section, that the amount of taxes, 594  
assessments, or other charges paid was in excess of the amount 595  
due based on the valuation as finally determined, then the 596

overpayment shall be refunded in the manner prescribed in 597  
section 5715.22 of the Revised Code. 598

(d) Payment of all or part of a tax under this section for 599  
any year for which a complaint is pending before the county 600  
board of revision does not abate the complaint or in any way 601  
affect the hearing and determination thereof. 602

(M) If the county auditor determines that any tax or other 603  
charge or any part thereof has been erroneously charged as a 604  
result of a clerical error as defined in section 319.35 of the 605  
Revised Code, the county auditor shall call the attention of the 606  
county board of revision to the erroneous charges. If the board 607  
finds that the taxes or other charges have been erroneously 608  
charged or collected, it shall certify the finding to the 609  
auditor. Upon receipt of the certification, the auditor shall 610  
remove the erroneous charges on the manufactured home tax list 611  
or delinquent manufactured home tax list in the same manner as 612  
is prescribed in section 319.35 of the Revised Code for 613  
erroneous charges against real property, and refund any 614  
erroneous charges that have been collected, with interest, in 615  
the same manner as is prescribed in section 319.36 of the 616  
Revised Code for erroneous charges against real property. 617

(N) As used in this section and section 4503.061 of the 618  
Revised Code: 619

(1) "Manufactured home taxes" includes taxes, penalties, 620  
and interest charged under division (C) or (G) of this section 621  
and any penalties charged under division (G) or (H) (5) of 622  
section 4503.061 of the Revised Code. 623

(2) "Current taxes" means all manufactured home taxes 624  
charged against a manufactured or mobile home that have not 625



appeared on the manufactured home tax list for any prior year. 626  
 Current taxes become delinquent taxes if they remain unpaid 627  
 after the last day prescribed for payment of the second 628  
 installment of current taxes without penalty, whether or not 629  
 they have been certified delinquent. 630

(3) "Delinquent taxes" means: 631

(a) Any manufactured home taxes that were charged against 632  
 a manufactured or mobile home for a prior year, including any 633  
 penalties or interest charged for a prior year and the costs of 634  
 publication under division (H) (2) of this section, and that 635  
 remain unpaid; 636

(b) Any current manufactured home taxes charged against a 637  
 manufactured or mobile home that remain unpaid after the last 638  
 day prescribed for payment of the second installment of current 639  
 taxes without penalty, whether or not they have been certified 640  
 delinquent, including any penalties or interest and the costs of 641  
 publication under division (H) (2) of this section." 642

In line 102614, after "threshold.", insert "Such a reduction applies 643  
only for the current tax year." 644

Update the title, amend, enact, or repeal clauses accordingly 645

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 646

**School district property tax reductions** 647

**R.C. 5705.316** 648

Specifies that the property tax reduction applied by a 649  
county budget commission to a school district with an excess 650  
carry-over balance applies to the current tax year only. 651

**School district property tax reductions: tax bill notice 652**

**R.C. 323.131 and 4503.06 653**

Requires tax bills for a property or manufactured home, 654  
the tax liability of which has been reduced due to a school 655  
district's carry-over balance, to include a notice stating that 656  
the reduction applies only to the current tax year. 657

Sub. H. B. No. 96

I\_136\_0001-4

TAXCD91

\_\_\_\_\_ moved to amend as follows:

In line 102605, delete "twenty-five" and insert "thirty"

1

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

2

**School district property tax reductions**

3

**R.C. 5705.316**

4

Requires a county budget commission, in determining  
whether a school district's carry-over balance in its general  
operating budget from the previous fiscal year meets the  
threshold for reducing the property tax rates levied by the  
district, to base its determination on whether the balance was  
more than 30% of the general fund expenditures made in the year,  
instead of 25% as required by the substitute bill.

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\_\_\_\_\_ moved to amend as follows:

In line 42518, delete " <u>hour</u> " and insert " <u>period</u> "	1
In line 42544, delete " <u>one hundred twenty</u> "	2
In line 42545, delete " <u>minutes</u> " and insert " <u>two periods</u> "	3

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	4
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<b>Released time religious instruction</b>	5
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<b>R.C. 3313.6022</b>	6
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Requires school districts to permit students to attend a	7
released time course in religious instruction for at least one	8
period per week, instead of one hour, as in the current version	9
of the bill.	10

Limits elementary school student attendance in the	11
religious instruction course to no more than two periods per	12
week, instead of 120 minutes, as in the current version of the	13

Legislative Service Commission



dkbt2wtra59xoui2vuaqki

bill.

14

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In the table on line 117659, after row W, insert:

"

	1	2	3	4	5
A GRF	440527	Lead Abatement		\$250,000	\$250,000

"

In the table on line 117659, in rows Z and BW, add \$250,000 to each fiscal year

After line 117799, insert:

"Of the foregoing appropriation item 440527, Lead Abatement, \$250,000 in each fiscal year shall be used by the Department of Health to distribute funds to local governments for projects that include, but are not limited to, lead hazard control and housing rehabilitation initiatives that expand the Department's lead hazard control and prevention efforts."

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	13
<b>Department of Health</b>	14
<b>Sections 291.10 and 291.20</b>	15
Appropriates \$250,000 in GRF ALI 440527, Lead Abatement,	16
in each fiscal year. Earmarks these funds for local governments	17
for projects that include lead hazard control and housing	18
rehabilitation initiatives that expand the ODH's lead hazard	19
control and prevention efforts.	20

\_\_\_\_\_ moved to amend as follows:

In line 88161, after the comma insert "the maximum amount of the  
family's income shall not exceed four hundred per cent of the federal  
poverty line and"

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Child Care Cred Program**

**R.C. 5104.54**

Adds a new eligibility condition for employee  
participation in the House-added Child Care Cred Program - that  
the employee's family income not exceed 400% FPL.



H. B. No. 96  
I\_136\_0001-4  
OBMCD32

\_\_\_\_\_ moved to amend as follows:

In line 97458, after the first "the" insert "state and federal  
shares of" 1 2

In line 97462, after "the" insert "state share" 3

In line 97470, after the second "the" insert "state share" 4

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 5

**Medicaid Group VIII funds** 6

**R.C. 5163.04** 7

Clarifies that if ODM terminates medical assistance for 8  
the Group VIII eligibility group, the calculated fund transfers 9  
required under the House substitute bill to the Budget 10  
Stabilization Fund and the Expanded Sales Tax Holiday Fund must 11  
be calculated based on the monthly state share expenditure for 12  
Group VIII not the combined state and federal expenditure. 13

Legislative Service Commission



\_\_\_\_\_ moved to amend as follows:

In line 33655, after "services" insert "or a contractor or employee 1  
of a contractor providing services to the department of rehabilitation and 2  
correction or the department of youth services" 3

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Illegal conveyance of drugs of abuse**

**R.C. 2921.36**

Applies the escalated penalties for a violation of 7  
"illegal conveyance of drugs of abuse onto the grounds of a 8  
specified governmental facility" to offenders who are 9  
contractors or employees of contractors providing services to 10  
DRC or DYS. 11

HC2673

. B. No.  
I\_136\_0001-4  
DEVCD57

\_\_\_\_\_ moved to amend as follows:

Delete lines 5041 through 5072 (Remove R.C. 122.04)	1
In line 18991, delete " <u>by</u> " and insert " <u>for housing-related purposes</u>	2
<u>in</u> "	3
Delete lines 18992 and 18993 and insert " <u>as determined by the board</u>	4
<u>of county commissioners.</u> "	5

The motion was \_\_\_\_\_ agreed to.

<u>SYNOPSIS</u>	6
<b>Ohio Housing Trust Fund fees</b>	7
<b>R.C. 122.04 (removed) and 319.63</b>	8
Allows counties to use Ohio Housing Trust Fund fees	9
retained pursuant to a House provision of the bill for housing-	10
related purposes determined by the board of county	11
commissioners, as opposed to purposes determined by the	12
Department of Development.	13

Legislative Service Commission

  
gxct2jf3tofipoqjvhivbn

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

In line 41844, strike through "(2)" and insert "(2)(a)"

After line 41849, insert:

"(b) If the governing authority, board of trustees, or governing body that sells property purchased under division (B) of this section for an amount greater than what it paid for the property, it shall pay to the district board from which the property was purchased the difference between the amount that it receives for the sale of the property and the amount it originally paid to the district board for the property."

In line 41971, after "(D)" insert "If a governing authority, board of trustees, or governing body sells property purchased under division (B) of this section, it shall pay to the district board from which the property was purchased the difference between the amount that it receives for the sale of the property and the amount it originally paid to the district board for the property."

(E) "

The motion was \_\_\_\_\_ agreed to.



<u>SYNOPSIS</u>	16
<b>Resale of school district property by other schools</b>	17
<b>R.C. 3313.411 and 3313.413</b>	18
Requires a community school, STEM school, college-	19
preparatory boarding school, or chartered nonpublic school that	20
sells property it purchased from a school district through the	21
involuntary disposition law or the right of first refusal law to	22
pay to the district any profit the school earns from the resale	23
of that property.	24

Sub. H. B. No. 96

I\_136\_0001-4

COMCD37

\_\_\_\_\_ moved to amend as follows:

Delete lines 73925 through 73971 (remove R.C. 4303.189) 1

Update the title, amend, enact, or repeal clauses accordingly 2

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 3

**Selling alcoholic beverages in convention center's outdoor** 4  
**areas** 5

**R.C. 4303.189** 6

Eliminates the bill's provisions that do all of the 7  
following: 8

1. Allow a qualified permit holder that has entered into a 9  
written agreement with a convention center to sell alcoholic 10  
beverages in the interior of the convention center to also sell 11  
alcoholic beverages by the individual drink for consumption in 12  
the permit premises of another qualified permit holder whose 13

Legislative Service Commission



7fxwoclnozq9ukpbxozacd

permit premises encompasses the outdoor area adjacent to the 14  
convention center if all of the following apply: 15

--The outdoor area is at least 100,000 square feet; 16

--The outdoor area is owned by the convention center; 17

--The qualified permit holder enters into a written 18  
agreement with the convention center to sell alcoholic beverages 19  
by the individual drink for consumption in the outdoor area; 20

--The qualified permit holder notifies the qualified 21  
permit holder whose premises encompasses the outdoor area 22  
adjacent to the convention center of its intent to sell 23  
alcoholic beverages in the area. 24

2. Require a qualified permit holder that intends to sell 25  
alcoholic beverages by the individual drink in the outdoor area 26  
of a convention center to notify the Division of Liquor Control 27  
and the Investigative Unit of the Department of Public Safety of 28  
the area in which the qualified permit holder intends to sell 29  
the alcoholic beverages. 30

3. Require a qualified permit holder or the holder's 31  
employee to deliver each alcoholic beverage sold to a personal 32  
consumer in an outdoor area. 33

\_\_\_\_\_ moved to amend as follows:

In the table on line 114194, in row C, delete "\$2,672,595 1  
\$2,743,201" and insert "\$3,172,595 \$3,243,201" 2

In the table on line 114194, in rows E and M, add \$500,000 to each 3  
fiscal year 4

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 5

**Ohio Arts Council** 6

**Section 217.10** 7

Increases GRF ALI 370321, Operating Expenses, by \$500,000 8  
in each fiscal year. 9



Sub. H. B. No. 96

I\_136\_0001-4

MHACD25

\_\_\_\_\_ moved to amend as follows:

In the table on line 119271, in row AB, delete "\$2,500,000 1  
\$2,500,000" and insert "\$4,000,000 \$4,000,000" 2

In the table on line 119271, in rows AE and AW, add \$1,500,000 to 3  
each fiscal year 4

In line 123973, delete "\$2,500,000" and insert "\$4,000,000" 5

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 6

**Department of Behavioral Health** 7

**Sections 337.10 and 512.10** 8

Increases DPF Fund 5VV0 ALI 336645, Transcranial Magnetic 9  
Stimulation Program, by \$1,500,000 in each fiscal year, 10  
restoring Executive funding. 11

Increases a GRF transfer to the Transcranial Magnetic 12

Legislative Service Commission



Stimulation Fund (Fund 5VV0) by \$1,500,000 in each fiscal year.

13

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 18387, insert:

"Sec. 305.021. (A) When there is a vacancy in the county engineer's office as a result of death or resignation and the vacancy cannot be filled by election or appointment as provided in section 305.02 of the Revised Code, or if no one runs for the office of county engineer and, for that reason, the office is vacant, the board of county commissioners may contract with another county's county engineer to exercise the powers and perform the acts, duties, or functions of the county engineer. Notwithstanding any contrary provision of the Revised Code or the common law, the same person may serve as the county engineer of more than one county, including adjacent counties, under this section.

(B) A county engineer with whom the board contracts shall receive supplemental compensation for services rendered under the contract in an amount ~~equal to~~ that is not less than eighty per cent nor more than one hundred per cent of the compensation specified in sections 325.14 and 325.18 of the Revised Code for the population range of the county in which the engineer is contracted to perform services, prorated for the duration of the



contract. The supplemental compensation shall have no effect on 21  
the compensation a county engineer receives for serving as 22  
county engineer in the county in which the engineer holds 23  
office. The duration of the contract shall not extend beyond the 24  
last day of the term for which there was a vacancy." 25  
Update the title, amend, enact, or repeal clauses accordingly 26

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 27

**County engineer** 28

**R.C. 305.021** 29

Changes, from 100% to a range of 80-100%, the supplemental 30  
compensation amount a county engineer receives to perform the 31  
duties of county engineer in another county during a vacancy. 32

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 124815, insert:

"**Section 737.00.01.** Not later than December 31, 2025, the  
General Assembly shall determine a manner of expanding gaming  
opportunities in the State of Ohio."

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Expanding gaming opportunities**

**Section 737.00.01**

Requires, by December 31, 2025, the General Assembly to  
determine a manner of expanding gaming opportunities in Ohio.



Sub. H. B. No. 96

I\_136\_0001-4

KIDCD11

\_\_\_\_\_ moved to amend as follows:

In line 123344, delete "\$250,000" and insert "\$350,000"; delete 1  
"each"; after "year", insert "2026" 2

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 3

**Department of Children and Youth** 4

**Section 423.120** 5

Modifies the earmark of \$250,000 in each fiscal year for 6  
the Providence House Every Child Ohio Feasibility Study in GRF 7  
ALI 830506, Family and Children Services, as follows: (1) 8  
increases the earmark by \$100,000 in FY 2026 and (2) eliminates 9  
the earmark in FY 2027. 10

\_\_\_\_\_ moved to amend as follows:

- In line 5541, after "the" insert "department of"; strike through "services agency" 1  
2
- In line 14611, after "department" insert "of development" 3
- In line 32281, after "civil" insert ", criminal, or probate" 4
- In line 39565, reinsert the stricken space 5
- In line 70728, delete "healthcare" and insert "health care" 6
- In line 102610, after "by" insert "," 7
- In line 107642, delete "5101.804" and insert "5180.71" 8
- In line 118764, delete "School" and insert "in Schools" 9
- In line 121067, delete "(D) (5) (a) " and insert "(D) (7) (a) " 10
- In line 121092, delete "and" 11
- In line 121093, after the comma insert "less the student success set-aside, and less the College Credit Plus pathways and accelerated ninety-hour degree programs funding as calculated in division (D) (6) of this section," 12  
13  
14  
15
- In line 121094, delete "(D) (5) " and insert "(D) (7) " 16



In line 122035, delete "OHIO HIGHER" 17

Delete line 122036 and insert: 18

"OHIO HIGHER EDUCATION PUBLIC POLICY RESEARCH CONSORTIUM" 19

In the table on line 122664, delete rows P, Q, and R 20

In the table on line 122664, in rows W and AN, subtract \$987,200,000 21  
from fiscal year 2026 and \$1,007,500,000 from fiscal year 2027 22

In line 124626, after "701.30." insert "(A) As used in this section, 23  
"exempt employee" has the same meaning as in section 124.152 of the 24  
Revised Code, as amended by this act. 25

(B) Effective July 1, 2025, any exempt employee paid in accordance 26  
with section 124.152 of the Revised Code who is being paid a salary or 27  
wage at step 6 of pay range 17 of the version of pay schedule E-1 that was 28  
in effect before the effective date of this section is eligible to move to 29  
step 7 of pay range 17 in the pay schedule, provided the exempt employee 30  
did not advance a step within the twelve-month period immediately 31  
preceding the date on which the pay schedule takes effect. A step increase 32  
pursuant to this division applies to the first day of the pay period 33  
immediately following the pay period that includes July 1, 2025. 34

(C) An exempt employee paid in accordance with section 124.152 of 35  
the Revised Code who is being paid a salary or wage at step 6 of pay range 36  
17 of the version of pay schedule E-1 that was in effect before the 37  
effective date of this section who is ineligible under division (B) of 38  
this section to move up to step 7 of pay range 17 in the pay schedule is 39  
eligible for advancement in accordance with division (G) of section 124.15 40  
of the Revised Code." 41

The motion was \_\_\_\_\_ agreed to.

Legislative Service Commission



<u>SYNOPSIS</u>	42
<b>LSC Technical Amendment</b>	43
<b>R.C. 122.14, 153.59, 3302.03, 3901.3815, and 5705.316;</b>	44
<b>Sections 333.15, 381.240, 381.565, 387.10, and 701.30</b>	45
Corrects a Medicaid in Schools Program reference.	46
Inserts language that was intended to be in the substitute bill, but that was inadvertently omitted during the drafting process, governing advancement of covered employees from step 6 to step 7 of pay range 17 of the exempt employee salary schedule.	47 48 49 50 51
Corrects an inadvertent omission that includes the student success set-aside and the College Credit Plus pathway and accelerate ninety-hour degree program components of the SSI formula (both added in the substitute bill) to the formula for determining the remainder of the allocation for the Course Completions component of the SSI distribution formula for universities.	52 53 54 55 56 57 58
Removes references to appropriations that were addressed in the Transportation appropriations act.	59 60
Corrects cross references.	61
Corrects grammatical and typographical errors.	62
<b>LSC corrective amendment</b>	63
<b>R.C. 2303.12</b>	64
Updates the definition of the term "case file" to include criminal and probate actions or proceedings to correct a drafting oversight in the House substitute bill.	65 66 67

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 18387, insert:

"Sec. 305.02. (A) If a vacancy in the office of county commissioner, prosecuting attorney, county auditor, county treasurer, clerk of the court of common pleas, sheriff, county recorder, or county engineer, ~~or coroner~~ occurs more than forty days before the next general election for state and county officers, a successor shall be elected at such election for the unexpired term unless such term expires within one year immediately following the date of such general election.

In either event, the vacancy shall be filled as provided in this section and the appointee shall hold office until a successor is elected and qualified.

(B) If a vacancy occurs from any cause in any of the offices named in division (A) of this section, then not later than forty-five days after the vacancy occurs, a person shall be appointed to hold the office and to perform the duties thereof until a successor is elected and has qualified. The appointment shall be made as follows:

(1) If the last occupant of the office was elected as a

partisan candidate, the county central committee of the 20  
political party that nominated the last occupant of the office 21  
for the current term shall make the appointment. However, if 22  
such vacancy occurs because of the death, resignation, or 23  
inability to take the office of an officer-elect whose term has 24  
not yet begun, and the officer-elect was elected as a partisan 25  
candidate, an appointment to take such office at the beginning 26  
of the term shall be made by the central committee of the 27  
political party that nominated the officer-elect as a candidate 28  
for that office for that term. 29

A county central committee that makes an appointment under 30  
division (B) (1) of this section shall meet for that purpose not 31  
less than five nor more than forty-five days after the vacancy 32  
occurs. Not less than four days before the date of such meeting 33  
the chairperson or secretary of such central committee shall 34  
send by first class mail to every member of such central 35  
committee a written notice which shall state the time and place 36  
of such meeting and the purpose thereof. A majority of the 37  
members of the central committee present at such meeting may 38  
make the appointment. 39

(2) If the last occupant of the office or the officer- 40  
elect was elected to serve the current term as an independent 41  
candidate, the board of county commissioners shall make the 42  
appointment, except where the vacancy is in the office of county 43  
commissioner, in which case the prosecuting attorney and the 44  
remaining commissioners or a majority of them shall make the 45  
appointment. 46

(C) Appointments made under this section shall be 47  
certified by the appointing county central committee or by the 48  
board of county commissioners to the county board of elections 49

and to the secretary of state, and the persons so appointed and 50  
certified shall be entitled to all remuneration provided by law 51  
for the offices to which they are appointed. 52

(D) The board of county commissioners may appoint a person 53  
to hold any of the offices named in division (A) of this section 54  
as an acting officer and to perform the duties thereof between 55  
the occurrence of the vacancy and the time when the officer 56  
appointed under division (B) of this section qualifies and takes 57  
the office. 58

(E) A person appointed prosecuting attorney or assistant 59  
prosecuting attorney shall give bond and take the oath of office 60  
prescribed by section 309.03 of the Revised Code for the 61  
prosecuting attorney." 62

In line 18417, strike through "coroner" and insert "auditor" 63

In line 18418, strike through "coroner" and insert "auditor" 64

In line 18422, strike through the first "coroner" and insert 65  
"auditor"; strike through the second "coroner" and insert "auditor" 66

In line 18423, strike through "coroner's" and insert "auditor's" 67

In line 18428, strike through "coroner" and insert "auditor" 68

In line 18429, strike through "coroner" and insert "auditor" 69

In line 18434, strike through "coroner" and insert "auditor" 70

In line 18436, strike through "coroner's" and insert "auditor's" 71

In line 18441, strike through "coroner" and insert "auditor" 72

In line 18444, strike through "coroner's" and insert "auditor's" 73

In line 18446, strike through "coroner's" and insert "auditor's" 74

After line 18720, insert: 75

"Sec. 313.01. (A) A coroner shall be ~~elected~~ appointed 76  
quadrennially in each county, ~~who~~ by the board of county 77  
commissioners and shall hold office for a term of four years, 78  
beginning on the first Monday of January ~~next~~ after 79  
~~election~~ appointment. 80

(B) As used in the Revised Code, unless the context 81  
otherwise requires: 82

(1) "Coroner" means the coroner or medical examiner of the 83  
county in which death occurs or the dead human body is found. 84

(2) "Deputy coroner" means the deputy coroner or deputy 85  
medical examiner of the county in which death occurs or the dead 86  
human body is found. 87

**Sec. 313.02.** (A) (1) Except as provided in division (A) (2) 88  
of this section, to be eligible to the office of coroner, a 89  
person shall be a physician who is licensed under Chapter 4731. 90  
of the Revised Code to practice medicine and surgery or 91  
osteopathic medicine and surgery, and who is in good standing in 92  
the person's profession. For a county other than a charter 93  
county, the person also shall have been licensed under Chapter 94  
4731. of the Revised Code to practice medicine and surgery or 95  
osteopathic medicine and surgery for a period of at least two 96  
years immediately preceding ~~election or~~ appointment as coroner. 97

(2) Division (A) (1) of this section does not prohibit a 98  
person elected to the office of coroner who holds that office on 99  
~~the effective date of this amendment~~ April 9, 2025, but who does 100  
not meet the eligibility conditions described in that division, 101  
from doing any of the following after that date: 102

(a) Continuing to hold the office of coroner of that 103  
county until the person's term of office expires; 104

(b) Seeking ~~reelection~~ appointment as coroner of that 105  
county for one or more subsequent terms of office and, if 106  
~~reelected~~ appointed, continuing to hold the office for the 107  
duration of any subsequent term. 108

(B) (1) ~~Beginning in calendar year 2000 and in each fourth-~~ 109  
~~year thereafter, each~~ Each newly ~~elected~~ appointed coroner, 110  
~~after the general election but~~ prior to commencing the term of 111  
office to which ~~elected~~ appointed, shall attend and successfully 112  
complete sixteen hours of continuing education at programs 113  
sponsored by the Ohio state coroners association. Within ninety 114  
days after appointment to the office of coroner under section 115  
~~305.02-313.04~~ 313.04 of the Revised Code, the newly appointed coroner 116  
shall attend and successfully complete sixteen hours of 117  
continuing education at programs sponsored by the association. 118  
Hours of continuing education completed under the requirement 119  
described in division (B) (1) of this section shall not be 120  
counted toward fulfilling the continuing education requirement 121  
described in division (B) (2) of this section. 122

As used in division (B) (1) of this section, "newly ~~elected~~ 123  
appointed coroner" means a person who did not hold the office of 124  
coroner on the date the person was ~~elected~~ appointed coroner. 125

(2) Except as otherwise provided in division (B) (2) of 126  
this section, beginning in calendar year 2001, each coroner, 127  
during the coroner's four-year term, shall attend and 128  
successfully complete thirty-two hours of continuing education 129  
at programs sponsored by the Ohio state coroners association. 130  
Except as otherwise provided in division (B) (2) of this section, 131  
each coroner shall attend and successfully complete twenty-four 132  
of these thirty-two hours at statewide meetings, and eight of 133  
these thirty-two hours at regional meetings, sponsored by the 134

association. The association may approve attendance at 135  
continuing education programs it does not sponsor but, if 136  
attendance is approved, successful completion of hours at these 137  
programs shall be counted toward fulfilling only the twenty- 138  
four-hour requirement described in division (B) (2) of this 139  
section. 140

(3) Upon successful completion of a continuing education 141  
program required by division (B) (1) or (2) of this section, the 142  
person who successfully completes the program shall receive from 143  
the association or the sponsoring organization a certificate 144  
indicating that the person successfully completed the program. 145

**Sec. 313.04.** (A) When the coroner is absent temporarily 146  
from the county, or when on duty with the armed services of the 147  
United States, the state militia, or the American red cross, or 148  
when unable to discharge the duties of the office of coroner, 149  
such coroner may appoint a person with the necessary 150  
qualifications to act as coroner during such absence, service, 151  
or disability. 152

~~When there is a~~ (B) If a vacancy occurs in the coroner's 153  
office for any cause, the board of county commissioners shall 154  
appoint a successor to hold the office and to perform the duties 155  
for the remainder of the term. 156

(C) For the period of time between the occurrence of the 157  
vacancy in the coroner's office as a result of death or 158  
resignation and the vacancy cannot be filled by election or 159  
appointment as provided in and the time when a coroner is 160  
appointed under division (B) of this section ~~305.02 of the~~ 161  
~~Revised Code, or if no one runs for the office of coroner and,~~ 162  
~~for that reason, the office is vacant,~~ the board of county 163  
commissioners may contract with another county's coroner to 164

exercise the powers and perform the acts, duties, or functions 165  
of the coroner. In addition to the applicable amounts of 166  
compensation specified in sections 325.15 and 325.18 of the 167  
Revised Code, the coroner with whom the board contracts may 168  
receive a supplemental payment for services rendered. The 169  
duration of the contract shall not extend beyond the last day of 170  
the term for which there was a vacancy." 171

After line 124729, insert: 172

**"Section 703.00.01.** A county coroner who, before the 173  
effective date of this section, was elected to office may 174  
complete the balance of the coroner's term. Any county coroners 175  
appointed after the effective date of this section shall be 176  
appointed in accordance with section 313.01 of the Revised Code, 177  
as amended by this act." 178

Update the title, amend, enact, or repeal clauses accordingly 179

The motion was \_\_\_\_\_ agreed to.

# SYNOPSIS 180

## **County coroner appointment** 181

**R.C. 305.02, 305.03, 313.01, 313.02, and 313.04; Section** 182  
**703.00.01** 183

Specifies that a county coroner is no longer elected by 184  
voters, but instead appointed by the board of county 185  
commissioners. 186

Removes the county coroner as the county official to fill 187



in when two county commissioners are absent and instead requires	188
the county auditor to do so.	189
Specifies that current county coroners who were elected	190
may complete their terms.	191

Sub. H. B. No. 96

I\_136\_0001-4

RDFCD2

\_\_\_\_\_ moved to amend as follows:

In line 326 of the title, delete "5747.46, 5747.47, 5747.49,"	1
Delete lines 10102 through 10150 (remove R.C. 5747.48 (126.68))	2
Delete lines 10189 through 10281 (remove R.C. 127.14)	3
Delete lines 10804 through 10893 (remove R.C. 131.44)	4
In line 10950, reinsert "(A)"	5
In line 10958, reinsert "division"; strike through "section"	6
Reinsert lines 10962 and 10963	7
In line 10964, reinsert "library fund"	8
In line 10970, after " <del>section</del> ", insert " <u>, from the general revenue</u>	9
<u>fund, one-twelfth of the amount appropriated by the general assembly for</u>	10
<u>the public library fund for the fiscal year</u> "; reinsert ". Money shall be	11
distributed from the public library fund"	12
Reinsert lines 10971 and 10972	13
In line 10973, reinsert "(C)"	14
In line 10975, after the stricken "divisions" insert " <u>division</u> ";	15



reinsert "(A) "	16
In line 10976, reinsert "of"	17
Delete lines 10978 through 11094 (remove R.C. 133.10)	18
Delete lines 12178 through 12183 (remove R.C. 135.352)	19
Delete lines 18994 through 19005 (remove R.C. 321.08)	20
Delete lines 56607 through 56678 (remove R.C. 3375.121)	21
Delete lines 56779 through 56962 (remove R.C. 3375.404)	22
Delete lines 56968 through 56987 (remove R.C. 3375.85)	23
Reinsert line 102535	24
In line 102536, reinsert "the county public library fund,"	25
Delete lines 102619 through 102898 (remove R.C. 5705.32, 5705.321,	26
5705.37, and 5707.04)	27
Delete lines 103857 through 103926 (remove R.C. 5719.041)	28
Delete lines 108399 through 108511 (remove R.C. 5747.03)	29
Delete lines 110821 through 111038 (remove R.C. 5747.51 and 5747.52)	30
Delete lines 111168 through 111191 (remove R.C. 5747.99)	31
In line 113627, delete "5747.46,"	32
In line 113628, delete "5747.47, 5747.49,"	33
In the table on line 122664, delete row C	34
In the table on line 122664, in row H, subtract \$485,000,000 in	35
fiscal year 2026 and \$495,000,000 in fiscal year 2027	36
In the table on line 122664, after row R, insert:	37
"	38

					39
	1	2	3	4	5
A	7065	110965	Public Library Fund	\$490,000,000	\$500,000,000
	"				40
	In the table on line 122664, in row W, add \$490,000,000 in fiscal				41
	year 2026 and \$500,000,000 in fiscal year 2027				42
	In the table on line 122664, in row AN, add \$5,000,000 each in				43
	fiscal year 2026 and fiscal year 2027				44
	In line 125454, after "Sections" insert "131.51,"				45
	Delete lines 125458 through 125461				46
	Delete lines 125545 and 125546				47
	Update the title, amend, enact, or repeal clauses accordingly				48

The motion was \_\_\_\_\_ agreed to.

	<u>SYNOPSIS</u>	49
	<b>Public Library Fund sunset; GRF library funding</b>	50
	<b>R.C. 5747.48(126.68), 127.14, 131.44, 131.51, 133.10,</b>	51
	<b>135.352, 321.08, 3375.121, 3375.404, 3375.85, 5705.31, 5705.32,</b>	52
	<b>5705.321, 5705.37, 5707.04, 5719.041, 5747.03, 5747.46, 5747.47,</b>	53
	<b>5747.49, 5747.51, 5747.52, and 5747.99; Sections 387.10 and</b>	54
	<b>820.20</b>	55
	Restores the Public Library Fund (PLF), repealed by the	56
	substitute bill, but maintains the repeal of provisions	57

dedicating a share of GRF tax revenue to it and instead funding 58  
public libraries through a direct appropriation and transfers 59  
from the GRF to the PLF. 60

Restores current law's formula for distributing PLF 61  
revenue to counties. Under the substitute bill, OBM would have 62  
distributed PLF revenue monthly based on each county's 63  
population. The amendment restores the current formula, 64  
administered by TAX, which is based on each county's share of 65  
the PLF in the preceding calendar year, plus an inflation 66  
factor. 67

Removes GRF ALI 042511, Public Library Funding, with 68  
appropriations of \$485,000,000 in FY 2026 and \$495,000,000 in FY 69  
2027 and adds Fund 7065 ALI 110965, Public Library Fund, with 70  
appropriations of \$490,000,000 in FY 2026 and \$500,000,000 in FY 71  
2027, in the State Revenue Distributions (RDF) budget. 72

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 1703, insert:

"Sec. 101.56. (A) (1) The public office compensation  
advisory commission is created. The commission consists of the  
following nine voting members:

(a) Three members appointed by the governor, not more than  
two of whom may be members of the same political party;

(b) Three members appointed by the president of the  
senate, not more than two of whom may be members of the same  
political party;

(c) Three members appointed by the speaker of the house of  
representatives, not more than two of whom may be members of the  
same political party.

(2) The following are not eligible to be appointed as a  
member of the commission and shall not serve on the commission:

(a) An officer or employee of the state or a political  
subdivision of the state;

(b) An individual who is the spouse, parent, grandparent,  
child, grandchild, sibling, nephew, niece, uncle, aunt, brother-

Legislative Service Commission



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in-law, sister-in-law, son-in-law, daughter-in-law, father-in- 19  
law, or mother-in-law of an officer or employee of the state or 20  
a political subdivision of the state; 21

(c) An individual who, within twelve months before 22  
appointment, was a candidate for election to a public office in 23  
the state; 24

(d) An individual who is a legislative agent as defined in 25  
section 101.70 of the Revised Code or an executive agency 26  
lobbyist as defined in section 121.60 of the Revised Code. 27

(B) Terms of members of the commission are for four years. 28  
Members may not serve more than two consecutive terms. The 29  
commission chairperson shall be selected by majority vote of all 30  
members of the commission. Members are not entitled to 31  
compensation, but shall be reimbursed for actual and necessary 32  
expenses incurred in the performance of commission duties. A 33  
vacancy among the members of the commission shall be filled in 34  
the manner prescribed for the original appointment. A member may 35  
be removed from the commission only by that member's designated 36  
appointing authority. 37

**Sec. 101.561.** (A) The public office compensation advisory 38  
commission shall meet at the beginning of each odd-numbered 39  
general assembly to review the current compensation of the 40  
following: 41

(1) The members of the general assembly; 42

(2) The governor, lieutenant governor, secretary of state, 43  
auditor of state, treasurer of state, and attorney general. 44

(B) Not later than sixty days after the first regular 45  
session of an odd-numbered general assembly convenes: 46

(1) The governor, president of the senate, and speaker of 47  
the house of representatives shall make the appointments 48  
required under section 101.56 of the Revised Code; 49

(2) The commission shall begin its review. 50

(C) Not later than ninety days after the first regular 51  
session of the general assembly convenes, the commission shall 52  
do all of the following: 53

(1) Complete its review; 54

(2) Prepare a proposed compensation plan approved by vote 55  
of at least five of its members; 56

(3) Prepare a report of its proposed compensation plan; 57

(4) Submit the plan and report to the governor, the 58  
president and minority leader of the senate, and the speaker and 59  
minority leader of the house of representatives. 60

(D) As required under Ohio Constitution, Article II 61  
Section 31 and Article III, Section 19, the compensation amounts 62  
of the public offices listed in division (A) of this section 63  
shall be prescribed by law by the general assembly. The 64  
committee is without authority to prescribe compensation 65  
amounts. The commission's plan and report are advisory in 66  
nature." 67

Update the title, amend, enact, or repeal clauses accordingly 68

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 69



<b>Public office compensation advisory commission</b>	70
<b>R.C. 101.56 and 101.561</b>	71
Establishes an advisory commission that will, at the	72
beginning of every odd-numbered General Assembly, review and	73
make recommendations about the compensation amounts of General	74
Assembly members and the executive statewide elected officials.	75

\_\_\_\_\_ moved to amend as follows:

In the table on line 114522, after row E, insert:

"

1	2	3	4	5
---	---	---	---	---

A Dedicated Purpose Fund Group

B	5AY1 042509 One Time Strategic Community Investments	\$1,000,000	\$0
---	---	-------------	-----

C	Dedicated Purpose Fund Group Total	\$1,000,000	\$0
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"

In the table on line 114522, in row L, add \$1,000,000 to  
fiscal year 2026

In line 114523, delete "AUDIT COSTS" and insert "ONE TIME  
STRATEGIC COMMUNITY INVESTMENTS

The foregoing appropriation item 042509, One Time  
Strategic Community Investments, shall be used by the Office of  
Budget and Management to provide grants for the projects listed



in this section in the amounts listed. Prior to disbursing a 12  
grant to a recipient, the Office of Budget and Management shall 13  
enter into a grant agreement with the recipient. As part of the 14  
grant agreement, the recipient shall agree to complete a final 15  
report, in a form and manner to be prescribed by the Office of 16  
Budget and Management, detailing how the recipient used the 17  
grant and submit the report to the Office of Budget and 18  
Management. 19

An amount equal to the unexpended, unencumbered balance of 20  
the foregoing appropriation item 042509, One Time Strategic 21  
Community Investments, at the end of fiscal year 2026 is hereby 22  
reappropriated for the same purpose in fiscal year 2027. 23  
24

	1	2	
A	Project	Amount	
B	Say Yes Cleveland	\$750,000	
C	University Circle	\$250,000	
	AUDIT COSTS"		25

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 26  
**Office of Budget and Management** 27  
**Sections 229.10 and 229.20** 28  
Establishes Fund 5AY1 ALI 042509, One Time Strategic 29

Community Investments, with an appropriation of \$1,000,000 in FY	30
2026, and earmarks the following:	31
1. \$750,000 for Say Yes Cleveland; and	32
2. \$250,000 for University Circle.	33
Reappropriates an amount equal to the available balance of	34
ALI 042509 at the end of FY 2026 for the same purpose in FY	35
2027.	36

Sub. H. B. No. 96

I\_136\_0001-4

\_\_\_\_\_ moved to amend as follows:

After line 12230, insert:

"**Sec. 141.04.** (A) The annual salaries of the chief justice of the supreme court and of the justices and judges named in this section payable from the state treasury are as follows:

(1) For the chief justice of the supreme court, the following amounts effective in the following years:

(a) Beginning January 1, 2018, one hundred seventy-four thousand seven hundred dollars;

(b) Beginning January 1, 2019, one hundred eighty-three thousand four hundred fifty dollars;

(c) Beginning January 1, 2020, and in each calendar year thereafter through calendar year ~~2028~~2025 beginning on the first day of January, the annual compensation amount shall be increased by one and three-quarters per cent;

(d) Beginning January 1, 2026, and in each calendar year thereafter through calendar year 2029 beginning on the first day of January, the annual compensation amount shall be increased by five per cent;



(e) Beginning January 1, 2030, and in each calendar year 19  
thereafter beginning on the first day of January, the annual 20  
compensation amount shall be increased by the percentage 21  
increase, if any, in the consumer price index over the twelve- 22  
month period that ends on the thirtieth day of September of the 23  
immediately preceding year, rounded to the nearest one-tenth of 24  
one per cent, not to exceed three per cent. 25

(2) For the justices of the supreme court, the following 26  
amounts effective in the following years: 27

(a) Beginning January 1, 2018, one hundred sixty-four 28  
thousand dollars; 29

(b) Beginning January 1, 2019, one hundred seventy-two 30  
thousand two hundred dollars; 31

(c) Beginning January 1, 2020, and in each calendar year 32  
thereafter through calendar year ~~2028~~2025 beginning on the 33  
first day of January, the annual compensation amount shall be 34  
increased by one and three-quarters per cent; 35

(d) Beginning January 1, 2026, and in each calendar year 36  
thereafter through calendar year 2029 beginning on the first day 37  
of January, the annual compensation amount shall be increased by 38  
five per cent; 39

(e) Beginning January 1, 2030, and in each calendar year 40  
thereafter beginning on the first day of January, the annual 41  
compensation amount shall be increased by the percentage 42  
increase, if any, in the consumer price index over the twelve- 43  
month period that ends on the thirtieth day of September of the 44  
immediately preceding year, rounded to the nearest one-tenth of 45  
one per cent, not to exceed three per cent. 46

(3) For the judges of the courts of appeals, the following 47  
amounts effective in the following years: 48

(a) Beginning January 1, 2018, one hundred fifty-two 49  
thousand eight hundred fifty dollars; 50

(b) Beginning January 1, 2019, one hundred sixty thousand 51  
five hundred dollars; 52

(c) Beginning January 1, 2020, and in each calendar year 53  
thereafter through calendar year ~~2028~~2025 beginning on the 54  
first day of January, the annual compensation amount shall be 55  
increased by one and three-quarters per cent; 56

(d) Beginning January 1, 2026, and in each calendar year 57  
thereafter through calendar year 2029 beginning on the first day 58  
of January, the annual compensation amount shall be increased by 59  
five per cent; 60

(e) Beginning January 1, 2030, and in each calendar year 61  
thereafter beginning on the first day of January, the annual 62  
compensation amount shall be increased by the percentage 63  
increase, if any, in the consumer price index over the twelve- 64  
month period that ends on the thirtieth day of September of the 65  
immediately preceding year, rounded to the nearest one-tenth of 66  
one per cent, not to exceed three per cent. 67

(4) For the judges of the courts of common pleas, the 68  
following amounts effective in the following years, reduced by 69  
an amount equal to the annual compensation paid to that judge 70  
from the county treasury pursuant to section 141.05 of the 71  
Revised Code: 72

(a) Beginning January 1, 2018, one hundred forty thousand 73  
five hundred fifty dollars; 74

(b) Beginning January 1, 2019, one hundred forty-seven 75  
thousand six hundred dollars; 76

(c) Beginning January 1, 2020, and in each calendar year 77  
thereafter through calendar year ~~2028~~2025 beginning on the 78  
first day of January, the annual compensation amount shall be 79  
increased by one and three-quarters per cent; 80

(d) Beginning January 1, 2026, and in each calendar year 81  
thereafter through calendar year 2029 beginning on the first day 82  
of January, the annual compensation amount shall be increased by 83  
five per cent; 84

(e) Beginning January 1, 2030, and in each calendar year 85  
thereafter beginning on the first day of January, the annual 86  
compensation amount shall be increased by the percentage 87  
increase, if any, in the consumer price index over the twelve- 88  
month period that ends on the thirtieth day of September of the 89  
immediately preceding year, rounded to the nearest one-tenth of 90  
one per cent, not to exceed three per cent. 91

(5) For the full-time judges of a municipal court or the 92  
part-time judges of a municipal court of a territory having a 93  
population of more than fifty thousand, the following amounts 94  
effective in the following years, reduced by an amount equal to 95  
the annual compensation paid to that judge pursuant to division 96  
(B) (1) (a) of section 1901.11 of the Revised Code from municipal 97  
corporations and counties: 98

(a) Beginning January 1, 2018, one hundred thirty-two 99  
thousand one hundred fifty dollars; 100

(b) Beginning January 1, 2019, one hundred thirty-eight 101  
thousand eight hundred dollars; 102



(c) Beginning January 1, 2020, and in each calendar year 103  
thereafter through calendar year ~~2028~~2025 beginning on the 104  
first day of January, the annual compensation amount shall be 105  
increased by one and three-quarters per cent; 106

(d) Beginning January 1, 2026, and in each calendar year 107  
thereafter through calendar year 2029 beginning on the first day 108  
of January, the annual compensation amount shall be increased by 109  
five per cent; 110

(e) Beginning January 1, 2030, and in each calendar year 111  
thereafter beginning on the first day of January, the annual 112  
compensation amount shall be increased by the percentage 113  
increase, if any, in the consumer price index over the twelve- 114  
month period that ends on the thirtieth day of September of the 115  
immediately preceding year, rounded to the nearest one-tenth of 116  
one per cent, not to exceed three per cent. 117

(6) For judges of a municipal court designated as part- 118  
time judges by section 1901.08 of the Revised Code, other than 119  
part-time judges to whom division (A) (5) of this section 120  
applies, and for judges of a county court, the following amounts 121  
effective in the following years, reduced by an amount equal to 122  
the annual compensation paid to that judge pursuant to division 123  
(A) of section 1901.11 of the Revised Code from municipal 124  
corporations and counties or pursuant to division (A) of section 125  
1907.16 of the Revised Code from counties: 126

(a) Beginning January 1, 2018, seventy-six thousand fifty 127  
dollars; 128

(b) Beginning January 1, 2019, seventy-nine thousand nine 129  
hundred dollars; 130

(c) Beginning January 1, 2020, and in each calendar year 131

thereafter through calendar year ~~2028~~2025 beginning on the 132  
first day of January, the annual compensation amount shall be 133  
increased by one and three-quarters per cent; 134

(d) Beginning January 1, 2026, and in each calendar year 135  
thereafter through calendar year 2029 beginning on the first day 136  
of January, the annual compensation amount shall be increased by 137  
five per cent; 138

(e) Beginning January 1, 2030, and in each calendar year 139  
thereafter beginning on the first day of January, the annual 140  
compensation amount shall be increased by the percentage 141  
increase, if any, in the consumer price index over the twelve- 142  
month period that ends on the thirtieth day of September of the 143  
immediately preceding year, rounded to the nearest one-tenth of 144  
one per cent, not to exceed three per cent. 145

(B) Except as provided in sections 1901.122 and 1901.123 146  
of the Revised Code, except as otherwise provided in this 147  
division, and except for the compensation to which the judges 148  
described in division (A) (5) of this section are entitled 149  
pursuant to divisions (B) (1) (a) and (2) of section 1901.11 of 150  
the Revised Code, the annual salary of the chief justice of the 151  
supreme court and of each justice or judge listed in division 152  
(A) of this section shall be paid in equal monthly installments 153  
from the state treasury. If the chief justice of the supreme 154  
court or any justice or judge listed in division (A) (2), (3), or 155  
(4) of this section delivers a written request to be paid 156  
biweekly to the administrative director of the supreme court 157  
prior to the first day of January of any year, the annual salary 158  
of the chief justice or the justice or judge that is listed in 159  
division (A) (2), (3), or (4) of this section shall be paid, 160  
during the year immediately following the year in which the 161

request is delivered to the administrative director of the 162  
supreme court, biweekly from the state treasury. 163

(C) Upon the death of the chief justice or a justice of 164  
the supreme court during that person's term of office, an amount 165  
shall be paid in accordance with section 2113.04 of the Revised 166  
Code, or to that person's estate. The amount shall equal the 167  
amount of the salary that the chief justice or justice would 168  
have received during the remainder of the unexpired term or an 169  
amount equal to the salary of office for two years, whichever is 170  
less. 171

(D) Neither the chief justice of the supreme court nor any 172  
justice or judge of the supreme court, the court of appeals, the 173  
court of common pleas, or the probate court shall hold any other 174  
office of trust or profit under the authority of this state or 175  
the United States. 176

(E) In addition to the salaries payable pursuant to this 177  
section, the chief justice of the supreme court and the justices 178  
of the supreme court shall be entitled to a vehicle allowance of 179  
five hundred dollars per month, payable from the state treasury. 180  
The allowance shall be increased on the first day of January of 181  
each odd-numbered year by an amount equal to the percentage 182  
increase, if any, in the consumer price index for the 183  
immediately preceding twenty-four month period for which 184  
information is available. 185

(F) As used in this section: 186

(1) "Consumer price index" ~~has the same meaning as in~~ 187  
~~section 101.27 of the Revised Code~~ means the consumer price index 188  
prepared by the United States bureau of labor statistics (U.S. 189  
city average for urban wage earners and clerical workers: all 190

items, 1982-1984=100), or, if that index is no longer published, 191  
a generally available comparable index. 192

(2) "Salary" does not include any portion of the cost, 193  
premium, or charge for health, medical, hospital, dental, or 194  
surgical benefits, or any combination of those benefits, 195  
covering the chief justice of the supreme court or a justice or 196  
judge named in this section and paid on the chief justice's or 197  
the justice's or judge's behalf by a governmental entity. " 198

After line 19005, insert: 199

**"Sec. 325.18.** (A) As used in this section, "consumer price 200  
index" has the same meaning as in section 141.04 of the Revised 201  
Code. 202

(B) (1) The salary amounts under sections 325.06 and 325.11 203  
of the Revised Code shall be increased as follows: 204

(a) Beginning in calendar year 2020 and in each calendar 205  
year thereafter through calendar year 2028~~2025~~, the salary 206  
amounts under sections 325.06 and 325.11 of the Revised Code 207  
shall be increased by one and three-quarters per cent; 208

(b) Beginning in calendar year 2026 and in each calendar 209  
year thereafter through calendar year 2029, by five per cent; 210

(c) Beginning in calendar year 2030 and in each calendar 211  
year thereafter, by the percentage increase, if any, in the 212  
consumer price index over the twelve-month period that ends on 213  
the thirtieth day of September of the immediately preceding 214  
year, rounded to the nearest one-tenth of one per cent, not to 215  
exceed three per cent. 216

~~(B)~~ (2) The salary amounts under sections 325.03, 325.04, 217  
325.08, 325.09, 325.10, 325.14, and 325.15 of the Revised Code 218

shall be increased as follows:

(a) Beginning in calendar year 2021 and in each calendar  
year thereafter through calendar year 2028~~2025, the salary~~  
~~amounts under sections 325.03, 325.04, 325.08, 325.09, 325.10,~~  
~~325.14, and 325.15 of the Revised Code shall be increased by one~~  
and three-quarters per cent;

(b) Beginning in calendar year 2026 and in each calendar  
year thereafter through calendar year 2029, by five per cent;

(c) Beginning in calendar year 2030 and in each calendar  
year thereafter, by the percentage increase, if any, in the  
consumer price index over the twelve-month period that ends on  
the thirtieth day of September of the immediately preceding  
year, rounded to the nearest one-tenth of one per cent, not to  
exceed three per cent.

(C) Notwithstanding this section and sections 325.06,  
325.11, 325.14, and 325.15 of the Revised Code, when computing a  
salary for any elected county officer under any of those  
sections, if the population range for the class under which the  
officer is to be compensated is not the same as the population  
range for that class for any other such elected county office,  
the class at which the officer's salary is determined shall be  
the highest class at which any officer from that same county is  
compensated under the population range applicable to that  
officer."

After line 20322, insert:

**"Sec. 505.24.** (A) In calendar year 2018, each township  
trustee is entitled to compensation in an amount for each day of  
service in the business of the township, to be paid from the  
township treasury as follows:

(1) In townships having a budget of two hundred fifty	248
thousand dollars or less, forty dollars and forty-one cents per	249
day for not more than two hundred days;	250
(2) In townships having a budget of more than two hundred	251
fifty thousand but not more than five hundred thousand dollars,	252
forty-six dollars and eighty cents per day for not more than two	253
hundred days;	254
(3) In townships having a budget of more than five hundred	255
thousand but not more than seven hundred fifty thousand dollars,	256
forty-nine dollars and sixty-three cents per day for not more	257
than two hundred days;	258
(4) In townships having a budget of more than seven	259
hundred fifty thousand but not more than one million five	260
hundred thousand dollars, fifty-six dollars and seventy-one	261
cents per day for not more than two hundred days;	262
(5) In townships having a budget of more than one million	263
five hundred thousand but not more than three million five	264
hundred thousand dollars, sixty-two dollars and thirty-nine	265
cents per day for not more than two hundred days;	266
(6) In townships having a budget of more than three	267
million five hundred thousand but not more than six million	268
dollars, sixty-eight dollars and six cents per day for not more	269
than two hundred days;	270
(7) In townships having a budget of more than six million	271
but not more than ten million dollars, eighty-eight dollars and	272
nineteen cents per day for not more than two hundred days;	273
(8) In townships having a budget of more than ten million	274
dollars, one hundred thirteen dollars and thirty-eight cents per	275

day for not more than two hundred days. 276

(B) The amounts paid as specified in division (A) of this 277  
section shall be increased as follows: 278

(1) In calendar year 2019 and in each calendar year 279  
thereafter through calendar year ~~2028~~2025, ~~the amounts paid as~~ 280  
~~specified in division (A) of this section shall be increased by~~ 281  
one and three-quarters per cent; 282

(2) In calendar year 2026 and in each calendar year 283  
thereafter through calendar year 2029, by five per cent; 284

(3) In calendar year 2030 and in each calendar year 285  
thereafter, by the percentage increase, if any, in the consumer 286  
price index as defined in section 141.04 of the Revised Code 287  
over the twelve-month period that ends on the thirtieth day of 288  
September of the immediately preceding year, rounded to the 289  
nearest one-tenth of one per cent, not to exceed three per cent. 290

(C) Whenever members of a board of township trustees are 291  
compensated per diem and not by annual salary, the board shall 292  
establish, by resolution, a method by which each member of the 293  
board shall periodically notify the township fiscal officer of 294  
the number of days spent in the service of the township and the 295  
kinds of services rendered on those days. The per diem 296  
compensation shall be paid from the township general fund or 297  
from other township funds in such proportions as the kinds of 298  
services performed may require. The notice shall be filed with 299  
the township fiscal officer and preserved for inspection by any 300  
persons interested. 301

By unanimous vote, a board of township trustees may adopt 302  
a method of compensation consisting of an annual salary to be 303  
paid in equal monthly payments. If the office of trustee is held 304

by more than one person during any calendar year, each person 305  
holding the office shall receive payments for only those months, 306  
and any fractions of those months, during which the person holds 307  
the office. The amount of the annual salary approved by the 308  
board shall be no more than the maximum amount that could be 309  
received annually by a trustee if the trustee were paid on a per 310  
diem basis as specified in this division, and shall be paid from 311  
the township general fund or from other township funds in such 312  
proportions as the board may specify by resolution. Each trustee 313  
shall certify the percentage of time spent working on matters to 314  
be paid from the township general fund and from other township 315  
funds in such proportions as the kinds of services performed. A 316  
board of township trustees that has adopted a salary method of 317  
compensation may return to a method of compensation on a per 318  
diem basis as specified in this division by a majority vote. Any 319  
change in the method of compensation shall be effective on the 320  
first day of January of the year following the year during which 321  
the board has voted to change the method of compensation. 322

**Sec. 507.09.** (A) In calendar year 2018, the township 323  
fiscal officer shall be entitled to compensation as follows: 324

(1) In townships having a budget of two hundred fifty 325  
thousand dollars or less, ten thousand nine hundred eighteen 326  
dollars; 327

(2) In townships having a budget of more than two hundred 328  
fifty thousand but not more than five hundred thousand dollars, 329  
fourteen thousand thirty-nine dollars; 330

(3) In townships having a budget of more than five hundred 331  
thousand but not more than seven hundred fifty thousand dollars, 332  
fifteen thousand five hundred ninety-seven dollars; 333



(4) In townships having a budget of more than seven 334  
hundred fifty thousand but not more than one million five 335  
hundred thousand dollars, eighteen thousand seven hundred 336  
seventeen dollars; 337

(5) In townships having a budget of more than one million 338  
five hundred thousand but not more than three million five 339  
hundred thousand dollars, twenty-one thousand eight hundred 340  
thirty-six dollars; 341

(6) In townships having a budget of more than three 342  
million five hundred thousand but not more than six million 343  
dollars, twenty-three thousand three hundred ninety-six dollars; 344

(7) In townships having a budget of more than six million 345  
but not more than ten million dollars, twenty-six thousand eight 346  
hundred fifty-two dollars; 347

(8) In townships having a budget of more than ten million 348  
dollars, thirty-one thousand sixty-four dollars. 349

(B) The compensation determined under division (A) of this 350  
section shall be increased as follows: 351

(1) In calendar year 2019 and in each calendar year 352  
thereafter through calendar year 2028~~2025, the compensation~~ 353  
~~determined under division (A) of this section shall be increased~~ 354  
by one and three-quarters per cent; 355

(2) In calendar year 2026 and in each calendar year 356  
thereafter through calendar year 2029, by five per cent; 357

(3) In calendar year 2030 and in each calendar year 358  
thereafter, by the percentage increase, if any, in the consumer 359  
price index as defined in section 141.04 of the Revised Code 360  
over the twelve-month period that ends on the thirtieth day of 361

September of the immediately preceding year, rounded to the 362  
nearest one-tenth of one per cent, not to exceed three per cent. 363

(C) Any township fiscal officer may elect to receive less 364  
than the compensation the fiscal officer is entitled to under 365  
this section. Any township fiscal officer electing to do this 366  
shall so notify the board of township trustees in writing, and 367  
the board shall include this notice in the minutes of its next 368  
board meeting. 369

(D) The compensation of the township fiscal officer shall 370  
be paid in equal monthly payments. If the office of township 371  
fiscal officer is held by more than one person during any 372  
calendar year, each person holding the office shall receive 373  
payments for only those months, and any fractions of those 374  
months, during which the person holds the office. 375

A township fiscal officer may be compensated from the 376  
township general fund or from other township funds based on the 377  
proportion of time the township fiscal officer spends providing 378  
services related to each fund. A township fiscal officer must 379  
document the amount of time the township fiscal officer spends 380  
providing services related to each fund by certification 381  
specifying the percentage of time spent working on matters to be 382  
paid from the township general fund or from other township funds 383  
in such proportions as the kinds of services performed." 384

After line 57252, insert: 385

**"Sec. 3501.12.** (A) The annual compensation of members of 386  
the board of elections shall be determined on the basis of the 387  
population of the county according to the next preceding federal 388  
census, and shall be paid monthly out of the appropriations made 389  
to the board and upon vouchers or payrolls certified by the 390

chairperson, or a member of the board designated by it, and 391  
countersigned by the director or in the director's absence by 392  
the deputy director. Upon presentation of any such voucher or 393  
payroll, the county auditor shall issue a warrant upon the 394  
county treasurer for the amount thereof as in the case of 395  
vouchers or payrolls for county offices and the treasurer shall 396  
pay such warrant. 397

(B) In calendar year 2018, the amount of annual 398  
compensation of each member of the board of elections shall be 399  
the greater of the following: 400

(1) The sum of the following: 401

(a) One hundred two dollars and forty-one cents for each 402  
full one thousand of the first one hundred thousand population; 403

(b) Forty-eight dollars and seventy-nine cents for each 404  
full one thousand of the second one hundred thousand population; 405

(c) Twenty-six dollars and fifty cents for each full one 406  
thousand of the third one hundred thousand population; 407

(d) Eight dollars and thirteen cents for each full one 408  
thousand above three hundred thousand population. 409

(2) Six thousand dollars. 410

(C) The annual compensation of each member of the board 411  
shall be computed after increasing the dollar amounts specified 412  
in divisions (B) (1) and (2) of this section as follows: 413

(1) In calendar year 2019 and in each calendar year 414  
thereafter through calendar year 20282025, the annual 415  
compensation of each member of the board shall be computed after 416  
increasing the dollar amounts specified in divisions (B) (1) and 417  
(2) of this section by one and three-quarters per cent; 418

(2) In calendar year 2026 and in each calendar year 419  
thereafter through calendar year 2029, by five per cent; 420

(3) In calendar year 2030 and in each calendar year 421  
thereafter, by the percentage increase, if any, in the consumer 422  
price index as defined in section 141.04 of the Revised Code 423  
over the twelve-month period that ends on the thirtieth day of 424  
September of the immediately preceding year, rounded to the 425  
nearest one-tenth of one per cent, not to exceed three per cent. 426

(D) For the purposes of this section, members of boards of 427  
elections shall be deemed to be appointed and not elected, and 428  
therefore not subject to Section 20 of Article II of the Ohio 429  
Constitution. " 430

After line 124729, insert: 431

**"Section 701.00.01.** All public officers whose compensation 432  
cannot be changed during the officer's term under Ohio 433  
Constitution, Article II, Section 20, shall continue receiving 434  
for the remainder of the officer's term the amount the official 435  
is entitled to under section 325.18, 505.24, or 507.09 of the 436  
Revised Code before the effective date of the amendments to 437  
those sections made by this act until the officer begins a new 438  
term and may constitutionally receive the changed compensation 439  
amount." 440

Update the title, amend, enact, or repeal clauses accordingly 441

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 442

<b>Pay raises</b>	443
<b>R.C. 141.04, 325.18, 505.24, 507.09, and 3501.12; Section</b>	444
<b>701.00.01</b>	445
Increases and extends pay raises for justices and judges,	446
county officials, township officials, and members of county	447
boards of elections, from 1.75% per year through 2028 under	448
current law to 5% per year through 2029 under the amendment.	449
Provides annual cost of living adjustments beginning in	450
2030 equal to the increase in CPI with a 3% maximum.	451

Sub. H. B. No. 96

I\_136\_0001-4

BORCD92

\_\_\_\_\_ moved to amend as follows:

In line 54702, after " <u>trust</u> " insert " <u>reserve</u> "	1
In line 54703, delete " <u>division (B) of</u> "	2
In line 54704, delete " <u>3334.12</u> " and insert " <u>3334.11</u> "	3
Delete lines 55009 through 55058 (remove R.C. 3334.12)	4
Update the title, amend, enact, or repeal clauses accordingly	5

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 6

**Strategic Square Footage Reduction Fund** 7

**R.C. 3333.96 and 3334.12 (removed)** 8

Removes the requirement that TOS transfer funds from the	9
Ohio Tuition Trust Fund to the Strategic Square Footage	10
Reduction Fund.	11

Legislative Service Commission



Sub. H. B. No. 96

I\_136\_0001-4

FCCCD14

\_\_\_\_\_ moved to amend as follows:

In line 1472, delete ", and proceed under division (B) (2) of this" 1

In line 1473, delete "section before proceeding" and insert ". The 2  
public authority shall provide each construction manager at risk who 3  
desires to submit a proposal under this division a pre-proposal meeting to 4  
explore the proposals further, in which the public authority shall provide 5  
the construction manager at risk with a description of the project, 6  
including the scope and nature of the proposed services and potential 7  
technical approaches. The public authority shall proceed" 8

In line 1474, after "section" insert ", based only on the proposal 9  
submitted under that division"; after the underlined period, insert "Once 10  
the construction managers at risk have been selected, the public authority 11  
shall proceed to evaluate the pricing proposals of each selected 12  
construction manager at risk as described in division (D) of this section, 13  
continuing the selection process from there." 14

In line 1480, reinsert "(B)" and delete "(B) (1)" 15

In line 1481, reinsert "(A)" and delete "(A) (1)" 16

Delete lines 1489 through 1495 17

In line 14784, after the underlined period, insert "After and only 18  
after the public authority ranks and selects firms under division (B) (1) 19  
of this section, the public authority shall review the pricing proposals 20  
submitted by selected firms under this division, and proceed under 21  
division (B) (3) of this section, continuing the selection process from 22  
there." 23

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 24

**Expedited processes for design build firms and** 25  
**construction managers at risk** 26

**R.C. 9.334 and 153.693** 27

Clarifies, for expedited ranking and selection processes 28  
for contracts under \$4,000,000 with construction managers at 29  
risk and design build firms, that the public authority must 30  
evaluate their initial proposals, rank and select a number of 31  
candidates, and only then evaluate the pricing proposals of the 32  
selected candidates. 33



\_\_\_\_\_ moved to amend as follows:

After the table on line 120417, insert:

**"Section 377.20.** CONSERVATION GENERAL OBLIGATION BOND DEBT  
SERVICE

The foregoing appropriation item 150904, Conservation  
General Obligation Bond Debt Service, shall be used to pay all  
debt service and related financing costs during the period from  
July 1, 2025, through June 30, 2027, on obligations issued under  
sections 151.01 and 151.09 of the Revised Code.

INFRASTRUCTURE IMPROVEMENT GENERAL OBLIGATION BOND DEBT  
SERVICE

The foregoing appropriation item 150907, Infrastructure  
Improvement General Obligation Bond Debt Service, shall be used  
to pay all debt service and related financing costs during the  
period from July 1, 2025, through June 30, 2027, on obligations  
issued under sections 151.01 and 151.08 of the Revised Code.

CLEAN OHIO CONSERVATION OPERATING

The foregoing appropriation item 150403, Clean Ohio  
Conservation Operating, shall be used by the Ohio Public Works



Commission in administering Clean Ohio Conservation Fund (Fund 19  
7056) projects pursuant to sections 164.20 to 164.27 of the 20  
Revised Code. 21

#### STATE CAPITAL IMPROVEMENT PROGRAM - OPERATING EXPENSES 22

The foregoing appropriation item 150321, State Capital 23  
Improvements Program - Operating Expenses, shall be used by the 24  
Ohio Public Works Commission to administer the State Capital 25  
Improvement Program under sections 164.01 to 164.16 of the 26  
Revised Code. 27

#### DISTRICT ADMINISTRATION COSTS 28

The Director of the Public Works Commission is authorized 29  
to create a District Administration Costs Program from proceeds 30  
of the Capital Improvements Fund and Local Transportation 31  
Improvement Program Fund. The program shall be used to provide 32  
for the direct costs of district administration of the nineteen 33  
public works districts. Districts choosing to participate in the 34  
program shall only expend State Capital Improvements Fund moneys 35  
for State Capital Improvements Fund costs and Local 36  
Transportation Improvement Program Fund moneys for Local 37  
Transportation Improvement Program Fund costs. The District 38  
Administration Costs Program account shall not exceed \$1,235,000 39  
per fiscal year. Each public works district may be eligible for 40  
up to \$65,000 per fiscal year from its district allocation as 41  
provided in sections 164.08 and 164.14 of the Revised Code. 42

The Director, by rule, shall define allowable and non- 43  
allowable costs for the purpose of the District Administration 44  
Costs Program. Non-allowable costs include indirect costs, 45  
elected official salaries and benefits, and project-specific 46  
costs. No district public works committee may participate in the 47

District Administration Costs Program without the approval of 48  
 those costs by the district public works committee under section 49  
 164.04 of the Revised Code. 50

#### NATURAL RESOURCE ASSISTANCE COUNCIL ADMINISTRATION COSTS 51

The Director of the Public Works Commission is authorized 52  
 to create a District Administration Costs Program for districts 53  
 represented by natural resource assistance councils. The program 54  
 shall be funded from proceeds of the Clean Ohio Conservation 55  
 Fund. The program shall be used by natural resource assistance 56  
 councils to provide for administration costs of the nineteen 57  
 natural resource assistance councils for the direct costs of 58  
 council administration. Councils choosing to participate in this 59  
 program may be eligible for up to \$15,000 per fiscal year from 60  
 their district allocation as provided in section 164.27 of the 61  
 Revised Code. 62

The Director, by rule, shall define allowable and non- 63  
 allowable costs for the purpose of the District Administration 64  
 Costs Program. Non-allowable costs include indirect costs, 65  
 elected official salaries and benefits, and project specific 66  
 costs." 67

The motion was \_\_\_\_\_ agreed to.

#### SYNOPSIS 68

#### **Public Works Commission** 69

#### **Section 377.20** 70

Requires GRF ALI 150904, Conservation General Obligation 71

Bond Debt Service, to be used to pay all debt service and	72
related financing costs during the FY 2026-FY 2027 biennium on	73
obligations issued for the Clean Ohio Conservation Program.	74
Requires GRF ALI 150907, Infrastructure Improvement	75
General Obligation Bond Debt Service, to be used to pay all debt	76
service and related financing costs during the FY 2026-FY 2027	77
biennium for obligations issued for the State Capital	78
Improvement Program.	79
Requires that Fund 7056 ALI 150403, Clean Ohio	80
Conservation Operating, be used to administer the Clean Ohio	81
Conservation Program.	82
Requires that Fund 7038 ALI 150321, State Capital	83
Improvement Program - Operating Expenses, be used to administer	84
the State Capital Improvement Program.	85
Authorizes OPWC to use the proceeds of the Capital	86
Improvements Fund (Fund 7038) and the Local Transportation	87
Improvement Fund (Fund 7052) for a District Administration Costs	88
Program, which covers the administrative costs incurred by the	89
19 individual District Public Works Integrating Committees	90
(DPWICs) for distributing SCIP and LTIP funding. Permits no more	91
than \$1,235,000 in each fiscal year to be made available for	92
reimbursement and allows each DPWIC to receive up to \$65,000 in	93
each fiscal year for this purpose.	94
Requires PWC to define allowable costs for the program,	95
and specifies that indirect costs, elected official salaries and	96
benefits, and project-specific costs are not allowable. Requires	97
DPWICs to approve such costs in order to participate in the	98
program.	99
Authorizes PWC to use the proceeds of the Clean Ohio	100

Conservation Fund (Fund 7056) for a District Administration	101
Costs Program to cover administrative costs incurred by Natural	102
Resource Assistance Councils (NRACs). States that indirect	103
costs, elected official salaries and benefits, and project-	104
specific costs are not allowable. Allows any of the 19 NRACs to	105
receive up to \$15,000 in each fiscal year for these costs.	106

Sub. H. B. No. 96

I\_136\_0001-4

TAXCD53

\_\_\_\_\_ moved to amend as follows:

In line 109857, strike through "shall" and insert "may"

1

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

2

**Income tax estimated payment interest penalties**

3

**R.C. 5747.09 (D)**

4

Makes discretionary the interest penalty that applies to  
the underpayment of estimated state and school district income  
taxes and pass-through entity composite income taxes. The  
Executive version made these penalties discretionary for the  
pass-through entity withholding tax and electing pass-through  
entity tax.

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