As Passed by the House

133rd General Assembly
Regular Session
Am. H. B. No. 621
2019-2020

Representatives Cross, Wilkin
Cosponsors: Representatives Wiggam, Manchester, Zeltwanger, Vitale, Baldridge, Lipps, Becker, Jordan, Ginter, Abrams, Powell, Stephens, Stein, Ghanbari, Lang, Perales, Holmes, A., McClain, Scherer, Reineke, Hoops, Brinkman, Smith, T., Stoltzfus, Hood, Jones, Plummer, Romanchuk, LaRe, Richardson, Riedel, Merrin, Hambley, Carfagna, Carruthers, Crossman, Cutrona, Edwards, Fraizer, Green, Grendell, Hillyer, Keller, Kick, Koehler, Lanese, Roemer, Seitz, Swearingen

A BILL

To amend sections 3701.352, 3707.48, and 3709.211 and to enact sections 3701.353, 3707.481, and 3709.212 of the Revised Code to enact The Business Fairness Act.

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

Section 1. That sections 3701.352, 3707.48, and 3709.211 be amended and sections 3701.353, 3707.481, and 3709.212 of the Revised Code be enacted to read as follows:

Sec. 3701.352. No person shall violate any rule the director of health or department of health adopts or any order the director or department of health issues under this chapter to prevent a threat to the public caused by a pandemic, epidemic, or bioterrorism event.

Sec. 3701.353. A business that has been required to cease or limit operations by order or rule of the director or
department of health, issued under this chapter to prevent a threat to the public caused by a pandemic, epidemic, or bioterrorism event, may continue or resume operations if it complies with any safety precautions that the order or rule requires of businesses that are permitted to continue operations.

Sec. 3707.48. Except as otherwise provided in section 3707.481 of the Revised Code, no person shall violate sections 3707.01 to 3707.50 or section 3707.53 of the Revised Code, or any order or regulation of the board of health of a city or general health district made in pursuance thereof, obstruct or interfere with the execution of such order, or willfully or illegally omit to obey such order.

Sec. 3707.481. A business that has been required to cease or limit operations by order or regulation of the board of health of a city or general health district, issued under this chapter due to epidemic, threatened epidemic, or the unusual prevalence of a dangerous communicable disease, may continue or resume operations if it complies with any safety precautions that the order or regulation requires of businesses that are permitted to continue operations.

Sec. 3709.211. Except as otherwise provided in section 3709.212 of the Revised Code, when an order of the board of health of a city or general health district made pursuant to section 3709.20 or 3709.21 of the Revised Code is not complied with in whole or in part, the board may petition the court of common pleas for injunctive or other appropriate relief requiring all persons to whom such order of the board is directed to comply with such order. The court of the county in which such offense is alleged to be occurring may grant such
injunctive or other appropriate relief as the equities of the case require.

Sec. 3709.212. A business that has been required to cease or limit operations by order or regulation of the board of health of a city or general health district, issued under this chapter, in the case of an emergency caused by an epidemic of contagious or infectious disease, may continue or resume operations if it complies with any safety precautions that the order or regulation requires of businesses that are permitted to continue operations.

Section 2. That existing sections 3701.352, 3707.48, and 3709.211 of the Revised Code are hereby repealed.

Section 3. This act's amendment of sections 3701.352, 3707.48, and 3709.211 of the Revised Code and enactment of sections 3701.353, 3707.481, and 3709.212 of the Revised Code shall be known as "The Business Fairness Act."