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H.B. 475
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Williams

Andrew Little, Attorney

SUMMARY

- Prohibits disbursement of state funds to any entity that supports, promotes, or provides abortions.
- Requires counties and municipal corporations to report abortion-related spending to the state.
- Requires the Tax Commissioner to reduce Local Government Fund (LGF) distributions to municipal corporations and counties with abortion-related spending.
- Redirects forgone LGF funds to organizations providing counseling and other services to women who have had abortions.
- Requires the Department of Health to adopt rules governing the application for, and distribution, of withheld funds.

DETAILED ANALYSIS

State funds

The bill prohibits state funds from being disbursed, directly or indirectly, to any entity that supports, promotes, or provides abortions.¹

Abortion spending reports

The bill requires counties and municipal corporations to report abortion-related spending to the state. By the fifth day of each month, a county or municipal corporation that spent money to support access to abortion, to provide reimbursement for abortion services, or

¹ R.C. 9.042. For the definition of abortion, see R.C. 2919.11, not in the bill.

for any related activity including travel and donations to entities that support, promote, or provide abortion, must report the following to the Auditor of State and the Tax Commissioner:

- The total amount of money spent in the preceding month for those purposes;
- The source or sources of that money and the amount spent from each source;
- The recipients of that money and the amount received by each such recipient;
- The total amount of money received by the county or municipal corporation in the preceding month from the federal government to be used for those purposes.²

Local government fund reductions

The bill reduces distributions from the state's Local Government Fund (LGF) to any county or municipal corporation that is required to file a report with the state because it spent money on abortion access, services, or related activity. The bill also provides for the complete withholding of LGF distributions from a county or municipal corporation that is required to file a report but fails to do so or reports inaccurate information.

LGF distributions are a designated portion of state tax revenue that is distributed monthly to certain local governments, including counties and municipalities, by the Tax Commissioner. Under the bill, a county or municipal corporation that reports spending on abortion-related activities covered by the bill for the previous month will have its current-month LGF distribution reduced on a dollar-for-dollar basis. If a monthly distribution is not sufficient to cover a reduction for the full amount spent and reported, the deficiency carries over until the amount of reductions calculated and actually withheld match.

Under continuing law, counties and municipal corporations that use red light cameras are also subject to LGF reductions. If an abortion adjustment applies to a municipal corporation or county under the bill, and the municipal corporation or county is also subject to a reduction for red light cameras, the abortion adjustment is calculated before the red light camera adjustment.

Amounts withheld under the bill's abortion adjustment are transferred from the LGF to the Abortion Adjustment Fund, which the bill creates.³

Use of the Abortion Adjustment Fund

The Abortion Adjustment Fund must be used by the Department of Health to provide funding for nonprofit entities that provide services under the Ohio Parenting and Pregnancy program, e.g., various services for pregnant women and parents or other relatives caring for babies. The bill requires the Department to adopt rules establishing procedures for such entities to apply for, and for the Department to distribute, that funding. The rules must specify

² R.C. 305.44 and 701.11.

³ R.C. 5747.504 and 5747.505, with conforming changes in R.C. 5747.50, 5747.502, 5747.51, and 5747.53.

a distribution priority for such entities providing counseling and other services to women who have received abortions.⁴

HISTORY

Action	Date
Introduced	04-08-24

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⁴ R.C. 3701.651.