

As Introduced

136th General Assembly

Regular Session

2025-2026

S. B. No. 335

Senator Smith

Cosponsors: Senators Antonio, Blackshear, DeMora, Liston

To amend sections 1.14, 5.20, 124.19, 325.19,
511.10, 1345.21, 3313.63, and 3319.087 of the
Revised Code to make Election Day a holiday.

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

Section 1. That sections 1.14, 5.20, 124.19, 325.19,
511.10, 1345.21, 3313.63, and 3319.087 of the Revised Code be
amended to read as follows:

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Sec. 1.14. The time within which an act is required by law
to be done shall be computed by excluding the first and
including the last day; except that, when the last day falls on
Sunday or a legal holiday, the act may be done on the next
succeeding day that is not Sunday or a legal holiday.

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When a public office in which an act, required by law, is
to be performed is closed to the public for the entire day that
constitutes the last day for doing the act or before its usual
closing time on that day, the act may be performed on the next
succeeding day that is not a Sunday or a legal holiday as
defined in this section.

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"Legal holiday" as used in this section means the
following days:

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(A) The first day of January, known as New Year's day;	20
(B) The third Monday in January, known as Martin Luther King day;	21
(C) The third Monday in February, known as Washington-Lincoln day;	23
(D) The day designated in the "Act of June 28, 1968," 82 Stat. 250, 5 U.S.C. 6103, as amended, for the commemoration of Memorial day;	25
(E) The nineteenth day of June, known as Juneteenth day;	28
(F) The fourth day of July, known as Independence day;	29
(G) The first Monday in September, known as Labor day;	30
(H) The second Monday in October, known as Columbus day;	31
(I) <u>The first Tuesday after the first Monday in November,</u> <u>known as Democracy day;</u>	32
(J) <u>The eleventh day of November, known as Veterans' day;</u>	34
(J)—(K) <u>The fourth Thursday in November, known as Thanksgiving day;</u>	35
(K)—(L) <u>The twenty-fifth day of December, known as Christmas day;</u>	37
(L)—(M) <u>Any day appointed and recommended by the governor of this state or the president of the United States as a holiday.</u>	39
If any day designated in this section as a legal holiday falls on Sunday, the next succeeding day is a legal holiday.	42
Sec. 5.20. The first Tuesday after the first Monday in November of each year, between the hours of twelve noon, eastern	44
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~~standard time, and five thirty p.m., eastern standard time,~~ is a
legal holiday.

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Sec. 124.19. (A) State holidays shall be the first day of
January, the third Monday in January, the third Monday in
February, the day designated in the "Act of June 28, 1968," 82
Stat. 250, 5 U.S.C. 6103, as amended, for the commemoration of
Memorial day, the nineteenth day of June, the fourth day of
July, the first Monday in September, the second Monday in
October, the first Tuesday after the first Monday in November,
the eleventh day of November, the fourth Thursday in November,
the twenty-fifth day of December, and any day appointed and
recommended by the governor of this state or the president of
the United States. Employees shall be paid for these holidays as
specified in section 124.18 of the Revised Code.

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(B) The board of trustees of a community college,
technical college, state community college, or state university
or college as defined in division (A)(1) of section 3345.12 of
the Revised Code may, for all employees of the college or
university, observe on days other than those specified in
division (A) of this section any of the holidays otherwise
observed on the third Monday in January, the third Monday in
February, and the second Monday in October.

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Sec. 325.19. (A)(1) The granting of vacation leave under
division (A)(1) of this section is subject to divisions (A)(2)
and (3) of this section. Each full-time employee in the several
offices and departments of the county service, including full-
time hourly rate employees, after service of one year with the
county or any political subdivision of the state, shall have
earned and will be due upon the attainment of the first year of
employment, and annually thereafter, eighty hours of vacation

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leave with full pay. One year of service shall be computed on 76
the basis of twenty-six biweekly pay periods. A full-time county 77
employee with eight or more years of service with the county or 78
any political subdivision of the state shall have earned and is 79
entitled to one hundred twenty hours of vacation leave with full 80
pay. A full-time county employee with fifteen or more years of 81
service with the county or any political subdivision of the 82
state shall have earned and is entitled to one hundred sixty 83
hours of vacation leave with full pay. A full-time county 84
employee with twenty-five years of service with the county or 85
any political subdivision of the state shall have earned and is 86
entitled to two hundred hours of vacation leave with full pay. 87
Such vacation leave shall accrue to the employee at the rate of 88
three and one-tenth hours each biweekly period for those 89
entitled to eighty hours per year; four and six-tenths hours 90
each biweekly period for those entitled to one hundred twenty 91
hours per year; six and two-tenths hours each biweekly period 92
for those entitled to one hundred sixty hours per year; and 93
seven and seven-tenths hours each biweekly period for those 94
entitled to two hundred hours per year. 95

The appointing authorities of the offices and departments 96
of the county service may permit all or any part of a person's 97
prior service with any regional council of government 98
established in accordance with Chapter 167. of the Revised Code 99
to be considered service with the county or a political 100
subdivision of the state for the purpose of determining years of 101
service under this division. 102

(2) Full-time employees granted vacation leave under 103
division (A) (1) of this section who render any standard of 104
service other than forty hours per week as described in division 105
(K) of this section and who are in active pay status in a 106

biweekly pay period, shall accrue a number of hours of vacation leave during each such pay period that bears the same ratio to the number of hours specified in division (A) (1) of this section as their number of hours which are accepted as full-time in active pay status, excluding overtime hours, bears to eighty hours. 107
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(3) Full-time employees granted vacation leave under division (A) (1) of this section who are in active pay status in a biweekly pay period for less than eighty hours or the number of hours of service otherwise accepted as full-time by their employing office or department shall accrue a number of hours of vacation leave during that pay period that bears the same ratio to the number of hours specified in division (A) (1) of this section as their number of hours in active pay status, excluding overtime hours, bears to eighty or the number of hours of service accepted as full-time, whichever is applicable. 113
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(B) A board of county commissioners, by resolution, may grant vacation leave with full pay to part-time county employees. A part-time county employee shall be eligible for vacation leave with full pay upon the attainment of the first year of employment, and annually thereafter. The ratio between the hours worked and the vacation hours awarded to a part-time employee shall be the same as the ratio between the hours worked and the vacation hours earned by a full-time employee as provided for in this section. 123
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(C) Days specified as holidays in section 124.19 of the Revised Code shall not be charged to an employee's vacation leave. Vacation leave shall be taken by the employee during the year in which it accrued and prior to the next recurrence of the anniversary date of the employee's employment, provided that the 132
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appointing authority may, in special and meritorious cases, 137
permit such employee to accumulate and carry over the employee's 138
vacation leave to the following year. No vacation leave shall be 139
carried over for more than three years. An employee is entitled 140
to compensation, at the employee's current rate of pay, for the 141
prorated portion of any earned but unused vacation leave for the 142
current year to the employee's credit at time of separation, and 143
in addition shall be compensated for any unused vacation leave 144
accrued to the employee's credit, with the permission of the 145
appointing authority, for the three years immediately preceding 146
the last anniversary date of employment. 147

(D) (1) In addition to vacation leave, a full-time county 148
employee is entitled to eight hours of holiday pay for New 149
Year's day, Martin Luther King day, Washington-Lincoln day, 150
Memorial day, Juneteenth day, Independence day, Labor day, 151
Columbus day, Democracy day, Veterans' day, Thanksgiving day, 152
and Christmas day, of each year. Except as provided in division 153
(D) (2) of this section, holidays shall occur on the days 154
specified in section 1.14 of the Revised Code. If any of those 155
holidays fall on Saturday, the Friday immediately preceding 156
shall be observed as the holiday. If any of those holidays fall 157
on Sunday, the Monday immediately succeeding shall be observed 158
as the holiday. If an employee's work schedule is other than 159
Monday through Friday, the employee is entitled to holiday pay 160
for holidays observed on the employee's day off regardless of 161
the day of the week on which they are observed. 162

(2) (a) When a classified employee of a county board of 163
developmental disabilities works at a site maintained by a 164
government entity other than the board, such as a public school, 165
the board may adjust the employee's holiday schedule to conform 166
to the schedule adopted by the government entity. Under an 167

adjusted holiday schedule, an employee shall receive the number 168
of hours of holiday pay granted under division (D) (1) of this 169
section. 170

(b) Pursuant to division (J) (6) of section 339.06 of the 171
Revised Code, a county hospital may observe Martin Luther King 172
day, Washington-Lincoln day, Columbus day, and Veterans' day on 173
days other than those specified in section 1.14 of the Revised 174
Code. 175

(E) In the case of the death of a county employee, the 176
unused vacation leave and unpaid overtime to the credit of the 177
employee shall be paid in accordance with section 2113.04 of the 178
Revised Code, or to the employee's estate. 179

(F) Notwithstanding this section or any other section of 180
the Revised Code, any appointing authority of a county office, 181
department, commission, board, or body may, upon notification to 182
the board of county commissioners, establish alternative 183
schedules of vacation leave and holidays for employees of the 184
appointing authority for whom the state employment relations 185
board has not established an appropriate bargaining unit 186
pursuant to section 4117.06 of the Revised Code, as long as the 187
alternative schedules are not inconsistent with the provisions 188
of at least one collective bargaining agreement covering other 189
employees of that appointing authority, if such an agreement 190
exists. If no such collective bargaining agreement exists, an 191
appointing authority, upon notification to the board of county 192
commissioners, may establish an alternative schedule of vacation 193
leave and holidays for its employees that does not diminish the 194
vacation leave and holiday benefits granted by this section. 195

(G) The employees of a county children services board that 196
establishes vacation benefits under section 5153.12 of the 197

Revised Code are exempt from division (A) of this section. 198

(H) The provisions of this section do not apply to 199
superintendents and management employees of county boards of 200
developmental disabilities. 201

(I) Division (A) of this section does not apply to an 202
employee of a county board of developmental disabilities who 203
works at, or provides transportation services to pupils of, a 204
special education program provided by the county board pursuant 205
to division (A) (4) of section 5126.05 of the Revised Code, if 206
the employee's employment is based on a school year and the 207
employee is not subject to a contract with the county board that 208
provides for division (A) of this section to apply to the 209
employee. 210

(J) Notwithstanding division (C) of this section or any 211
other section of the Revised Code, if a separation from county 212
service occurs in connection with the lease, sale, or other 213
transfer of all or substantially all the business and assets of 214
a county hospital organized under Chapter 339. of the Revised 215
Code to a private corporation or other entity, the appointing 216
authority shall have no obligation to pay any compensation with 217
respect to unused vacation leave accrued to the credit of an 218
employee who accepts employment with the acquiring corporation 219
or other entity, if at the effective time of separation the 220
acquiring corporation or other entity expressly assumes such 221
unused vacation leave accrued to the employee's credit. 222

(K) As used in this section: 223

(1) "Full-time employee" means an employee whose regular 224
hours of service for a county total forty hours per week, or who 225
renders any other standard of service accepted as full-time by 226

an office, department, or agency of county service.	227
(2) "Part-time employee" means an employee whose regular hours of service for a county total less than forty hours per week, or who renders any other standard of service accepted as part-time by an office, department, or agency of county service, and whose hours of county service total at least five hundred twenty hours annually.	228 229 230 231 232 233
(3) "Management employee" has the same meaning as in section 5126.20 of the Revised Code.	234 235
Sec. 511.10. The board of township trustees may appoint such superintendents, architects, clerks, laborers, and other employees as are necessary and fix their compensation. Any person so appointed may be removed by a majority of the members of such board at any time.	236 237 238 239 240
Any township employee working on a salary or hourly basis is entitled to eight hours of holiday pay for New Year's day, Martin Luther King day, Washington-Lincoln day, Memorial day, Juneteenth day, Independence day, Labor day, Columbus day, <u>Democracy day</u> , Veterans' day, Thanksgiving day, and Christmas day, of each year, provided that the employee is a regular employee with at least six months full-time township service prior to the month when such holiday occurs. Holidays shall occur on the days specified in section 1.14 of the Revised Code.	241 242 243 244 245 246 247 248 249
The board of township trustees may purchase or lease uniforms for laborers or other employees engaged in the maintenance of township property.	250 251 252
Sec. 1345.21. As used in sections 1345.21 to 1345.28 of the Revised Code:	253 254
(A) "Home solicitation sale" means a sale of consumer	255

goods or services in which the seller or a person acting for the	256
seller engages in a personal solicitation of the sale at a	257
residence of the buyer, including solicitations in response to	258
or following an invitation by the buyer, and the buyer's	259
agreement or offer to purchase is there given to the seller or a	260
person acting for the seller, or in which the buyer's agreement	261
or offer to purchase is made at a place other than the seller's	262
place of business. It does not include a transaction or	263
transactions in which:	264
(1) The total purchase price to be paid by the buyer,	265
whether under single or multiple contracts, is less than twenty-	266
five dollars;	267
(2) The transaction was conducted and consummated entirely	268
by mail or by telephone if initiated by the buyer, and without	269
any other contact between the seller or the seller's	270
representative prior to the delivery of goods or performance of	271
the service;	272
(3) The final agreement is made pursuant to prior	273
negotiations in the course of a visit by the buyer to a retail	274
business establishment having a fixed permanent location where	275
the goods are exhibited or the services are offered for sale on	276
a continuing basis;	277
(4) The buyer initiates the contact between the parties	278
for the purpose of negotiating a purchase and the seller has a	279
business establishment at a fixed location in this state where	280
the goods or services involved in the transaction are regularly	281
offered or exhibited for sale.	282
Advertisements by such a seller in newspapers, magazines,	283
catalogues, radio, or television do not constitute the seller	284

initiation of the contact.	285
(5) The buyer initiates the contact between the parties, the goods or services are needed to meet a bona fide immediate personal emergency of the buyer which will jeopardize the welfare, health, or safety of natural persons, or endanger property which the buyer owns or for which the buyer is responsible, and the buyer furnishes the seller with a separate, dated, and signed statement in the buyer's handwriting describing the situation requiring immediate remedy and expressly acknowledging and waiving the right to cancel the sale within three business days;	286 287 288 289 290 291 292 293 294 295
(6) The buyer has initiated the contact between the parties and specifically requested the seller to visit the buyer's home for the purpose of repairing or performing maintenance upon the buyer's personal property. If, in the course of such a visit, the seller sells the buyer additional services or goods other than replacement parts necessarily used in performing the maintenance or in making the repairs, the sale of those additional goods or services does not fall within this exclusion.	296 297 298 299 300 301 302 303 304
(7) The buyer is accorded the right of rescission by the "Consumer Credit Protection Act," (1968) 82 Stat. 152, 15 U.S.C. 1635, or regulations adopted pursuant to it.	305 306 307
(B) "Sale" includes a lease or rental.	308
(C) "Seller" includes a lessor or anyone offering goods for rent.	309 310
(D) "Buyer" includes a lessee or anyone who gives a consideration for the privilege of using goods.	311 312
(E) "Consumer goods or services" means goods or services	313

purchased, leased, or rented primarily for personal, family, or	314
household purposes, including courses or instruction or training	315
regardless of the purpose for which they are taken.	316
(F) "Consumer goods or services" does not include goods or	317
services pertaining to any of the following:	318
(1) Sales or rentals of real property by a real estate	319
broker or salesperson, or by a foreign real estate dealer or	320
salesperson, who is licensed by the Ohio real estate commission	321
under Chapter 4735. of the Revised Code;	322
(2) The sale of securities or commodities by a broker-	323
dealer registered with the securities and exchange commission;	324
(3) The sale of securities or commodities by a securities	325
dealer or salesperson licensed by the division of securities	326
under Chapter 1707. of the Revised Code;	327
(4) The sale of insurance by a person licensed by the	328
superintendent of insurance;	329
(5) Goods sold or services provided by automobile dealers	330
and salespersons licensed by the registrar of motor vehicles	331
under Chapter 4517. of the Revised Code;	332
(6) The sale of property at an auction by an auctioneer	333
licensed by the department of agriculture under Chapter 4707. of	334
the Revised Code.	335
(G) "Purchase price" means the total cumulative price of	336
the consumer goods or services, including all interest and	337
service charges.	338
(H) "Place of business" means the main office, or a	339
permanent branch office or permanent local address of a seller.	340

(I) "Business day" means any calendar day except Sunday, 341
or the following business holidays: New Year's day, Martin 342
Luther King day, Presidents' day, Memorial day, Juneteenth day, 343
Independence day, Labor day, Columbus day, Democracy day, 344
Veterans day, Thanksgiving day, and Christmas day. 345

Sec. 3313.63. Boards of education may dismiss the schools 346
under their control on the first day of January, the third 347
Monday in January, the third Monday in February, the day 348
designated in the "Act of June 28, 1968," 82 Stat. 250, 5 U.S.C. 349
6103, as amended, for the commemoration of Memorial day, the 350
nineteenth day of June, the fourth day of July, the first Monday 351
in September, the second Monday in October, the first Tuesday 352
after the first Monday in November, the eleventh day of 353
November, or the succeeding Monday when that day falls on a 354
Sunday, the fourth Thursday in November, and the twenty-fifth 355
day of December, on any day set apart by proclamation of the 356
president of the United States or the governor of this state as 357
a day of fast, thanksgiving, or mourning, or on the days 358
approved by the board for teachers' attendance at an educational 359
meeting. 360

Sec. 3319.087. Notwithstanding section 3319.086 of the 361
Revised Code, all regular nonteaching school employees employed 362
on an eleven or twelve month basis, whether salaried or 363
compensated on an hourly or per diem basis, are entitled to a 364
minimum of the following holidays for which they shall be paid 365
their regular salary or their regular rate of pay, provided each 366
such employee accrued earnings on the employee's next preceding 367
and next following scheduled work days before and after such 368
holiday or was properly excused from attendance at work on 369
either or both of those days: New Year's day, Martin Luther King 370
day, Memorial day, Juneteenth day, Independence day, Labor day, 371

Democracy day, Thanksgiving day, and Christmas day of each year. 372
All regular nonteaching school employees employed on a nine or 373
ten month basis, whether salaried or compensated on an hourly or 374
per diem basis, are entitled to a minimum of the following 375
holidays for which they shall be paid their regular salary or 376
their regular rate of pay, provided each such employee accrued 377
earnings on the employee's next preceding and next following 378
scheduled work days before and after such holiday or was 379
properly excused from attendance at work on either or both of 380
those days: New Year's day, Martin Luther King day, Memorial 381
day, Labor day, Democracy day, Thanksgiving day, and Christmas 382
day of each year. Regular nonteaching school employees employed 383
less than nine months shall be entitled to a minimum of those 384
holidays enumerated in this section which fall during the 385
employees' time of employment. In addition to the above named 386
holidays, a board of education may declare any other day, except 387
days approved for teachers' attendance at an educational 388
meeting, as a holiday and shall pay to all such regular 389
nonteaching school employees, whether salaried or compensated on 390
an hourly or per diem basis, their regular salary or their 391
regular rate of pay. When any employee is required by the 392
employee's responsible administrative superior to work on any of 393
the paid holidays, the employee shall be granted compensatory 394
time off for which the employee shall be paid the employee's 395
regular salary or regular rate of pay, or a board of education 396
may establish a premium rate of pay for work performed on a paid 397
holiday. Holidays shall occur on the days specified in section 398
1.14 of the Revised Code. 399

For purposes of determining whether a person who is not in 400
the employ of a board of education on Labor day is in compliance 401
with the requirement of this section that states that in order 402

for a nonteaching employee to be eligible for Labor day holiday	403
pay the employee must have accrued earnings on the scheduled	404
work day immediately preceding Labor day or have been excused	405
from attendance at work on that day, a board of education shall	406
count the employee's last scheduled work day of the employee's	407
preceding period of employment as the employee's last scheduled	408
day of employment for purposes of this requirement.	409
For the purposes of this section, "employed" and "time of	410
employment" mean the period from the initial date of employment	411
to the termination of employment with that school district.	412
Section 2. That existing sections 1.14, 5.20, 124.19,	413
325.19, 511.10, 1345.21, 3313.63, and 3319.087 of the Revised	414
Code are hereby repealed.	415