**As Introduced**

**136th General Assembly**
**Regular Session**
**2025-2026**

**S. B. No. 437**

**Senator Brenner**
**Cosponsor: Senator Lang**

To amend section 9.63 of the Revised Code to withhold all state funding from municipal corporations that do not cooperate with federal homeland security activities and remove the Director of Public Safety's role in determining what constitutes noncooperation.

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

**Section 1.** That section 9.63 of the Revised Code be amended to read as follows:

**Sec. 9.63.** (A) Notwithstanding any law, ordinance, or collective bargaining contract to the contrary, no state or local employee shall unreasonably fail to comply with any lawful request for assistance made by any federal authorities carrying out the provisions of the USA Patriot Act, any federal immigration or terrorism investigation, or any executive order of the president of the United States pertaining to homeland security, to the extent that the request is consistent with the doctrine of federalism.

(B) No municipal corporation shall enact an ordinance, policy, directive, rule, or resolution that would materially

hinder or prevent local employees from complying with the USA Patriot Act or any executive order of the president of the United States pertaining to homeland security or from cooperating with state or federal immigration services and terrorism investigations.

(C)(1) Any municipal corporation that enacts any ordinance, policy, directive, rule, or resolution that division (B) of this section prohibits is ineligible to receive any ~~homeland security~~ funding available from the state.

(2) Whenever ~~the director of public safety determines that~~ a municipal corporation has enacted any ordinance, policy, directive, rule, or resolution that division (B) of this section prohibits, ~~the director shall certify that~~ the municipal corporation is ineligible to receive any ~~homeland security~~ funding from the state ~~and shall notify the general assembly of that ineligibility~~. That municipal corporation shall remain ineligible to receive any ~~homeland security~~ funding from the state until the ~~director certifies that the~~ ordinance, policy, directive, rule, or resolution has been repealed.

(D)(1) If a state or local employee states disagreement with, or a critical opinion of, the USA Patriot Act, any federal immigration or terrorism policy, or any executive order of the president of the United States pertaining to homeland security, the statement of disagreement with or critical opinion of the act or order is not sufficient to qualify for purposes of this section as unreasonable noncompliance with a request for assistance of the type division (A) of this section describes.

(2) Any municipal corporation's ordinance, policy, directive, rule, or resolution that states disagreement with, or a critical opinion of, any state or federal immigration or

terrorism policy, the USA Patriot Act, or any executive order of the president of the United States pertaining to homeland security is not sufficient to qualify as a "material hindrance or prevention" of local employees from cooperating with federal immigration services and terrorism investigations or from complying with the USA Patriot Act or any executive order of the president of the United States pertaining to homeland security for purposes of divisions (B), (C), and (D) of this section.

(E) As used in this section, "USA Patriot Act" means the "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA Patriot Act) Act of 2001," Pub. L. No. 107-056, 115 Stat. 272, as amended.

**Section 2.** That existing section 9.63 of the Revised Code is hereby repealed.