

As Reported by the Senate Workforce Development Committee

136th General Assembly

Regular Session

2025-2026

Am. S. B. No. 331

Senators Wilson, Blackshear

Cosponsors: Senators Brenner, Cirino, Ingram

To enact section 102.10 of the Revised Code to 1
allow certain public hospitality employees to 2
accept gratuities. 3

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

Section 1. That section 102.10 of the Revised Code be 4
enacted to read as follows: 5

Sec. 102.10. (A) As used in this section, "public 6
hospitality employee" means a public employee who performs the 7
employee's primary duties at any of the following facilities: 8

(1) A publicly owned combined park-camp, recreation camp, 9
recreational vehicle park, or temporary park-camp, as those 10
terms are defined in section 3729.01 of the Revised Code; 11

(2) A publicly owned facility containing a public swimming 12
pool, public spa, or special use pool, as those terms are 13
defined in section 3749.01 of the Revised Code; 14

(3) A publicly owned golf course; 15

(4) A hotel, as defined in section 3731.01 of the Revised 16
Code, that is publicly owned; 17

(5) A publicly owned theater, concert hall, entertainment 18

<u>venue, convention center, or similar space for hosting</u>	19
<u>performances or events;</u>	20
<u>(6) A refuge harbor or marine recreational facility as</u>	21
<u>described in section 1547.72 of the Revised Code;</u>	22
<u>(7) A retail establishment located within a publicly owned</u>	23
<u>facility;</u>	24
<u>(8) A retail food establishment or food service operation,</u>	25
<u>as those terms are defined in section 3717.01 of the Revised</u>	26
<u>Code, located within a publicly owned facility;</u>	27
<u>(9) Any other publicly owned facility that is similar to</u>	28
<u>the facilities described under divisions (A) (1) to (8) of this</u>	29
<u>section.</u>	30
<u>(B) Notwithstanding any provision to the contrary in</u>	31
<u>section 102.03 or 2921.43 of the Revised Code, in addition to a</u>	32
<u>public hospitality employee's regular compensation, and in</u>	33
<u>recognition of services the employee performs in the course of</u>	34
<u>the employee's public employment, both of the following apply:</u>	35
<u>(1) A person may give a gratuity to the employee.</u>	36
<u>(2) The employee may accept the gratuity.</u>	37
<u>(C) No public agency that employs a public hospitality</u>	38
<u>employee who accepts a gratuity under this section shall claim</u>	39
<u>the gratuity as a credit toward the minimum wage rate required</u>	40
<u>under Ohio Constitution, Article II, Section 34a and Chapter</u>	41
<u>4111. of the Revised Code.</u>	42