

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 619

Representative Antani

**Cosponsors: Representatives Roegner, Young, Kick, Riedel, Hood, Brinkman,
Becker**

A BILL

To amend sections 3314.03, 3326.11, and 3328.24 and 1
to enact sections 3301.0730, 3708.01, 3708.02, 2
3708.03, 3708.05, 3708.07, 3708.09, 3708.11, 3
3708.13, 3708.15, 3708.17, and 3708.19 of the 4
Revised Code to require the development of an 5
instructional program and educational and 6
informational materials and the dissemination of 7
those materials to protect the humanity of the 8
unborn child and to make an appropriation. 9

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

Section 1. That sections 3314.03, 3326.11, and 3328.24 be 10
amended and sections 3301.0730, 3708.01, 3708.02, 3708.03, 11
3708.05, 3708.07, 3708.09, 3708.11, 3708.13, 3708.15, 3708.17, 12
and 3708.19 of the Revised Code be enacted to read as follows: 13

Sec. 3301.0730. (A) Subject to the appropriation of funds 14
for the purpose of this section, the state board of education, 15
in collaboration with the department of health, shall develop an 16
instructional program regarding the humanity of the unborn 17
child. The program shall be consistent with the materials 18

developed by the department of health under section 3708.09 of 19
the Revised Code. In developing the program, neither the state 20
board of education nor the department of health may consult any 21
organization that provides abortions. 22

(B) The board of education of each city, local, and 23
exempted village school district and the governing authority of 24
each chartered nonpublic school may choose to implement the 25
instructional program developed by the state board under 26
division (A) of this section. If a board or governing authority 27
chooses to implement the instructional program, it may determine 28
the content of the program's instruction, provided the program 29
does all of the following: 30

(1) Provides accurate, scientifically verifiable 31
information concerning the probable anatomical and physiological 32
characteristics of the unborn child at each of the following 33
gestational intervals: 34

(a) One to two weeks; 35

(b) Three weeks; 36

(c) Four weeks; 37

(d) Five weeks; 38

(e) Six to seven weeks; 39

(f) Eight weeks; 40

(g) Nine weeks; 41

(h) Ten weeks; 42

(i) Eleven to fourteen weeks; 43

(j) Fifteen to eighteen weeks; 44

<u>(k) Nineteen to twenty-one weeks;</u>	45
<u>(l) Twenty-two weeks;</u>	46
<u>(m) Twenty-three to twenty-five weeks;</u>	47
<u>(n) Twenty-six weeks;</u>	48
<u>(o) Twenty-seven to thirty weeks;</u>	49
<u>(p) Thirty-one to thirty-four weeks;</u>	50
<u>(q) Thirty-five to thirty-seven weeks;</u>	51
<u>(r) Thirty-eight to forty weeks.</u>	52
<u>(2) Includes information on accessing prenatal health care;</u>	53 54
<u>(3) Includes no component of human sexuality education that does not comply with the provisions of section 3313.6011 of the Revised Code.</u>	55 56 57
<u>(C) At no time shall the instructional program developed under division (A) of this section or any employee of a school district or chartered nonpublic school that is implementing the program under division (B) of this section refer a student to a medical facility or any provider for the performance of an abortion.</u>	58 59 60 61 62 63
Sec. 3314.03. A copy of every contract entered into under this section shall be filed with the superintendent of public instruction. The department of education shall make available on its web site a copy of every approved, executed contract filed with the superintendent under this section.	64 65 66 67 68
(A) Each contract entered into between a sponsor and the governing authority of a community school shall specify the following:	69 70 71

(1) That the school shall be established as either of the following:	72 73
(a) A nonprofit corporation established under Chapter 1702. of the Revised Code, if established prior to April 8, 2003;	74 75 76
(b) A public benefit corporation established under Chapter 1702. of the Revised Code, if established after April 8, 2003.	77 78
(2) The education program of the school, including the school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum;	79 80 81 82
(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;	83 84 85 86
(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;	87 88 89 90
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	91 92 93
(6) (a) Dismissal procedures;	94
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in one hundred five consecutive hours of the learning opportunities offered to the	95 96 97 98 99

student.	100
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	101 102
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	103 104 105 106 107 108
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	109 110
(a) A detailed description of each facility used for instructional purposes;	111 112
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	113 114
(c) The annual mortgage principal and interest payments that are paid by the school;	115 116
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	117 118 119
(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code.	120 121 122 123 124 125
(11) That the school will comply with the following requirements:	126 127

(a) The school will provide learning opportunities to a 128
minimum of twenty-five students for a minimum of nine hundred 129
twenty hours per school year. 130

(b) The governing authority will purchase liability 131
insurance, or otherwise provide for the potential liability of 132
the school. 133

(c) The school will be nonsectarian in its programs, 134
admission policies, employment practices, and all other 135
operations, and will not be operated by a sectarian school or 136
religious institution. 137

(d) The school will comply with sections 9.90, 9.91, 138
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 139
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.0730, 3301.948, 140
3313.472, 3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 141
3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 142
3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 143
3313.666, 3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 144
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 145
3313.7112, 3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 146
3313.86, 3313.89, 3313.96, 3319.073, 3319.321, 3319.39, 147
3319.391, 3319.41, 3319.46, 3321.01, 3321.041, 3321.13, 3321.14, 148
3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 4113.52, 149
and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 150
4112., 4123., 4141., and 4167. of the Revised Code as if it were 151
a school district and will comply with section 3301.0714 of the 152
Revised Code in the manner specified in section 3314.17 of the 153
Revised Code. 154

(e) The school shall comply with Chapter 102. and section 155
2921.42 of the Revised Code. 156

(f) The school will comply with sections 3313.61, 157
3313.611, and 3313.614 of the Revised Code, except that for 158
students who enter ninth grade for the first time before July 1, 159
2010, the requirement in sections 3313.61 and 3313.611 of the 160
Revised Code that a person must successfully complete the 161
curriculum in any high school prior to receiving a high school 162
diploma may be met by completing the curriculum adopted by the 163
governing authority of the community school rather than the 164
curriculum specified in Title XXXVIII of the Revised Code or any 165
rules of the state board of education. Beginning with students 166
who enter ninth grade for the first time on or after July 1, 167
2010, the requirement in sections 3313.61 and 3313.611 of the 168
Revised Code that a person must successfully complete the 169
curriculum of a high school prior to receiving a high school 170
diploma shall be met by completing the requirements prescribed 171
in division (C) of section 3313.603 of the Revised Code, unless 172
the person qualifies under division (D) or (F) of that section. 173
Each school shall comply with the plan for awarding high school 174
credit based on demonstration of subject area competency, and 175
beginning with the 2017-2018 school year, with the updated plan 176
that permits students enrolled in seventh and eighth grade to 177
meet curriculum requirements based on subject area competency 178
adopted by the state board of education under divisions (J) (1) 179
and (2) of section 3313.603 of the Revised Code. Beginning with 180
the 2018-2019 school year, the school shall comply with the 181
framework for granting units of high school credit to students 182
who demonstrate subject area competency through work-based 183
learning experiences, internships, or cooperative education 184
developed by the department under division (J) (3) of section 185
3313.603 of the Revised Code. 186

(g) The school governing authority will submit within four 187

months after the end of each school year a report of its 188
activities and progress in meeting the goals and standards of 189
divisions (A) (3) and (4) of this section and its financial 190
status to the sponsor and the parents of all students enrolled 191
in the school. 192

(h) The school, unless it is an internet- or computer- 193
based community school, will comply with section 3313.801 of the 194
Revised Code as if it were a school district. 195

(i) If the school is the recipient of moneys from a grant 196
awarded under the federal race to the top program, Division (A), 197
Title XIV, Sections 14005 and 14006 of the "American Recovery 198
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 199
the school will pay teachers based upon performance in 200
accordance with section 3317.141 and will comply with section 201
3319.111 of the Revised Code as if it were a school district. 202

(j) If the school operates a preschool program that is 203
licensed by the department of education under sections 3301.52 204
to 3301.59 of the Revised Code, the school shall comply with 205
sections 3301.50 to 3301.59 of the Revised Code and the minimum 206
standards for preschool programs prescribed in rules adopted by 207
the state board under section 3301.53 of the Revised Code. 208

(k) The school will comply with sections 3313.6021 and 209
3313.6023 of the Revised Code as if it were a school district 210
unless it is either of the following: 211

(i) An internet- or computer-based community school; 212

(ii) A community school in which a majority of the 213
enrolled students are children with disabilities as described in 214
division (A) (4) (b) of section 3314.35 of the Revised Code. 215

(12) Arrangements for providing health and other benefits 216

to employees;	217
(13) The length of the contract, which shall begin at the beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (E) of this section.	218 219 220 221
(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;	222 223
(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.	224 225 226
(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;	227 228 229 230
(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;	231 232 233 234 235 236 237 238 239 240 241
(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;	242 243 244
(19) A provision requiring the governing authority to	245

adopt a policy regarding the admission of students who reside 246
outside the district in which the school is located. That policy 247
shall comply with the admissions procedures specified in 248
sections 3314.06 and 3314.061 of the Revised Code and, at the 249
sole discretion of the authority, shall do one of the following: 250

(a) Prohibit the enrollment of students who reside outside 251
the district in which the school is located; 252

(b) Permit the enrollment of students who reside in 253
districts adjacent to the district in which the school is 254
located; 255

(c) Permit the enrollment of students who reside in any 256
other district in the state. 257

(20) A provision recognizing the authority of the 258
department of education to take over the sponsorship of the 259
school in accordance with the provisions of division (C) of 260
section 3314.015 of the Revised Code; 261

(21) A provision recognizing the sponsor's authority to 262
assume the operation of a school under the conditions specified 263
in division (B) of section 3314.073 of the Revised Code; 264

(22) A provision recognizing both of the following: 265

(a) The authority of public health and safety officials to 266
inspect the facilities of the school and to order the facilities 267
closed if those officials find that the facilities are not in 268
compliance with health and safety laws and regulations; 269

(b) The authority of the department of education as the 270
community school oversight body to suspend the operation of the 271
school under section 3314.072 of the Revised Code if the 272
department has evidence of conditions or violations of law at 273

the school that pose an imminent danger to the health and safety 274
of the school's students and employees and the sponsor refuses 275
to take such action. 276

(23) A description of the learning opportunities that will 277
be offered to students including both classroom-based and non- 278
classroom-based learning opportunities that is in compliance 279
with criteria for student participation established by the 280
department under division (H) (2) of section 3314.08 of the 281
Revised Code; 282

(24) The school will comply with sections 3302.04 and 283
3302.041 of the Revised Code, except that any action required to 284
be taken by a school district pursuant to those sections shall 285
be taken by the sponsor of the school. However, the sponsor 286
shall not be required to take any action described in division 287
(F) of section 3302.04 of the Revised Code. 288

(25) Beginning in the 2006-2007 school year, the school 289
will open for operation not later than the thirtieth day of 290
September each school year, unless the mission of the school as 291
specified under division (A) (2) of this section is solely to 292
serve dropouts. In its initial year of operation, if the school 293
fails to open by the thirtieth day of September, or within one 294
year after the adoption of the contract pursuant to division (D) 295
of section 3314.02 of the Revised Code if the mission of the 296
school is solely to serve dropouts, the contract shall be void. 297

(26) Whether the school's governing authority is planning 298
to seek designation for the school as a STEM school equivalent 299
under section 3326.032 of the Revised Code; 300

(27) That the school's attendance and participation 301
policies will be available for public inspection; 302

(28) That the school's attendance and participation 303
records shall be made available to the department of education, 304
auditor of state, and school's sponsor to the extent permitted 305
under and in accordance with the "Family Educational Rights and 306
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 307
and any regulations promulgated under that act, and section 308
3319.321 of the Revised Code; 309

(29) If a school operates using the blended learning 310
model, as defined in section 3301.079 of the Revised Code, all 311
of the following information: 312

(a) An indication of what blended learning model or models 313
will be used; 314

(b) A description of how student instructional needs will 315
be determined and documented; 316

(c) The method to be used for determining competency, 317
granting credit, and promoting students to a higher grade level; 318

(d) The school's attendance requirements, including how 319
the school will document participation in learning 320
opportunities; 321

(e) A statement describing how student progress will be 322
monitored; 323

(f) A statement describing how private student data will 324
be protected; 325

(g) A description of the professional development 326
activities that will be offered to teachers. 327

(30) A provision requiring that all moneys the school's 328
operator loans to the school, including facilities loans or cash 329
flow assistance, must be accounted for, documented, and bear 330

interest at a fair market rate; 331

(31) A provision requiring that, if the governing 332
authority contracts with an attorney, accountant, or entity 333
specializing in audits, the attorney, accountant, or entity 334
shall be independent from the operator with which the school has 335
contracted. 336

(B) The community school shall also submit to the sponsor 337
a comprehensive plan for the school. The plan shall specify the 338
following: 339

(1) The process by which the governing authority of the 340
school will be selected in the future; 341

(2) The management and administration of the school; 342

(3) If the community school is a currently existing public 343
school or educational service center building, alternative 344
arrangements for current public school students who choose not 345
to attend the converted school and for teachers who choose not 346
to teach in the school or building after conversion; 347

(4) The instructional program and educational philosophy 348
of the school; 349

(5) Internal financial controls. 350

When submitting the plan under this division, the school 351
shall also submit copies of all policies and procedures 352
regarding internal financial controls adopted by the governing 353
authority of the school. 354

(C) A contract entered into under section 3314.02 of the 355
Revised Code between a sponsor and the governing authority of a 356
community school may provide for the community school governing 357
authority to make payments to the sponsor, which is hereby 358

authorized to receive such payments as set forth in the contract 359
between the governing authority and the sponsor. The total 360
amount of such payments for monitoring, oversight, and technical 361
assistance of the school shall not exceed three per cent of the 362
total amount of payments for operating expenses that the school 363
receives from the state. 364

(D) The contract shall specify the duties of the sponsor 365
which shall be in accordance with the written agreement entered 366
into with the department of education under division (B) of 367
section 3314.015 of the Revised Code and shall include the 368
following: 369

(1) Monitor the community school's compliance with all 370
laws applicable to the school and with the terms of the 371
contract; 372

(2) Monitor and evaluate the academic and fiscal 373
performance and the organization and operation of the community 374
school on at least an annual basis; 375

(3) Report on an annual basis the results of the 376
evaluation conducted under division (D) (2) of this section to 377
the department of education and to the parents of students 378
enrolled in the community school; 379

(4) Provide technical assistance to the community school 380
in complying with laws applicable to the school and terms of the 381
contract; 382

(5) Take steps to intervene in the school's operation to 383
correct problems in the school's overall performance, declare 384
the school to be on probationary status pursuant to section 385
3314.073 of the Revised Code, suspend the operation of the 386
school pursuant to section 3314.072 of the Revised Code, or 387

terminate the contract of the school pursuant to section 3314.07 388
of the Revised Code as determined necessary by the sponsor; 389

(6) Have in place a plan of action to be undertaken in the 390
event the community school experiences financial difficulties or 391
closes prior to the end of a school year. 392

(E) Upon the expiration of a contract entered into under 393
this section, the sponsor of a community school may, with the 394
approval of the governing authority of the school, renew that 395
contract for a period of time determined by the sponsor, but not 396
ending earlier than the end of any school year, if the sponsor 397
finds that the school's compliance with applicable laws and 398
terms of the contract and the school's progress in meeting the 399
academic goals prescribed in the contract have been 400
satisfactory. Any contract that is renewed under this division 401
remains subject to the provisions of sections 3314.07, 3314.072, 402
and 3314.073 of the Revised Code. 403

(F) If a community school fails to open for operation 404
within one year after the contract entered into under this 405
section is adopted pursuant to division (D) of section 3314.02 406
of the Revised Code or permanently closes prior to the 407
expiration of the contract, the contract shall be void and the 408
school shall not enter into a contract with any other sponsor. A 409
school shall not be considered permanently closed because the 410
operations of the school have been suspended pursuant to section 411
3314.072 of the Revised Code. 412

Sec. 3326.11. Each science, technology, engineering, and 413
mathematics school established under this chapter and its 414
governing body shall comply with sections 9.90, 9.91, 109.65, 415
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 416
3301.0714, 3301.0715, 3301.0729, 3301.0730, 3301.948, 3313.14, 417

3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 418
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 419
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 420
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 421
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 422
3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 423
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 424
3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 425
3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 3319.32, 3319.321, 426
3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 3321.01, 427
3321.041, 3321.05, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 428
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 429
102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 4112., 430
4123., 4141., and 4167. of the Revised Code as if it were a 431
school district. 432

Sec. 3328.24. A college-preparatory boarding school 433
established under this chapter and its board of trustees shall 434
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 435
3301.0714, 3301.0729, 3301.0730, 3301.948, 3313.536, 3313.6013, 436
3313.6021, 3313.6411, 3313.7112, 3313.721, 3313.89, 3319.39, 437
3319.391, and 3319.46 and Chapter 3365. of the Revised Code as 438
if the school were a school district and the school's board of 439
trustees were a district board of education. 440

Sec. 3708.01. As used in this chapter: 441

(A) "Educational setting" includes a public or private 442
school for any grades kindergarten through twelve, a post- 443
secondary educational institution, and any other setting that 444
offers any type of educational program. 445

(B) "Facility" means a building located in the state that 446
is open to the public, has a public restroom, and is one of the 447

<u>following:</u>	448
<u>(1) An educational setting;</u>	449
<u>(2) A health care facility or location as defined in</u> <u>section 2305.234 of the Revised Code;</u>	450 451
<u>(3) A retail food establishment licensed under section</u> <u>3717.21 of the Revised Code.</u>	452 453
<u>(C) "Unborn child" has the same meaning as in section</u> <u>2919.16 of the Revised Code.</u>	454 455
<u>Sec. 3708.02. For the purpose of providing information</u> <u>about the humanity of an unborn child and achieving an abortion-</u> <u>free society, the department of health shall carry out the</u> <u>duties described in this chapter to the extent sufficient funds</u> <u>are appropriated by the general assembly.</u>	456 457 458 459 460
<u>Sec. 3708.03. (A) The department of health shall develop</u> <u>and maintain a pregnancy and child services database containing</u> <u>a list of agencies that offer services available to assist women</u> <u>through pregnancy and childbirth and while their children are</u> <u>dependent.</u>	461 462 463 464 465
<u>(B) The database shall contain a comprehensive list of</u> <u>public and private agencies, including adoption agencies.</u>	466 467
<u>(C) The database shall include the following information</u> <u>for each agency:</u>	468 469
<u>(1) Agency name;</u>	470
<u>(2) Address;</u>	471
<u>(3) Telephone number;</u>	472
<u>(4) Electronic mail address;</u>	473

(5) A description of the services offered by the agency. 474

(D) The database shall be accessible to the public on the 475
department's web site, indexed geographically, and updated 476
annually. 477

Sec. 3708.05. (A) The department of health shall include 478
the following statement with the pregnancy and child services 479
database on the department's web site: "There are many public 480
and private agencies willing and able to help you carry your 481
child to term and assist you and your child after your child is 482
born, whether you choose to keep your child or place your child 483
for adoption. If you are pregnant, the State of Ohio strongly 484
urges you to contact an agency listed on the Department of 485
Health's pregnancy and child services database." 486

(B) The statement shall include an electronic link to the 487
pregnancy and child services database. 488

(C) The department shall create a version of the statement 489
that is in a format a facility may download and use for display 490
as specified under section 3708.07 of the Revised Code. 491

Sec. 3708.07. Not later than six months after the 492
effective date of this section, each facility located in this 493
state shall display in its public restrooms the statement 494
created and made available for download under division (C) of 495
section 3708.05 of the Revised Code. 496

Sec. 3708.09. (A) The department of health shall develop 497
and make available materials that provide accurate, 498
scientifically verifiable information concerning the probable 499
anatomical and physiological characteristics of an unborn child 500
at the gestational intervals described in division (B) (1) of 501
section 3301.0730 of the Revised Code. 502

(B) The department shall develop educational and 503
informational materials about pregnancy and abortion. The 504
materials shall include the most readily available, accurate, 505
scientifically verifiable, up-to-date information and shall 506
clearly and consistently state that abortion kills a living 507
human being. The department shall distribute the materials to 508
the public through public service announcements, print and 509
broadcast media, and otherwise. 510

Sec. 3708.11. The department of health shall submit an 511
annual report describing its efforts to meet the requirements of 512
this chapter to the chairpersons and vice-chairpersons of the 513
standing committees of the house of representatives and the 514
senate that are primarily responsible for considering public 515
health issues. 516

Sec. 3708.13. (A) The department of health shall provide 517
outreach, training, consultation, and alternatives-to-abortion 518
referral services to organizations, communities, and educational 519
settings within the state. 520

(B) The department shall provide technical assistance to 521
community-based organizations to help them plan and implement 522
abortion prevention and alternatives-to-abortion referral 523
programs and education programs regarding the humanity of an 524
unborn child. 525

Sec. 3708.15. The department of health shall distribute 526
educational and informational materials addressing maternal 527
behavior during pregnancy that is helpful to an unborn child. 528
The materials shall provide information about the following: 529

(A) The avoidance of tobacco, alcohol, and other drugs 530
during pregnancy; 531

<u>(B) The importance of proper nutrition and prenatal</u>	532
<u>vitamins;</u>	533
<u>(C) The resources available for prenatal medical and</u>	534
<u>wellness care.</u>	535
<u>Sec. 3708.17. The department of health shall recommend to</u>	536
<u>the department of education accurate, scientifically verifiable</u>	537
<u>information regarding an unborn child for the state's academic</u>	538
<u>standards for science, family and consumer sciences, and health</u>	539
<u>classes.</u>	540
<u>Sec. 3708.19. The department of health, in accordance with</u>	541
<u>Chapter 119. of the Revised Code, shall adopt rules necessary to</u>	542
<u>implement this chapter.</u>	543
Section 2. That existing sections 3314.03, 3326.11, and	544
3328.24 of the Revised Code are hereby repealed.	545
Section 3. All items in this section are hereby	546
appropriated as designated out of any moneys in the state	547
treasury to the credit of the designated fund. For all	548
appropriations made in this act, those in the first column are	549
for fiscal year 2019 and those in the second column are for	550
fiscal year 2020. The appropriations made in this act are in	551
addition to any other appropriations made for the FY 2018-FY	552
2019 biennium and the FY 2020-FY 2021 biennium.	553
DOH DEPARTMENT OF HEALTH	554
General Revenue Fund	555
GRF 440526 Human Fetal Development Education \$500,000 \$500,000	556
TOTAL GRF General Revenue Fund \$500,000 \$500,000	557
TOTAL ALL BUDGET FUND GROUPS \$500,000 \$500,000	558

HUMAN FETAL DEVELOPMENT EDUCATION	559
The foregoing appropriation item 440526, Human Fetal Development Education, shall be used in fiscal year 2019 to develop an instructional program regarding the humanity of the unborn child, a pregnancy and child services database, educational materials concerning gestation, pregnancy, and abortion, as well as educational materials addressing maternal behaviors during pregnancy that are helpful to an unborn child in accordance with sections 3301.0730, 3708.03, 3708.09, and 3708.15 of the Revised Code.	560 561 562 563 564 565 566 567 568
The foregoing appropriation 440526, Human Fetal Development Education, shall be used in fiscal year 2020 to distribute funding to organizations providing instruction in accordance with section 3313.6011 of the Revised Code.	569 570 571 572
Section 4. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained.	573 574 575 576 577
Expenditures from the FY 2019 appropriation contained in this act shall be accounted for as though made in Am. Sub. H.B. 49 of the 132nd General Assembly. The FY 2019 appropriation made in this act is subject to all provisions of Am. Sub. H.B. 49 of the 132nd General Assembly that are generally applicable to such appropriations.	578 579 580 581 582 583
Expenditures from the FY 2020 appropriation contained in this act shall be accounted for as though made in the main operating appropriations act of the 133rd General Assembly. The FY 2020 appropriation made in this act is subject to all	584 585 586 587

provisions of the main operating budget of the 133rd General 588
Assembly that are generally applicable to such appropriations. 589

Section 5. Section 3328.24 of the Revised Code is 590
presented in this act as a composite of the section as amended 591
by both Am. Sub. H.B. 410 and Sub. S.B. 3 of the 131st General 592
Assembly. The General Assembly, applying the principle stated in 593
division (B) of section 1.52 of the Revised Code that amendments 594
are to be harmonized if reasonably capable of simultaneous 595
operation, finds that the composite is the resulting version of 596
the section in effect prior to the effective date of the section 597
as presented in this act. 598