

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 90

Representative Antani

Cosponsors: Representatives Riedel, 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 seventy-two 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, <u>3301.0730</u> , 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, 3319.074, 3319.321,	147
3319.39, 3319.391, 3319.41, 3319.46, 3321.01, 3321.041, 3321.13,	148
3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10,	149
4111.17, 4113.52, and 5705.391 and Chapters 117., 1347., 2744.,	150
3365., 3742., 4112., 4123., 4141., and 4167. of the Revised Code	151
as if it were a school district and will comply with section	152
3301.0714 of the Revised Code in the manner specified in section	153
3314.17 of the 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

(32) A provision requiring the governing authority to 337
adopt an enrollment and attendance policy that requires a 338
student's parent to notify the community school in which the 339
student is enrolled when there is a change in the location of 340
the parent's or student's primary residence. 341

(33) A provision requiring the governing authority to 342
adopt a student residence and address verification policy for 343
students enrolling in or attending the school. 344

(B) The community school shall also submit to the sponsor 345
a comprehensive plan for the school. The plan shall specify the 346
following: 347

(1) The process by which the governing authority of the 348
school will be selected in the future; 349

(2) The management and administration of the school; 350

(3) If the community school is a currently existing public 351
school or educational service center building, alternative 352
arrangements for current public school students who choose not 353
to attend the converted school and for teachers who choose not 354
to teach in the school or building after conversion; 355

(4) The instructional program and educational philosophy 356
of the school; 357

(5) Internal financial controls. 358

When submitting the plan under this division, the school 359
shall also submit copies of all policies and procedures 360
regarding internal financial controls adopted by the governing 361
authority of the school. 362

(C) A contract entered into under section 3314.02 of the 363
Revised Code between a sponsor and the governing authority of a 364
community school may provide for the community school governing 365
authority to make payments to the sponsor, which is hereby 366
authorized to receive such payments as set forth in the contract 367
between the governing authority and the sponsor. The total 368
amount of such payments for monitoring, oversight, and technical 369
assistance of the school shall not exceed three per cent of the 370
total amount of payments for operating expenses that the school 371
receives from the state. 372

(D) The contract shall specify the duties of the sponsor 373
which shall be in accordance with the written agreement entered 374
into with the department of education under division (B) of 375
section 3314.015 of the Revised Code and shall include the 376
following: 377

(1) Monitor the community school's compliance with all 378
laws applicable to the school and with the terms of the 379
contract; 380

(2) Monitor and evaluate the academic and fiscal 381
performance and the organization and operation of the community 382
school on at least an annual basis; 383

(3) Report on an annual basis the results of the 384
evaluation conducted under division (D) (2) of this section to 385
the department of education and to the parents of students 386
enrolled in the community school; 387

(4) Provide technical assistance to the community school 388
in complying with laws applicable to the school and terms of the 389
contract; 390

(5) Take steps to intervene in the school's operation to 391
correct problems in the school's overall performance, declare 392
the school to be on probationary status pursuant to section 393
3314.073 of the Revised Code, suspend the operation of the 394
school pursuant to section 3314.072 of the Revised Code, or 395
terminate the contract of the school pursuant to section 3314.07 396
of the Revised Code as determined necessary by the sponsor; 397

(6) Have in place a plan of action to be undertaken in the 398
event the community school experiences financial difficulties or 399
closes prior to the end of a school year. 400

(E) Upon the expiration of a contract entered into under 401
this section, the sponsor of a community school may, with the 402
approval of the governing authority of the school, renew that 403
contract for a period of time determined by the sponsor, but not 404
ending earlier than the end of any school year, if the sponsor 405
finds that the school's compliance with applicable laws and 406
terms of the contract and the school's progress in meeting the 407
academic goals prescribed in the contract have been 408
satisfactory. Any contract that is renewed under this division 409
remains subject to the provisions of sections 3314.07, 3314.072, 410
and 3314.073 of the Revised Code. 411

(F) If a community school fails to open for operation 412
within one year after the contract entered into under this 413
section is adopted pursuant to division (D) of section 3314.02 414
of the Revised Code or permanently closes prior to the 415
expiration of the contract, the contract shall be void and the 416
school shall not enter into a contract with any other sponsor. A 417

school shall not be considered permanently closed because the 418
operations of the school have been suspended pursuant to section 419
3314.072 of the Revised Code. 420

Sec. 3326.11. Each science, technology, engineering, and 421
mathematics school established under this chapter and its 422
governing body shall comply with sections 9.90, 9.91, 109.65, 423
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 424
3301.0714, 3301.0715, 3301.0729, 3301.0730, 3301.948, 3313.14, 425
3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 426
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 427
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 428
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 429
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 430
3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 431
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 432
3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 433
3313.86, 3313.89, 3313.96, 3319.073, 3319.21, 3319.32, 3319.321, 434
3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 3321.01, 435
3321.041, 3321.05, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 436
3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and 437
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 438
4112., 4123., 4141., and 4167. of the Revised Code as if it were 439
a school district. 440

Sec. 3328.24. A college-preparatory boarding school 441
established under this chapter and its board of trustees shall 442
comply with sections 102.02, 3301.0710, 3301.0711, 3301.0712, 443
3301.0714, 3301.0729, 3301.0730, 3301.948, 3313.536, 3313.6013, 444
3313.6021, 3313.6411, 3313.7112, 3313.721, 3313.89, 3319.39, 445
3319.391, and 3319.46 and Chapter 3365. of the Revised Code as 446
if the school were a school district and the school's board of 447
trustees were a district board of education. 448

<u>Sec. 3708.01. As used in this chapter:</u>	449
<u>(A) "Educational setting" includes a public or private school for any grades kindergarten through twelve, a post-secondary educational institution, and any other setting that offers any type of educational program.</u>	450 451 452 453
<u>(B) "Facility" means a building located in the state that is open to the public, has a public restroom, and is one of the following:</u>	454 455 456
<u>(1) An educational setting;</u>	457
<u>(2) A health care facility or location as defined in section 2305.234 of the Revised Code;</u>	458 459
<u>(3) A retail food establishment licensed under section 3717.21 of the Revised Code.</u>	460 461
<u>(C) "Unborn child" has the same meaning as in section 2919.16 of the Revised Code.</u>	462 463
<u>Sec. 3708.02. For the purpose of providing information about the humanity of an unborn child and achieving an abortion-free society, the department of health shall carry out the duties described in this chapter to the extent sufficient funds are appropriated by the general assembly.</u>	464 465 466 467 468
<u>Sec. 3708.03. (A) The department of health shall develop and maintain a pregnancy and child services database containing a list of agencies that offer services available to assist women through pregnancy and childbirth and while their children are dependent.</u>	469 470 471 472 473
<u>(B) The database shall contain a comprehensive list of public and private agencies, including adoption agencies.</u>	474 475

<u>(C) The database shall include the following information</u>	476
<u>for each agency:</u>	477
<u>(1) Agency name;</u>	478
<u>(2) Address;</u>	479
<u>(3) Telephone number;</u>	480
<u>(4) Electronic mail address;</u>	481
<u>(5) A description of the services offered by the agency.</u>	482
<u>(D) The database shall be accessible to the public on the</u>	483
<u>department's web site, indexed geographically, and updated</u>	484
<u>annually.</u>	485
<u>Sec. 3708.05.</u> (A) <u>The department of health shall include</u>	486
<u>the following statement with the pregnancy and child services</u>	487
<u>database on the department's web site: "There are many public</u>	488
<u>and private agencies willing and able to help you carry your</u>	489
<u>child to term and assist you and your child after your child is</u>	490
<u>born, whether you choose to keep your child or place your child</u>	491
<u>for adoption. If you are pregnant, the State of Ohio strongly</u>	492
<u>urges you to contact an agency listed on the Department of</u>	493
<u>Health's pregnancy and child services database."</u>	494
<u>(B) The statement shall include an electronic link to the</u>	495
<u>pregnancy and child services database.</u>	496
<u>(C) The department shall create a version of the statement</u>	497
<u>that is in a format a facility may download and use for display</u>	498
<u>as specified under section 3708.07 of the Revised Code.</u>	499
<u>Sec. 3708.07.</u> <u>Not later than six months after the</u>	500
<u>effective date of this section, each facility located in this</u>	501
<u>state shall display in its public restrooms the statement</u>	502

created and made available for download under division (C) of 503
section 3708.05 of the Revised Code. 504

Sec. 3708.09. (A) The department of health shall develop 505
and make available materials that provide accurate, 506
scientifically verifiable information concerning the probable 507
anatomical and physiological characteristics of an unborn child 508
at the gestational intervals described in division (B)(1) of 509
section 3301.0730 of the Revised Code. 510

(B) The department shall develop educational and 511
informational materials about pregnancy and abortion. The 512
materials shall include the most readily available, accurate, 513
scientifically verifiable, up-to-date information and shall 514
clearly and consistently state that abortion kills a living 515
human being. The department shall distribute the materials to 516
the public through public service announcements, print and 517
broadcast media, and otherwise. 518

Sec. 3708.11. The department of health shall submit an 519
annual report describing its efforts to meet the requirements of 520
this chapter to the chairpersons and vice-chairpersons of the 521
standing committees of the house of representatives and the 522
senate that are primarily responsible for considering public 523
health issues. 524

Sec. 3708.13. (A) The department of health shall provide 525
outreach, training, consultation, and alternatives-to-abortion 526
referral services to organizations, communities, and educational 527
settings within the state. 528

(B) The department shall provide technical assistance to 529
community-based organizations to help them plan and implement 530
abortion prevention and alternatives-to-abortion referral 531

programs and education programs regarding the humanity of an 532
unborn child. 533

Sec. 3708.15. The department of health shall distribute 534
educational and informational materials addressing maternal 535
behavior during pregnancy that is helpful to an unborn child. 536
The materials shall provide information about the following: 537

(A) The avoidance of tobacco, alcohol, and other drugs 538
during pregnancy; 539

(B) The importance of proper nutrition and prenatal 540
vitamins; 541

(C) The resources available for prenatal medical and 542
wellness care. 543

Sec. 3708.17. The department of health shall recommend to 544
the department of education accurate, scientifically verifiable 545
information regarding an unborn child for the state's academic 546
standards for science, family and consumer sciences, and health 547
classes. 548

Sec. 3708.19. The department of health, in accordance with 549
Chapter 119. of the Revised Code, shall adopt rules necessary to 550
implement this chapter. 551

Section 2. That existing sections 3314.03, 3326.11, and 552
3328.24 of the Revised Code are hereby repealed. 553

Section 3. All items in this section are hereby 554
appropriated as designated out of any moneys in the state 555
treasury to the credit of the designated fund. For all 556
appropriations made in this act, those in the first column are 557
for fiscal year 2020 and those in the second column are for 558
fiscal year 2021. The appropriations made in this act are in 559

addition to any other appropriations made for the FY 2020-FY 560
2021 biennium. 561

DOH DEPARTMENT OF HEALTH 562

General Revenue Fund 563

GRF 440526 Human Fetal Development Education \$500,000 \$500,000 564

TOTAL GRF General Revenue Fund \$500,000 \$500,000 565

TOTAL ALL BUDGET FUND GROUPS \$500,000 \$500,000 566

HUMAN FETAL DEVELOPMENT EDUCATION 567

The foregoing appropriation item 440526, Human Fetal 568
Development Education, shall be used in fiscal year 2020 to 569
develop an instructional program regarding the humanity of an 570
unborn child, a pregnancy and child services database, 571
educational materials concerning gestation, pregnancy, and 572
abortion, as well as educational materials addressing maternal 573
behaviors during pregnancy that are helpful to an unborn child 574
in accordance with sections 3301.0730, 3708.03, 3708.09, and 575
3708.15 of the Revised Code. 576

The foregoing appropriation 440526, Human Fetal 577
Development Education, shall be used in fiscal year 2021 to 578
distribute funding to organizations providing instruction in 579
accordance with section 3313.6011 of the Revised Code. 580

Section 4. Within the limits set forth in this act, the 581
Director of Budget and Management shall establish accounts 582
indicating the source and amount of funds for each appropriation 583
made in this act, and shall determine the form and manner in 584
which appropriation accounts shall be maintained. Expenditures 585
from appropriations contained in this act shall be accounted for 586
as though made in the main operating appropriations act of the 587

133rd General Assembly.	588
The appropriations made in this act are subject to all	589
provisions of the main operating appropriations act of the 133rd	590
General Assembly that are generally applicable to such	591
appropriations.	592
Section 5. Section 3328.24 of the Revised Code is	593
presented in this act as a composite of the section as amended	594
by both Am. Sub. H.B. 410 and Sub. S.B. 3 of the 131st General	595
Assembly. The General Assembly, applying the principle stated in	596
division (B) of section 1.52 of the Revised Code that amendments	597
are to be harmonized if reasonably capable of simultaneous	598
operation, finds that the composite is the resulting version of	599
the section in effect prior to the effective date of the section	600
as presented in this act.	601