

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 20
Patriot Act or any executive order of the president of the 21
United States pertaining to homeland security or from 22
cooperating with state or federal immigration services and 23
terrorism investigations. 24

(C) (1) Any municipal corporation that enacts any 25
ordinance, policy, directive, rule, or resolution that division 26
(B) of this section prohibits is ineligible to receive any 27
~~homeland security~~ funding available from the state. 28

(2) Whenever ~~the director of public safety determines that~~ 29
a municipal corporation has enacted any ordinance, policy, 30
directive, rule, or resolution that division (B) of this section 31
prohibits, ~~the director shall certify that~~ the municipal 32
corporation is ineligible to receive any ~~homeland security~~ 33
funding from the state ~~and shall notify the general assembly of~~ 34
~~that ineligibility~~. That municipal corporation shall remain 35
ineligible to receive any ~~homeland security~~ funding from the 36
state until the ~~director certifies that the~~ ordinance, policy, 37
directive, rule, or resolution has been repealed. 38

(D) (1) If a state or local employee states disagreement 39
with, or a critical opinion of, the USA Patriot Act, any federal 40
immigration or terrorism policy, or any executive order of the 41
president of the United States pertaining to homeland security, 42
the statement of disagreement with or critical opinion of the 43
act or order is not sufficient to qualify for purposes of this 44
section as unreasonable noncompliance with a request for 45
assistance of the type division (A) of this section describes. 46

(2) Any municipal corporation's ordinance, policy, 47
directive, rule, or resolution that states disagreement with, or 48
a critical opinion of, any state or federal immigration or 49

terrorism policy, the USA Patriot Act, or any executive order of 50
the president of the United States pertaining to homeland 51
security is not sufficient to qualify as a "material hindrance 52
or prevention" of local employees from cooperating with federal 53
immigration services and terrorism investigations or from 54
complying with the USA Patriot Act or any executive order of the 55
president of the United States pertaining to homeland security 56
for purposes of divisions (B), (C), and (D) of this section. 57

(E) As used in this section, "USA Patriot Act" means the 58
"Uniting and Strengthening America by Providing Appropriate 59
Tools Required to Intercept and Obstruct Terrorism (USA Patriot 60
Act) Act of 2001," Pub. L. No. 107-056, 115 Stat. 272, as 61
amended. 62

Section 2. That existing section 9.63 of the Revised Code 63
is hereby repealed. 64