

OHIO

House

of

Representatives

JOURNAL

CORRECTED VERSION
THURSDAY, DECEMBER 17, 2020

TWO HUNDRED FIFTY-FIRST DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, December 17, 2020, 11:15 o'clock a.m.

The House met pursuant to adjournment.

Prayer was offered by Representative Smith, T.-43rd district, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

CONSIDERATION OF SENATE AMENDMENTS

The Senate amendments to **Am. Sub. H. B. No. 136**-Representative Hillyer, et al., were taken up for consideration.

Am. Sub. H. B. No. 136-Representative Hillyer.

Cosponsors: Representatives Seitz, Weinstein, Crawley, Plummer, Leland, Crossman, Galonski, Rogers, West, Antani, Blessing, Brent, Callender, Denson, Ghanbari, Lepore-Hagan, Lightbody, Liston, Patton, Perales, Sheehy, Smith, K., Sobecki, Sykes, Upchurch Senators Eklund, Manning, Antonio, Blessing, Burke, Craig, Dolan, Fedor, Hackett, Huffman, S., Maharath, Sykes, Thomas, Yuko.

To amend sections 2929.02, 2929.022, 2929.024, 2929.03, 2929.04, 2929.06, 2929.14, 2941.148, 2953.21, 2953.23, 2971.03, 2971.07, and 5120.61 and to enact section 2929.025 of the Revised Code to prohibit imposing the death penalty for aggravated murder when the offender had a serious mental illness at the time of the offense.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted – yeas 72, nays 14, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Boggs
Brent	Brinkman	Brown	Butler
Carfagna	Carruthers	Cera	Clites
Crawley	Crossman	Cutrona	Denson
DeVitis	Edwards	Fraizer	Galonski
Ghanbari	Ginter	Green	Greenspan
Hambley	Hillyer	Holmes, A.	Hoops
Householder	Howse	Ingram	Jones
Jordan	Kelly	Koehler	Lanese
Lang	LaRe	Leland	Lightbody
Lipps	Liston	Manchester	Manning, G.
Miller, A.	Miller, J.	Miranda	Oelslager
Perales	Plummer	Reineke	Richardson
Riedel	Robinson	Roemer	Romanchuk
Russo	Seitz	Sheehy	Skindell
Smith, K.	Sobecki	Stein	Stephens

Stoltzfus
Sykes

Strahorn
West

Swearingen
Wilkin

Sweeney
Cupp-72

Those who voted in the negative were: Representatives

Becker
Keller
O'Brien
Wiggam

Blair
Kick
Powell

Dean
McClain
Smith, T.

Hood
Merrin
Vitale
Zeltwanger-14

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 450**-Representative Stephens, et al., were taken up for consideration.

Sub. H. B. No. 450-Representative Stephens.

Cosponsors: Representatives Hoops, Ginter, Wiggam, Hambley, Abrams, Baldrige, Carruthers, Clites, Cutrona, Edwards, Fraizer, Ghanbari, Green, Greenspan, Grendell, Ingram, Jones, Jordan, Keller, Kelly, Lanese, LaRe, Lipps, McClain, Miller, J., O'Brien, Patterson, Perales, Robinson, Roemer, Rogers, Seitz, Smith, T., Stein, Swearingen, Wilkin, Speaker Cupp Senators Brenner, Hackett, Hoagland, Manning, Blessing, Craig, Dolan, Fedor, Gavarone, Johnson, Kunze, Obhof, Peterson, Rulli, Schaffer, Sykes, Thomas, Wilson, Yuko.

To amend sections 117.11, 117.12, 117.16, 319.27, 321.06, 503.28, 703.21, and 3313.28, to enact section 117.171, and to repeal section 117.114 of the Revised Code to require fiscal officers of certain political subdivisions to provide certificates of transition to their successors when leaving office, to modify language regarding the duty of a treasurer of a board of education to deliver to the treasurer's successor all papers related to the affairs of the district, and to remove the eligibility requirements for political subdivisions to receive agreed-upon procedure audits from the Auditor of State, while continuing the agreed-upon procedure audits under rules adopted by the Auditor of State.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted – yeas 87, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Abrams
Blair
Brown
Carruthers
Crossman
DeVitis
Ghanbari
Hambley
Hoops
Jones
Koehler
Leland

Antani
Boggs
Butler
Cera
Cutrona
Edwards
Ginter
Hicks-Hudson
Householder
Jordan
Lanese
Lightbody

Baldrige
Brent
Callender
Clites
Dean
Fraizer
Green
Hillyer
Howse
Kelly
Lang
Lipps

Becker
Brinkman
Carfagna
Crawley
Denson
Galonski
Greenspan
Holmes, A.
Ingram
Kick
LaRe
Liston

Manchester	Manning, G.	McClain	Merrin
Miller, A.	Miller, J.	Miranda	O'Brien
Oelslager	Patton	Perales	Plummer
Powell	Reineke	Richardson	Riedel
Robinson	Roemer	Romanchuk	Russo
Seitz	Sheehy	Skindell	Smith, K.
Smith, T.	Sobecki	Stein	Stephens
Stoltzfus	Strahorn	Swearingen	Sweeney
Sykes	Vitale	West	Wiggam
Wilkin	Zeltwanger		Cupp-87

Representatives Hood and Keller voted in the negative-2.

The Senate amendments were concurred in.

The Senate amendments to **Sub. H. B. No. 7**-Representatives Ghanbari, Patterson, et al., were taken up for consideration.

Sub. H. B. No. 7-Representatives Ghanbari, Patterson.

Cosponsors: Representatives Carfagna, Crawley, Edwards, Hambley, Hoops, Howse, Rogers, West, Arndt, Baldrige, Blair, Boyd, Brent, Brown, Callender, Cera, Clites, Cross, Crossman, Denson, DeVitis, Galonski, Greenspan, Grendell, Hicks-Hudson, Hillyer, Holmes, A., Ingram, Jones, Kelly, Kick, Leland, Lepore-Hagan, Lightbody, Liston, Manning, G., McClain, Miller, A., Miller, J., Miranda, O'Brien, Patton, Plummer, Reineke, Richardson, Riedel, Robinson, Roemer, Russo, Seitz, Smith, K., Smith, T., Sobecki, Stein, Stoltzfus, Sweeney, Sykes, Upchurch, Weinstein, Wiggam
Senators Antonio, Blessing, Brenner, Burke, Coley, Craig, Dolan, Eklund, Fedor, Gavarone, Hackett, Hoagland, Huffman, S., Johnson, Kunze, Manning, Obhof, Peterson, Rulli, Schaffer, Schuring, Sykes, Thomas, Wilson, Yuko.

To amend sections 905.324, 939.02, 940.06, 5713.30, 6119.06, 6119.09, and 6119.091 and to enact sections 940.36, 940.37, and 940.38 of the Revised Code to create the Statewide Watershed Planning and Management Program under the administration of the Director of Agriculture, to make changes to the law governing regional water and sewer districts, and to modify the CAUV eligibility requirements for land used to produce biofuels.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted – yeas 86, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Brown	Butler	Callender	Carfagna
Carruthers	Cera	Clites	Crawley
Crossman	Cutrona	Denson	DeVitis
Edwards	Fraizer	Galonski	Ghanbari
Ginter	Green	Greenspan	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hoops
Householder	Howse	Ingram	Jones

Keller	Kelly	Kick	Koehler
Lanese	Lang	LaRe	Leland
Lightbody	Lipps	Liston	Manchester
Manning, G.	McClain	Merrin	Miller, A.
Miller, J.	Miranda	O'Brien	Oelslager
Patton	Perales	Plummer	Powell
Reineke	Richardson	Riedel	Robinson
Roemer	Romanchuk	Russo	Seitz
Sheehy	Skindell	Smith, K.	Smith, T.
Sobecki	Stein	Stephens	Stoltzfus
Strahorn	Swearingen	Sweeney	Sykes
Vitale	West	Wiggam	Wilkin
Zeltwanger			Cupp-86

Representatives Dean, Hood, and Jordan voted in the negative-3.

The Senate amendments were concurred in.

The Senate amendments to **Am. Sub. H. B. No. 312**-Representative Powell, et al., were taken up for consideration.

Am. Sub. H. B. No. 312-Representative Powell.

Cosponsors: Representatives Merrin, Roemer, Brent, Crossman, DeVitis, Greenspan, Grendell, Hambley, Hillyer, Holmes, A., Hood, Hoops, Jordan, Lanese, Lang, Leland, Lepore-Hagan, Manning, G., McClain, O'Brien, Oelslager, Patterson, Patton, Reineke, Richardson, Riedel, Rogers, Romanchuk, Russo, Scherer, Seitz, Sobecki, Stephens, Swearingen, Upchurch, Weinstein, West, Zeltwanger Senators Blessing, Brenner, Burke, Coley, Craig, Dolan, Eklund, Fedor, Gavarone, Hackett, Hottinger, Huffman, S., Johnson, Kunze, Manning, Peterson, Sykes, Thomas, Wilson, Yuko.

To amend sections 145.114, 742.114, 1707.01, 1707.03, 1707.04, 1707.042, 1707.10, 1707.13, 1707.161, 1707.17, 1707.19, 1707.20, 1707.21, 1707.23, 1707.24, 1707.25, 1707.26, 1707.261, 1707.27, 1707.28, 1707.29, 1707.30, 1707.31, 1707.32, 1707.34, 1707.35, 1707.38, 1707.39, 1707.391, 1707.40, 1707.431, 1707.44, 1707.99, 1724.02, 3307.152, 3309.157, 4582.06, 4582.31, and 5505.068 and to enact sections 1707.05, 1707.051, 1707.052, 1707.053, 1707.054, 1707.055, 1707.056, 1707.057, 1707.058, and 1707.50 of the Revised Code and to amend Section 259.50 of H.B. 166 of the 133rd General Assembly to permit intrastate equity crowdfunding under certain circumstances and to make an appropriation.

The question being, "Shall the Senate amendments be concurred in?"

The yeas and nays were taken and resulted – yeas 87, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Brown	Butler	Callender	Carfagna
Carruthers	Cera	Clites	Crawley
Crossman	Cutrona	Denson	DeVitis

Edwards	Fraizer	Galonski	Ghanbari
Ginter	Green	Greenspan	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hood
Hoops	Householder	Howse	Ingram
Jones	Jordan	Keller	Kelly
Kick	Koehler	Lanese	Lang
LaRe	Leland	Lightbody	Lipps
Liston	Manchester	Manning, G.	McClain
Merrin	Miller, A.	Miller, J.	Miranda
O'Brien	Oelslager	Patton	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Romanchuk
Russo	Seitz	Sheehy	Skindell
Smith, K.	Smith, T.	Sobecki	Stein
Stephens	Stoltzfus	Strahorn	Swearingen
Sweeney	Sykes	West	Wiggam
Wilkin	Zeltwanger		Cupp-87

Representatives Dean and Vitale voted in the negative-2.

The Senate amendments were concurred in.

REPORTS OF CONFERENCE COMMITTEES

Representative Wiggam submitted the following report:

The committee of conference to which the matters of difference between the two houses were referred on Sub. S. B. No. 1, Senator McColley and Senator Roegner - et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the House with the following amendments:

In line 1 of the title, delete "101.35,"; after "106.031," insert "and"

In line 2 of the title, delete ", and 3701.13"

In line 3 of the title, delete ", 101.36"

In line 7 of the title, delete ", to require the approval of"

Delete lines 8 through 10 of the title

In line 11 of the title, delete "Department's rulemaking authority"

In line 12, delete "101.35,"; after "106.031," insert "and"

In line 13, delete ", and 3701.13"; delete the second ", "

In line 14, delete "101.36"

Delete lines 16 through 92

In line 94, delete "base"

In line 95, delete the first "and"

In line 100, delete "(B)" and insert "(B)(1) Not later than June 15, 2021, the executive director of the joint committee shall prepare a report

aggregating the base inventories received from state agencies under section 121.95 of the Revised Code.

(2)"; delete "2020" and insert "2021"

In line 101, delete "June" and insert "December"

In line 103, after "preceding" insert "fiscal"

In line 105, after "preceding" insert "fiscal"

In line 112, after "¿" insert:

"(3)"

In line 113, after "report" insert "required under divisions (B)(1) and (2) of this section"

Delete lines 134 through 149

In line 506, strike through "2023" and insert "2024"

In line 515, after "restrictions" insert "prepared under section 121.95 of the Revised Code"

In line 518, delete "December 31,"

In line 519, delete "2020" and insert "June 30, 2022"

In line 520, delete "December"

In line 521, delete "31, 2021" and insert "June 30, 2023"

In line 522, delete "December"

In line 523, delete "31, 2022" and insert "June 30, 2024"

In line 529, delete "2023" and insert "2024"; delete "if"; after "agency" insert "that"

In line 530, delete "a" and insert "the"; delete "percentage" and insert "thirty per cent"; delete "according to the"

In line 531, delete "schedule, the state agency"

In line 541, delete "March" and insert "September"; delete "and annually" and insert "a state agency shall prepare an historical report of its progress in reducing regulatory restrictions over the period of time beginning when the agency prepared its base inventory under section 121.95 of the Revised Code and ending on June 30, 2021. Annually"

In line 544, after "preceding" insert "fiscal"; delete "under divisions (A)(1) and (2) of this section"

In line 581, after "121.953," insert "(A)"; delete "January" and insert "July"; delete "2023" and insert "2024"

In line 590, delete "not later than January 1, 2023"

In line 591, after "agencies." insert "The joint committee shall consider any lessened required reductions under section 121.952 of the

Revised Code.(B)"

Delete lines 600 through 675

In line 676, delete "101.35,"

In line 677, after "106.031," insert "and"; delete ", and 3701.13"

Delete lines 679 through 684

Managers on the Part of the
Senate/S/ KIRK SCHURING
KIRK SCHURING/S/ KRISTINA D. ROEGNER
KRISTINA D. ROEGNER/S/ NICKIE J. ANTONIO
NICKIE J. ANTONIOManagers on the Part of the
House of Representatives/S/ SCOTT WIGGAM
SCOTT WIGGAM/S/ BILL SEITZ
BILL SEITZ/S/ BRIGID KELLY
BRIGID KELLY

The question being, "Shall the report of the committee of conference be agreed to?"

Representative Butler moved that the report of the committee of conference on **Sub. S. B. No. 1**-Senators McColley, Roegner, et al., be informally passed and retain its place on the calendar.

The motion was agreed to without objection.

Representative Cross submitted the following report:

The committee of conference to which the matters of difference between the two houses were referred on Sub. S.B. No. 9, Senator Huffman, M. - et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the House with the following amendments:

In line 343, delete "2020" and insert "2021"

In line 1 of the title, delete "sections" and insert "section"; delete "and 4125.03"

In line 4 of the title, delete "and to"

Delete lines 5 and 6

In line 7 of the title, delete "client employer's tax identification number"

In line 8, delete "sections" and insert "section"; delete "and 4125.03"

Delete lines 224 through 338

In line 339, delete "sections" and insert "section"; delete "and 4125.03"

In line 340, delete "are" and insert "is"

Managers on the Part of the
Senate

/S/ MATT DOLAN
MATT DOLAN

/S/ MATT HUFFMAN
MATT HUFFMAN

/S/ HEARCEL F. CRAIG
HEARCEL F. CRAIG

Managers on the Part of the
House of Representatives

/S/ _____
DEREK MERRIN

/S/ JON CROSS
JON CROSS

/S/ KRISTIN BOGGS
KRISTIN BOGGS

The question being, "Shall the report of the committee of conference be agreed to?"

The yeas and nays were taken and resulted – yeas 81, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Brown	Butler	Callender	Carfagna
Carruthers	Cera	Crawley	Crossman
Cutrona	Dean	Denson	DeVitis
Edwards	Fraizer	Galonski	Ghanbari
Ginter	Green	Greenspan	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hood
Hoops	Householder	Howse	Ingram
Jones	Jordan	Keller	Kick
Koehler	Lanese	Lang	LaRe
Leland	Lipps	Liston	Manchester
Manning, G.	McClain	Merrin	Miller, A.
Miller, J.	Miranda	O'Brien	Oelslager
Patton	Perales	Plummer	Powell
Reineke	Richardson	Riedel	Robinson
Roemer	Romanchuk	Russo	Seitz
Sheehy	Smith, K.	Smith, T.	Sobecki
Stein	Stephens	Stoltzfus	Swearingen
Sweeney	Wiggam	Wilkin	Zeltwanger
			Cupp-81

Representatives Clites, Kelly, Lightbody, Skindell, Strahorn, Sykes, Vitale, and West voted in the negative-8.

The report of the committee of conference was agreed to.

Representative Lang submitted the following report:

The committee of conference to which the matters of difference between

the two houses were referred on Sub. S. B. No. 10, Senator Wilson - et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the House with the following amendments:

In line 44, after "expenditure" insert "and the court issuing the order shall assume the financial liability, if any, for that expenditure"

In line 58, after "documents," insert "shall"

In line 59, after "and" insert "shall"

Managers on the Part of the
Senate

/S/ WILLIAM P. COLEY, II
WILLIAM P. COLEY, II

/S/ STEVE WILSON
STEVE WILSON

/S/ HEARCEL CRAIG
HEARCEL CRAIG

Managers on the Part of the
House of Representatives

/S/ GEORGE F. LANG
GEORGE F. LANG

/S/ BILL SEITZ
BILL SEITZ

/S/ DAVID LELAND
DAVID LELAND

The question being, "Shall the emergency clause stand as part of the report of the committee of conference?"

The yeas and nays were taken and resulted – yeas 87, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brown
Butler	Callender	Carfagna	Carruthers
Cera	Clites	Crawley	Crossman
Cutrona	Dean	Denson	DeVitis
Edwards	Fraizer	Galonski	Ghanbari
Ginter	Green	Greenspan	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hood
Hoops	Householder	Howse	Ingram
Jones	Jordan	Keller	Kelly
Kick	Koehler	Lanese	Lang
LaRe	Leland	Lightbody	Lipps
Liston	Manchester	Manning, G.	McClain
Merrin	Miller, A.	Miller, J.	Miranda
O'Brien	Oelslager	Patton	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Romanchuk
Russo	Seitz	Sheehy	Skindell
Smith, K.	Smith, T.	Sobecki	Stein
Stephens	Stoltzfus	Strahorn	Swearingen
Sweeney	Sykes	West	Wiggam
Wilkin	Zeltwanger		Cupp-87

Representatives Brinkman and Vitale voted in the negative-2.

Having received the required constitutional majority, the emergency clause stood as part of the report of the committee of conference.

The question being, "Shall the report of the committee of conference be agreed to as an emergency measure?"

The yeas and nays were taken and resulted – yeas 89, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldridge	Becker
Blair	Boggs	Brent	Brinkman
Brown	Butler	Callender	Carfagna
Carruthers	Cera	Clites	Crawley
Crossman	Cutrona	Dean	Denson
DeVitis	Edwards	Fraizer	Galonski
Ghanbari	Ginter	Green	Greenspan
Hambley	Hicks-Hudson	Hillyer	Holmes, A.
Hood	Hoops	Householder	Howse
Ingram	Jones	Jordan	Keller
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lightbody
Lipps	Liston	Manchester	Manning, G.
McClain	Merrin	Miller, A.	Miller, J.
Miranda	O'Brien	Oelslager	Patton
Perales	Plummer	Powell	Reineke
Richardson	Riedel	Robinson	Roemer
Romanchuk	Russo	Seitz	Sheehy
Skindell	Smith, K.	Smith, T.	Sobecki
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	Vitale
West	Wiggam	Wilkin	Zeltwanger
			Cupp-89

The report of the committee of conference was agreed to as an emergency measure.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Leland submitted the following report:

The standing committee on Criminal Justice to which was referred **Sub. S. B. No. 68**-Senator Williams, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ALLOW COMMUNITY SERVICE IN LIEU OF DRIVER
REINSTATEMENT FEE

Representative Plummer moved to amend the title as follows:

Add the names: "Lang, Leland, Crossman, Galonski, Seitz, West"

GEORGE F. LANG
JIM BUTLER
AL CUTRONA
BILL SEITZ

DAVID LELAND
JEFFREY A. CROSSMAN
TAVIA GALONSKI
THOMAS WEST

The following members voted "NO"

PHIL PLUMMER

J. TODD SMITH

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Leland submitted the following report:

The standing committee on Criminal Justice to which was referred **Sub. S. B. No. 256**-Senators Manning, Lehner, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REGARDS SENTENCING OFFENDERS UNDER 18 WHEN COMMITTED OFFENSE

Representative Plummer moved to amend the title as follows:

Add the names: "Lang, Leland, Crossman, Galonski, West"

GEORGE F. LANG
DAVID LELAND
AL CUTRONA
BILL SEITZ
THOMAS WEST

PHIL PLUMMER
JEFFREY A. CROSSMAN
TAVIA GALONSKI
J. TODD SMITH

The following member voted "NO"

JIM BUTLER

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Sobecki submitted the following report:

The standing committee on Ways and Means to which was referred **S. B. No. 95**-Senators Peterson, Kunze, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ENHANCE TAX INDUCEMENTS FOR FIXED ASSET AND EMPLOYMENT INVESTMENT

Representative Merrin moved to amend the title as follows:

Add the name: "Merrin"

DEREK MERRIN

JEFF LARE

JOHN BECKER
JACK CERA
MARK FRAIZER
JAMES M. HOOPS
RIORDAN T. MCCLAIN
CRAIG S. RIEDEL
LISA A. SOBECKI

JAMIE CALLENDER
SEDRICK DENSON
DOUG GREEN
KRIS JORDAN
JENA POWELL
BILL ROEMER
JASON STEPHENS

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Sobecki submitted the following report:

The standing committee on Ways and Means to which was referred **Sub. S. B. No. 125**-Senators Hottinger, Brenner, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: EXPAND TAX DEDUCTION FOR 529 EDUCATION SAVINGS PLAN

Representative Merrin moved to amend the title as follows:

Add the name: "Representative Merrin"

DEREK MERRIN
JOHN BECKER
JACK CERA
MARK FRAIZER
JAMES M. HOOPS
RIORDAN T. MCCLAIN
CRAIG S. RIEDEL
LISA A. SOBECKI

JEFF LARE
JAMIE CALLENDER
SEDRICK DENSON
DOUG GREEN
KRIS JORDAN
JENA POWELL
BILL ROEMER
JASON STEPHENS

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Sobecki submitted the following report:

The standing committee on Ways and Means to which was referred **Sub. S. B. No. 212**-Senator Schuring, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: AUTHORIZE AREAS IN WHICH NEW HOMES AND IMPROVEMENTS TAX EXEMPT

Representative Merrin moved to amend the title as follows:

Add the name: "Representative Merrin"

DEREK MERRIN

JEFF LARE

JOHN BECKER
JACK CERA
MARK FRAIZER
JAMES M. HOOPS
RIORDAN T. MCCLAIN
CRAIG S. RIEDEL
LISA A. SOBECKI

JAMIE CALLENDER
SEDRICK DENSON
DOUG GREEN
KRIS JORDAN
JENA POWELL
BILL ROEMER
JASON STEPHENS

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Leland submitted the following report:

The standing committee on Criminal Justice to which was referred **Sub. S. B. No. 3**-Senators Eklund, O'Brien, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: EXPRESS INTENT TO REFORM DRUG SENTENCING LAWS

Representative Seitz moved to amend the title as follows:

Add the names: "Representatives Lang, Leland, Cutrona, Galonski, West"

GEORGE F. LANG
JEFFREY A. CROSSMAN
TAVIA GALONSKI
THOMAS WEST

DAVID LELAND
AL CUTRONA
BILL SEITZ

The following members voted "NO"

PHIL PLUMMER
J. TODD SMITH

JIM BUTLER

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Leland submitted the following report:

The standing committee on Criminal Justice to which was referred **Sub. S. B. No. 156**-Senator Gavarone, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

RE: PROHIBITS DEFRAUDING AN ALCOHOL, DRUG, OR URINE SCREENING TEST

Representative Plummer moved to amend the title as follows:

Add the names: "Representatives Lang, Leland, Crossman"

Representative Seitz moved to amend as follows:

After line 12, insert:

"(3) "Bulk manufacturer of synthetic urine" means a business that manufactures or causes the manufacture of at least fifteen thousand gallons of synthetic urine on an annual basis."

In line 62, after "(F)" insert "For purposes of this section it is rebuttably presumed that a bulk manufacturer of synthetic urine who manufactures, markets, sells, or distributes synthetic urine does not know or have reasonable cause to believe that any other person might use the synthetic urine for an illegal purpose or to defraud an alcohol, drug, or urine screening test in violation of division (B)(1) of this section."

(G)"

The motion was agreed to and the bill so amended.

GEORGE F. LANG
DAVID LELAND
AL CUTRONA
BILL SEITZ

PHIL PLUMMER
JEFFREY A. CROSSMAN
TAVIA GALONSKI
THOMAS WEST

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Kelly submitted the following report:

The standing committee on State and Local Government to which was referred **Am. Sub. S. B. No. 194**-Senator Rulli, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REGARDS VOTER REGISTRATION SYSTEM APPROVAL;
CANDIDATE PROTESTS

Representative Wiggam moved to amend the title as follows:

Add the names: "Wiggam, Hambley"

SCOTT WIGGAM
TIMOTHY E. GINTER
STEPHEN D. HAMBLEY
REGGIE STOLTZFUS
SHANE WILKIN

JASON STEPHENS
DAVE GREENSPAN
J. TODD SMITH
D. J. SWEARINGEN

The following members voted "NO"

BRIGID KELLY
MICHAEL J. SKINDELL
FRED STRAHORN

C. ALLISON RUSSO
LISA A. SOBECKI

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Kelly submitted the following report:

The standing committee on State and Local Government to which was referred **Am. S. B. No. 259**-Senator Sykes, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: AUTHORIZES THE CONVEYANCE OF STATE-OWNED REAL PROPERTY

Representative Wiggam moved to amend the title as follows:

Add the name: "Wiggam"

SCOTT WIGGAM
BRIGID KELLY
DAVE GREENSPAN
C. ALLISON RUSSO
J. TODD SMITH
REGGIE STOLTZFUS
D. J. SWEARINGEN

JASON STEPHENS
TIMOTHY E. GINTER
STEPHEN D. HAMBLEY
MICHAEL J. SKINDELL
LISA A. SOBECKI
FRED STRAHORN
SHANE WILKIN

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Kelly submitted the following report:

The standing committee on State and Local Government to which was referred **Sub. S. B. No. 331**-Senator Roegner, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: IMPLEMENT RECOMMENDATIONS OF SUNSET REVIEW COMMITTEE

Representative Wiggam moved to amend the title as follows:

Add the names: "Wiggam, Hambley"

SCOTT WIGGAM
BRIGID KELLY
DAVE GREENSPAN
C. ALLISON RUSSO
J. TODD SMITH
REGGIE STOLTZFUS
D. J. SWEARINGEN

JASON STEPHENS
TIMOTHY E. GINTER
STEPHEN D. HAMBLEY
MICHAEL J. SKINDELL
LISA A. SOBECKI
FRED STRAHORN
SHANE WILKIN

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Kelly submitted the following report:

The standing committee on State and Local Government to which was referred **S. B. No. 360**-Senator Obhof, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: BAR PROHIBITING COMMERCIAL SALE OF FIREARMS AND AMMUNITION

Representative Wiggam moved to amend the title as follows:

Add the name: "Wiggam"

SCOTT WIGGAM

TIMOTHY E. GINTER

J. TODD SMITH

D. J. SWEARINGEN

JASON STEPHENS

DAVE GREENSPAN

REGGIE STOLTZFUS

SHANE WILKIN

The following members voted "NO"

BRIGID KELLY

C. ALLISON RUSSO

LISA A. SOBECKI

STEPHEN D. HAMBLEY

MICHAEL J. SKINDELL

FRED STRAHORN

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Leland submitted the following report:

The standing committee on Criminal Justice to which was referred **S. B. No. 369**-Senators Lehner, Manning, et al., having had the same under consideration, reports it back and recommends its passage.

RE: REVISE ELIGIBILITY AND PROCEDURES FOR CRIME VICTIM REPARATIONS

Representative Plummer moved to amend the title as follows:

Add the name: "Representative Lang"

GEORGE F. LANG

DAVID LELAND

JEFFREY A. CROSSMAN

TAVIA GALONSKI

THOMAS WEST

PHIL PLUMMER

JIM BUTLER

AL CUTRONA

BILL SEITZ

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Leland submitted the following report:

The select committee on Energy Policy and Oversight to which was referred **H. B. No. 798**-Representative Hoops, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: DELAYS CERTAIN PROVISIONS OF HB 6; REVISES THE ENERGY LAW

Representative Hoops moved to amend the title as follows:

Add the names: "Abrams, Baldrige, Carfagna"

JAMES M. HOOPS
BRIAN BALDRIDGE
PHIL PLUMMER
JASON STEPHENS

CINDY ABRAMS
RICK CARFAGNA
DICK STEIN
SCOTT WIGGAM

The following members voted "NO"

DAVID LELAND
SEDRICK DENSON
MARK J. ROMANCHUK
KENT SMITH

KRISTIN BOGGS
MICHAEL J. O'BRIEN
C. ALLISON RUSSO

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

On motion of Representative Butler, the House recessed.

The House met pursuant to recess.

MOTIONS AND RESOLUTIONS

Representative Edwards moved that majority party members asking leave to be absent or absent the week of Thursday, December 17, 2020, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Hicks-Hudson moved that minority party members asking leave to be absent or absent the week of Thursday, December 17, 2020, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

Pursuant to House Rule 114, Representative Butler moved that the following resolution be brought up for immediate adoption:

H. R. No. 395 - Representative Kelly

Cosponsors: Representatives Ingram, Crawley, Leland, Miller, A., Miranda, Clites, Sobecki, Galonski, Boggs, Skindell, Lepore-Hagan, O'Brien,

Robinson, Lightbody, Russo, Boyd, Sweeney, Crossman, Smith, K., Sykes, Weinstein, Brent, West, Patterson, Strahorn, Denson, Liston

To adopt Rule 42A of the House of Representatives for the 133rd General Assembly.

The question being, shall the motion be agreed to?

The yeas and nays were taken and resulted – yeas 31, nays 54, as follows:

Those who voted in the affirmative were: Representatives

Blair	Boggs	Brent	Brown
Cera	Clites	Crawley	Crossman
Denson	Galonski	Hicks-Hudson	Howse
Ingram	Kelly	Leland	Lightbody
Liston	Miller, A.	Miller, J.	Miranda
O'Brien	Robinson	Russo	Sheehy
Skindell	Smith, K.	Sobecki	Strahorn
Sweeney	Sykes		West-31

Those who voted in the negative were: Representatives

Abrams	Antani	Baldridge	Becker
Brinkman	Butler	Callender	Carfagna
Carruthers	Cutrona	Dean	Edwards
Fraizer	Ghanbari	Ginter	Green
Greenspan	Hambley	Hillyer	Holmes, A.
Hood	Hoops	Jones	Jordan
Keller	Kick	Koehler	Lanese
Lang	LaRe	Lipps	Manchester
Manning, G.	McClain	Merrin	Oelslager
Perales	Plummer	Powell	Reineke
Richardson	Riedel	Roemer	Romanchuk
Seitz	Smith, T.	Stein	Stephens
Stoltzfus	Swearingen	Wiggam	Wilkin
Zeltwanger			Cupp-54

The motion was not agreed to.

Said resolution was referred to the committee on Rules and Reference under the Rule.

Pursuant to House Rule 114, Representative Butler moved that the following resolution be brought up for immediate adoption:

H. R. No. 396 - Representative Kelly

Cosponsors: Representatives Ingram, Crawley, Leland, Miller, A., Miranda, Clites, Sobecki, Galonski, Boggs, Skindell, Lepore-Hagan, O'Brien, Robinson, Lightbody, Russo, Boyd, Sweeney, Crossman, Smith, K., Sykes, Weinstein, Brent, West, Patterson, Strahorn, Denson, Liston

To adopt Rule 125 of the House of Representatives for the 133rd General Assembly.

The question being, shall the motion be agreed to?

The yeas and nays were taken and resulted – yeas 31, nays 53, as follows:

Those who voted in the affirmative were: Representatives

Blair	Boggs	Brent	Brown
Cera	Clites	Crawley	Crossman
Denson	Galonski	Hicks-Hudson	Howse
Ingram	Kelly	Leland	Lightbody
Liston	Miller, A.	Miller, J.	Miranda
O'Brien	Robinson	Russo	Sheehy
Skindell	Smith, K.	Sobecki	Strahorn
Sweeney	Sykes		West-31

Those who voted in the negative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carfagna
Carruthers	Cutrona	Edwards	Fraizer
Ghanbari	Ginter	Green	Greenspan
Hambley	Hillyer	Holmes, A.	Hood
Hoops	Jones	Jordan	Keller
Kick	Koehler	Lanese	Lang
LaRe	Lipps	Manchester	Manning, G.
McClain	Merrin	Oelslager	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Roemer	Romanchuk	Seitz
Smith, T.	Stein	Stephens	Stoltzfus
Swearingen	Wiggam	Wilkin	Zeltwanger
			Cupp-53

The motion was not agreed to.

Said resolution was referred to the committee on Rules and Reference under the Rule.

BILLS FOR THIRD CONSIDERATION

Am. S. B. No. 175-Senator Schaffer.

Cosponsors: Senators Eklund, Fedor, O'Brien, Manning, Antonio, Blessing, Brenner, Coley, Craig, Hackett, Hoagland, Huffman, M., Huffman, S., Johnson, McColley, Obhof, Peterson, Roegner, Rulli, Schuring, Sykes, Thomas, Williams, Wilson, Yuko Representative Hambley.

To amend section 2923.126 of the Revised Code to grant civil immunity to nonprofit corporations for certain injuries, deaths, or losses resulting from the carrying of handguns, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Butler moved that **Am. S. B. No. 175**-Senator Schaffer, et al., be informally passed and retain its place on the calendar.

The motion was agreed to without objection.

Sub. S. B. No. 33-Senator Hoagland.

Cosponsors: Senators Peterson, Coley, Terhar, Wilson, Huffman, M., Rulli, Brenner, Burke, Eklund, Gavarone, Hackett, Huffman, S., McColley, O'Brien, Roegner, Schuring, Uecker.

To amend sections 2909.07, 2909.10, 2911.21, 2911.211, and 2917.32 and to enact sections 2307.67 and 2923.04 of the Revised Code to modify certain criminal offenses with respect to critical infrastructure facilities and to impose fines and civil liability for damage to a critical infrastructure facility, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Boggs moved to amend, amendment 4184.

Pursuant to House Rule 91(a), Speaker Cupp ruled the amendment out of order.

Representative Boggs appealed the decision of the Chair.

The question being, "Shall the decision of the Chair be sustained?"

The yeas and nays were taken and resulted – yeas 51, nays 33, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carfagna
Carruthers	Cutrona	Dean	Edwards
Fraizer	Ghanbari	Ginter	Green
Greenspan	Hambley	Hillyer	Holmes, A.
Hood	Hoops	Jones	Jordan
Keller	Kick	Koehler	Lang
LaRe	Lipps	Manchester	Manning, G.
McClain	Merrin	Oelslager	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Roemer	Seitz	Stein
Stephens	Stoltzfus	Swearingen	Wiggam
Wilkin	Zeltwanger		Cupp-51

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Brown
Cera	Clites	Crawley	Crossman
Denson	Galonski	Hicks-Hudson	Howse
Ingram	Kelly	Lanese	Leland
Lightbody	Liston	Miller, A.	Miller, J.
Miranda	O'Brien	Robinson	Romanchuk
Russo	Sheehy	Skindell	Smith, K.
Sobecki	Strahorn	Sweeney	Sykes
			West-33

The decision of the Chair was sustained.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 55, nays 30, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carfagna
Carruthers	Cera	Cutrona	Dean
Edwards	Fraizer	Ghanbari	Ginter
Green	Greenspan	Hambley	Hillyer
Holmes, A.	Hood	Hoops	Jones
Jordan	Keller	Kick	Koehler
Lanese	Lang	LaRe	Lipps
Manchester	Manning, G.	McClain	Merrin
Oelslager	Perales	Plummer	Powell
Reineke	Richardson	Riedel	Roemer
Romanchuk	Seitz	Smith, T.	Stein
Stephens	Stoltzfus	Swearingen	Wiggam
Wilkin	Zeltwanger		Cupp-55

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Brown
Clites	Crawley	Crossman	Denson
Galonski	Hicks-Hudson	Howse	Ingram
Kelly	Leland	Lightbody	Liston
Miller, A.	Miller, J.	Miranda	O'Brien
Robinson	Russo	Sheehy	Skindell
Smith, K.	Sobecki	Strahorn	Sweeney
Sykes			West-30

The bill passed.

Representative Callender moved to amend the title as follows:

Add the names: "Carfagna, Hillyer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

S. B. No. 140-Senator Uecker.

Cosponsors: Senators Roegner, Huffman, M., Obhof, Hoagland, Coley, Brenner, Burke, Eklund, Hackett, Huffman, S., McColley, Schaffer, Thomas
Representatives Lang, Plummer.

To amend sections 2923.12, 2923.18, and 2923.20 of the Revised Code to exempt knives not used as weapons from the prohibition against carrying concealed weapons and to eliminate the prohibition against manufacturing, possessing for sale, selling, or furnishing certain weapons other than firearms or dangerous ordnance, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Powell moved to amend, amendment 4073, as follows:

In line 1 of the title, after "2923.12" insert ", 2923.13"

In line 4 of the title, delete "and" and insert ", "

In line 7 of the title, after "ordnance" insert ", and to exempt antique

firearms from certain firearms prohibitions"

In line 8, after "2923.12" insert ", 2923.13"

After line 260, insert:

"Sec. 2923.13. (A) Unless relieved from disability under operation of law or legal process, no person shall knowingly acquire, have, carry, or use any firearm or dangerous ordnance, if any of the following apply:

(1) The person is a fugitive from justice.

(2) The person is under indictment for or has been convicted of any felony offense of violence or has been adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense of violence.

(3) The person is under indictment for or has been convicted of any felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse or has been adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse.

(4) The person is drug dependent, in danger of drug dependence, or a chronic alcoholic.

(5) The person is under adjudication of mental incompetence, has been adjudicated as a mental defective, has been committed to a mental institution, has been found by a court to be a mentally ill person subject to court order, or is an involuntary patient other than one who is a patient only for purposes of observation. As used in this division, "mentally ill person subject to court order" and "patient" have the same meanings as in section 5122.01 of the Revised Code.

(B) Whoever violates this section is guilty of having weapons while under disability, a felony of the third degree.

(C) Division (A) of this section does not prohibit any person from acquiring, having, carrying, or using an antique firearm.

(D) For the purposes of this section, "under:

(1) "Under operation of law or legal process" shall not itself include mere completion, termination, or expiration of a sentence imposed as a result of a criminal conviction.

(2) "Antique firearm" means any of the following:

(a) A firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system manufactured in or before 1898.

(b) A replica of a firearm described in division (D)(2)(a) of this section if the replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition or the replica uses rimfire or conventional centerfire fixed ammunition that is no longer manufactured in

the United States and is not readily available in the ordinary channels of commercial trade.

(c) A muzzle loading rifle, shotgun, or pistol that is designed to use black powder, or a black powder substitute, and that cannot use fixed ammunition, other than a firearm described in division (D)(3) of this section.

(3) "Antique firearm" does not include a weapon that incorporates a firearm frame or receiver, a firearm that is converted into a muzzle loading weapon, or a muzzle loading weapon that can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof."

In line 366, after "firearm," insert "other than an antique firearm."

After line 429, insert:

"(5) "Antique firearm" has the same meaning as in section 2923.13 of the Revised Code."

In line 430, after "2923.12" insert ", 2923.13"

After line 431, insert:

"Section 3. Section 2923.13 of the Revised Code is presented in this act as a composite of the section as amended by both H.B. 234 and S.B. 43 of the 130th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act."

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted – yeas 21, nays 64, as follows:

Those who voted in the affirmative were: Representatives

Antani	Baldrige	Butler	Callender
Dean	Edwards	Ginter	Hood
Ingram	Jordan	Keller	Kick
Manchester	McClain	Merrin	Plummer
Powell	Riedel	Smith, T.	Wilkin
			Zeltwanger-21

Those who voted in the negative were: Representatives

Abrams	Becker	Blair	Boggs
Brent	Brinkman	Brown	Carfagna
Carruthers	Cera	Clites	Crawley
Crossman	Cutrona	Denson	Fraizer
Galonski	Ghanbari	Green	Greenspan
Hambley	Hicks-Hudson	Hillyer	Holmes, A.
Hoops	Howse	Jones	Kelly
Koehler	Lanese	Lang	LaRe
Leland	Lightbody	Lipps	Liston
Manning, G.	Miller, A.	Miller, J.	Miranda
O'Brien	Oelslager	Perales	Reineke

Richardson	Robinson	Roemer	Romanchuk
Russo	Seitz	Sheehy	Skindell
Smith, K.	Sobecki	Stein	Stephens
Stoltzfus	Strahorn	Swearingen	Sweeney
Sykes	West	Wiggam	Cupp-64

The motion to amend was not agreed to.

The question being, "Shall the bill pass?"

Representative Leland moved to amend, amendment 3182, as follows:

In line 1 of the title, after "sections" insert "1547.69,"; after "2923.12" insert ", 2923.16"

In line 2 of the title, delete "exempt knives not used as"

In line 3 of the title, delete "weapons from the" and insert "modify the"

In line 4 of the title, after "weapons" insert "as it applies to concealed weapons other than handguns"

In line 8, after "sections" insert "1547.69,"; after "2923.12" insert ", 2923.16"

After line 9, insert:

"Sec. 1547.69. (A) As used in this section:

(1) "Firearm," "concealed handgun license," "handgun," "valid concealed handgun license," and "active duty" have the same meanings as in section 2923.11 of the Revised Code.

(2) "Unloaded" has the same meanings as in divisions (K)(5) and (6) of section 2923.16 of the Revised Code, except that all references in the definition in division (K)(5) of that section to "vehicle" shall be construed for purposes of this section to be references to "vessel."

(B) No person shall knowingly discharge a firearm while in or on a vessel.

(C) No person shall knowingly transport or have a loaded firearm in a vessel in a manner that the firearm is accessible to the operator or any passenger.

(D) No person shall knowingly transport or have a firearm in a vessel unless it is unloaded and is carried in one of the following ways:

(1) In a closed package, box, or case;

(2) In plain sight with the action opened or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or that cannot easily be stripped, in plain sight.

(E)(1) ~~The affirmative defenses authorized in divisions (D)(1) and (2) of section 2923.12 of the Revised Code are affirmative defenses. It is an affirmative defense to a charge under division (C) or (D) of this section that involves a firearm other than a handgun that the actor was not otherwise~~

prohibited by law from having the weapon and that any of the following applies:

(a) The weapon was carried or kept ready at hand by the actor for defensive purposes while the actor was engaged in or was going to or from the actor's lawful business or occupation, which business or occupation was of a character or was necessarily carried on in a manner or at a time or place as to render the actor particularly susceptible to criminal attack, such as would justify a prudent person in going armed.

(b) The weapon was carried or kept ready at hand by the actor for defensive purposes while the actor was engaged in a lawful activity and had reasonable cause to fear a criminal attack upon the actor, a member of the actor's family, or the actor's home, such as would justify a prudent person in going armed.

(2) It is an affirmative defense to a charge under division (C) or (D) of this section of transporting or having a firearm of any type, including a handgun, in a vessel that the actor transported or had the firearm in the vessel for any lawful purpose and while the vessel was on the actor's own property, provided that this affirmative defense is not available unless the actor, prior to arriving at the vessel on the actor's own property, did not transport or possess the firearm in the vessel or in a motor vehicle in a manner prohibited by this section or division (B) or (C) of section 2923.16 of the Revised Code while the vessel was being operated on a waterway that was not on the actor's own property or while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.

~~(2)~~(3) No person who is charged with a violation of division (C) or (D) of this section shall be required to obtain a license or temporary emergency license to carry a concealed handgun under section 2923.125 or 2923.1213 of the Revised Code as a condition for the dismissal of the charge.

(F) Divisions (B), (C), and (D) of this section do not apply to the possession or discharge of a United States coast guard approved signaling device required to be carried aboard a vessel under section 1547.251 of the Revised Code when the signaling device is possessed or used for the purpose of giving a visual distress signal. No person shall knowingly transport or possess any signaling device of that nature in or on a vessel in a loaded condition at any time other than immediately prior to the discharge of the signaling device for the purpose of giving a visual distress signal.

(G) No person shall operate or permit to be operated any vessel on the waters in this state in violation of this section.

(H)(1) This section does not apply to any of the following:

(a) An officer, agent, or employee of this or any other state or of the United States, or to a law enforcement officer, when authorized to carry or

have loaded or accessible firearms in a vessel and acting within the scope of the officer's, agent's, or employee's duties;

(b) Any person who is employed in this state, who is authorized to carry or have loaded or accessible firearms in a vessel, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in division (H)(1)(b) of this section does not apply to the person;

(c) Any person legally engaged in hunting.

(2) Divisions (C) and (D) of this section do not apply to a person who transports or possesses a handgun in a vessel and who, at the time of that transportation or possession, either is carrying a valid concealed handgun license or is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of section 2923.125 of the Revised Code, unless the person knowingly is in a place on the vessel described in division (B) of section 2923.126 of the Revised Code.

(I) If a law enforcement officer stops a vessel for a violation of this section or any other law enforcement purpose, if any person on the vessel surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop.

(J) Division (L) of section 2923.16 of the Revised Code applies with respect to division (A)(2) of this section, except that all references in division (L) of section 2923.16 of the Revised Code to "vehicle," to "this chapter," or to "division (K)(5)(a) or (b) of this section" shall be construed for purposes of this section to be, respectively, references to "vessel," to "section 1547.69 of the Revised Code," and to divisions (K)(5)(a) and (b) of section 2923.16 of the Revised Code as incorporated under the definition of firearm adopted under division (A)(2) of this section."

In line 82, strike through "It is an affirmative defense to a charge under"

In line 83, strike through "division" and insert "(1) Division"; strike through the second "of" and insert "does not apply to a person"

In line 85, strike through "that" and insert "if"; strike through "actor" and insert "person"

In line 86, strike through "that"

In line 87, strike through "(1)" and insert "(a)"

In line 88, strike through the first "actor" and insert "person"; strike through the second "actor" and insert "person"

In line 89, strike through "actor's" and insert "person's"

In line 92, strike through "actor" and insert "person"

In line 94, strike through "(2)" and insert "(b)"

In line 95, strike through the first "actor" and insert "person"; strike through the second "actor" and insert "person"

In line 97, strike through the first "actor" and insert "person"; strike through "actor's" and insert "person's"

In line 98, strike through "actor's" and insert "person's"

In line 100, strike through "(3)" and insert "(c)"

In line 101, strike through the first "actor" and insert "person"; strike through "actor's" and insert "person's"; after "home." insert:

"(2) Notwithstanding section 2901.05 of the Revised Code, if, at the trial of a person who is accused of a violation of division (A)(1) of this section, there is evidence presented that tends to support that the accused person carried the concealed deadly weapon other than a handgun and other than a dangerous ordnance under the authority provided in division (D)(1) of this section, the prosecution must prove beyond a reasonable doubt that the accused person did not carry the concealed deadly weapon under that authority."

Delete lines 258 through 260 and insert:

"Sec. 2923.16. (A) No person shall knowingly discharge a firearm while in or on a motor vehicle.

(B) No person shall knowingly transport or have a loaded firearm in a motor vehicle in such a manner that the firearm is accessible to the operator or any passenger without leaving the vehicle.

(C) No person shall knowingly transport or have a firearm in a motor vehicle, unless the person may lawfully possess that firearm under applicable law of this state or the United States, the firearm is unloaded, and the firearm is carried in one of the following ways:

- (1) In a closed package, box, or case;
- (2) In a compartment that can be reached only by leaving the vehicle;
- (3) In plain sight and secured in a rack or holder made for the purpose;

(4) If the firearm is at least twenty-four inches in overall length as measured from the muzzle to the part of the stock furthest from the muzzle and if the barrel is at least eighteen inches in length, either in plain sight with the action open or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or which cannot easily be stripped, in plain sight.

(D) No person shall knowingly transport or have a loaded handgun in a motor vehicle if, at the time of that transportation or possession, any of the following applies:

(1) The person is under the influence of alcohol, a drug of abuse, or a combination of them.

(2) The person's whole blood, blood serum or plasma, breath, or urine contains a concentration of alcohol, a listed controlled substance, or a listed metabolite of a controlled substance prohibited for persons operating a vehicle, as specified in division (A) of section 4511.19 of the Revised Code, regardless of whether the person at the time of the transportation or possession as described in this division is the operator of or a passenger in the motor vehicle.

(E) No person who has been issued a concealed handgun license or who is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of section 2923.125 of the Revised Code, who is the driver or an occupant of a motor vehicle that is stopped as a result of a traffic stop or a stop for another law enforcement purpose or is the driver or an occupant of a commercial motor vehicle that is stopped by an employee of the motor carrier enforcement unit for the purposes defined in section 5503.34 of the Revised Code, and who is transporting or has a loaded handgun in the motor vehicle or commercial motor vehicle in any manner, shall do any of the following:

(1) Fail to promptly inform any law enforcement officer who approaches the vehicle while stopped that the person has been issued a concealed handgun license or is authorized to carry a concealed handgun as an active duty member of the armed forces of the United States and that the person then possesses or has a loaded handgun in the motor vehicle;

(2) Fail to promptly inform the employee of the unit who approaches the vehicle while stopped that the person has been issued a concealed handgun license or is authorized to carry a concealed handgun as an active duty member of the armed forces of the United States and that the person then possesses or has a loaded handgun in the commercial motor vehicle;

(3) Knowingly fail to remain in the motor vehicle while stopped or knowingly fail to keep the person's hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer;

(4) Knowingly have contact with the loaded handgun by touching it with the person's hands or fingers in the motor vehicle at any time after the law enforcement officer begins approaching and before the law enforcement officer leaves, unless the person has contact with the loaded handgun

pursuant to and in accordance with directions given by the law enforcement officer;

(5) Knowingly disregard or fail to comply with any lawful order of any law enforcement officer given while the motor vehicle is stopped, including, but not limited to, a specific order to the person to keep the person's hands in plain sight.

(F)(1) Divisions (A), (B), (C), and (E) of this section do not apply to any of the following:

(a) An officer, agent, or employee of this or any other state or the United States, or a law enforcement officer, when authorized to carry or have loaded or accessible firearms in motor vehicles and acting within the scope of the officer's, agent's, or employee's duties;

(b) Any person who is employed in this state, who is authorized to carry or have loaded or accessible firearms in motor vehicles, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in division (F)(1)(b) of this section does not apply to the person.

(2) Division (A) of this section does not apply to a person if all of the following circumstances apply:

(a) The person discharges a firearm from a motor vehicle at a coyote or groundhog, the discharge is not during the deer gun hunting season as set by the chief of the division of wildlife of the department of natural resources, and the discharge at the coyote or groundhog, but for the operation of this section, is lawful.

(b) The motor vehicle from which the person discharges the firearm is on real property that is located in an unincorporated area of a township and that either is zoned for agriculture or is used for agriculture.

(c) The person owns the real property described in division (F)(2)(b) of this section, is the spouse or a child of another person who owns that real property, is a tenant of another person who owns that real property, or is the spouse or a child of a tenant of another person who owns that real property.

(d) The person does not discharge the firearm in any of the following manners:

(i) While under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;

(ii) In the direction of a street, highway, or other public or private property used by the public for vehicular traffic or parking;

(iii) At or into an occupied structure that is a permanent or temporary habitation;

(iv) In the commission of any violation of law, including, but not limited to, a felony that includes, as an essential element, purposely or

knowingly causing or attempting to cause the death of or physical harm to another and that was committed by discharging a firearm from a motor vehicle.

(3) Division (A) of this section does not apply to a person if all of the following apply:

(a) The person possesses a valid all-purpose vehicle permit issued under section 1533.103 of the Revised Code by the chief of the division of wildlife.

(b) The person discharges a firearm at a wild quadruped or game bird as defined in section 1531.01 of the Revised Code during the open hunting season for the applicable wild quadruped or game bird.

(c) The person discharges a firearm from a stationary all-purpose vehicle as defined in section 1531.01 of the Revised Code from private or publicly owned lands or from a motor vehicle that is parked on a road that is owned or administered by the division of wildlife.

(d) The person does not discharge the firearm in any of the following manners:

(i) While under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;

(ii) In the direction of a street, a highway, or other public or private property that is used by the public for vehicular traffic or parking;

(iii) At or into an occupied structure that is a permanent or temporary habitation;

(iv) In the commission of any violation of law, including, but not limited to, a felony that includes, as an essential element, purposely or knowingly causing or attempting to cause the death of or physical harm to another and that was committed by discharging a firearm from a motor vehicle.

(4) Divisions (B) and (C) of this section do not apply to a person if all of the following circumstances apply:

(a) At the time of the alleged violation of either of those divisions, the person is the operator of or a passenger in a motor vehicle.

(b) The motor vehicle is on real property that is located in an unincorporated area of a township and that either is zoned for agriculture or is used for agriculture.

(c) The person owns the real property described in division (D)(4)(b) of this section, is the spouse or a child of another person who owns that real property, is a tenant of another person who owns that real property, or is the spouse or a child of a tenant of another person who owns that real property.

(d) The person, prior to arriving at the real property described in division (D)(4)(b) of this section, did not transport or possess a firearm in the

motor vehicle in a manner prohibited by division (B) or (C) of this section while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic or parking.

(5) Divisions (B) and (C) of this section do not apply to a person who transports or possesses a handgun in a motor vehicle if, at the time of that transportation or possession, both of the following apply:

(a) The person transporting or possessing the handgun is either carrying a valid concealed handgun license or is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of section 2923.125 of the Revised Code.

(b) The person transporting or possessing the handgun is not knowingly in a place described in division (B) of section 2923.126 of the Revised Code.

(6) Divisions (B) and (C) of this section do not apply to a person if all of the following apply:

(a) The person possesses a valid all-purpose vehicle permit issued under section 1533.103 of the Revised Code by the chief of the division of wildlife.

(b) The person is on or in an all-purpose vehicle as defined in section 1531.01 of the Revised Code or a motor vehicle during the open hunting season for a wild quadruped or game bird.

(c) The person is on or in an all-purpose vehicle as defined in section 1531.01 of the Revised Code on private or publicly owned lands or on or in a motor vehicle that is parked on a road that is owned or administered by the division of wildlife.

(7) Nothing in this section prohibits or restricts a person from possessing, storing, or leaving a firearm in a locked motor vehicle that is parked in the state underground parking garage at the state capitol building or in the parking garage at the Riffe center for government and the arts in Columbus, if the person's transportation and possession of the firearm in the motor vehicle while traveling to the premises or facility was not in violation of division (A), (B), (C), (D), or (E) of this section or any other provision of the Revised Code.

(G)(1) The affirmative defenses authorized in divisions ~~(D)(1) and (2)~~ (E)(1)(a) and (b) of section ~~2923.12-1547.69~~ of the Revised Code are affirmative defenses to a charge under division (B) or (C) of this section that involves a firearm other than a handgun.

(2) It is an affirmative defense to a charge under division (B) or (C) of this section of improperly handling firearms in a motor vehicle that the actor transported or had the firearm in the motor vehicle for any lawful

purpose and while the motor vehicle was on the actor's own property, provided that this affirmative defense is not available unless the person, immediately prior to arriving at the actor's own property, did not transport or possess the firearm in a motor vehicle in a manner prohibited by division (B) or (C) of this section while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.

(H)(1) No person who is charged with a violation of division (B), (C), or (D) of this section shall be required to obtain a concealed handgun license as a condition for the dismissal of the charge.

(2)(a) If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of division (E) of this section as it existed prior to September 30, 2011, and if the conduct that was the basis of the violation no longer would be a violation of division (E) of this section on or after September 30, 2011, the person may file an application under section 2953.37 of the Revised Code requesting the expungement of the record of conviction.

If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of division (B) or (C) of this section as the division existed prior to September 30, 2011, and if the conduct that was the basis of the violation no longer would be a violation of division (B) or (C) of this section on or after September 30, 2011, due to the application of division (F)(5) of this section as it exists on and after September 30, 2011, the person may file an application under section 2953.37 of the Revised Code requesting the expungement of the record of conviction.

(b) The attorney general shall develop a public media advisory that summarizes the expungement procedure established under section 2953.37 of the Revised Code and the offenders identified in division (H)(2)(a) of this section who are authorized to apply for the expungement. Within thirty days after September 30, 2011, the attorney general shall provide a copy of the advisory to each daily newspaper published in this state and each television station that broadcasts in this state. The attorney general may provide the advisory in a tangible form, an electronic form, or in both tangible and electronic forms.

(I) Whoever violates this section is guilty of improperly handling firearms in a motor vehicle. Violation of division (A) of this section is a felony of the fourth degree. Violation of division (C) of this section is a misdemeanor of the fourth degree. A violation of division (D) of this section is a felony of the fifth degree or, if the loaded handgun is concealed on the person's person, a felony of the fourth degree. Except as otherwise provided in this division, a violation of division (E)(1) or (2) of this section is a misdemeanor of the first degree, and, in addition to any other penalty or sanction imposed for the violation, the offender's concealed handgun license

shall be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code. If at the time of the stop of the offender for a traffic stop, for another law enforcement purpose, or for a purpose defined in section 5503.34 of the Revised Code that was the basis of the violation any law enforcement officer involved with the stop or the employee of the motor carrier enforcement unit who made the stop had actual knowledge of the offender's status as a licensee, a violation of division (E)(1) or (2) of this section is a minor misdemeanor, and the offender's concealed handgun license shall not be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code. A violation of division (E)(4) of this section is a felony of the fifth degree. A violation of division (E)(3) or (5) of this section is a misdemeanor of the first degree or, if the offender previously has been convicted of or pleaded guilty to a violation of division (E)(3) or (5) of this section, a felony of the fifth degree. In addition to any other penalty or sanction imposed for a misdemeanor violation of division (E)(3) or (5) of this section, the offender's concealed handgun license shall be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code. A violation of division (B) of this section is a felony of the fourth degree.

(J) If a law enforcement officer stops a motor vehicle for a traffic stop or any other purpose, if any person in the motor vehicle surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop. If a court orders a law enforcement officer to return a firearm to a person pursuant to the requirement set forth in this division, division (B) of section 2923.163 of the Revised Code applies.

(K) As used in this section:

(1) "Motor vehicle," "street," and "highway" have the same meanings as in section 4511.01 of the Revised Code.

(2) "Occupied structure" has the same meaning as in section 2909.01 of the Revised Code.

(3) "Agriculture" has the same meaning as in section 519.01 of the Revised Code.

(4) "Tenant" has the same meaning as in section 1531.01 of the Revised Code.

(5)(a) "Unloaded" means, with respect to a firearm other than a firearm described in division (K)(6) of this section, that no ammunition is in the firearm in question, no magazine or speed loader containing ammunition is inserted into the firearm in question, and one of the following applies:

(i) There is no ammunition in a magazine or speed loader that is in

the vehicle in question and that may be used with the firearm in question.

(ii) Any magazine or speed loader that contains ammunition and that may be used with the firearm in question is stored in a compartment within the vehicle in question that cannot be accessed without leaving the vehicle or is stored in a container that provides complete and separate enclosure.

(b) For the purposes of division (K)(5)(a)(ii) of this section, a "container that provides complete and separate enclosure" includes, but is not limited to, any of the following:

(i) A package, box, or case with multiple compartments, as long as the loaded magazine or speed loader and the firearm in question either are in separate compartments within the package, box, or case, or, if they are in the same compartment, the magazine or speed loader is contained within a separate enclosure in that compartment that does not contain the firearm and that closes using a snap, button, buckle, zipper, hook and loop closing mechanism, or other fastener that must be opened to access the contents or the firearm is contained within a separate enclosure of that nature in that compartment that does not contain the magazine or speed loader;

(ii) A pocket or other enclosure on the person of the person in question that closes using a snap, button, buckle, zipper, hook and loop closing mechanism, or other fastener that must be opened to access the contents.

(c) For the purposes of divisions (K)(5)(a) and (b) of this section, ammunition held in stripper-clips or in en-bloc clips is not considered ammunition that is loaded into a magazine or speed loader.

(6) "Unloaded" means, with respect to a firearm employing a percussion cap, flintlock, or other obsolete ignition system, when the weapon is uncapped or when the priming charge is removed from the pan.

(7) "Commercial motor vehicle" has the same meaning as in division (A) of section 4506.25 of the Revised Code.

(8) "Motor carrier enforcement unit" means the motor carrier enforcement unit in the department of public safety, division of state highway patrol, that is created by section 5503.34 of the Revised Code.

(L) Divisions (K)(5)(a) and (b) of this section do not affect the authority of a person who is carrying a valid concealed handgun license to have one or more magazines or speed loaders containing ammunition anywhere in a vehicle, without being transported as described in those divisions, as long as no ammunition is in a firearm, other than a handgun, in the vehicle other than as permitted under any other provision of this chapter. A person who is carrying a valid concealed handgun license may have one or more magazines or speed loaders containing ammunition anywhere in a vehicle without further restriction, as long as no ammunition is in a firearm, other than a handgun, in the vehicle other than as permitted under any

provision of this chapter."

In line 430, after "sections" insert "1547.69,"; after "2923.12" insert ", 2923.16"

The question being, "Shall the motion to amend be agreed to?"

Representative Seitz moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 53, nays 31, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Butler	Callender	Carfagna	Carruthers
Cutrona	Dean	Edwards	Fraizer
Ghanbari	Ginter	Green	Greenspan
Hambley	Hillyer	Holmes, A.	Hood
Hoops	Jones	Jordan	Keller
Kick	Koehler	Lanese	Lang
LaRe	Lipps	Manchester	Manning, G.
McClain	Merrin	Oelslager	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Roemer	Romanchuk	Seitz
Smith, T.	Stein	Stephens	Stoltzfus
Swearingen	Wiggam	Wilkin	Zeltwanger
			Cupp-53

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Brinkman
Cera	Clites	Crawley	Crossman
Denson	Galonski	Hicks-Hudson	Howse
Ingram	Kelly	Leland	Lightbody
Liston	Miller, A.	Miller, J.	Miranda
O'Brien	Robinson	Russo	Sheehy
Skindell	Smith, K.	Sobecki	Strahorn
Sweeney	Sykes		West-31

The motion to amend was laid on the table.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 59, nays 25, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Brinkman	Butler	Callender
Carfagna	Carruthers	Cera	Clites
Cutrona	Dean	Edwards	Fraizer
Ghanbari	Ginter	Green	Greenspan
Hambley	Hillyer	Holmes, A.	Hood
Hoops	Howse	Jones	Jordan
Keller	Kick	Koehler	Lanese
Lang	LaRe	Lipps	Manchester
Manning, G.	McClain	Merrin	Oelslager
Perales	Plummer	Powell	Reineke
Richardson	Riedel	Roemer	Romanchuk
Seitz	Skindell	Smith, T.	Stein

Stephens
Wilkin

Stoltzfus
Zeltwanger

Swearingen

Wiggam
Cupp-59

Those who voted in the negative were: Representatives

Boggs

Brent

Crawley

Crossman

Denson

Galonski

Hicks-Hudson

Ingram

Kelly

Leland

Lightbody

Liston

Miller, A.

Miller, J.

Miranda

O'Brien

Robinson

Russo

Sheehy

Smith, K.

Sobecki

Strahorn

Sweeney

Sykes

West-25

The bill passed.

Representative Lang moved to amend the title as follows:

Add the names: "Brinkman, Cutrona, Wiggam."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 68-Senator Williams.

Cosponsors: Senators Antonio, Thomas, Sykes, Uecker, Huffman, M., Eklund, Brenner, Hackett, Maharath, Burke, Coley, Craig, Dolan, Fedor, Gavarone, Hoagland, Hottinger, Huffman, S., Kunze, Lehner, Manning, McColley, Obhof, O'Brien, Peterson, Rulli, Schuring, Terhar, Wilson, Yuko
Representatives Lang, Leland, Crossman, Galonski, Seitz, West.

To amend sections 109.73, 109.803, 3301.0721, 3314.03, 3326.11, 3328.24, 4503.102, 4505.071, 4506.08, 4506.13, 4506.14, 4507.09, 4507.11, 4507.21, 4507.23, 4507.24, 4507.30, 4507.50, 4507.52, 4508.02, 4510.10, 4511.521, 4779.08, 4779.10, 4779.11, 4779.12, 4779.17, 4779.18, and 4779.35 and to enact sections 3313.6025, 4501.025, 4501.027, 4507.112, 4507.40, and 4508.022 of the Revised Code to make changes to the laws governing police and driver education, driver's licenses and testing, motor vehicle title transactions, and Bureau of Motor Vehicles transactions; and to establish requirements related to orthotics and prosthetics licensure, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Hood moved to amend, amendment 4146.

Pursuant to House Rule 91(f), Speaker Cupp ruled the amendment out of order.

Representative Hood appealed the decision of the Chair.

The question being, "Shall the decision of the Chair be sustained?"

The yeas and nays were taken and resulted – yeas 71, nays 13, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Blair
Boggs	Brent	Butler	Callender
Carfagna	Carruthers	Cera	Clites
Crawley	Crossman	Cutrona	Denson
Fraizer	Galonski	Ghanbari	Ginter
Green	Greenspan	Hambley	Hicks-Hudson
Hillyer	Holmes, A.	Hoops	Howse
Ingram	Jones	Kelly	Kick
Koehler	Lanese	LaRe	Leland
Lightbody	Lipps	Liston	Manchester
Manning, G.	McClain	Merrin	Miller, A.
Miller, J.	Miranda	O'Brien	Oelslager
Perales	Plummer	Reineke	Richardson
Robinson	Roemer	Romanchuk	Russo
Seitz	Sheehy	Skindell	Smith, K.
Smith, T.	Sobecki	Stein	Stephens
Strahorn	Swearingen	Sweeney	Sykes
West	Wilkin		Cupp-71

Those who voted in the negative were: Representatives

Becker	Brinkman	Dean	Edwards
Hood	Jordan	Keller	Lang
Powell	Riedel	Stoltzfus	Wiggam
			Zeltwanger-13

The decision of the Chair was sustained.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 84, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Butler	Callender	Carfagna	Carruthers
Cera	Clites	Crawley	Crossman
Cutrona	Dean	Denson	Edwards
Fraizer	Galonski	Ghanbari	Ginter
Green	Greenspan	Hambley	Hicks-Hudson
Hillyer	Holmes, A.	Hood	Hoops
Howse	Ingram	Jones	Jordan
Keller	Kelly	Kick	Koehler
Lanese	Lang	LaRe	Leland
Lightbody	Lipps	Liston	Manchester
Manning, G.	McClain	Merrin	Miller, A.
Miller, J.	Miranda	O'Brien	Oelslager
Perales	Plummer	Powell	Reineke
Richardson	Riedel	Robinson	Roemer
Romanchuk	Russo	Seitz	Sheehy
Skindell	Smith, K.	Smith, T.	Sobecki
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	West
Wiggam	Wilkin	Zeltwanger	Cupp-84

The bill passed.

Representative Lang moved to amend the title as follows:

Add the names: "Brent, Hicks-Hudson, Howse, Ingram, Lightbody, Merrin, Miller, A., Miller, J., O'Brien, Reineke, Russo, Sheehy, Smith, T., Sobecki, Stein, Strahorn, Sweeney, Sykes."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 256-Senators Manning, Lehner.

Cosponsors: Senators Eklund, Antonio, Blessing, Burke, Craig, Dolan, Fedor, Hackett, Hottinger, Huffman, S., Kunze, Maharath, Sykes, Thomas, Williams, Wilson Representatives Lang, Leland, Crossman, Galonski, West.

To amend sections 2151.35, 2907.02, 2909.24, 2929.02, 2929.03, 2929.06, 2929.14, 2929.19, 2967.13, 2971.03, and 5149.101 and to enact sections 2929.07 and 2967.132 of the Revised Code regarding a bar against a sentence of life without parole, and special parole dates, for offenders who committed the offense when under age 18 and regarding dispositional hearings for abused, neglected, and dependent children, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 75, nays 9, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldridge	Becker	Boggs
Brent	Brinkman	Callender	Carfagna
Carruthers	Cera	Clites	Crawley
Crossman	Cutrona	Dean	Denson
Fraizer	Galonski	Ghanbari	Ginter
Green	Greenspan	Hambley	Hicks-Hudson
Hillyer	Holmes, A.	Hood	Hoops
Howse	Ingram	Jones	Jordan
Keller	Kelly	Kick	Koehler
Lanese	Lang	LaRe	Leland
Lightbody	Lipps	Liston	Manchester
Manning, G.	McClain	Miller, A.	Miller, J.
Miranda	Oelslager	Perales	Plummer
Reineke	Richardson	Riedel	Robinson
Roemer	Romanchuk	Russo	Seitz
Sheehy	Skindell	Smith, K.	Smith, T.
Sobecki	Stein	Stephens	Stoltzfus
Strahorn	Swearingen	Sweeney	Sykes
West	Wilkin		Cupp-75

Those who voted in the negative were: Representatives

Antani	Blair	Butler	Edwards
Merrin	O'Brien	Powell	Wiggam
			Zeltwanger-9

The bill passed.

Representative Lang moved to amend the title as follows:

Add the names: "Crawley, Cutrona, Ingram, Lightbody, Miller, J., Russo, Seitz, Sheehy, Smith, K., Smith, T., Sobecki, Sweeney, Sykes."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 331-Senator Roegner.

Cosponsors: Senators Schuring, Hoagland Representatives Wiggam, Hambley.

To amend sections 101.83, 101.84, 101.85, 101.86, 101.87, 105.911, 150.06, 181.21, 355.02, 355.03, 355.04, 501.04, 3301.079, 3711.12, 4723.493, and 4723.50 and to repeal sections 133.021, 181.22, 181.26, 501.041, 718.60, 1521.031, 3711.20, 3711.21, 3711.22, 4723.49, 4723.491, 4723.492, 5101.345, 5101.91, 5101.92, 5913.12, 5913.13, and 5913.14 of the Revised Code and to repeal Section 209.61 of H.B. 49 of the 132nd General Assembly, Section 3 of H.B. 66 of the 132nd General Assembly, Sections 701.05 and 751.30 of H.B. 64 of the 131st General Assembly, and Section 265.70.20 of H.B. 1 of the 128th General Assembly to implement the recommendations of the Sunset Review Committee by terminating or renewing various agencies, and to require a Sunset Review Committee to be convened during each General Assembly, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Wiggam moved to amend, amendment 4199, as follows:

In line 479, strike through "181.26" and insert "181.25"

In line 490, strike through "181.26" and insert "181.25"

The question being, "Shall the motion to amend be agreed to?"

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted – yeas 83, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Becker	Blair
Boggs	Brent	Brinkman	Butler
Callender	Carfagna	Carruthers	Cera
Clites	Crawley	Crossman	Cutrona
Dean	Denson	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Hambley	Hicks-Hudson	Hillyer
Holmes, A.	Hood	Hoops	Howse
Ingram	Jones	Jordan	Keller
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lightbody
Lipps	Liston	Manchester	Manning, G.

McClain	Merrin	Miller, A.	Miller, J.
Miranda	O'Brien	Oelslager	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Romanchuk
Russo	Seitz	Sheehy	Skindell
Smith, K.	Smith, T.	Sobecki	Stein
Stephens	Stoltzfus	Strahorn	Swearingen
Sweeney	Sykes	West	Wiggam
Wilkin	Zeltwanger		Cupp-83

Representative Antani voted in the negative-1.

The bill passed.

Sub. S. B. No. 259-Senator Sykes.

Cosponsors: Senators Maharath, Manning, Antonio, Blessing, Burke, Craig, Fedor, Hottinger, Kunze, Lehner, O'Brien, Schuring, Thomas, Williams Representative Wiggam.

To amend sections 727.13, 727.14, 3333.26, and 5715.19 and to enact sections 9.239, 308.20, 308.21, 308.22, 308.23, 308.24, 308.25, 3318.038, and 3781.1011 of the Revised Code to modify the law governing property tax complaints, special assessments, economic development, energy-efficient public building design, classroom facility construction, and battery-charged fences, to authorize the conveyance of certain state-owned property, and to enact the "Anthony Dia Act" regarding residency determination for tuition and fee waivers for survivors of service officers and service members killed in the line of duty, and to make other changes to those waivers, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 82, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Butler	Callender	Carfagna	Carruthers
Cera	Clites	Crawley	Crossman
Cutrona	Denson	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Hambley	Hicks-Hudson	Hillyer
Holmes, A.	Hood	Hoops	Howse
Ingram	Jones	Jordan	Kelly
Kick	Koehler	Lanese	Lang
LaRe	Leland	Lightbody	Lipps
Liston	Manchester	Manning, G.	McClain
Merrin	Miller, A.	Miller, J.	Miranda
O'Brien	Oelslager	Perales	Plummer
Powell	Reineke	Richardson	Riedel
Robinson	Roemer	Romanchuk	Russo
Seitz	Sheehy	Skindell	Smith, K.
Smith, T.	Sobecki	Stein	Stephens
Stoltzfus	Strahorn	Swearingen	Sweeney

Sykes
Zeltwanger

West

Wiggam

Wilkin
Cupp-82

Representatives Dean and Keller voted in the negative-2.

The bill passed.

Representative Wiggam moved to amend the title as follows:

Add the names: "Crawley, Galonski, Miller, J., Perales, Sheehy, Sykes, West."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 312-Senator McColley.

Cosponsors: Senators Coley, Antonio, Blessing, Burke, Craig, Eklund, Fedor, Hackett, Hoagland, Huffman, M., O'Brien, Sykes, Wilson, Yuko
Representative Lang.

To amend sections 1901.123, 1907.143, 2151.07, 2301.02, and 2301.03 and to enact section 2101.027 of the Revised Code to reallocate jurisdictional responsibilities of current judges of the Hardin County Court of Common Pleas, to create the Domestic Relations Division of the Hardin County Court of Common Pleas, and to modify the provisions regarding the reimbursement of assigned municipal and county court judges, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Ginter moved to amend, amendment 3971-2, as follows:

In line 1 of the title, after "1901.123" insert ", 1901.34"

In line 7 of the title, delete "and"

In line 10 of the title, after "judges" insert ", to require that the Columbiana County prosecuting attorney prosecute all violations of state law arising in the county, and to declare an emergency"

In line 11, after "1901.123" insert ", 1901.34"

After line 71, insert:

"Sec. 1901.34. (A) Except as provided in divisions (B) and (D) of this section, the village solicitor, city director of law, or similar chief legal officer for each municipal corporation within the territory of a municipal court shall prosecute all cases brought before the municipal court for criminal offenses occurring within the municipal corporation for which that person is the solicitor, director of law, or similar chief legal officer. Except as provided in division (B) of this section, the village solicitor, city director of law, or similar chief legal officer of the municipal corporation in which a municipal court is located shall prosecute all criminal cases brought before the court arising in the unincorporated areas within the territory of the municipal court.

(B) The Auglaize county, Brown county, Clermont county, Columbiana county, Hocking county, Holmes county, Jackson county, Morrow county, Ottawa county, Paulding county, Perry county, Portage county, and Putnam county prosecuting attorneys shall prosecute in municipal court all violations of state law arising in their respective counties. The Carroll county, Crawford county, Hamilton county, Madison county, and Wayne county prosecuting attorneys and beginning January 1, 2008, the Erie county prosecuting attorney shall prosecute all violations of state law arising within the unincorporated areas of their respective counties. ~~The Columbiana county prosecuting attorney shall prosecute in the Columbiana county municipal court all violations of state law arising in the county, except for violations arising in the municipal corporation of East Liverpool, Liverpool township, or St. Clair township.~~ The Darke county prosecuting attorney shall prosecute in the Darke county municipal court all violations of state law arising in the county, except for violations of state law arising in the municipal corporation of Greenville and violations of state law arising in the village of Versailles. The Greene county board of county commissioners may provide for the prosecution of all violations of state law arising within the territorial jurisdiction of any municipal court located in Greene county. The Montgomery county prosecuting attorney shall prosecute in the Montgomery county municipal court all felony, misdemeanor, and traffic violations arising in the unincorporated townships of Jefferson, Jackson, Perry, and Clay and all felony violations of state law and all violations involving a state or county agency arising within the jurisdiction of the court. All other violations arising in the territory of the Montgomery county municipal court shall be prosecuted by the village solicitor, city director of law, or similar chief legal officer for each municipal corporation within the territory of the Montgomery county municipal court.

The prosecuting attorney of any county given the duty of prosecuting in municipal court violations of state law shall receive no additional compensation for assuming these additional duties, except that the prosecuting attorney of Hamilton, Portage, and Wayne counties shall receive compensation at the rate of four thousand eight hundred dollars per year, and the prosecuting attorney of Auglaize county shall receive compensation at the rate of one thousand eight hundred dollars per year, each payable from the county treasury of the respective counties in semimonthly installments.

(C) The village solicitor, city director of law, or similar chief legal officer shall perform the same duties, insofar as they are applicable to the village solicitor, city director of law, or similar chief legal officer, as are required of the prosecuting attorney of the county. The village solicitor, city director of law, similar chief legal officer or any assistants who may be appointed shall receive for such services additional compensation to be paid from the treasury of the county as the board of county commissioners prescribes.

(D) The prosecuting attorney of any county, other than Auglaize, Brown, Clermont, Hocking, Holmes, Jackson, Morrow, Ottawa, Paulding, Perry, Portage, or Putnam county, may enter into an agreement with any municipal corporation in the county in which the prosecuting attorney serves pursuant to which the prosecuting attorney prosecutes all criminal cases brought before the municipal court that has territorial jurisdiction over that municipal corporation for criminal offenses occurring within the municipal corporation. The prosecuting attorney of Auglaize, Brown, Clermont, Hocking, Holmes, Jackson, Morrow, Ottawa, Paulding, Perry, Portage, or Putnam county may enter into an agreement with any municipal corporation in the county in which the prosecuting attorney serves pursuant to which the respective prosecuting attorney prosecutes all cases brought before the Auglaize county, Brown county, Clermont county, Hocking county, Holmes county, Jackson county, Morrow county, Ottawa county, Paulding county, Perry county, Portage county, or Putnam county municipal court for violations of the ordinances of the municipal corporation or for criminal offenses other than violations of state law occurring within the municipal corporation. For prosecuting these cases, the prosecuting attorney and the municipal corporation may agree upon a fee to be paid by the municipal corporation, which fee shall be paid into the county treasury, to be used to cover expenses of the office of the prosecuting attorney."

In line 1921, after "1901.123" insert ", 1901.34"

After line 1923, insert:

"Section 3. Section 1901.34 of the Revised Code is presented in this act as a composite of the section as amended by both H.B. 215 and S.B. 25 of the 132nd General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.

Section 4. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to reduce the present burden on chief legal officers in East Liverpool, Liverpool township, and St. Clair township. Therefore, this act shall go into immediate effect. "

The question being, "Shall the motion to amend be agreed to?"

The motion was agreed to and the bill so amended.

The question being, "Shall the emergency clause stand as part of the bill as amended?"

The yeas and nays were taken and resulted – yeas 81, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Abrams

Antani

Baldrige

Becker

Blair	Boggs	Brent	Butler
Callender	Carfagna	Carruthers	Cera
Clites	Crawley	Crossman	Cutrona
Dean	Denson	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Hambley	Hicks-Hudson	Hillyer
Holmes, A.	Hood	Hoops	Howse
Ingram	Jones	Jordan	Keller
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lightbody
Lipps	Liston	Manchester	Manning, G.
McClain	Merrin	Miller, A.	Miller, J.
Miranda	O'Brien	Oelslager	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Romanchuk
Russo	Seitz	Sheehy	Skindell
Smith, K.	Smith, T.	Sobecki	Stein
Stephens	Strahorn	Swearingen	Sweeney
Sykes	West	Wilkin	Zeltwanger
			Cupp-81

Representatives Brinkman and Wiggam voted in the negative-2.

Having received the required Constitutional majority, the emergency clause stood as part of the bill.

The question being, "Shall the bill as amended pass as an emergency measure?"

The yeas and nays were taken and resulted – yeas 84, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldridge	Becker
Blair	Boggs	Brent	Brinkman
Butler	Callender	Carfagna	Carruthers
Cera	Clites	Crawley	Crossman
Cutrona	Dean	Denson	Edwards
Fraizer	Galonski	Ghanbari	Ginter
Green	Greenspan	Hambley	Hicks-Hudson
Hillyer	Holmes, A.	Hood	Hoops
Howse	Ingram	Jones	Jordan
Keller	Kelly	Kick	Koehler
Lanese	Lang	LaRe	Leland
Lightbody	Lipps	Liston	Manchester
Manning, G.	McClain	Merrin	Miller, A.
Miller, J.	Miranda	O'Brien	Oelslager
Perales	Plummer	Powell	Reineke
Richardson	Riedel	Robinson	Roemer
Romanchuk	Russo	Seitz	Sheehy
Skindell	Smith, K.	Smith, T.	Sobecki
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	West
Wiggam	Wilkin	Zeltwanger	Cupp-84

Having received the required constitutional majority, the bill passed as an emergency measure.

Representative Ginter moved to amend the title as follows:

Add the name: "Miller, A.."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 194-Senator Rulli.

Cosponsors: Senators Schaffer, Schuring, Antonio, Blessing, Brenner, Burke, Coley, Craig, Dolan, Eklund, Fedor, Gavarone, Hackett, Hoagland, Hottinger, Huffman, M., Huffman, S., Johnson, Kunze, Lehner, Maharath, Manning, McColley, Obhof, O'Brien, Peterson, Roegner, Sykes, Thomas, Williams, Wilson, Yuko Representatives Wiggam, Hambley.

To amend sections 109.32, 109.572, 2915.01, 2915.08, 2915.081, 2915.082, 2915.09, 2915.091, 2915.093, 2915.095, 2915.10, 2915.101, 2915.12, 2915.13, 3506.01, 3506.04, 3506.05, 3506.06, 3506.07, 3506.10, 3513.041, 3513.05, 3513.262, and 3513.263 and to enact sections 2915.14, 2915.15, and 3506.16 of the Revised Code to rename the Board of Voting Machine Examiners as the Board of Voting Systems Examiners, to require the Board to approve voter registration systems for use in Ohio, to require a board of elections to decide a protest against a candidate filing by a particular deadline, to allow veteran's and fraternal organizations to conduct electronic instant bingo, and to make other changes to the law governing bingo, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 78, nays 6, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Butler	Callender	Carfagna	Carruthers
Cera	Clites	Crawley	Crossman
Cutrona	Denson	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Hambley	Hicks-Hudson	Hillyer
Holmes, A.	Hoops	Howse	Ingram
Jones	Jordan	Kick	Koehler
Lanese	Lang	LaRe	Leland
Lightbody	Lipps	Liston	Manchester
Manning, G.	McClain	Merrin	Miller, A.
Miller, J.	Miranda	O'Brien	Oelslager
Perales	Plummer	Reineke	Richardson
Riedel	Robinson	Roemer	Romanchuk
Russo	Seitz	Sheehy	Skindell
Smith, K.	Smith, T.	Sobecki	Stein
Stephens	Stoltzfus	Swearingen	Sweeney
Sykes	West	Wiggam	Wilkin
Zeltwanger			Cupp-78

Representatives Dean, Hood, Keller, Kelly, Powell, and Strahorn voted in the negative-6.

The bill passed.

Representative Wiggam moved to amend the title as follows:

Add the names: "Holmes, A., LaRe, Miller, A., Perales, Reineke, Richardson, Seitz, Stein, Stephens, Sweeney."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 276-Senators Roegner, Manning.

Cosponsors: Senators Brenner, Hackett, Eklund, Blessing, Burke, Coley, Craig, Huffman, M., Huffman, S., McColley, O'Brien, Peterson, Rulli, Schaffer, Sykes, Thomas Representative Hambley.

To amend sections 111.16, 122.16, 122.173, 127.16, 135.14, 135.142, 135.35, 150.05, 169.01, 169.03, 169.08, 169.13, 718.01, 1329.01, 1329.02, 1701.03, 1701.05, 1701.791, 1702.05, 1702.411, 1703.04, 1729.36, 1729.38, 1745.461, 1751.01, 1776.69, 1776.82, 1782.02, 1782.432, 1785.09, 3345.203, 3964.03, 3964.17, 4701.14, 4703.18, 4703.331, 4715.18, 4715.22, 4715.365, 4715.431, 4717.06, 4723.16, 4725.33, 4729.161, 4729.541, 4731.226, 4731.228, 4732.28, 4733.16, 4734.17, 4735.24, 4755.111, 4755.471, 4757.37, 5701.14, 5715.19, 5733.04, 5733.33, 5733.42, 5747.01, and 5751.01; to enact sections 169.052, 1706.01, 1706.02, 1706.03, 1706.04, 1706.05, 1706.06, 1706.061, 1706.07, 1706.08, 1706.081, 1706.082, 1706.09, 1706.16, 1706.161, 1706.17, 1706.171, 1706.172, 1706.173, 1706.174, 1706.175, 1706.18, 1706.19, 1706.20, 1706.26, 1706.27, 1706.28, 1706.281, 1706.29, 1706.30, 1706.31, 1706.311, 1706.32, 1706.33, 1706.331, 1706.332, 1706.34, 1706.341, 1706.342, 1706.41, 1706.411, 1706.412, 1706.46, 1706.461, 1706.47, 1706.471, 1706.472, 1706.473, 1706.474, 1706.475, 1706.51, 1706.511, 1706.512, 1706.513, 1706.514, 1706.515, 1706.61, 1706.611, 1706.612, 1706.613, 1706.614, 1706.615, 1706.616, 1706.617, 1706.62, 1706.71, 1706.711, 1706.712, 1706.713, 1706.72, 1706.721, 1706.722, 1706.723, 1706.73, 1706.74, 1706.76, 1706.761, 1706.762, 1706.763, 1706.764, 1706.765, 1706.766, 1706.767, 1706.768, 1706.769, 1706.7610, 1706.7611, 1706.7612, 1706.7613, 1706.81, 1706.82, 1706.83, and 1706.84; and to repeal sections 1705.01, 1705.02, 1705.03, 1705.031, 1705.04, 1705.05, 1705.06, 1705.07, 1705.08, 1705.081, 1705.09, 1705.10, 1705.11, 1705.12, 1705.13, 1705.14, 1705.15, 1705.16, 1705.161, 1705.17, 1705.18, 1705.19, 1705.20, 1705.21, 1705.22, 1705.23, 1705.24, 1705.25, 1705.26, 1705.27, 1705.28, 1705.281, 1705.282, 1705.29, 1705.291, 1705.292, 1705.30, 1705.31, 1705.32, 1705.33, 1705.34, 1705.35, 1705.36, 1705.361, 1705.37, 1705.371, 1705.38, 1705.381, 1705.39, 1705.391, 1705.40, 1705.41, 1705.42, 1705.43, 1705.44, 1705.45, 1705.46, 1705.47, 1705.48, 1705.49,

1705.50, 1705.51, 1705.52, 1705.53, 1705.54, 1705.55, 1705.56, 1705.57, 1705.58, and 1705.61 of the Revised Code to enact the Ohio Revised Limited Liability Company Act and to make changes to the Unclaimed Funds Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Seitz moved to amend, amendment 4189, as follows:

In line 12 of the title, delete "and"

In line 13 of the title, after "5751.01" insert ", and 5751.012"

In line 59, delete the first "and"; after "5751.01" insert ", and 5751.012"

After line 12995, insert:

"Sec. 5751.012. (A) All persons, other than persons enumerated in divisions (E)(2) to (5) of section 5751.01 of the Revised Code, having more than fifty per cent of the value of their ownership interest owned or controlled, directly or constructively through related interests, by common owners during all or any portion of the tax period, together with the common owners, shall be members of a combined taxpayer group if those persons are not members of a consolidated elected taxpayer group pursuant to an election under section 5751.011 of the Revised Code.

(B) A combined taxpayer group shall register, file returns, and pay taxes under this chapter as a single taxpayer and shall neither exclude taxable gross receipts between its members nor from others that are not members.

(C) Any person acquired or formed after the filing of the registration shall be included in the group if the person meets the requirements of division (A) of this section, and the group must notify the commissioner of any additions to the group on a form prescribed by the commissioner for such purpose.

(D)(1) In the case of one or more persons formed under Chapter 1706. of the Revised Code or under the laws of any state or of the United States as a limited liability company and series thereof, such limited liability company and any series thereof shall file as a combined taxpayer for the calendar year if it is determined, by a preponderance of the evidence, that such series of the limited liability company was created, in whole or in part, to avoid paying the tax imposed under this chapter.

(2) A series of a limited liability company shall not be determined to have been created, in whole or in part, to avoid paying the tax imposed under this chapter unless, for a limited liability company or series thereof that would otherwise be subject to the tax imposed under this chapter, the creation of the series results in either the reduction of taxable gross receipts below one hundred fifty thousand dollars or evasion of the bright-line presence standard under division (I) of section 5751.01 of the Revised Code.

(3) A taxpayer required to file as a combined taxpayer for a calendar year under division (D) of this section shall file as a combined taxpayer for all subsequent calendar years unless the taxpayer requests and receives written permission from the tax commissioner to file otherwise or unless the taxpayer has experienced a change in circumstances.

(4) If a limited liability company and the series thereof register and file as a consolidated elected taxpayer, the group may not be required to file as a combined taxpayer under division (D)(1) of this section."

In line 13004, delete "and"; after "5751.01" insert ", and 5751.012"

After line 13037, insert:

"Section 5751.012 of the Revised Code as amended by both H.B. 508 and H.B. 510 of the 129th General Assembly."

The question being, "Shall the motion to amend be agreed to?"

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted – yeas 83, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldridge	Becker	Blair
Boggs	Brent	Brinkman	Butler
Callender	Carfagna	Carruthers	Cera
Clites	Crawley	Crossman	Cutrona
Dean	Denson	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Hambley	Hicks-Hudson	Hillyer
Holmes, A.	Hood	Hoops	Howse
Ingram	Jones	Jordan	Keller
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lightbody
Lipps	Liston	Manchester	Manning, G.
McClain	Merrin	Miller, A.	Miller, J.
Miranda	O'Brien	Oelslager	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Romanchuk
Russo	Seitz	Sheehy	Skindell
Smith, K.	Smith, T.	Sobecki	Stein
Stephens	Stoltzfus	Strahorn	Swearingen
Sweeney	Sykes	West	Wiggam
Wilkin	Zeltwanger		Cupp-83

Representative Antani voted in the negative-1.

The bill passed.

Representative Hambley moved to amend the title as follows:

Add the names: "Seitz, West, Wiggam."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 95-Senators Peterson, Kunze.

Cosponsors: Senators Wilson, Rulli, Hackett, Huffman, S., Lehner, Terhar, Schaffer, Manning, Schuring, Antonio, Craig, Dolan, Eklund, Fedor, Maharath, O'Brien, Sykes, Uecker, Williams Representative Merrin.

To amend sections 107.03, 122.17, 3735.65, 3735.67, 3735.671, 5703.48, 5703.95, 5709.121, 5709.61, 5709.62, 5709.63, 5709.631, 5709.632, 5709.91, 5715.19, 5733.41, 5739.02, 5741.02, 5747.41, and 5751.01 of the Revised Code to modify the laws governing economic development and state and local tax incentives, exemptions, and procedures, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Butler moved that **Sub. S. B. No. 95**-Senators Peterson, Kunze, et al., be informally passed and retain its place on the calendar.

The motion was agreed to without objection.

Sub. S. B. No. 258-Senator Gavarone.

Cosponsors: Senators Roegner, Hackett, Coley, Huffman, S., Antonio, Blessing, Brenner, Burke, Craig, Dolan, Eklund, Fedor, Hoagland, Johnson, Kunze, Lehner, Maharath, Manning, O'Brien, Rulli, Thomas, Williams, Wilson.

To amend sections 503.40, 503.41, 503.42, 503.43, 503.44, 503.47, 503.48, 503.49, 503.50, 715.61, 2927.17, 4731.04, 4731.15, and 4731.41; to enact sections 503.411, 4732.40, and 4732.41; and to repeal sections 503.45 and 503.46 of the Revised Code to enter into the Psychology Interjurisdictional Compact (PSYPACT) and to make changes to the massage therapy licensing law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Ginter moved to amend, amendment 4175, as follows:

In line 3 of the title, after "2927.17" insert ", 2945.37, 2945.371, 2945.38"; after "4731.15" insert ", 4731.41, 5122.02, 5122.03, 5122.11"; delete "4731.41" and insert "5122.111"

In line 4 of the title, delete the first "and"; after "4732.41" insert ", and 5122.112"

In line 7 of the title, after "(PSYPACT)" insert ", to make changes to the requirements for competency evaluations and mental health treatment in criminal cases,"

After line 1643, insert:

"Section 4. That sections 2945.37, 2945.371, 2945.38, 5122.02,

5122.03, 5122.11, and 5122.111 be amended and section 5122.112 of the Revised Code be enacted to read as follows:

Sec. 2945.37. (A) As used in sections 2945.37 to 2945.402 of the Revised Code:

(1) "Prosecutor" means a prosecuting attorney or a city director of law, village solicitor, or similar chief legal officer of a municipal corporation who has authority to prosecute a criminal case that is before the court or the criminal case in which a defendant in a criminal case has been found incompetent to stand trial or not guilty by reason of insanity.

(2) "Examiner" means either of the following:

(a) A psychiatrist or a licensed clinical psychologist who satisfies the criteria of division (I) of section 5122.01 of the Revised Code or is employed by a certified forensic center designated by the department of mental health and addiction services to conduct examinations or evaluations.

(b) For purposes of a separate intellectual disability evaluation that is ordered by a court pursuant to division ~~(H)~~ (I) of section 2945.371 of the Revised Code, a psychologist designated by the director of developmental disabilities pursuant to that section to conduct that separate intellectual disability evaluation.

(3) "Nonsecured status" means any unsupervised, off-grounds movement or trial visit from a hospital or institution, or any conditional release, that is granted to a person who is found incompetent to stand trial and is committed pursuant to section 2945.39 of the Revised Code or to a person who is found not guilty by reason of insanity and is committed pursuant to section 2945.40 of the Revised Code.

(4) "Unsupervised, off-grounds movement" includes only off-grounds privileges that are unsupervised and that have an expectation of return to the hospital or institution on a daily basis.

(5) "Trial visit" means a patient privilege of a longer stated duration of unsupervised community contact with an expectation of return to the hospital or institution at designated times.

(6) "Conditional release" means a commitment status under which the trial court at any time may revoke a person's conditional release and order the rehospitalization or reinstitutionalization of the person as described in division (A) of section 2945.402 of the Revised Code and pursuant to which a person who is found incompetent to stand trial or a person who is found not guilty by reason of insanity lives and receives treatment in the community for a period of time that does not exceed the maximum prison term or term of imprisonment that the person could have received for the offense in question had the person been convicted of the offense instead of being found incompetent to stand trial on the charge of the offense or being found not guilty by reason of insanity relative to the offense.

(7) "Licensed clinical psychologist," "mentally ill person subject to court order," and "psychiatrist" have the same meanings as in section 5122.01 of the Revised Code.

(8) "Person with an intellectual disability subject to institutionalization by court order" has the same meaning as in section 5123.01 of the Revised Code.

(B) In a criminal action in a court of common pleas, a county court, or a municipal court, the court, prosecutor, or defense may raise the issue of the defendant's competence to stand trial. If the issue is raised before the trial has commenced, the court shall hold a hearing on the issue as provided in this section. If the issue is raised after the trial has commenced, the court shall hold a hearing on the issue only for good cause shown or on the court's own motion.

(C) The court shall conduct the hearing required or authorized under division (B) of this section within thirty days after the issue is raised, unless the defendant has been referred for evaluation in which case the court shall conduct the hearing within ten days after the filing of the report of the evaluation or, in the case of a defendant who is ordered by the court pursuant to division ~~(H)~~ (I) of section 2945.371 of the Revised Code to undergo a separate intellectual disability evaluation conducted by a psychologist designated by the director of developmental disabilities, within ten days after the filing of the report of the separate intellectual disability evaluation under that division. A hearing may be continued for good cause.

(D) The defendant shall be represented by counsel at the hearing conducted under division (C) of this section. If the defendant is unable to obtain counsel, the court shall appoint counsel under Chapter 120. of the Revised Code or under the authority recognized in division (C) of section 120.06, division (E) of section 120.16, division (E) of section 120.26, or section 2941.51 of the Revised Code before proceeding with the hearing.

(E) The prosecutor and defense counsel may submit evidence on the issue of the defendant's competence to stand trial. A written report of the evaluation of the defendant may be admitted into evidence at the hearing by stipulation, but, if either the prosecution or defense objects to its admission, the report may be admitted under sections 2317.36 to 2317.38 of the Revised Code or any other applicable statute or rule.

(F) The court shall not find a defendant incompetent to stand trial solely because the defendant is receiving or has received treatment as a voluntary or involuntary mentally ill patient under Chapter 5122. or a voluntary or involuntary resident with an intellectual disability under Chapter 5123. of the Revised Code or because the defendant is receiving or has received psychotropic drugs or other medication, even if the defendant might become incompetent to stand trial without the drugs or medication.

(G) A defendant is presumed to be competent to stand trial. If, after a

hearing, the court finds by a preponderance of the evidence that, because of the defendant's present mental condition, the defendant is incapable of understanding the nature and objective of the proceedings against the defendant or of assisting in the defendant's defense, the court shall find the defendant incompetent to stand trial and shall enter an order authorized by section 2945.38 of the Revised Code.

(H) Municipal courts shall follow the procedures set forth in sections 2945.37 to 2945.402 of the Revised Code. Except as provided in section 2945.371 of the Revised Code, a municipal court shall not order an evaluation of the defendant's competence to stand trial or the defendant's mental condition at the time of the commission of the offense to be conducted at any hospital operated by the department of mental health and addiction services. Those evaluations shall be performed through community resources including, but not limited to, certified forensic centers, court probation departments, and community mental health services providers. All expenses of the evaluations shall be borne by the legislative authority of the municipal court, as defined in section 1901.03 of the Revised Code, and shall be taxed as costs in the case. If a defendant is found incompetent to stand trial or not guilty by reason of insanity, a municipal court may commit the defendant as provided in sections 2945.38 to 2945.402 of the Revised Code.

Sec. 2945.371. (A) If the issue of a defendant's competence to stand trial is raised or if a defendant enters a plea of not guilty by reason of insanity, the court may order one or more evaluations of the defendant's present mental condition or, in the case of a plea of not guilty by reason of insanity, of the defendant's mental condition at the time of the offense charged. An examiner shall conduct the evaluation and the evaluation may be conducted through electronic means.

(B) If the court orders more than one evaluation under division (A) of this section, the prosecutor and the defendant may recommend to the court an examiner whom each prefers to perform one of the evaluations. If a defendant enters a plea of not guilty by reason of insanity and if the court does not designate an examiner recommended by the defendant, the court shall inform the defendant that the defendant may have independent expert evaluation and that, if the defendant is unable to obtain independent expert evaluation, it will be obtained for the defendant at public expense if the defendant is indigent.

(C)(1) If the court orders an evaluation under division (A) of this section, the defendant shall be available at the times and places established by the examiners who are to conduct the evaluation. The court may order a defendant who has been released on bail or recognizance to submit to an evaluation under this section. If

(2) If a defendant who has been released on bail or recognizance refuses to submit to a complete evaluation, the court may amend the

conditions of bail or recognizance and order the sheriff to take the defendant into custody and, except as provided in division (E) of this section, deliver the defendant to a center, program, or facility operated or certified by the department of mental health and addiction services or the department of developmental disabilities where the defendant may be held for evaluation for a reasonable period of time not to exceed twenty days.

(D)(1) A defendant who has not been released on bail or recognizance may be evaluated at the defendant's place of detention. ~~Upon~~

(2) Upon the request of the examiner, the court may order the sheriff to transport the defendant to a program or facility operated or certified by the department of mental health and addiction services or the department of developmental disabilities, where the defendant may be held for evaluation for a reasonable period of time not to exceed twenty days, and to return the defendant to the place of detention after the evaluation. A municipal court may make an order under this division only upon the request of a certified forensic center examiner.

(E) Except as provided in division (D) of this section, the court shall not order a defendant to be held for evaluation in a center, program, or facility operated by the department of mental health and addiction services or the department of developmental disabilities unless the defendant is charged with a felony or an offense of violence or unless the court determines, based on facts before the court, that the defendant is in need of immediate hospitalization.

(F) If a court orders the evaluation to determine a defendant's mental condition at the time of the offense charged, the court shall inform the examiner of the offense with which the defendant is charged.

~~(F)-(G)~~ In conducting an evaluation of a defendant's mental condition at the time of the offense charged, the examiner shall consider all relevant evidence and may conduct the evaluation through electronic means. If the offense charged involves the use of force against another person, the relevant evidence to be considered includes, but is not limited to, any evidence that the defendant suffered, at the time of the commission of the offense, from the "battered woman syndrome."

~~(G)-(H)~~ The examiner shall file a written report with the court, under seal, within thirty days after entry of a court order for evaluation, ~~and the~~ The court shall provide copies of the report to the prosecutor and defense counsel and shall allow for inspection of the report by the defendant, the defendant's guardian, a probate court, a board of alcohol, drug addiction, and mental health services, and any mental health professional who performs a subsequent mental health evaluation of the defendant or who is involved in the treatment of the defendant, but the report shall not be open to public inspection. A person who is not among those permitted to inspect the report as described in this division may file a motion with the court seeking

disclosure for good cause. When a motion for disclosure of a report is filed, the court shall notify the defendant of the pending motion and allow sufficient time for the defendant to object to the disclosure. If the defendant objects to the disclosure, the court shall schedule a hearing to determine whether the party seeking access has demonstrated that access to the report is necessary for treatment of the defendant or for a criminal adjudication of the defendant for which the report was originally created. At that time the defendant shall be allowed an opportunity to provide the court with grounds for the objection. The court shall not provide access to the report unless the party seeking access can demonstrate that access to the report is necessary for treatment of the defendant or for a criminal adjudication of the defendant for which the report was originally created.

A defendant who is the subject of an examiner's report under this section prior to the effective date of this amendment may file a motion with the court to have that report placed under seal. Upon such a motion, the court shall place the report under seal, subject to the access and disclosure provisions provided in this section for reports filed after the effective date.

The report shall include all of the following:

- (1) The examiner's findings;
- (2) The facts in reasonable detail on which the findings are based;
- (3) If the evaluation was ordered to determine the defendant's competence to stand trial, all of the following findings or recommendations that are applicable:
 - (a) Whether the defendant is capable of understanding the nature and objective of the proceedings against the defendant or of assisting in the defendant's defense;
 - (b) If the examiner's opinion is that the defendant is incapable of understanding the nature and objective of the proceedings against the defendant or of assisting in the defendant's defense, whether the defendant presently is mentally ill or has an intellectual disability and, if the examiner's opinion is that the defendant presently has an intellectual disability, whether the defendant appears to be a person with an intellectual disability subject to institutionalization by court order;
 - (c) If the examiner's opinion is that the defendant is incapable of understanding the nature and objective of the proceedings against the defendant or of assisting in the defendant's defense, the examiner's opinion as to the likelihood of the defendant becoming capable of understanding the nature and objective of the proceedings against the defendant and of assisting in the defendant's defense within one year if the defendant is provided with a course of treatment;
 - (d) If the examiner's opinion is that the defendant is incapable of understanding the nature and objective of the proceedings against the

defendant or of assisting in the defendant's defense and that the defendant presently is mentally ill or has an intellectual disability, the examiner's recommendation as to the least restrictive placement or commitment alternative, including consideration of housing needs and the availability of mental health treatment in the community, consistent with the defendant's treatment needs for restoration to competency and with the safety of the community.

(4) If the evaluation was ordered to determine the defendant's mental condition at the time of the offense charged, the examiner's findings as to whether the defendant, at the time of the offense charged, did not know, as a result of a severe mental disease or defect, the wrongfulness of the defendant's acts charged.

~~(H)~~(I) If the examiner's report filed under division ~~(G)~~(H) of this section indicates that in the examiner's opinion the defendant is incapable of understanding the nature and objective of the proceedings against the defendant or of assisting in the defendant's defense and that in the examiner's opinion the defendant appears to be a person with an intellectual disability subject to institutionalization by court order, the court shall order the defendant to undergo a separate intellectual disability evaluation conducted by a psychologist designated by the director of developmental disabilities. Divisions (C) to ~~(F)~~(G) of this section apply in relation to a separate intellectual disability evaluation conducted under this division. The psychologist appointed under this division to conduct the separate intellectual disability evaluation shall file a written report with the court within thirty days after the entry of the court order requiring the separate intellectual disability evaluation, ~~and the court~~. The court shall file the report under seal in the same manner as a report submitted by an examiner under division (H) of this section and shall provide copies of the report to the prosecutor and defense counsel. The report shall include all of the information described in divisions ~~(G)~~(I)~~(H)~~(1) to (4) of this section. If the court orders a separate intellectual disability evaluation of a defendant under this division, the court shall not conduct a hearing under divisions (B) to (H) of section 2945.37 of the Revised Code regarding that defendant until a report of the separate intellectual disability evaluation conducted under this division has been filed. Upon the filing of that report, the court shall conduct the hearing within the period of time specified in division (C) of section 2945.37 of the Revised Code.

~~(H)~~(J) An examiner appointed under divisions (A) and (B) of this section or under division ~~(H)~~(I) of this section to evaluate a defendant to determine the defendant's competence to stand trial also may be appointed to evaluate a defendant who has entered a plea of not guilty by reason of insanity, but an examiner of that nature shall prepare separate reports on the issue of competence to stand trial and the defense of not guilty by reason of

insanity.

~~(J)~~(K) No statement that a defendant makes in an evaluation or hearing under divisions (A) to ~~(H)~~(I) of this section relating to the defendant's competence to stand trial or to the defendant's mental condition at the time of the offense charged shall be used against the defendant on the issue of guilt in any criminal action or proceeding, but, in a criminal action or proceeding, the prosecutor or defense counsel may call as a witness any person who evaluated the defendant or prepared a report pursuant to a referral under this section. Neither the appointment nor the testimony of an examiner appointed under this section precludes the prosecutor or defense counsel from calling other witnesses or presenting other evidence on competency or insanity issues.

~~(K)~~(L) Persons appointed as examiners under divisions (A) and (B) of this section or under division ~~(H)~~(I) of this section shall be paid a reasonable amount for their services and expenses, as certified by the court. The certified amount shall be paid by the county in the case of county courts and courts of common pleas and by the legislative authority, as defined in section 1901.03 of the Revised Code, in the case of municipal courts.

Sec. 2945.38. (A) If the issue of a defendant's competence to stand trial is raised and if the court, upon conducting the hearing provided for in section 2945.37 of the Revised Code, finds that the defendant is competent to stand trial, the defendant shall be proceeded against as provided by law. If the court finds the defendant competent to stand trial and the defendant is receiving psychotropic drugs or other medication, the court may authorize the continued administration of the drugs or medication or other appropriate treatment in order to maintain the defendant's competence to stand trial, unless the defendant's attending physician advises the court against continuation of the drugs, other medication, or treatment.

(B)(1)(a)(i) If the defendant has been charged with a felony offense or a misdemeanor offense of violence for which the prosecutor has not recommended the procedures under division (B)(1)(a)(vi) of this section and if, after taking into consideration all relevant reports, information, and other evidence, the court finds that the defendant is incompetent to stand trial and that there is a substantial probability that the defendant will become competent to stand trial within one year if the defendant is provided with a course of treatment, the court shall order the defendant to undergo treatment.

(ii) If the defendant has been charged with a felony offense and if, after taking into consideration all relevant reports, information, and other evidence, the court finds that the defendant is incompetent to stand trial, but the court is unable at that time to determine whether there is a substantial probability that the defendant will become competent to stand trial within one year if the defendant is provided with a course of treatment, the court shall order continuing evaluation and treatment of the defendant for a period

not to exceed four months to determine whether there is a substantial probability that the defendant will become competent to stand trial within one year if the defendant is provided with a course of treatment.

(iii) If the defendant has not been charged with a felony offense but has been charged with a misdemeanor offense of violence and if, after taking into consideration all relevant reports, information, and other evidence, the court finds that the defendant is incompetent to stand trial, but the court is unable at that time to determine whether there is a substantial probability that the defendant will become competent to stand trial within the time frame permitted under division (C)(1) of this section, the court may order continuing evaluation and treatment of the defendant for a period not to exceed the maximum period permitted under that division.

(iv) If the defendant has not been charged with a felony offense or a misdemeanor offense of violence, but has been charged with a misdemeanor offense that is not a misdemeanor offense of violence and if, after taking into consideration all relevant reports, information, and other evidence, the court finds that the defendant is incompetent to stand trial, but the court is unable at that time to determine whether there is a substantial probability that the defendant will become competent to stand trial within the time frame permitted under division (C)(1) of this section, the court shall dismiss the charges and follow the process outlined in division (B)(1)(a)(v)(I) of this section.

(v) If the defendant has not been charged with a felony offense or a misdemeanor offense of violence, or if the defendant has been charged with a misdemeanor offense of violence and the prosecutor has recommended the procedures under division (B)(1)(a)(vi) of this section, and if, after taking into consideration all relevant reports, information, and other evidence, the trial court finds that the defendant is incompetent to stand trial, the trial court shall do one of the following:

(I) Dismiss the charges pending against the defendant. A dismissal under this division is not a bar to further prosecution based on the same conduct. Upon dismissal of the charges, the trial court shall discharge the defendant unless the court or prosecutor, after consideration of the requirements of section 5122.11 of the Revised Code, files an affidavit in probate court alleging that the defendant is a mentally ill person subject to court order or a person with an intellectual disability subject to institutionalization by court order. If an affidavit is filed in probate court, the trial court may detain the defendant for ten days pending a hearing in the probate court and shall send to the probate court copies of all written reports of the defendant's mental condition that were prepared pursuant to section 2945.371 of the Revised Code. The trial court or prosecutor shall specify in the appropriate space on the affidavit that the defendant is a person described in this subdivision.

(II) Order the defendant to undergo outpatient competency restoration treatment at a facility operated or certified by the department of mental health and addiction services as being qualified to treat mental illness, at a public or community mental health facility, or in the care of a psychiatrist or other mental health professional. If a defendant who has been released on bail or recognizance refuses to comply with court-ordered outpatient treatment under this division, the court may dismiss the charges pending against the defendant and proceed under division (B)(1)(a)(v)(I) of this section or may amend the conditions of bail or recognizance and order the sheriff to take the defendant into custody and deliver the defendant to a center, program, or facility operated or certified by the department of mental health and addiction services for treatment.

(vi) If the defendant has not been charged with a felony offense but has been charged with a misdemeanor offense of violence and after taking into consideration all relevant reports, information, and other evidence, the court finds that the defendant is incompetent to stand trial, the prosecutor in the case may recommend that the court follow the procedures prescribed in division (B)(1)(a)(v) of this section. If the prosecutor does not make such a recommendation, the court shall follow the procedures in division (B)(1)(a)(i) of this section.

(b) The court order for the defendant to undergo treatment or continuing evaluation and treatment under division (B)(1)(a) of this section shall specify that the defendant, if determined to require mental health treatment or continuing evaluation and treatment, either shall be committed to the department of mental health and addiction services for treatment or continuing evaluation and treatment at a hospital, facility, or agency, as determined to be clinically appropriate by the department of mental health and addiction services or shall be committed to a facility certified by the department of mental health and addiction services as being qualified to treat mental illness, to a public or community mental health facility, or to a psychiatrist or another mental health professional for treatment or continuing evaluation and treatment. Prior to placing the defendant, the department of mental health and addiction services shall obtain court approval for that placement following a hearing. The court order for the defendant to undergo treatment or continuing evaluation and treatment under division (B)(1)(a) of this section shall specify that the defendant, if determined to require treatment or continuing evaluation and treatment for an intellectual disability, shall receive treatment or continuing evaluation and treatment at an institution or facility operated by the department of developmental disabilities, at a facility certified by the department of developmental disabilities as being qualified to treat intellectual disabilities, at a public or private intellectual disabilities facility, or by a psychiatrist or another intellectual disabilities professional. In any case, the order may restrict the

defendant's freedom of movement as the court considers necessary. The prosecutor in the defendant's case shall send to the chief clinical officer of the hospital, facility, or agency where the defendant is placed by the department of mental health and addiction services, or to the managing officer of the institution, the director of the program or facility, or the person to which the defendant is committed, copies of relevant police reports and other background information that pertains to the defendant and is available to the prosecutor unless the prosecutor determines that the release of any of the information in the police reports or any of the other background information to unauthorized persons would interfere with the effective prosecution of any person or would create a substantial risk of harm to any person.

In determining the place of commitment, the court shall consider the extent to which the person is a danger to the person and to others, the need for security, the availability of housing and supportive services, including outpatient mental health services in the community, and the type of crime involved and shall order the least restrictive alternative available that is consistent with public safety and treatment goals. In weighing these factors, the court shall give preference to protecting public safety and the availability of housing and supportive services.

(c) If the defendant is found incompetent to stand trial, if the chief clinical officer of the hospital, facility, or agency where the defendant is placed, or the managing officer of the institution, the director of the program or facility, or the person to which the defendant is committed for treatment or continuing evaluation and treatment under division (B)(1)(b) of this section determines that medication is necessary to restore the defendant's competency to stand trial, and if the defendant lacks the capacity to give informed consent or refuses medication, the chief clinical officer of the hospital, facility, or agency where the defendant is placed, or the managing officer of the institution, the director of the program or facility, or the person to which the defendant is committed for treatment or continuing evaluation and treatment may petition the court for authorization for the involuntary administration of medication. The court shall hold a hearing on the petition within five days of the filing of the petition if the petition was filed in a municipal court or a county court regarding an incompetent defendant charged with a misdemeanor or within ten days of the filing of the petition if the petition was filed in a court of common pleas regarding an incompetent defendant charged with a felony offense. Following the hearing, the court may authorize the involuntary administration of medication or may dismiss the petition.

(2) If the court finds that the defendant is incompetent to stand trial and that, even if the defendant is provided with a course of treatment, there is not a substantial probability that the defendant will become competent to stand trial within one year, the court shall order the discharge of the

defendant, unless upon motion of the prosecutor or on its own motion, the court either seeks to retain jurisdiction over the defendant pursuant to section 2945.39 of the Revised Code or files an affidavit in the probate court for the civil commitment of the defendant pursuant to Chapter 5122. or 5123. of the Revised Code alleging that the defendant is a mentally ill person subject to court order or a person with an intellectual disability subject to institutionalization by court order. If an affidavit is filed in the probate court, the trial court shall send to the probate court copies of all written reports of the defendant's mental condition that were prepared pursuant to section 2945.371 of the Revised Code.

The trial court may issue the temporary order of detention that a probate court may issue under section 5122.11 or 5123.71 of the Revised Code, to remain in effect until the probable cause or initial hearing in the probate court. Further proceedings in the probate court are civil proceedings governed by Chapter 5122. or 5123. of the Revised Code.

(C) No defendant shall be required to undergo treatment, including any continuing evaluation and treatment, under division (B)(1) of this section for longer than whichever of the following periods is applicable:

(1) One year, if the most serious offense with which the defendant is charged is one of the following offenses:

(a) Aggravated murder, murder, or an offense of violence for which a sentence of death or life imprisonment may be imposed;

(b) An offense of violence that is a felony of the first or second degree;

(c) A conspiracy to commit, an attempt to commit, or complicity in the commission of an offense described in division (C)(1)(a) or (b) of this section if the conspiracy, attempt, or complicity is a felony of the first or second degree.

(2) Six months, if the most serious offense with which the defendant is charged is a felony other than a felony described in division (C)(1) of this section;

(3) Sixty days, if the most serious offense with which the defendant is charged is a misdemeanor of the first or second degree;

(4) Thirty days, if the most serious offense with which the defendant is charged is a misdemeanor of the third or fourth degree, a minor misdemeanor, or an unclassified misdemeanor.

(D) Any defendant who is committed pursuant to this section shall not voluntarily admit the defendant or be voluntarily admitted to a hospital or institution pursuant to section 5122.02, 5122.15, 5123.69, or 5123.76 of the Revised Code.

(E) Except as otherwise provided in this division, a defendant who is charged with an offense and is committed by the court under this section to

the department of mental health and addiction services or is committed to an institution or facility for the treatment of intellectual disabilities shall not be granted unsupervised on-grounds movement, supervised off-grounds movement, or nonsecured status except in accordance with the court order. The court may grant a defendant supervised off-grounds movement to obtain medical treatment or specialized habilitation treatment services if the person who supervises the treatment or the continuing evaluation and treatment of the defendant ordered under division (B)(1)(a) of this section informs the court that the treatment or continuing evaluation and treatment cannot be provided at the hospital or facility where the defendant is placed by the department of mental health and addiction services or the institution or facility to which the defendant is committed. The chief clinical officer of the hospital or facility where the defendant is placed by the department of mental health and addiction services or the managing officer of the institution or director of the facility to which the defendant is committed, or a designee of any of those persons, may grant a defendant movement to a medical facility for an emergency medical situation with appropriate supervision to ensure the safety of the defendant, staff, and community during that emergency medical situation. The chief clinical officer of the hospital or facility where the defendant is placed by the department of mental health and addiction services or the managing officer of the institution or director of the facility to which the defendant is committed shall notify the court within twenty-four hours of the defendant's movement to the medical facility for an emergency medical situation under this division.

(F) The person who supervises the treatment or continuing evaluation and treatment of a defendant ordered to undergo treatment or continuing evaluation and treatment under division (B)(1)(a) of this section shall file a written report with the court at the following times:

(1) Whenever the person believes the defendant is capable of understanding the nature and objective of the proceedings against the defendant and of assisting in the defendant's defense;

(2) For a felony offense, fourteen days before expiration of the maximum time for treatment as specified in division (C) of this section and fourteen days before the expiration of the maximum time for continuing evaluation and treatment as specified in division (B)(1)(a) of this section, and, for a misdemeanor offense, ten days before the expiration of the maximum time for treatment, as specified in division (C) of this section;

(3) At a minimum, after each six months of treatment;

(4) Whenever the person who supervises the treatment or continuing evaluation and treatment of a defendant ordered under division (B)(1)(a) of this section believes that there is not a substantial probability that the defendant will become capable of understanding the nature and objective of the proceedings against the defendant or of assisting in the defendant's

defense even if the defendant is provided with a course of treatment.

(G) A report under division (F) of this section shall contain the examiner's findings, the facts in reasonable detail on which the findings are based, and the examiner's opinion as to the defendant's capability of understanding the nature and objective of the proceedings against the defendant and of assisting in the defendant's defense. If, in the examiner's opinion, the defendant remains incapable of understanding the nature and objective of the proceedings against the defendant and of assisting in the defendant's defense and there is a substantial probability that the defendant will become capable of understanding the nature and objective of the proceedings against the defendant and of assisting in the defendant's defense if the defendant is provided with a course of treatment, if in the examiner's opinion the defendant remains mentally ill or continues to have an intellectual disability, and if the maximum time for treatment as specified in division (C) of this section has not expired, the report also shall contain the examiner's recommendation as to the least restrictive placement or commitment alternative that is consistent with the defendant's treatment needs for restoration to competency and with the safety of the community. The court shall provide copies of the report to the prosecutor and defense counsel.

(H) If a defendant is committed pursuant to division (B)(1) of this section, within ten days after the treating physician of the defendant or the examiner of the defendant who is employed or retained by the treating facility advises that there is not a substantial probability that the defendant will become capable of understanding the nature and objective of the proceedings against the defendant or of assisting in the defendant's defense even if the defendant is provided with a course of treatment, within ten days after the expiration of the maximum time for treatment as specified in division (C) of this section, within ten days after the expiration of the maximum time for continuing evaluation and treatment as specified in division (B)(1)(a) of this section, within thirty days after a defendant's request for a hearing that is made after six months of treatment, or within thirty days after being advised by the treating physician or examiner that the defendant is competent to stand trial, whichever is the earliest, the court shall conduct another hearing to determine if the defendant is competent to stand trial and shall do whichever of the following is applicable:

(1) If the court finds that the defendant is competent to stand trial, the defendant shall be proceeded against as provided by law.

(2) If the court finds that the defendant is incompetent to stand trial, but that there is a substantial probability that the defendant will become competent to stand trial if the defendant is provided with a course of treatment, and the maximum time for treatment as specified in division (C) of this section has not expired, the court, after consideration of the examiner's

recommendation, shall order that treatment be continued, may change the facility or program at which the treatment is to be continued, and shall specify whether the treatment is to be continued at the same or a different facility or program.

(3) If the court finds that the defendant is incompetent to stand trial, if the defendant is charged with an offense listed in division (C)(1) of this section, and if the court finds that there is not a substantial probability that the defendant will become competent to stand trial even if the defendant is provided with a course of treatment, or if the maximum time for treatment relative to that offense as specified in division (C) of this section has expired, further proceedings shall be as provided in sections 2945.39, 2945.401, and 2945.402 of the Revised Code.

(4) If the court finds that the defendant is incompetent to stand trial, if the most serious offense with which the defendant is charged is a misdemeanor or a felony other than a felony listed in division (C)(1) of this section, and if the court finds that there is not a substantial probability that the defendant will become competent to stand trial even if the defendant is provided with a course of treatment, or if the maximum time for treatment relative to that offense as specified in division (C) of this section has expired, the court shall dismiss the indictment, information, or complaint against the defendant. A dismissal under this division is not a bar to further prosecution based on the same conduct. The court shall discharge the defendant unless the court or prosecutor files an affidavit in probate court for civil commitment pursuant to Chapter 5122. or 5123. of the Revised Code. If an affidavit for civil commitment is filed, the court may detain the defendant for ten days pending civil commitment: and shall send to the probate court copies of all written reports of the defendant's mental condition prepared pursuant to section 2945.371 of the Revised Code.

All of the following provisions apply to persons charged with a misdemeanor or a felony other than a felony listed in division (C)(1) of this section who are committed by the probate court subsequent to the court's or prosecutor's filing of an affidavit for civil commitment under authority of this division:

(a) The chief clinical officer of the entity, hospital, or facility, the managing officer of the institution, the director of the program, or the person to which the defendant is committed or admitted shall do all of the following:

(i) Notify the prosecutor, in writing, of the discharge of the defendant, send the notice at least ten days prior to the discharge unless the discharge is by the probate court, and state in the notice the date on which the defendant will be discharged;

(ii) Notify the prosecutor, in writing, when the defendant is absent without leave or is granted unsupervised, off-grounds movement, and send this notice promptly after the discovery of the absence without leave or prior

to the granting of the unsupervised, off-grounds movement, whichever is applicable;

(iii) Notify the prosecutor, in writing, of the change of the defendant's commitment or admission to voluntary status, send the notice promptly upon learning of the change to voluntary status, and state in the notice the date on which the defendant was committed or admitted on a voluntary status.

(b) Upon receiving notice that the defendant will be granted unsupervised, off-grounds movement, the prosecutor either shall re-indict the defendant or promptly notify the court that the prosecutor does not intend to prosecute the charges against the defendant.

(I) If a defendant is convicted of a crime and sentenced to a jail or workhouse, the defendant's sentence shall be reduced by the total number of days the defendant is confined for evaluation to determine the defendant's competence to stand trial or treatment under this section and sections 2945.37 and 2945.371 of the Revised Code or by the total number of days the defendant is confined for evaluation to determine the defendant's mental condition at the time of the offense charged.

Sec. 5122.02. (A) Except as provided in division (D) of this section, any person who is eighteen years of age or older and who is, appears to be, or believes self to be mentally ill may make written application for voluntary admission to the chief medical officer of a hospital.

(B) Except as provided in division (D) of this section, the application also may be made on behalf of a minor by a parent, a guardian of the person, or the person with custody of the minor, and on behalf of an adult incompetent person by the guardian or the person with custody of the incompetent person.

Any person whose admission is applied for under division (A) or (B) of this section may be admitted for observation, diagnosis, care, or treatment, in any hospital unless the chief clinical officer finds that hospitalization is inappropriate, and except that, in the case of a public hospital, no person shall be admitted without the authorization of the board of the person's county of residence.

(C) If a minor or person adjudicated incompetent due to mental illness whose voluntary admission is applied for under division (B) of this section is admitted, the court shall determine, upon petition by private or otherwise appointed counsel, a relative, or one acting as next friend, whether the admission or continued hospitalization is in the best interest of the minor or incompetent.

The chief clinical officer shall discharge any voluntary patient who has recovered or whose hospitalization the officer determines to be no longer advisable and may discharge any voluntary patient who refuses to accept treatment consistent with the written treatment plan required by section

5122.27 of the Revised Code. In the case of a voluntary patient who refuses to accept treatment consistent with the written treatment plan required by section 5122.27 of the Revised Code, the chief clinical officer may file an affidavit under section 5122.11 of the Revised Code. If the chief clinical officer decides not to file such an affidavit and to, instead, discharge the patient, and a trial court or prosecutor had, within the past twelve months, filed an affidavit in probate court pursuant to division (B)(1)(a)(v)(I) of section 2945.38 of the Revised Code relating to the patient, the chief clinical officer, to the extent that the chief clinical officer has knowledge of the patient's prior status, shall immediately notify such trial court or prosecutor of the intent to discharge. Not later than three court days after being notified of the intent to discharge, the trial court or prosecutor may file or cause to be filed with the court of the county where the patient is hospitalized, or the court of the county where the patient resides, an affidavit under section 5122.11 of the Revised Code. If such an affidavit is filed, the patient's discharge must be postponed until a hearing under section 5122.141 of the Revised Code is held.

(D) A person who is found incompetent to stand trial or not guilty by reason of insanity and who is committed pursuant to section 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code shall not voluntarily admit the person or be voluntarily admitted to a hospital pursuant to this section until after the final termination of the commitment, as described in division (J) of section 2945.401 of the Revised Code.

Sec. 5122.03. A patient admitted under section 5122.02 of the Revised Code who requests release in writing, or whose release is requested in writing by the patient's counsel, legal guardian, parent, spouse, or adult next of kin shall be released forthwith, except that when any of the following is the case:

(A) The patient was admitted on the patient's own application and the request for release is made by a person other than the patient, release may be conditional upon the agreement of the patient; ~~or,~~

(B) The patient was, within the past twelve months, a defendant described in division (B)(1)(a)(v)(I) of section 2945.38 of the Revised Code and the chief clinical officer of the hospital decides not to file or cause to be filed an affidavit under section 5122.11 of the Revised Code as described in division (C) of this section. In that circumstance, the chief clinical officer shall immediately notify the trial court or prosecutor described in division (B)(1)(a)(v)(I) of section 2945.38 of the Revised Code of the chief clinical officer's decision and intent to release the patient. Not later than three court days after being notified of the intent to release, the trial court or prosecutor may file or cause to be filed with the court of the county where the patient is hospitalized, or the court of the county where the patient resides, an affidavit under section 5122.11 of the Revised Code. If such an affidavit is filed, the

patient's release must be postponed until a hearing under section 5122.141 of the Revised Code is held.

(C) The chief clinical officer of the hospital, within three court days from the receipt of the request for release, files or causes to be filed with the court of the county where the patient is hospitalized or of the county where the patient is a resident, an affidavit under section 5122.11 of the Revised Code. Release may be postponed until the hearing held under section 5122.141 of the Revised Code. A telephone communication within three court days from the receipt of the request for release from the chief clinical officer to the court, indicating that the required affidavit has been mailed, is sufficient compliance with the time limit for filing such affidavit.

Unless the patient is released within three days from the receipt of the request by the chief clinical officer, the request shall serve as a request for an initial hearing under section 5122.141 of the Revised Code. If the court finds that the patient is a mentally ill person subject to court order, all provisions of this chapter with respect to involuntary hospitalization apply to such person.

Judicial proceedings for hospitalization shall not be commenced with respect to a voluntary patient except pursuant to this section.

Sections 5121.30 to 5121.56 of the Revised Code apply to persons received in a hospital operated by the department of mental health and addiction services on a voluntary application.

The chief clinical officer of the hospital shall provide reasonable means and arrangements for informing patients of their rights to release as provided in this section and for assisting them in making and presenting requests for release or for a hearing under section 5122.141 of the Revised Code.

Before a patient is released from a public hospital, the chief clinical officer shall, when possible, notify the board of the patient's county of residence of the patient's pending release after the chief clinical officer has informed the patient that the board will be so notified.

Sec. 5122.11. Proceedings for a mentally ill person subject to court order pursuant to sections 5122.11 to 5122.15 of the Revised Code shall be commenced by the filing of an affidavit in the manner prescribed by the department of mental health and addiction services and in a form prescribed in section 5122.111 of the Revised Code, by any person or persons with the probate court, either on reliable information or actual knowledge, whichever is determined to be proper by the court. This section does not apply to the hospitalization of a person pursuant to section 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code.

The affidavit shall contain an allegation setting forth the specific category or categories under division (B) of section 5122.01 of the Revised Code upon which the jurisdiction of the court is based and a statement of

alleged facts sufficient to indicate probable cause to believe that the person is a mentally ill person subject to court order. The affidavit may be accompanied, or the court may require that the affidavit be accompanied, by a certificate of a psychiatrist, or a certificate signed by a licensed clinical psychologist and a certificate signed by a licensed physician stating that the person who issued the certificate has examined the person and is of the opinion that the person is a mentally ill person subject to court order, or shall be accompanied by a written statement by the applicant, under oath, that the person has refused to submit to an examination by a psychiatrist, or by a licensed clinical psychologist and licensed physician.

Upon With regard to a defendant described in division (B)(1)(a)(v)(I) of section 2945.38 of the Revised Code for whom criminal charges were dismissed, the affidavit shall contain a space for the trial court or prosecutor filing the affidavit to indicate that the person named in the affidavit is such a defendant.

Upon receipt of the affidavit, if a judge of the court or a referee who is an attorney at law appointed by the court has probable cause to believe that the person named in the affidavit is a mentally ill person subject to court order, the judge or referee may issue a temporary order of detention ordering any health or police officer or sheriff to take into custody and transport the person to a hospital or other place designated in section 5122.17 of the Revised Code, or may set the matter for further hearing. If a temporary order of detention is issued and the person is transported to a hospital or other designated place, the court that issued the order shall retain jurisdiction over the case as it relates to the person's outpatient treatment, notwithstanding that the hospital or other designated place to which the person is transported is outside the territorial jurisdiction of the court.

The person may be observed and treated until the hearing provided for in section 5122.141 of the Revised Code. If no such hearing is held, the person may be observed and treated until the hearing provided for in section 5122.15 of the Revised Code.

Sec. 5122.111. To initiate proceedings for court-ordered treatment of a person under section 5122.11 of the Revised Code, a person or persons shall file an affidavit with the probate court that is identical in form and content to the following:

AFFIDAVIT OF MENTAL ILLNESS

The State of Ohio

_____ County, ss.

_____ Court

the undersigned, residing at

says, that he/she has information to believe or has actual knowledge that

- (Please specify specific category(ies) below with an X.)

☐ Represents a substantial risk of physical harm to self as manifested by evidence of threats of, or attempts at, suicide or serious self-inflicted bodily harm;

☐ Represents a substantial risk of physical harm to others as manifested by evidence of recent homicidal or other violent behavior or evidence of recent threats that place another in reasonable fear of violent behavior and serious physical harm or other evidence of present dangerousness;

☐ Represents a substantial and immediate risk of serious physical impairment or injury to self as manifested by evidence of being unable to provide for and of not providing for basic physical needs because of mental illness and that appropriate provision for such needs cannot be made immediately available in the community;

☐ Would benefit from treatment for mental illness and is in need of such treatment as manifested by evidence of behavior that creates a grave and imminent risk to substantial rights of others or the person; or

☐ Would benefit from treatment as manifested by evidence of behavior that indicates all of the following:

(a) The person is unlikely to survive safely in the community without supervision, based on a clinical determination.

(b) The person has a history of lack of compliance with treatment for mental illness and one of the following applies:

(i) At least twice within the thirty-six months prior to the filing of an affidavit seeking court-ordered treatment of the person under section 5122.111 of the Revised Code, the lack of compliance has been a significant factor in necessitating hospitalization in a hospital or receipt of services in a forensic or other mental health unit of a correctional facility, provided that the thirty-six-month period shall be extended by the length of any hospitalization or incarceration of the person that occurred within the thirty-six-month period.

(ii) Within the forty-eight months prior to the filing of an affidavit seeking court-ordered treatment of the person under section 5122.111 of the Revised Code, the lack of compliance resulted in one or more acts of serious violent behavior toward self or others or threats of, or attempts at, serious physical harm to self or others, provided that the forty-eight-month period shall be extended by the length of any hospitalization or incarceration of the person that occurred within the forty-eight-month period.

(c) The person, as a result of mental illness, is unlikely to voluntarily participate in necessary treatment.

(d) In view of the person's treatment history and current behavior, the person is in need of treatment in order to prevent a relapse or deterioration that would be likely to result in substantial risk of serious harm to the person or others.

(Name of the party filing the affidavit) further says that the facts supporting this belief are as follows:

These facts being sufficient to indicate probable cause that the above said person is a mentally ill person subject to court order.

~~Name~~ The undersigned represents a trial court or a prosecutor who, as described in division (B)(1)(a)(v)(I) of section 2945.38 of the Revised Code, is alleging that the above said person is a mentally ill person subject to court order: ☐ Yes ☐ No (please specify answer with an X). If Yes, please specify the name and address of the trial court or prosecutor:

Name of Patient's Last Physician or Licensed Clinical Psychologist

Address of Patient's Last Physician or Licensed Clinical Psychologist

The name and address of respondent's legal guardian, spouse, and adult next of kin are:

Name	Kinship	Address
<hr/>	Legal Guardian	<hr/>
<hr/>	Spouse	<hr/>
<hr/>	Adult Next of Kin	<hr/>
<hr/>	Adult Next of Kin	<hr/>

The following constitutes additional information that may be necessary for the purpose of determining residence:

Dated this _____ day of _____, 20__

Signature of the party filing
the affidavit

Sworn to before me and signed in my presence on the day and year above
dated.

Signature of Probate Judge,
Deputy Clerk, or Notary
Public

WAIVER

I, the undersigned party filing the affidavit hereby waive the issuing and
service of notice of the hearing on said affidavit, and voluntarily enter my
appearance herein.

Dated this _____ day of _____, 20__

Signature of the party filing -
the affidavit

Sec. 5122.112. A probate court that terminates jurisdiction over a
defendant described in division (B)(1)(a)(v)(I) of section 2945.38 of the
Revised Code, for whom a trial court or prosecutor initiated proceedings
alleging that the defendant is a mentally ill person subject to court order
pursuant to sections 5122.11 to 5122.15 of the Revised Code, shall
immediately do both of the following:

(A) Notify the initiating court or prosecutor of the termination;

(B) Transmit to the initiating court a copy of any records in its
possession that pertain to the defendant's mental illness or treatment for
mental illness.

Section 5. That existing sections 2945.37, 2945.371, 2945.38,
5122.02, 5122.03, 5122.11, and 5122.111 of the Revised Code are hereby
repealed."

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted – yeas 59, nays 25, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldridge	Becker
Butler	Callender	Carfagna	Carruthers
Cutrona	Dean	Edwards	Fraizer
Ghanbari	Ginter	Green	Greenspan
Hambley	Hillyer	Holmes, A.	Hood
Hoops	Ingram	Jones	Jordan
Keller	Kelly	Kick	Koehler
Lanese	Lang	LaRe	Lipps
Manchester	Manning, G.	McClain	Merrin
Miller, J.	Oelslager	Perales	Plummer
Powell	Reineke	Richardson	Riedel
Roemer	Romanchuk	Seitz	Smith, T.
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	Wiggam
Wilkin	Zeltwanger		Cupp-59

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Brinkman
Cera	Clites	Crawley	Crossman
Denson	Galonski	Hicks-Hudson	Howse
Leland	Lightbody	Liston	Miller, A.
Miranda	O'Brien	Robinson	Russo
Sheehy	Skindell	Smith, K.	Sobecki
			West-25

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted – yeas 79, nays 5, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldridge	Becker
Blair	Boggs	Brent	Butler
Callender	Carfagna	Carruthers	Cera
Clites	Crawley	Crossman	Cutrona
Denson	Edwards	Fraizer	Galonski
Ghanbari	Ginter	Green	Greenspan
Hambley	Hicks-Hudson	Hillyer	Holmes, A.
Hoops	Howse	Ingram	Jones
Jordan	Keller	Kelly	Kick
Koehler	Lanese	Lang	LaRe
Leland	Lightbody	Lipps	Liston
Manchester	Manning, G.	McClain	Merrin
Miller, A.	Miller, J.	Miranda	O'Brien
Oelslager	Perales	Plummer	Reineke
Richardson	Riedel	Robinson	Roemer
Romanchuk	Russo	Seitz	Sheehy
Skindell	Smith, K.	Smith, T.	Sobecki
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	West
Wiggam	Wilkin		Cupp-79

Representatives Brinkman, Dean, Hood, Powell, and Zeltwanger voted in the negative-5.

The bill passed.

Representative Lipps moved to amend the title as follows:

Add the names: "Miller, A., Seitz, West."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Butler, the House recessed.

The House met pursuant to recess.

BILLS FOR THIRD CONSIDERATION

Representative Butler moved that House Rule No. 75, pertaining to bills taken out of order, be suspended and that **Am. S. B. No. 175-** Senator Schaffer, et al. be taken up for immediate consideration.

The question being, shall the motion be agreed to?

The motion was agreed to without objection.

Am. S. B. No. 175-Senator Schaffer.

Cosponsors: Senators Eklund, Fedor, O'Brien, Manning, Antonio, Blessing, Brenner, Coley, Craig, Hackett, Hoagland, Huffman, M., Huffman, S., Johnson, McColley, Obhof, Peterson, Roegner, Rulli, Schuring, Sykes, Thomas, Williams, Wilson, Yuko Representative Hambley.

To amend section 2923.126 of the Revised Code to grant civil immunity to nonprofit corporations for certain injuries, deaths, or losses resulting from the carrying of handguns, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Koehler moved to amend, amendment 3883, as follows:

In line 1 of the title, delete "section" and insert "sections 2307.601, 2901.05, 2901.09, and"

In line 4 of the title, after "handguns" insert "and to expand the locations at which a person has no duty to retreat before using force under both civil and criminal law"

In line 5, delete "section" and insert "sections 2307.601, 2901.05, 2901.09, and"

After line 6, insert:

"Sec. 2307.601. (A) As used in this section:

(1) "Residence" ~~and "vehicle" have~~ has the same meanings meaning as in section 2901.05 of the Revised Code.

(2) "Tort action" has the same meaning as in section 2307.60 of the Revised Code.

(B) For purposes of determining the potential liability of a person in a tort action related to the person's use of force alleged to be in self-defense, defense of another, or defense of the person's residence, ~~if the person lawfully is in that person's residence, the person has no duty to retreat before using force in self-defense, defense of another, or defense of that person's residence, and, if the person lawfully is an occupant of that person's vehicle or lawfully is an occupant in a vehicle owned by an immediate family member of the person, the person has no duty to retreat before using force in self-defense or defense of another if that person is in a place in which the person lawfully has a right to be.~~

(C) A trier of fact shall not consider the possibility of retreat as a factor in determining whether or not a person who used force in self-defense, defense of another, or defense of that person's residence reasonably believed that the force was necessary to prevent injury, loss, or risk to life or safety.

Sec. 2901.05. (A) Every person accused of an offense is presumed innocent until proven guilty beyond a reasonable doubt, and the burden of proof for all elements of the offense is upon the prosecution. The burden of going forward with the evidence of an affirmative defense, and the burden of proof, by a preponderance of the evidence, for an affirmative defense other than self-defense, defense of another, or defense of the accused's residence presented as described in division (B)(1) of this section, is upon the accused.

(B)(1) A person is allowed to act in self-defense, defense of another, or defense of that person's residence. If, at the trial of a person who is accused of an offense that involved the person's use of force against another, there is evidence presented that tends to support that the accused person used the force in self-defense, defense of another, or defense of that person's residence, the prosecution must prove beyond a reasonable doubt that the accused person did not use the force in self-defense, defense of another, or defense of that person's residence, as the case may be.

(2) Subject to division (B)(3) of this section, a person is presumed to have acted in self-defense or defense of another when using defensive force that is intended or likely to cause death or great bodily harm to another if the person against whom the defensive force is used is in the process of unlawfully and without privilege to do so entering, or has unlawfully and without privilege to do so entered, the residence or vehicle occupied by the person using the defensive force.

(3) The presumption set forth in division (B)(2) of this section does not apply if either of the following is true:

(a) The person against whom the defensive force is used has a right to be in, or is a lawful resident of, the residence or vehicle.

(b) The person who uses the defensive force uses it while in a residence or vehicle and the person is unlawfully, and without privilege to be, in that residence or vehicle.

(4) The presumption set forth in division (B)(2) of this section is a rebuttable presumption and may be rebutted by a preponderance of the evidence, provided that the prosecution's burden of proof remains proof beyond a reasonable doubt as described in divisions (A) and (B)(1) of this section.

(C) As part of its charge to the jury in a criminal case, the court shall read the definitions of "reasonable doubt" and "proof beyond a reasonable doubt," contained in division ~~(D)~~ (E) of this section.

(D) As used in this section:

(1) An "affirmative defense" is either of the following:

(a) A defense expressly designated as affirmative;

(b) A defense involving an excuse or justification peculiarly within the knowledge of the accused, on which the accused can fairly be required to adduce supporting evidence.

(2) "Dwelling" means a building or conveyance of any kind that has a roof over it and that is designed to be occupied by people lodging in the building or conveyance at night, regardless of whether the building or conveyance is temporary or permanent or is mobile or immobile. As used in this division, a building or conveyance includes, but is not limited to, an attached porch, and a building or conveyance with a roof over it includes, but is not limited to, a tent.

(3) "Residence" means a dwelling in which a person resides either temporarily or permanently or is visiting as a guest.

(4) "Vehicle" means a conveyance of any kind, whether or not motorized, that is designed to transport people or property.

(E) "Reasonable doubt" is present when the jurors, after they have carefully considered and compared all the evidence, cannot say they are firmly convinced of the truth of the charge. It is a doubt based on reason and common sense. Reasonable doubt is not mere possible doubt, because everything relating to human affairs or depending on moral evidence is open to some possible or imaginary doubt. "Proof beyond a reasonable doubt" is proof of such character that an ordinary person would be willing to rely and act upon it in the most important of the person's own affairs.

Sec. 2901.09. (A) As used in this section, "residence" and "~~vehicle~~" ~~have~~ has the same ~~meanings meaning~~ as in section 2901.05 of the Revised

Code.

(B) For purposes of any section of the Revised Code that sets forth a criminal offense, a person ~~who lawfully is in that person's residence~~ has no duty to retreat before using force in self-defense, defense of another, or defense of that person's residence, ~~and a person who lawfully is an occupant of that person's vehicle or who lawfully is an occupant in a vehicle owned by an immediate family member of the person has no duty to retreat before using force in self-defense or defense of another~~ if that person is in a place in which the person lawfully has a right to be.

(C) A trier of fact shall not consider the possibility of retreat as a factor in determining whether or not a person who used force in self-defense, defense of another, or defense of that person's residence reasonably believed that the force was necessary to prevent injury, loss, or risk to life or safety."

In line 399, delete "section" and insert "sections 2307.601, 2901.05, 2901.09, and"

In line 400, delete "is" and insert "are"

The question being, "Shall the motion to amend be agreed to?"

The request was granted.

The yeas and nays were taken and resulted – yeas 52, nays 31, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carfagna
Carruthers	Cutrona	Dean	Edwards
Fraizer	Ghanbari	Ginter	Green
Greenspan	Hillyer	Holmes, A.	Hood
Hoops	Jones	Jordan	Keller
Kick	Koehler	Lanese	LaRe
Lipps	Manchester	Manning, G.	McClain
Merrin	Oelslager	Perales	Plummer
Powell	Reineke	Richardson	Riedel
Roemer	Romanchuk	Seitz	Smith, T.
Stein	Stephens	Stoltzfus	Swearingen
Wiggam	Wilkin	Zeltwanger	Cupp-52

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Cera
Clites	Crawley	Crossman	Denson
Galonski	Hambley	Hicks-Hudson	Howse
Ingram	Kelly	Leland	Lightbody
Liston	Miller, A.	Miller, J.	Miranda
O'Brien	Robinson	Russo	Sheehy
Skindell	Smith, K.	Sobecki	Strahorn
Sweeney	Sykes		West-31

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

Representative Antani moved the previous question.

This motion under House Rule No. 101 is supported by the following members:

/S/ SCOTT OELSLAGER
SCOTT OELSLAGER

/S/ TIMOTHY E. GINTER
TIMOTHY E. GINTER

/S/ P. SCOTT LIPPS
P. SCOTT LIPPS

/S/ KYLE HOEHLER
KYLE KOEHLER

The question being, "Shall the debate now close?"

The yeas and nays were taken and resulted – yeas 51, nays 31, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carfagna
Carruthers	Cutrona	Dean	Edwards
Fraizer	Ghanbari	Ginter	Green
Greenspan	Hillyer	Holmes, A.	Hood
Hoops	Jones	Jordan	Keller
Kick	Koehler	Lanese	LaRe
Lipps	Manchester	McClain	Merrin
Oelslager	Perales	Plummer	Powell
Reineke	Richardson	Riedel	Roemer
Romanchuk	Seitz	Smith, T.	Stein
Stephens	Stoltzfus	Swearingen	Wiggam
Wilkin	Zeltwanger		Cupp-51

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Cera
Clites	Crawley	Crossman	Denson
Galonski	Hambley	Hicks-Hudson	Howse
Ingram	Kelly	Leland	Lightbody
Liston	Miller, A.	Miller, J.	Miranda
O'Brien	Robinson	Russo	Sheehy
Skindell	Smith, K.	Sobecki	Strahorn
Sweeney	Sykes		West-31

The motion was agreed to.

The question being, "Shall the bill as amended pass?"

December 17, 2020

The Honorable Robert R. Cupp, Speaker
The Ohio House of Representatives
Columbus, Ohio
Speaker Cupp,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on **Am. S. B. No. 175**-Senator Schaffer, et al., because it might be construed that I have an interest in the legislation.

Sincerely,

/s/GEORGE F. LANG

George F. Lang
State Representative
52nd House District

The yeas and nays were taken and resulted – yeas 52, nays 31, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carfagna
Carruthers	Cutrona	Dean	Edwards
Fraizer	Ghanbari	Ginter	Green
Greenspan	Hillyer	Holmes, A.	Hood
Hoops	Jones	Jordan	Keller
Kick	Koehler	Lanese	LaRe
Lipps	Manchester	Manning, G.	McClain
Merrin	Oelslager	Perales	Plummer
Powell	Reineke	Richardson	Riedel
Roemer	Romanchuk	Seitz	Smith, T.
Stein	Stephens	Stoltzfus	Swearingen
Wiggam	Wilkin	Zeltwanger	Cupp-52

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Cera
Clites	Crawley	Crossman	Denson
Galonski	Hambley	Hicks-Hudson	Howse
Ingram	Kelly	Leland	Lightbody
Liston	Miller, A.	Miller, J.	Miranda
O'Brien	Robinson	Russo	Sheehy
Skindell	Smith, K.	Sobecki	Strahorn
Sweeney	Sykes		West-31

The bill passed.

Representative Koehler moved to amend the title as follows:

Add the names: "Brinkman, Carfagna, Carruthers, Cutrona, Edwards, Fraizer, Green, Jones, Jordan, Keller, Koehler, McClain, Merrin, Perales, Powell, Riedel, Smith, T., Stephens, Wiggam, Wilkin."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

S. B. No. 260-Senator Huffman, S.

Cosponsors: Senators Lehner, Wilson, Schaffer, Huffman, M., Roegner, Burke, Hackett, Johnson, Hoagland, Brenner, Gavarone, Obhof, Coley,

McColley, Blessing, Hottinger, Eklund Representative Antani.

To amend sections 109.572, 2919.123, 2953.25, 4729.291, 4731.22, and 4731.223 and to enact section 2919.124 of the Revised Code regarding abortion-inducing drugs, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Seitz moved the previous question.

This motion under House Rule No. 101 is supported by the following members:

/S/ TIMOTHY E. GINTER
TIMOTHY E. GINTER

/S/ DON JONES
DON JONES

/S/ CINDY ABRAMS
CINDY ABRAMS

/S/ SARAH P. CARRUTHERS
SARAH P. CARRUTHERS

The question being, "Shall the debate now close?"

The yeas and nays were taken and resulted – yeas 54, nays 30, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carfagna
Carruthers	Cutrona	Dean	Edwards
Fraizer	Ghanbari	Ginter	Green
Greenspan	Hambley	Hillyer	Holmes, A.
Hood	Hoops	Jones	Jordan
Keller	Kick	Koehler	Lanese
Lang	LaRe	Lipps	Manchester
Manning, G.	McClain	Merrin	Oelslager
Perales	Plummer	Powell	Reineke
Richardson	Riedel	Roemer	Romanchuk
Seitz	Smith, T.	Stein	Stephens
Stoltzfus	Swearingen	Wiggam	Wilkin
Zeltwanger			Cupp-54

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Cera
Clites	Crawley	Crossman	Denson
Galonski	Hicks-Hudson	Howse	Ingram
Kelly	Leland	Lightbody	Liston
Miller, A.	Miller, J.	Miranda	O'Brien
Robinson	Russo	Sheehy	Skindell
Smith, K.	Sobecki	Strahorn	Sweeney
Sykes			West-30

The motion was agreed to.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 54, nays 30, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldridge	Becker
Brinkman	Butler	Callender	Carfagna
Carruthers	Cutrona	Dean	Edwards
Fraizer	Ghanbari	Ginter	Green
Greenspan	Hambley	Hillyer	Holmes, A.
Hood	Hoops	Jones	Jordan
Keller	Kick	Koehler	Lanese
Lang	LaRe	Lipps	Manchester
Manning, G.	McClain	Merrin	Oelslager
Perales	Plummer	Powell	Reineke
Richardson	Riedel	Roemer	Romanchuk
Seitz	Smith, T.	Stein	Stephens
Stoltzfus	Swearingen	Wiggam	Wilkin
Zeltwanger			Cupp-54

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Cera
Clites	Crawley	Crossman	Denson
Galonski	Hicks-Hudson	Howse	Ingram
Kelly	Leland	Lightbody	Liston
Miller, A.	Miller, J.	Miranda	O'Brien
Robinson	Russo	Sheehy	Skindell
Smith, K.	Sobecki	Strahorn	Sweeney
Sykes			West-30

The bill passed.

Representative Lipps moved to amend the title as follows:

Add the names: "Brinkman, Carfagna, Carruthers, Ginter, Koehler, Merrin, Perales, Powell, Richardson, Riedel, Stoltzfus, Wiggam."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Am. S. B. No. 302-Senators Eklund, Antonio.

Cosponsors: Senators Schuring, Blessing, Burke, Coley, Craig, Dolan, Fedor, Gavarone, Hackett, Hoagland, Johnson, Kunze, Maharath, Manning, Obhof, O'Brien, Peterson, Rulli, Schaffer, Sykes, Thomas, Williams, Yuko.

To amend section 4765.401 of the Revised Code regarding emergency medical services and stroke patient protocols, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Butler moved that **Am. S. B. No. 302**-Senators Eklund, Antonio, et al., be informally passed and retain its place on the calendar.

The motion was agreed to without objection.

S. B. No. 272-Senators Roegner, Blessing.

Cosponsors: Senators Huffman, M., Huffman, S., Hackett, Antonio, Brenner,

Burke, Coley, Craig, Dolan, Eklund, Gavarone, Hoagland, Hottinger, Johnson, Kunze, Lehner, Maharath, McColley, Obhof, O'Brien, Peterson, Schaffer, Sykes, Thomas, Wilson.

To amend section 4755.48 and to enact sections 4755.57 and 4755.571 of the Revised Code to enter into the Physical Therapy Licensure Compact, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Butler moved that **S. B. No. 272**-Senators Roegner, Blessing, et al., be informally passed and retain its place on the calendar.

The motion was agreed to without objection.

Sub. S. B. No. 236-Senator Huffman, S.

Cosponsors: Senators Schaffer, Hackett, Antonio, Blessing, Burke, Craig, Dolan, Fedor, Gavarone, Hoagland, Hottinger, Huffman, M., Johnson, Kunze, Lehner, Maharath, Manning, Peterson, Roegner, Sykes, Wilson, Yuko Representative Clites.

To amend sections 339.10, 3748.04, 4729.01, 4760.08, 4760.09, 4761.17, 4773.01, and 4773.061 and to enact section 4773.10 of the Revised Code to revise the laws governing the Ohio Department of Health's Radiation Control Program, the regulation of radiation technology professionals, and the practice of anesthesiologist assistants and to specify that a nonprofit formed or acquired by a county hospital is a separate entity from the hospital, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Fraizer moved to amend, amendment 3830-1, as follows:

In line 1 of the title, delete "339.10,"; after "3748.04" insert ", 3902.30, 4715.70, 4715.71, 4715.72, 4723.94"; after "4729.01" insert ", 4732.33"

In line 2 of the title, delete "and"; after "4773.061" insert ", 5101.26, 5101.27, and 5164.95; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 4731.2910"

In line 3 of the title, delete "and" and insert "(4743.09); and"; delete "section" and insert "sections 3301.531, 3701.1310, 3721.60, 4715.73, 4730.60, 4731.741, 4753.20, 4755.90, 4757.50, 4758.80, 4759.20,"; after "4773.10" insert ", 5104.037, and 5119.368"

In line 8 of the title, delete "and" and insert ","; delete "specify that"

Delete line 9 of the title

In line 10 of the title, delete "hospital is a separate entity from the hospital" and insert "establish and modify requirements regarding the

provision of telehealth services; to require the screening of child care and preschool employees for tuberculosis; to require the disclosure of information about certain public assistance recipients to public health authorities; and to exempt certain entities from the notice requirements that apply to mobile dental facilities"

In line 11, delete "339.10,"; after "3748.04" insert ", 3902.30, 4715.70, 4715.71, 4715.72, 4723.94"; after "4729.01" insert ", 4732.33"

In line 12, delete ", and" and insert ","; after "4773.061" insert ", 5101.26, 5101.27, and 5164.95 be amended; section 4731.2910 (4743.09)"; delete the second "and" and insert "for the purpose of adopting a new"

In line 13, after "section" insert "number as indicated in parentheses; and sections 3301.531, 3701.1310, 3721.60, 4715.73, 4730.60, 4731.741, 4753.20, 4755.90, 4757.50, 4758.80, 4759.20, 4773.10, 5104.037, and"; delete "4773.10" and insert "5119.368"

Delete lines 15 through 54

After line 54, insert:

"Sec. 3301.531. (A) As used in this section:

(1) "Active tuberculosis" has the same meaning as in section 339.71 of the Revised Code.

(2) "Latent tuberculosis" means tuberculosis that has been demonstrated by a positive reaction to a tuberculosis test but has no clinical, bacteriological, or radiographic evidence of active tuberculosis.

(3) "Licensed health professional" means any of the following:

(a) A physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;

(b) A physician assistant who holds a current, valid license to practice as a physician assistant issued under Chapter 4730. of the Revised Code;

(c) A certified nurse practitioner, as defined in section 4723.01 of the Revised Code;

(d) A clinical nurse specialist, as defined in section 4723.01 of the Revised Code.

(4) "Tuberculosis control unit" means the county tuberculosis control unit designated by a board of county commissioners under section 339.72 of the Revised Code or the district tuberculosis control unit designated pursuant to an agreement entered into by two or more boards of county commissioners under that section.

(5) "Tuberculosis test" means either of the following:

(a) A two-step Mantoux tuberculin skin test;

(b) A blood assay for m. tuberculosis.

(B) Before employing a person as a director, staff member, or nonteaching employee, for the purpose of tuberculosis screening, each preschool program shall determine if the person has done both of the following:

(1) Resided in a country identified by the world health organization as having a high burden of tuberculosis;

(2) Arrived in the United States within the five years immediately preceding the date of application for employment.

(C) If the person meets the criteria described in division (B) of this section, the preschool program shall require the person to undergo a tuberculosis test before employment. If the result of the test is negative, the preschool program may employ the person.

(D) If the result of any tuberculosis test performed as described in division (C) of this section is positive, the preschool program shall require the person to undergo additional testing for tuberculosis, which may include a chest radiograph or the collection and examination of specimens.

(1) If additional testing indicates active tuberculosis, then until the tuberculosis control unit determines that the person is no longer infectious, the preschool program shall not employ the person or, if employed, shall not allow the person to be physically present at the program's location.

For purposes of this section, evidence that a person is no longer infectious shall consist of a written statement to that effect signed by a representative of the tuberculosis control unit.

(2) If additional testing indicates latent tuberculosis, then until the person submits to the program evidence that the person is receiving treatment as prescribed by a licensed health professional, the preschool program shall not employ the person or, if employed, shall not allow the person to be physically present at the program's location. Once the person submits to the program evidence that the person is in the process of completing a tuberculosis treatment regimen as prescribed by a licensed health professional, the preschool program may employ the person and allow the person to be physically present at the program's location, as long as periodic evidence of compliance with the treatment regimen is submitted in accordance with rules adopted under section 3701.146 of the Revised Code.

For purposes of this section, evidence that a person is in the process of completing and is compliant with a tuberculosis treatment regimen shall consist of a written statement to that effect signed by a representative of the tuberculosis control unit that is overseeing the person's treatment.

Sec. 3701.1310. During any declared disaster, epidemic, pandemic, public health emergency, or public safety emergency, an individual with a developmental disability or any other permanent disability who is in need of

surgery or any other health care procedure, any medical or other health care test, or any clinical care visit shall be given the opportunity to have at least one parent or legal guardian present if the presence of the individual's parent or legal guardian is necessary to alleviate any negative reaction that may be experienced by the individual who is the patient.

The director of health may take any action necessary to enforce this section.

Sec. 3721.60. (A) As used in this section, "long-term care facility" means all of the following:

(1) A home, as defined in section 3721.10 of the Revised Code;

(2) A residential facility licensed by the department of mental health and addiction services under section 5119.34 of the Revised Code;

(3) A residential facility licensed by the department of developmental disabilities under section 5123.19 of the Revised Code;

(4) A facility operated by a hospice care program licensed by the department of health under Chapter 3712. of the Revised Code that is used exclusively for care of hospice patients or other facility in which a hospice care program provides care for hospice patients.

(B) During any declared disaster, epidemic, pandemic, public health emergency, or public safety emergency, each long-term care facility shall provide residents and their families with a video-conference visitation option if the governor, the director of health, other government official or entity, or the long-term care facility determines that allowing in-person visits at the facility would create a risk to the health of the residents."

After line 250, insert:

"Sec. 3902.30. (A) As used in this section:

(1) "Cost sharing" means the cost to a covered individual under a health benefit plan according to any coverage limit, copayment, coinsurance, deductible, or other out-of-pocket expense requirements imposed by the plan.

(2) "Health benefit plan," "health care services," and "health plan issuer" have the same meanings as in section 3922.01 of the Revised Code.

~~(2)-(3) "Health care professional" means any of the following:-~~

~~(a) A physician licensed under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;~~

~~(b) A physician assistant licensed under Chapter 4731. of the Revised Code;~~

~~(c) An advanced practice registered nurse as defined in section 4723.01 of the Revised Code. has the same meaning as in section 4743.09 of~~

the Revised Code.

~~(3)-(4)~~ "In-person health care services" means health care services delivered by a health care professional through the use of any communication method where the professional and patient are simultaneously present in the same geographic location.

~~(4)-(5)~~ "Recipient" means a patient receiving health care services or a health care professional with whom the provider of health care services is consulting regarding the patient.

~~(5) "Telemedicine"~~ ~~(6) "Telehealth services"~~ means ~~a mode of providing~~ health care services provided through synchronous or asynchronous information and communication technology by a health care professional, within the professional's scope of practice, who is located at a site other than the site where the recipient is located.

(B)(1) A health benefit plan shall provide coverage for ~~telemedicine-~~ telehealth services on the same basis and to the same extent that the plan provides coverage for the provision of in-person health care services.

(2) A health benefit plan shall not exclude coverage for a service solely because it is provided as a ~~telemedicine-~~ telehealth service.

(3) A health plan issuer shall reimburse a health care professional for a telehealth service that is covered under a patient's health benefit plan.
Division (B)(3) of this section shall not be construed to require a specific reimbursement amount.

(C) A health benefit plan shall not impose any annual or lifetime benefit maximum in relation to ~~telemedicine-~~ telehealth services other than such a benefit maximum imposed on all benefits offered under the plan.

~~(D)~~ This (D)(1) A health benefit plan shall not impose a cost-sharing requirement for telehealth services that exceeds the cost-sharing requirement for comparable in-person health care services.

(2)(a) A health benefit plan shall not impose a cost-sharing requirement for a communication when all of the following apply:

(i) The communication was initiated by the health care professional.

(ii) The patient consented to receive a telehealth service from that provider on any prior occasion.

(iii) The communication is conducted for the purposes of preventive health care services only.

(b) If a communication described in division (D)(2)(a) of this section is coded based on time, then only the time the health care professional spends engaged in the communication is billable.

(E) This section shall not be construed as doing ~~any~~ either of the following:

~~(1) Prohibiting a health benefit plan from assessing cost-sharing requirements to a covered individual for telemedicine services, provided that such cost-sharing requirements for telemedicine services are not greater than those for comparable in-person health care services;~~

(2) Requiring a health plan issuer to reimburse a health care professional for any costs or fees associated with the provision of ~~telemedicine~~ telehealth services that would be in addition to or greater than the standard reimbursement for comparable in-person health care services;

~~(3)~~ (2) Requiring a health plan issuer to reimburse a ~~telemedicine~~ telehealth provider for ~~telemedicine~~ telehealth services at the same rate as in-person services.

~~(E) This section applies to all health benefit plans issued, offered, or renewed on or after January 1, 2021.~~

(F) The superintendent of insurance may adopt rules in accordance with Chapter 119. of the Revised Code as necessary to carry out the requirements of this section. Any such rules are not subject to the requirements of division (F) of section 121.95 of the Revised Code.

Sec. 4715.70. As used in this section and sections 4715.71 ~~and 4715.72 to 4715.73~~ of the Revised Code:

(A) "Dental hygiene services" means the prophylactic, preventive, and other procedures that dentists are authorized by this chapter and rules of the state dental board to assign to dental hygienists, except for procedures while a patient is anesthetized, definitive root planing, definitive subgingival curettage, the administration of local anesthesia, and the procedures specified in rules adopted by the board as described in division (C)(4) of section 4715.22 of the Revised Code.

(B)(1) "Minor" means an individual under eighteen years of age who is not emancipated.

(2) For purposes of this division, an individual under eighteen years of age is emancipated only if the individual has married, has entered the armed services of the United States, has become employed and self-sustaining, or otherwise has become independent from the care and control of the individual's parent, guardian, or custodian.

(C) "Mobile dental facility" means either of the following:

(1) A self-contained, intact facility in which dentistry or dental hygiene is practiced that may be transported from one location to another;

(2) A site used on a temporary basis to provide dental or dental hygiene services using portable equipment.

(D) "Mobile dental facility operator" means a dentist licensed under this chapter who operates a mobile dental facility.

(E) "Patient's representative" means a person who has authority to make health care decisions on behalf of an adult or emancipated minor, or the parent, legal guardian, or other person acting in loco parentis who is authorized by law to make health care decisions on behalf of a minor.

Sec. 4715.71. A-Except as provided in section 4715.73 of the Revised Code, a mobile dental facility operator or the operator's representative shall provide each patient receiving dental or dental hygiene services at a mobile dental facility, or the patient's representative, with all of the following:

(A) The name of each individual who arranged for or provided dental or dental hygiene services to the patient;

(B) The telephone number to reach the mobile dental facility operator or operator's representative in case of an emergency;

(C) A list of dental or dental hygiene services provided to the patient;

(D) Any recommendations regarding further dental or dental hygiene services that are advisable;

(E) A notice to the patient that the facility must provide access to the patient's complete dental records in accordance with Chapter 3798. of the Revised Code and applicable federal laws;

(F) Instructions for requesting a copy or transfer of the patient's records.

Sec. 4715.72. A-Except as provided in section 4715.73 of the Revised Code, a mobile dental facility operator or the operator's representative shall notify the state dental board and all treatment venues not later than fourteen days after either of the following occurs:

(A) There is a change in the address or telephone number of the operator.

(B) The mobile dental facility ceases to operate.

The notice must be provided in writing.

Sec. 4715.73. Sections 4715.71 and 4715.72 of the Revised Code do not apply to a mobile dental facility that is under the control or management of any of the following, when the only services provided by the mobile dental facility are the placement of pit and fissure sealants and the application of fluoride varnish:

(A) A program operated through a school district board of education or the governing board of an educational service center;

(B) The board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code;

(C) Any other public or private entity that is under contract with the

department of health and recognized by the state dental board.

Sec. 4723.94. ~~(A) As used in this section:-~~

~~(1) "Facility fee" means any fee charged or billed for telemedicine services provided in a facility that is intended to compensate the facility for its operational expenses and is separate and distinct from a professional fee.~~

~~(2) "Health plan issuer" has the same meaning as in section 3922.01 of the Revised Code.~~

~~(3) "Telemedicine services" has the same meaning as in section 3902.30 of the Revised Code.~~

~~(B) An advanced practice registered nurse providing telemedicine may provide telehealth services shall not charge a facility fee, an origination fee, or any fee associated with the cost of the equipment used to provide telemedicine services to a health plan issuer covering telemedicine services under in accordance with section 3902.30-4743.09 of the Revised Code."~~

After line 534, insert:

"Sec. 4730.60. A physician assistant may provide telehealth services in accordance with section 4743.09 of the Revised Code.

Sec. 4731.741. A physician may provide telehealth services in accordance with sections 4743.09 of the Revised Code.

Sec. 4732.33. (A) The state board of psychology shall adopt rules governing the use of telepsychology for the purpose of protecting the welfare of recipients of telepsychology services and establishing requirements for the responsible use of telepsychology in the practice of psychology and school psychology, including supervision of persons registered with the state board of psychology as described in division (B) of section 4732.22 of the Revised Code. The rules shall be consistent with section 4743.09 of the Revised Code.

(B) A psychologist or school psychologist may provide telehealth services in accordance with section 4743.09 of the Revised Code.

Sec. 4731.2910 4743.09. (A) As used in this section:

(1) "Durable medical equipment" means equipment, including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, and generally is not useful to a person in the absence of illness or injury. "Durable medical equipment" includes a remote monitoring device utilized by a physician, physician assistant, or advanced practice registered nurse in accordance with this section.

(2) "Facility fee" has the same meaning as in section 4723.94 of the Revised Code means any fee charged or billed for telehealth services provided in a facility that is intended to compensate the facility for its

operational expenses and is separate and distinct from a professional fee.

(2)-(3) "Health care professional" means:

(a) An advanced practice registered nurse, as defined in section 4723.01 of the Revised Code;

(b) A physician assistant licensed under Chapter 4730. of the Revised Code;

(c) A physician licensed under ~~this chapter~~ Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;

(b) A physician assistant licensed under Chapter 4730.

(d) A psychologist or school psychologist licensed under Chapter 4732. of the Revised Code;

(e) An audiologist or speech-language pathologist licensed under Chapter 4753. of the Revised Code;

(f) An occupational therapist or physical therapist licensed under Chapter 4755. of the Revised Code;

(g) A professional clinical counselor, independent social worker, or independent marriage and family therapist licensed under Chapter 4757. of the Revised Code;

(h) An independent chemical dependency counselor licensed under Chapter 4758. of the Revised Code;

(i) A dietitian licensed under Chapter 4759. of the Revised Code.

(3)-(4) "Health care professional licensing board" means any of the following:

(a) The board of nursing;

(b) The state medical board;

(c) The state board of psychology;

(d) The state speech and hearing professionals board;

(e) The Ohio occupational therapy, physical therapy, and athletic trainers board;

(f) The counselor, social worker, and marriage and family therapist board;

(g) The chemical dependency professionals board.

(5) "Health plan issuer" has the same meaning as in section 3922.01 of the Revised Code.

(4)-(6) "~~Telemedicine~~ Telehealth services" has the same meaning as in section 3902.30 of the Revised Code.

(B) Each health care professional licensing board shall permit a health care professional under its jurisdiction to provide the professional's services as telehealth services in accordance with this section. The board may adopt any rules it considers necessary to implement this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code.

(C) With respect to the provision of telehealth services, all of the following apply:

(1) A health care professional may use technology to provide telehealth services to a patient during an initial visit if the appropriate standard of care for an initial visit is satisfied.

(2) A health care professional may deny a patient telehealth services and, instead, require the patient to undergo an in-person visit.

(3) When providing telehealth services in accordance with this section, a health care professional shall comply with all requirements under state and federal law regarding the protection of patient information. A health care professional shall ensure that any username or password information and any electronic communications between the professional and a patient are securely transmitted and stored.

(4) A health care professional may use technology to provide telehealth services to a patient during an annual visit if the appropriate standard of care for an annual visit is satisfied.

(5) In the case of a health care professional who is a physician, physician assistant, or advanced practice registered nurse, both of the following apply:

(a) The professional may provide telehealth services to a patient located outside of this state if permitted by the laws of the state in which the patient is located.

(b) The professional may provide telehealth services through the use of medical devices that enable remote monitoring, including such activities as monitoring a patient's blood pressure, heart rate, or glucose level.

(D) When a patient has consented to receiving telehealth services, the health care professional who provides those services is not liable in damages under any claim made on the basis that the services do not meet the same standard of care that would apply if the services were provided in-person.

(E)(1) A health care professional providing ~~telemedicine~~ telehealth services shall not charge a health plan issuer covering telehealth services under section 3902.30 of the Revised Code any of the following: a facility fee, an origination fee, or any fee associated with the cost of the equipment used at the provider site to provide ~~telemedicine~~ telehealth services to a health plan issuer covering telemedicine services under section 3902.30 of the Revised Code. A health care professional may charge a health plan issuer

for durable medical equipment used at a patient or client site.

(2) A health care professional may negotiate with a health plan issuer to establish a reimbursement rate for fees associated with the administrative costs incurred in providing telehealth services as long as a patient is not responsible for any portion of the fee.

(3) A health care professional providing telehealth services shall obtain a patient's consent once before billing for the cost of providing the services.

(F) Nothing in this section eliminates or modifies any other provision of the Revised Code that requires a health care professional who is not a physician to practice under the supervision of, in collaboration with, in consultation with, or pursuant to the referral of another health care professional.

Sec. 4753.20. An audiologist or speech-language pathologist may provide telehealth services in accordance with section 4743.09 of the Revised Code.

Sec. 4755.90. An occupational therapist or physical therapist may provide telehealth services in accordance with section 4743.09 of the Revised Code.

Sec. 4757.50. A professional clinical counselor, independent social worker, or independent marriage and family therapist may provide telehealth services in accordance with section 4743.09 of the Revised Code.

Sec. 4758.80. An independent chemical dependency counselor may provide telehealth services in accordance with section 4743.09 of the Revised Code.

Sec. 4759.20. A dietitian may provide telehealth services in accordance with section 4743.09 of the Revised Code."

After line 765, insert:

"Sec. 5101.26. As used in this section and in sections 5101.27 to 5101.30 of the Revised Code:

(A) "County agency" means a county department of job and family services or a public children services agency.

(B) "Fugitive felon" means an individual who is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual is fleeing, for a crime or an attempt to commit a crime that is a felony under the laws of the place from which the individual is fleeing or, in the case of New Jersey, a high misdemeanor, regardless of whether the individual has departed from the individual's usual place of residence.

(C) "Information" means records as defined in section 149.011 of the

Revised Code, any other documents in any format, and data derived from records and documents that are generated, acquired, or maintained by the department of job and family services, a county agency, or an entity performing duties on behalf of the department or a county agency.

(D) "Law enforcement agency" means the state highway patrol, an agency that employs peace officers as defined in section 109.71 of the Revised Code, the adult parole authority, a county department of probation, a prosecuting attorney, the attorney general, similar agencies of other states, federal law enforcement agencies, and postal inspectors. "Law enforcement agency" includes the peace officers and other law enforcement officers employed by the agency.

(E) "Public assistance" means financial assistance or social services that are provided under a program administered by the department of job and family services or a county agency pursuant to Chapter 329., 5101., 5104., 5107., or 5108. of the Revised Code or an executive order issued under section 107.17 of the Revised Code. "Public assistance" does not mean medical assistance provided under a medical assistance program, as defined in section 5160.01 of the Revised Code.

(F) "Public assistance recipient" means an applicant for or recipient or former recipient of public assistance.

(G) "Publicly funded child care" has the same meaning as in section 5104.01 of the Revised Code.

(H) "Tuberculosis control unit" means the county tuberculosis control unit designated by a board of county commissioners under section 339.72 of the Revised Code or the district tuberculosis control unit designated pursuant to an agreement entered into by two or more boards of community commissioners under that section.

Sec. 5101.27. (A) Except as permitted by this section, section 5101.273, 5101.28, or 5101.29 of the Revised Code, or rules adopted under section 5101.30 of the Revised Code, or when required by federal law, no person or government entity shall knowingly solicit, disclose, receive, use, ~~or knowingly permit the use of,~~ or participate in the use of any information regarding a public assistance recipient for any purpose not directly connected with the administration of a public assistance program.

(B) To the extent permitted by federal law, the department of job and family services and county agencies shall do all of the following:

(1) Release information regarding a public assistance recipient for purposes directly connected to the administration of the program to a government entity responsible for administering that public assistance program;

(2) Provide information regarding a public assistance recipient to a

law enforcement agency for the purpose of any investigation, prosecution, or criminal or civil proceeding relating to the administration of that public assistance program;

(3) Provide, for purposes directly connected to the administration of a program that assists needy individuals with the costs of public utility services, information regarding a recipient of financial assistance provided under a program administered by the department or a county agency pursuant to Chapter 5107. or 5108. of the Revised Code to an entity administering the public utility services program.

~~(C)~~(C)(1) To the extent permitted by federal law and subject to division (C)(2) of this section, the department of job and family services shall release, for purposes directly connected to a public health investigation related to section 3301.531 or 5104.037 of the Revised Code, information regarding a public assistance recipient who receives publicly funded child care, as long as all of the following conditions are met:

(a) The department of health or the tuberculosis control unit has initiated a public health investigation related to section 3301.531 or 5104.037 of the Revised Code and has assessed the investigation as an emergency.

(b) The department of health or the tuberculosis control unit has notified the department of job and family services about the investigation and has requested that the department of job and family services release the information for purposes of the investigation.

(c) The department of job and family services is unable to timely obtain voluntary, written authorization that complies with section 5101.272 of the Revised Code.

(2) If the conditions specified in division (C)(1) of this section are met, the department of job and family services shall release to the department of health or the tuberculosis control unit the minimum information necessary to fulfill the needs of the department of health or tuberculosis control unit related to the public health investigation.

(3) If the department of job and family services releases information pursuant to division (C) of this section, it shall immediately notify the public assistance recipient.

(D) To the extent permitted by federal law and section 1347.08 of the Revised Code, the department and county agencies shall provide access to information regarding a public assistance recipient to all of the following:

- (1) The recipient;
- (2) The authorized representative;
- (3) The legal guardian of the recipient;
- (4) The attorney of the recipient, if the attorney has written

authorization that complies with section 5101.272 of the Revised Code from the recipient.

~~(D)~~(E) To the extent permitted by federal law and subject to division ~~(E)~~(F) of this section, the department and county agencies may do both of the following:

(1) Release information about a public assistance recipient if the recipient gives voluntary, written authorization that complies with section 5101.272 of the Revised Code;

(2) Release information regarding a public assistance recipient to a state, federal, or federally assisted program that provides cash or in-kind assistance or services directly to individuals based on need or for the purpose of protecting children to a government entity responsible for administering a children's protective services program.

~~(E)~~(F) Except when the release is required by division (B), (C), or (D) of this section or ~~(D)(2)~~ is authorized by division ~~(E)(2)~~ of this section, the department or county agency shall release the information only in accordance with the authorization. The department or county agency shall provide, at no cost, a copy of each written authorization to the individual who signed it.

~~(F)~~(G) The department of job and family services may adopt rules defining "authorized representative" for purposes of division ~~(C)(2)~~(D)(2) of this section.

Sec. 5104.037. (A) As used in this section:

(1) "Active tuberculosis" has the same meaning as in section 339.71 of the Revised Code.

(2) "Latent tuberculosis" means tuberculosis that has been demonstrated by a positive reaction to a tuberculosis test but has no clinical, bacteriological, or radiographic evidence of active tuberculosis.

(3) "Licensed health professional" means any of the following:

(a) A physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;

(b) A physician assistant who holds a current, valid license to practice as a physician assistant issued under Chapter 4730. of the Revised Code;

(c) A certified nurse practitioner, as defined in section 4723.01 of the Revised Code;

(d) A clinical nurse specialist, as defined in section 4723.01 of the Revised Code.

(4) "Tuberculosis control unit" means the county tuberculosis control unit designated by a board of county commissioners under section 339.72 of the Revised Code or the district tuberculosis control unit designated pursuant

to an agreement entered into by two or more boards of county commissioners under that section.

(5) "Tuberculosis test" means either of the following:

(a) A two-step Mantoux tuberculin skin test;

(b) A blood assay for m. tuberculosis.

(B) Before employing a person as an administrator or employee, for the purpose of tuberculosis screening, each child day-care center shall determine if the person has done both of the following:

(1) Resided in a country identified by the world health organization as having a high burden of tuberculosis;

(2) Arrived in the United States within the five years immediately preceding the date of application for employment.

(C) If the person meets the criteria described in division (B) of this section, the center shall require the person to undergo a tuberculosis test before employment. If the result of the test is negative, the center may employ the person.

(D) If the result of any tuberculosis test performed as described in division (C) of this section is positive, the center shall require the person to undergo additional testing for tuberculosis, which may include a chest radiograph or the collection and examination of specimens.

(1) If additional testing indicates active tuberculosis, then until the person is no longer infectious as determined by the county tuberculosis unit, the center shall not employ the person or, if employed, shall not allow the person to be physically present at the center's location.

For purposes of this section, evidence that a person is no longer infectious shall consist of a written statement to that effect signed by a representative of the tuberculosis control unit.

(2) If additional testing indicates latent tuberculosis, then until the person submits to the program evidence that the person is receiving treatment as prescribed by a licensed health professional, the preschool program shall not employ the person or, if employed, shall not allow the person to be physically present at the program's location. Once the person submits to the program evidence that the person is in the process of completing a tuberculosis treatment regimen as prescribed by a licensed health professional, the preschool program may employ the person and allow the person to be physically present at the program's location, as long as periodic evidence of compliance with the treatment regimen is submitted in accordance with rules adopted under section 3701.146 of the Revised Code.

For purposes of this section, evidence that a person is in the process of completing and is compliant with a tuberculosis treatment regimen shall

consist of a written statement to that effect signed by the tuberculosis control unit that is overseeing the person's treatment.

Sec. 5119.368. (A) As used in this section, "telehealth services" has the same meaning as in section 3902.30 of the Revised Code.

(B) Each community mental health services provider and community addiction services provider shall establish a written policy and procedures describing how the provider will ensure that staff assisting clients with receiving telehealth services or providing telehealth services are fully trained in using equipment necessary for providing the services.

(C) Prior to providing telehealth services to a client, a provider shall describe to the client the potential risks associated with receiving treatment through telehealth services and shall document that the client was provided with the risks and agreed to assume those risks. The risks communicated to a client must address the following:

(1) Clinical aspects of receiving treatment through telehealth services;

(2) Security considerations when receiving treatment through telehealth services;

(3) Confidentiality for individual and group counseling.

(D) It is the responsibility of the provider, to the extent possible, to ensure contractually that any entity or individuals involved in the transmission of information through telehealth mechanisms guarantee that the confidentiality of the information is protected.

(E) Every provider shall have a contingency plan for providing telehealth services to clients in the event that technical problems occur during the provision of those services.

(F) Providers shall maintain, at a minimum, the following information pertaining to local resources:

(1) The local suicide prevention hotline, if available, or the national suicide prevention hotline.

(2) Contact information for the local police and fire departments.

The provider shall provide the client written information on how to access assistance in a crisis, including one caused by equipment malfunction or failure.

(G) It is the responsibility of the provider to ensure that equipment meets standards sufficient to do the following:

(1) To the extent possible, ensure confidentiality of communication;

(2) Provide for interactive communication between the provider and the client;

(3) Ensure that video or audio are sufficient to enable real-time interaction between the client and the provider and to ensure the quality of the service provided.

(H) A mental health facility or unit that is serving as a client site shall be maintained in such a manner that appropriate staff persons are on hand at the facility or unit in the event of a malfunction with the equipment used to provide telehealth services.

(I)(1) All telehealth services provided by interactive videoconferencing shall meet both of the following conditions:

(a) Begin with the verification of the client through a name and password or personal identification number when treatment services are being provided;

(b) Be provided in accordance with state and federal law.

(2) When providing telehealth services in accordance with this section, a provider shall comply with all requirements under state and federal law regarding the protection of patient information. Each provider shall ensure that any username or password information and any electronic communications between the provider and a client are securely transmitted and stored.

(J) The department of mental health and addiction services may adopt rules as it considers necessary to implement this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code. Any such rules are not subject to the requirements of division (F) of section 121.95 of the Revised Code.

Sec. 5164.95. (A) As used in this section, "telehealth service" means a health care service delivered to a patient through the use of interactive audio, video, or other telecommunications or electronic technology from a site other than the site where the patient is located.

(B) The department of medicaid shall establish standards for medicaid payments for health care services the department determines are appropriate to be covered by the medicaid program when provided as telehealth services. The standards shall be established in rules adopted under section 5164.02 of the Revised Code.

In accordance with section 5162.021 of the Revised Code, the medicaid director shall adopt rules authorizing the directors of other state agencies to adopt rules regarding the medicaid coverage of telehealth services under programs administered by the other state agencies. Any such rules adopted by the medicaid director or the directors of other state agencies are not subject to the requirements of division (F) of section 121.95 of the Revised Code.

(C)(1) The following practitioners are eligible to render telehealth

services covered pursuant to this section:

(a) A physician licensed under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;

(b) A psychologist licensed under Chapter 4732. of the Revised Code;

(c) A physician assistant licensed under Chapter 4730. of the Revised Code;

(d) A clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner licensed under Chapter 4723. of the Revised Code;

(e) An independent social worker, independent marriage and family therapist, or professional clinical counselor licensed under Chapter 4757. of the Revised Code;

(f) An independent chemical dependency counselor licensed under Chapter 4758. of the Revised Code;

(g) A supervised practitioner or supervised trainee;

(h) An audiologist or speech-language pathologist licensed under Chapter 4753. of the Revised Code;

(i) An audiology aide or speech-language pathology aide, as defined in section 4753.072 of the Revised Code, or an individual holding a conditional license under section 4753.071 of the Revised Code;

(j) An occupational therapist or physical therapist licensed under Chapter 4755. of the Revised Code;

(k) An occupational therapy assistant or physical therapist assistant licensed under Chapter 4755. of the Revised Code.

(l) A dietitian licensed under Chapter 4759. of the Revised Code;

(m) A practitioner who provides services through a medicaid school program;

(n) Any other practitioner the medicaid director considers eligible to provide the services.

(2) The following provider types are eligible to submit claims for medicaid payments for providing telehealth services:

(a) Any practitioner described in division (B)(1) of this section, except for those described in divisions (B)(1)(g), (i), and (k) of this section;

(b) A professional medical group;

(c) A federally qualified health center or rural health clinic;

(d) An ambulatory health care clinic;

(e) An outpatient hospital;

(f) A medicaid school program;

(g) Any other provider type the medicaid director considers eligible to submit the claims for payment.

(D)(1) When providing telehealth services under this section, a practitioner shall comply with all requirements under state and federal law regarding the protection of patient information. A practitioner shall ensure that any username or password information and any electronic communications between the practitioner and a patient are securely transmitted and stored.

(2) When providing telehealth services under this section, every practitioner site shall have access to the medical records of the patient at the time telehealth services are provided."

In line 766, delete "339.10,"; after "3748.04" insert ", 3902.30, 4715.70, 4715.71, 4715.72, 4723.94"

In line 767, after "4729.01" insert ", 4732.33"; delete ", and" and insert ", "; after "4773.061" insert ", 5101.26, 5101.27, 5164.95, and 4731.2910"

After line 768, insert:

"**Section 3.** Section 3902.30 of the Revised Code, as amended by this act, shall apply to health benefit plans, as defined in section 3922.01 of the Revised Code, that are in effect on the effective date of the amendment to that section and to plans that are issued, renewed, modified, or amended on or after the effective date of that amendment."

In line 769, delete "3" and insert "4"

The question being, "Shall the motion to amend be agreed to?"

The Honorable Bob Cupp, Speaker
The Ohio House of Representatives
Columbus, Ohio
Speaker Cupp,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on amendment 3830-1 to **S. B. No. 236**-Senator Huffman, S., et al., because it might be construed that I have an interest in the legislation.

Sincerely,

/S/ DAVE GREENSPAN
DAVE GREENSPAN
State Representative
16th House District

The request was granted.

The yeas and nays were taken and resulted – yeas 79, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Butler	Callender	Carfagna	Carruthers
Cera	Clites	Crossman	Cutrona
Dean	Edwards	Fraizer	Galonski
Ghanbari	Ginter	Green	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hood
Hoops	Ingram	Jones	Jordan
Keller	Kelly	Kick	Koehler
Lanese	Lang	LaRe	Leland
Lightbody	Lipps	Liston	Manchester
Manning, G.	McClain	Merrin	Miller, A.
Miller, J.	Miranda	O'Brien	Oelslager
Perales	Plummer	Powell	Reineke
Richardson	Riedel	Robinson	Roemer
Romanchuk	Russo	Seitz	Sheehy
Skindell	Smith, K.	Smith, T.	Sobecki
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	West
Wiggam	Zeltwanger		Cupp-79

Representative Howse voted in the negative-1.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted – yeas 81, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Butler	Callender	Carfagna	Carruthers
Cera	Clites	Crossman	Cutrona
Dean	Denson	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Hambley	Hicks-Hudson	Hillyer
Holmes, A.	Hood	Hoops	Ingram
Jones	Jordan	Keller	Kelly
Kick	Koehler	Lanese	Lang
LaRe	Leland	Lightbody	Lipps
Liston	Manchester	Manning, G.	McClain
Merrin	Miller, A.	Miller, J.	Miranda
O'Brien	Oelslager	Perales	Plummer
Powell	Reineke	Richardson	Riedel
Robinson	Roemer	Romanchuk	Russo
Seitz	Sheehy	Smith, K.	Smith, T.
Sobecki	Stein	Stephens	Stoltzfus
Strahorn	Swearingen	Sweeney	Sykes
West	Wiggam	Wilkin	Zeltwanger
			Cupp-81

Representatives Crawley, Howse, and Skindell voted in the negative-3.
The bill passed.

Representative Lipps moved to amend the title as follows:

Add the names: "Carruthers, Fraizer, Holmes, A.."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 277-Senator Schuring.

Cosponsors: Senators Brenner, Hoagland, Wilson, Hackett, Antonio, Blessing, Burke, Craig, Dolan, Fedor, Manning, O'Brien, Peterson, Rulli, Sykes, Thomas, Yuko.

To amend sections 122.58, 135.182, 169.05, 169.07, 169.08, and 742.38 of the Revised Code to revise the Ohio Pooled Collateral Program, the Unclaimed Funds Law, and the Ohio Police and Fire Pension Fund disability determination procedures, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 81, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Butler
Callender	Carfagna	Carruthers	Cera
Clites	Crossman	Cutrona	Dean
Denson	Edwards	Fraizer	Galonski
Ghanbari	Ginter	Green	Greenspan
Hambley	Hicks-Hudson	Hillyer	Holmes, A.
Hood	Hoops	Ingram	Jones
Jordan	Keller	Kelly	Kick
Koehler	Lanese	Lang	LaRe
Leland	Lightbody	Lipps	Liston
Manchester	Manning, G.	McClain	Merrin
Miller, A.	Miller, J.	Miranda	O'Brien
Oelslager	Perales	Plummer	Powell
Reineke	Richardson	Riedel	Robinson
Roemer	Romanchuk	Russo	Seitz
Sheehy	Skindell	Smith, K.	Smith, T.
Sobecki	Stein	Stephens	Stoltzfus
Strahorn	Swearingen	Sweeney	Sykes
West	Wiggam	Wilkin	Zeltwanger
			Cupp-81

Representatives Brinkman, Crawley, and Howse voted in the negative-3.

The bill passed.

Representative Jordan moved to amend the title as follows:

Add the names: "Lang, Merrin, West."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 360-Senator Obhof.

Cosponsors: Senators Peterson, Hottinger, Brenner, Johnson, Roegner, Rulli, Schaffer, Burke, Coley, Hoagland, Blessing, Eklund, Gavarone, Hackett, Huffman, M., Huffman, S., McColley, O'Brien Representative Wiggam.

To amend section 5502.63 and to enact section 9.71 of the Revised Code to generally bar public officials from prohibiting federally licensed firearms dealers in the state or a specified geographic area from the commercial sale or transfer of firearms or their components or ammunition and to modify the definition of federally licensed firearms dealer, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Butler moved that **Sub. S. B. No. 360-Senator Obhof, et al.**, be informally passed and retain its place on the calendar.

The motion was agreed to without objection.

Am. S. B. No. 375-Senators Hoagland, Schaffer.

Cosponsors: Senators Obhof, Peterson, Brenner, Burke, Eklund, Gavarone, Hackett, Hottinger, Huffman, M., Huffman, S., Johnson, McColley, Roegner, Wilson Representatives Koehler, Smith, T., Jones, Kick, Stoltzfus.

To void the Director of Health's July 30th order regarding county fairs and create the Agricultural Society Working Group for 2021, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Smith, T. moved the previous question.

This motion under House Rule No. 101 is supported by the following members:

/S/ ALESSANDRO CUTRONA /S/ JAY EDWARDS
ALESSANDRO CUTRONA JAY EDWARDS

/S/ DEREK MERRIN /S/ DON JONES
DEREK MERRIN DON JONES

The question being, "Shall the debate now close?"

The yeas and nays were taken and resulted – yeas 50, nays 33, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldridge	Becker
Brinkman	Butler	Callender	Carfagna

Carruthers	Cutrona	Edwards	Fraizer
Ghanbari	Ginter	Green	Greenspan
Hambley	Hillyer	Holmes, A.	Hoops
Jones	Jordan	Kick	Koehler
Lanese	Lang	LaRe	Lipps
Manchester	Manning, G.	McClain	Merrin
Oelslager	Perales	Plummer	Powell
Reineke	Richardson	Riedel	Roemer
Seitz	Smith, T.	Stein	Stephens
Stoltzfus	Swearingen	Wiggam	Wilkin
Zeltwanger			Cupp-50

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Cera
Clites	Crawley	Crossman	Dean
Denson	Galonski	Hicks-Hudson	Hood
Howse	Ingram	Keller	Leland
Lightbody	Liston	Miller, A.	Miller, J.
Miranda	O'Brien	Robinson	Romanchuk
Russo	Sheehy	Skindell	Smith, K.
Sobecki	Strahorn	Sweeney	Sykes
			West-33

The motion was agreed to.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 54, nays 30, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldridge	Becker
Brinkman	Butler	Callender	Carfagna
Carruthers	Cutrona	Dean	Edwards
Fraizer	Ghanbari	Ginter	Green
Greenspan	Hambley	Hillyer	Holmes, A.
Hood	Hoops	Jones	Jordan
Keller	Kick	Koehler	Lanese
Lang	LaRe	Lipps	Manchester
Manning, G.	McClain	Merrin	Oelslager
Perales	Plummer	Powell	Reineke
Richardson	Riedel	Roemer	Romanchuk
Seitz	Smith, T.	Stein	Stephens
Stoltzfus	Swearingen	Wiggam	Wilkin
Zeltwanger			Cupp-54

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Cera
Clites	Crawley	Crossman	Denson
Galonski	Hicks-Hudson	Howse	Ingram
Kelly	Leland	Lightbody	Liston
Miller, A.	Miller, J.	Miranda	O'Brien
Robinson	Russo	Sheehy	Skindell
Smith, K.	Sobecki	Strahorn	Sweeney
Sykes			West-30

The bill passed.

Representative Koehler moved to amend the title as follows:

Add the name: "Lang."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Butler moved that House Rule 66, pertaining to bills being placed on the calendar, be suspended and that **Am. S. B. No. 263**-Senator Hackett be taken up for immediate consideration the third time.

The question being, shall the motion be agreed to?

The motion was agreed to without objection.

Am. S. B. No. 263-Senator Hackett.

Cosponsors: Senators Maharath, Wilson, Craig, Thomas, Antonio, Kunze, Schuring, Blessing, Coley, Dolan, Fedor, Gavarone, Hoagland, Huffman, M., Huffman, S., Johnson, Lehner, Manning, McColley, O'Brien, Roegner, Rulli, Schaffer, Sykes, Yuko Representative Clites.

To amend sections 5164.751 and 5167.01 and to enact sections 3902.50, 3902.51, 4729.49, and 5167.123 of the Revised Code to prohibit a pharmacy benefit manager from taking certain actions with respect to reimbursements made to health care providers that participate in the federal 340B Drug Pricing Program, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 77, nays 6, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Callender	Carfagna	Carruthers	Cera
Clites	Crawley	Crossman	Cutrona
Dean	Denson	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Hambley	Hicks-Hudson	Hillyer
Holmes, A.	Hood	Hoops	Howse
Ingram	Jones	Jordan	Keller
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lightbody
Lipps	Liston	Manchester	Manning, G.
McClain	Merrin	Miller, A.	Miller, J.
Miranda	Oelslager	Perales	Plummer
Reineke	Richardson	Riedel	Robinson
Roemer	Russo	Sheehy	Skindell
Smith, K.	Smith, T.	Sobecki	Stein
Stephens	Stoltzfus	Strahorn	Sweeney
Sykes	West	Wiggam	Wilkin
			Cupp-77

Representatives Butler, Powell, Romanchuk, Seitz, Swearingen, and Zeltwanger voted in the negative-6.

The bill passed.

Representative Manchester moved to amend the title as follows:

Add the names: "Koehler, Lanese, Liston, Russo, Strahorn, Sweeney, West."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Butler moved that the House revert to the fourth order of business, being reports of conference committees.

The motion was agreed to.

REPORTS OF CONFERENCE COMMITTEES

Representative Butler moved that House Rule 66A, pertaining to conference committee reports carrying an appropriation, be suspended and that the report of the committee of conference on **Am. Sub. S. B. No. 310**-Senator Dolan, et al. be taken up for immediate consideration.

The motion was agreed to without objection.

Representative Oelslager submitted the following report:

The committee of conference to which the matters of difference between the two houses were referred on Am. S.B. No. 310, Senator Dolan - et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the Senate with the following amendments:

In line 1 of the title, after "To" insert "amend section 5739.09 of the Revised Code to"

In line 3 of the title, after "subdivisions," insert "to modify the use of proceeds from a Cuyahoga County lodging tax,"

After line 4, insert:

"Section 1. That section 5739.09 of the Revised Code be amended to read as follows:

Sec. 5739.09. (A)(1) A board of county commissioners may, by resolution adopted by a majority of the members of the board, levy an excise tax not to exceed three per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. The board shall establish all regulations necessary to provide for the administration and allocation of the

tax. The regulations may prescribe the time for payment of the tax, and may provide for the imposition of a penalty or interest, or both, for late payments, provided that the penalty does not exceed ten per cent of the amount of tax due, and the rate at which interest accrues does not exceed the rate per annum prescribed pursuant to section 5703.47 of the Revised Code. Except as otherwise provided in this section, the regulations shall provide, after deducting the real and actual costs of administering the tax, for the return to each municipal corporation or township that does not levy an excise tax on the transactions, a uniform percentage of the tax collected in the municipal corporation or in the unincorporated portion of the township from each transaction, not to exceed thirty-three and one-third per cent. Except as provided in this section, the remainder of the revenue arising from the tax shall be deposited in a separate fund and shall be spent solely to make contributions to the convention and visitors' bureau operating within the county, including a pledge and contribution of any portion of the remainder pursuant to an agreement authorized by section 307.678 or 307.695 of the Revised Code.

(2) If the board of county commissioners of an eligible county as defined in section 307.678 or 307.695 of the Revised Code adopts a resolution amending a resolution levying a tax under division (A) of this section to provide that revenue from the tax shall be used by the board as described in either division (D) of section 307.678 or division (H) of section 307.695 of the Revised Code, the remainder of the revenue shall be used as described in the resolution making that amendment.

(3) Except as provided in division (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), or (Q) of this section, on and after May 10, 1994, a board of county commissioners may not levy an excise tax pursuant to division (A) of this section in any municipal corporation or township located wholly or partly within the county that has in effect an ordinance or resolution levying an excise tax pursuant to division (B) of section 5739.08 of the Revised Code.

(4) The board of a county that has levied a tax under division (M) of this section may, by resolution adopted within ninety days after July 15, 1985, by a majority of the members of the board, amend the resolution levying a tax under division (A) of this section to provide for a portion of that tax to be pledged and contributed in accordance with an agreement entered into under section 307.695 of the Revised Code. A tax, any revenue from which is pledged pursuant to such an agreement, shall remain in effect at the rate at which it is imposed for the duration of the period for which the revenue from the tax has been so pledged.

(5) The board of county commissioners of an eligible county as defined in section 307.695 of the Revised Code may, by resolution adopted by a majority of the members of the board, amend a resolution levying a tax under division (A) of this section to provide that the revenue from the tax

shall be used by the board as described in division (H) of section 307.695 of the Revised Code, in which case the tax shall remain in effect at the rate at which it was imposed for the duration of any agreement entered into by the board under section 307.695 of the Revised Code, the duration during which any securities issued by the board under that section are outstanding, or the duration of the period during which the board owns a project as defined in section 307.695 of the Revised Code, whichever duration is longest.

(6) The board of county commissioners of an eligible county as defined in section 307.678 of the Revised Code may, by resolution, amend a resolution levying a tax under division (A) of this section to provide that revenue from the tax, not to exceed five hundred thousand dollars each year, may be used as described in division (E) of section 307.678 of the Revised Code.

(7) Notwithstanding division (A) of this section, the board of county commissioners of a county described in division (H)(1) of this section may, by resolution, amend a resolution levying a tax under division (A) of this section to provide that all or a portion of the revenue from the tax, including any revenue otherwise required to be returned to townships or municipal corporations under that division, may be used or pledged for the payment of debt service on securities issued to pay the costs of constructing, operating, and maintaining sports facilities described in division (H)(2) of this section.

(8) The board of county commissioners of a county described in division (I) of this section may, by resolution, amend a resolution levying a tax under division (A) of this section to provide that all or a portion of the revenue from the tax may be used for the purposes described in section 307.679 of the Revised Code.

(B) A board of county commissioners that levies an excise tax under division (A) of this section on June 30, 1997, at a rate of three per cent, and that has pledged revenue from the tax to an agreement entered into under section 307.695 of the Revised Code or, in the case of the board of county commissioners of an eligible county as defined in section 307.695 of the Revised Code, has amended a resolution levying a tax under division (M) of this section to provide that proceeds from the tax shall be used by the board as described in division (H) of section 307.695 of the Revised Code, may, at any time by a resolution adopted by a majority of the members of the board, amend the resolution levying a tax under division (A) of this section to provide for an increase in the rate of that tax up to seven per cent on each transaction; to provide that revenue from the increase in the rate shall be used as described in division (H) of section 307.695 of the Revised Code or be spent solely to make contributions to the convention and visitors' bureau operating within the county to be used specifically for promotion, advertising, and marketing of the region in which the county is located; and to provide that the rate in excess of the three per cent levied under division

(A) of this section shall remain in effect at the rate at which it is imposed for the duration of the period during which any agreement is in effect that was entered into under section 307.695 of the Revised Code by the board of county commissioners levying a tax under division (A) of this section, the duration of the period during which any securities issued by the board under division (I) of section 307.695 of the Revised Code are outstanding, or the duration of the period during which the board owns a project as defined in section 307.695 of the Revised Code, whichever duration is longest. The amendment also shall provide that no portion of that revenue need be returned to townships or municipal corporations as would otherwise be required under division (A) of this section.

(C)(1) As used in division (C) of this section, "cost" and "facility" have the same meanings as in section 351.01 of the Revised Code, and "convention center" has the same meaning as in section 307.695 of the Revised Code.

(2) A board of county commissioners that levies a tax under division (A) of this section on March 18, 1999, at a rate of three per cent may, by resolution adopted not later than forty-five days after March 18, 1999, amend the resolution levying the tax to provide for all of the following:

(a) That the rate of the tax shall be increased by not more than an additional four per cent on each transaction;

(b) That all of the revenue from the increase in the rate shall be pledged and contributed to a convention facilities authority established by the board of county commissioners under Chapter 351. of the Revised Code on or before November 15, 1998, and used to pay costs of constructing, maintaining, operating, and promoting a facility in the county, including paying bonds, or notes issued in anticipation of bonds, as provided by that chapter;

(c) That no portion of the revenue arising from the increase in rate need be returned to municipal corporations or townships as otherwise required under division (A) of this section;

(d) That the increase in rate shall not be subject to diminution by initiative or referendum or by law while any bonds, or notes in anticipation of bonds, issued by the authority under Chapter 351. of the Revised Code to which the revenue is pledged, remain outstanding in accordance with their terms, unless provision is made by law or by the board of county commissioners for an adequate substitute therefor that is satisfactory to the trustee if a trust agreement secures the bonds.

(3) Division (C) of this section does not apply to the board of county commissioners of any county in which a convention center or facility exists or is being constructed on November 15, 1998, or of any county in which a convention facilities authority levies a tax pursuant to section 351.021 of the

Revised Code on that date.

(D)(1) As used in division (D) of this section, "cost" has the same meaning as in section 351.01 of the Revised Code, and "convention center" has the same meaning as in section 307.695 of the Revised Code.

(2) A board of county commissioners that levies a tax under division (A) of this section on June 30, 2002, at a rate of three per cent may, by resolution adopted not later than September 30, 2002, amend the resolution levying the tax to provide for all of the following:

(a) That the rate of the tax shall be increased by not more than an additional three and one-half per cent on each transaction;

(b) That all of the revenue from the increase in rate shall be pledged and contributed to a convention facilities authority established by the board of county commissioners under Chapter 351. of the Revised Code on or before May 15, 2002, and be used to pay costs of constructing, expanding, maintaining, operating, or promoting a convention center in the county, including paying bonds, or notes issued in anticipation of bonds, as provided by that chapter;

(c) That no portion of the revenue arising from the increase in rate need be returned to municipal corporations or townships as otherwise required under division (A) of this section;

(d) That the increase in rate shall not be subject to diminution by initiative or referendum or by law while any bonds, or notes in anticipation of bonds, issued by the authority under Chapter 351. of the Revised Code to which the revenue is pledged, remain outstanding in accordance with their terms, unless provision is made by law or by the board of county commissioners for an adequate substitute therefor that is satisfactory to the trustee if a trust agreement secures the bonds.

(3) Any board of county commissioners that, pursuant to division (D) (2) of this section, has amended a resolution levying the tax authorized by division (A) of this section may further amend the resolution to provide that the revenue referred to in division (D)(2)(b) of this section shall be pledged and contributed both to a convention facilities authority to pay the costs of constructing, expanding, maintaining, or operating one or more convention centers in the county, including paying bonds, or notes issued in anticipation of bonds, as provided in Chapter 351. of the Revised Code, and to a convention and visitors' bureau to pay the costs of promoting one or more convention centers in the county.

(E)(1) As used in division (E) of this section:

(a) "Port authority" means a port authority created under Chapter 4582. of the Revised Code.

(b) "Port authority military-use facility" means port authority

facilities on which or adjacent to which is located an installation of the armed forces of the United States, a reserve component thereof, or the national guard and at least part of which is made available for use, for consideration, by the armed forces of the United States, a reserve component thereof, or the national guard.

(2) For the purpose of contributing revenue to pay operating expenses of a port authority that operates a port authority military-use facility, the board of county commissioners of a county that created, participated in the creation of, or has joined such a port authority may do one or both of the following:

(a) Amend a resolution previously adopted under division (A) of this section to designate some or all of the revenue from the tax levied under the resolution to be used for that purpose, notwithstanding that division;

(b) Amend a resolution previously adopted under division (A) of this section to increase the rate of the tax by not more than an additional two per cent and use the revenue from the increase exclusively for that purpose.

(3) If a board of county commissioners amends a resolution to increase the rate of a tax as authorized in division (E)(2)(b) of this section, the board also may amend the resolution to specify that the increase in rate of the tax does not apply to "hotels," as otherwise defined in section 5739.01 of the Revised Code, having fewer rooms used for the accommodation of guests than a number of rooms specified by the board.

(F)(1) A board of county commissioners of a county organized under a county charter adopted pursuant to Article X, Section 3, Ohio Constitution, and that levies an excise tax under division (A) of this section at a rate of three per cent and levies an additional excise tax under division (O) of this section at a rate of one and one-half per cent may, by resolution adopted not later than January 1, 2008, by a majority of the members of the board, amend the resolution levying a tax under division (A) of this section to provide for an increase in the rate of that tax by not more than an additional one per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. Notwithstanding divisions (A) and (O) of this section, the resolution shall provide that all of the revenue from the increase in rate, after deducting the real and actual costs of administering the tax, shall be used to pay the costs of improving, expanding, equipping, financing, or operating a convention center by a convention and visitors' bureau in the county.

(2) The increase in rate shall remain in effect for the period specified in the resolution, not to exceed ten years, and may be extended for an additional period of time not to exceed ten years thereafter by a resolution adopted by a majority of the members of the board.

(3) The increase in rate shall be subject to the regulations adopted under division (A) of this section, except that the resolution may provide that

no portion of the revenue from the increase in the rate shall be returned to townships or municipal corporations as would otherwise be required under that division.

(G)(1) Division (G) of this section applies only to a county with a population greater than sixty-five thousand and less than seventy thousand according to the most recent federal decennial census and in which, on December 31, 2006, an excise tax is levied under division (A) of this section at a rate not less than and not greater than three per cent, and in which the most recent increase in the rate of that tax was enacted or took effect in November 1984.

(2) The board of county commissioners of a county to which division (G) of this section applies, by resolution adopted by a majority of the members of the board, may increase the rate of the tax by not more than one per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. The increase in rate shall be for the purpose of paying expenses deemed necessary by the convention and visitors' bureau operating in the county to promote travel and tourism.

(3) The increase in rate shall remain in effect for the period specified in the resolution, not to exceed twenty years, provided that the increase in rate may not continue beyond the time when the purpose for which the increase is levied ceases to exist. If revenue from the increase in rate is pledged to the payment of debt charges on securities, the increase in rate is not subject to diminution by initiative or referendum or by law for so long as the securities are outstanding, unless provision is made by law or by the board of county commissioners for an adequate substitute for that revenue that is satisfactory to the trustee if a trust agreement secures payment of the debt charges.

(4) The increase in rate shall be subject to the regulations adopted under division (A) of this section, except that the resolution may provide that no portion of the revenue from the increase in the rate shall be returned to townships or municipal corporations as would otherwise be required under division (A) of this section.

(5) A resolution adopted under division (G) of this section is subject to referendum under sections 305.31 to 305.99 of the Revised Code.

(H)(1) Division (H) of this section applies only to a county satisfying all of the following:

(a) The population of the county is greater than one hundred seventy-five thousand and less than two hundred twenty-five thousand according to the most recent federal decennial census.

(b) An amusement park with an average yearly attendance in excess of two million guests is located in the county.

(c) On December 31, 2014, an excise tax was levied in the county under division (A) of this section at a rate of three per cent.

(2) The board of county commissioners of a county to which division (H) of this section applies, by resolution adopted by a majority of the members of the board, may increase the rate of the tax by not more than one per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. The increase in rate shall be used to pay the costs of constructing and maintaining facilities owned by the county or by a port authority created under Chapter 4582. of the Revised Code, and designed to host sporting events and expenses deemed necessary by the convention and visitors' bureau operating in the county to promote travel and tourism with reference to the sports facilities, and to pay or pledge to the payment of debt service on securities issued to pay the costs of constructing, operating, and maintaining the sports facilities.

(3) The increase in rate shall remain in effect for the period specified in the resolution. If revenue from the increase in rate is pledged to the payment of debt charges on securities, the increase in rate is not subject to diminution by initiative or referendum or by law for so long as the securities are outstanding, unless provision is made by law or by the board of county commissioners for an adequate substitute for that revenue that is satisfactory to the trustee if a trust agreement secures payment of the debt charges.

(4) The increase in rate shall be subject to the regulations adopted under division (A) of this section, except that the resolution may provide that no portion of the revenue from the increase in the rate shall be returned to townships or municipal corporations as would otherwise be required under division (A) of this section.

(I)(1) The board of county commissioners of a county with a population greater than seventy-five thousand and less than seventy-eight thousand, by resolution adopted by a majority of the members of the board not later than October 15, 2015, may increase the rate of the tax by not more than one per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. The increase in rate shall be for the purposes described in section 307.679 of the Revised Code or for the promotion of travel and tourism in the county, including travel and tourism to sports facilities.

(2) The increase in rate shall remain in effect for the period specified in the resolution and as necessary to fulfill the county's obligations under a cooperative agreement entered into under section 307.679 of the Revised Code. If the resolution is adopted by the board before September 29, 2015, but after that enactment becomes law, the increase in rate shall become effective beginning on September 29, 2015. If revenue from the increase in rate is pledged to the payment of debt charges on securities, or to substitute

for other revenues pledged to the payment of such debt, the increase in rate is not subject to diminution by initiative or referendum or by law for so long as the securities are outstanding, unless provision is made by law or by the board of county commissioners for an adequate substitute for that revenue that is satisfactory to the trustee if a trust agreement secures payment of the debt charges.

(3) The increase in rate shall be subject to the regulations adopted under division (A) of this section, except that no portion of the revenue from the increase in the rate shall be returned to townships or municipal corporations as would otherwise be required under division (A) of this section.

(J)(1) Division (J) of this section applies only to counties satisfying either of the following:

(a) A county that, on July 1, 2015, does not levy an excise tax under division (A) of this section and that has a population of at least thirty-nine thousand but not more than forty thousand according to the 2010 federal decennial census;

(b) A county that, on July 1, 2015, levies an excise tax under division (A) of this section at a rate of three per cent and that has a population of at least seventy-one thousand but not more than seventy-five thousand according to 2010 federal decennial census.

(2) The board of county commissioners of a county to which division (J) of this section applies, by resolution adopted by a majority of the members of the board, may levy an excise tax at a rate not to exceed three per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests for the purpose of acquiring, constructing, equipping, or repairing permanent improvements, as defined in section 133.01 of the Revised Code.

(3) If the board does not levy a tax under division (A) of this section, the board shall establish regulations necessary to provide for the administration of the tax, which may prescribe the time for payment of the tax and the imposition of penalty or interest subject to the limitations on penalty and interest provided in division (A) of this section. No portion of the revenue shall be returned to townships or municipal corporations in the county unless otherwise provided by resolution of the board.

(4) The tax shall apply throughout the territory of the county, including in any township or municipal corporation levying an excise tax under division (A) or (B) of section 5739.08 of the Revised Code. The levy of the tax is subject to referendum as provided under section 305.31 of the Revised Code.

(5) The tax shall remain in effect for the period specified in the

resolution. If revenue from the increase in rate is pledged to the payment of debt charges on securities, the increase in rate is not subject to diminution by initiative or referendum or by law for so long as the securities are outstanding unless provision is made by law or by the board for an adequate substitute for that revenue that is satisfactory to the trustee if a trust agreement secures payment of the debt charges.

(K)(1) The board of county commissioners of an eligible county, as defined in section 307.678 of the Revised Code, that levies an excise tax under division (A) of this section on July 1, 2017, at a rate of three per cent may, by resolution adopted by a majority of the members of the board, amend the resolution levying the tax to increase the rate of the tax by not more than an additional three per cent on each transaction.

(2) No portion of the revenue shall be returned to townships or municipal corporations in the county unless otherwise provided by resolution of the board. Otherwise, the revenue from the increase in the rate shall be distributed and used in the same manner described under division (A) of this section or distributed or used to provide credit enhancement facilities as authorized under section 307.678 of the Revised Code.

(3) The increase in rate shall remain in effect for the period specified in the resolution. If revenue from the increase in rate is pledged to the payment of debt charges on securities, the increase in rate is not subject to diminution by initiative or referendum or by law for so long as the securities are outstanding unless provision is made by law or by the board for an adequate substitute for that revenue that is satisfactory to the trustee if a trust agreement secures payment of the debt charges.

(L)(1) As used in division (L) of this section:

(a) "Eligible county" means a county that has a population greater than one hundred ninety thousand and less than two hundred thousand according to the 2010 federal decennial census and that levies an excise tax under division (A) of this section at a rate of three per cent.

(b) "Professional sports facility" means a sports facility that is intended to house major or minor league professional athletic teams, including a stadium, together with all parking facilities, walkways, and other auxiliary facilities, real and personal property, property rights, easements, and interests that may be appropriate for, or used in connection with, the operation of the facility.

(2) Subject to division (L)(3) of this section, the board of county commissioners of an eligible county, by resolution adopted by a majority of the members of the board, may increase the rate of the tax by not more than one per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. Revenue from the increase in rate shall be used for the purposes of paying the costs of constructing, improving, and

maintaining a professional sports facility in the county and paying expenses considered necessary by the convention and visitors' bureau operating in the county to promote travel and tourism with respect to that professional sports facility. The tax shall take effect only after the convention and visitors' bureau enters into a contract for the construction, improvement, or maintenance of a professional sports facility that is or will be located on property acquired, in whole or in part, with revenue from the increased rate, and thereafter shall remain in effect for the period specified in the resolution. If revenue from the increase in rate is pledged to the payment of debt charges on securities, the increase in rate is not subject to diminution by initiative or referendum or by law for so long as the securities are outstanding, unless a provision is made by law or by the board of county commissioners for an adequate substitute for that revenue that is satisfactory to the trustee if a trust agreement secures payment of the debt charges. The increase in rate shall be subject to the regulations adopted under division (A) of this section, except that the resolution may provide that no portion of the revenue from the increase in the rate shall be returned to townships or municipal corporations as would otherwise be required under division (A) of this section.

(3) If, on December 31, 2019, the convention and visitors' bureau has not entered into a contract for the construction, improvement, or maintenance of a professional sports facility that is or will be located on property acquired, in whole or in part, with revenue from the increased rate, the authority to levy the tax under division (L)(2) of this section is hereby repealed on that date.

(M)(1) For the purposes described in section 307.695 of the Revised Code and to cover the costs of administering the tax, a board of county commissioners of a county where a tax imposed under division (A) of this section is in effect may, by resolution adopted within ninety days after July 15, 1985, by a majority of the members of the board, levy an additional excise tax not to exceed three per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. The tax authorized by division (M) of this section shall be in addition to any tax that is levied pursuant to divisions (A) to (L) of this section, but it shall not apply to transactions subject to a tax levied by a municipal corporation or township pursuant to section 5739.08 of the Revised Code.

(2) The board shall establish all regulations necessary to provide for the administration and allocation of the tax. The regulations may prescribe the time for payment of the tax, and may provide for the imposition of a penalty or interest, or both, for late payments, provided that the penalty does not exceed ten per cent of the amount of tax due, and the rate at which interest accrues does not exceed the rate per annum prescribed pursuant to section 5703.47 of the Revised Code.

(3) All revenues arising from the tax shall be expended in accordance with section 307.695 of the Revised Code. The board of county

commissioners of an eligible county as defined in section 307.695 of the Revised Code may, by resolution adopted by a majority of the members of the board, amend the resolution levying a tax under this division to provide that the revenue from the tax shall be used by the board as described in division (H) of section 307.695 of the Revised Code.

(4) A tax imposed under this division shall remain in effect at the rate at which it is imposed for the duration of the period during which any agreement entered into by the board under section 307.695 of the Revised Code is in effect, the duration of the period during which any securities issued by the board under division (I) of section 307.695 of the Revised Code are outstanding, or the duration of the period during which the board owns a project as defined in section 307.695 of the Revised Code, whichever duration is longest.

(N)(1) For the purpose of providing contributions under division (B) (1) of section 307.671 of the Revised Code to enable the acquisition, construction, and equipping of a port authority educational and cultural facility in the county and, to the extent provided for in the cooperative agreement authorized by that section, for the purpose of paying debt service charges on bonds, or notes in anticipation of bonds, described in division (B) (1)(b) of that section, a board of county commissioners, by resolution adopted within ninety days after December 22, 1992, by a majority of the members of the board, may levy an additional excise tax not to exceed one and one-half per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. The excise tax authorized by division (N) of this section shall be in addition to any tax that is levied pursuant to divisions (A) to (M) of this section, to any excise tax levied pursuant to section 5739.08 of the Revised Code, and to any excise tax levied pursuant to section 351.021 of the Revised Code.

(2) The board of county commissioners shall establish all regulations necessary to provide for the administration and allocation of the tax that are not inconsistent with this section or section 307.671 of the Revised Code. The regulations may prescribe the time for payment of the tax, and may provide for the imposition of a penalty or interest, or both, for late payments, provided that the penalty does not exceed ten per cent of the amount of tax due, and the rate at which interest accrues does not exceed the rate per annum prescribed pursuant to section 5703.47 of the Revised Code.

(3) All revenues arising from the tax shall be expended in accordance with section 307.671 of the Revised Code and division (N) of this section. The levy of a tax imposed under division (N) of this section may not commence prior to the first day of the month next following the execution of the cooperative agreement authorized by section 307.671 of the Revised Code by all parties to that agreement.

(4) The tax shall remain in effect at the rate at which it is imposed for the period of time described in division (C) of section 307.671 of the Revised Code for which the revenue from the tax has been pledged by the county to the corporation pursuant to that section, but, to any extent provided for in the cooperative agreement, for no lesser period than the period of time required for payment of the debt service charges on bonds, or notes in anticipation of bonds, described in division (B)(1)(b) of that section.

(O)(1) For the purpose of paying the costs of acquiring, constructing, equipping, and improving a municipal educational and cultural facility, including debt service charges on bonds provided for in division (B) of section 307.672 of the Revised Code, and for any additional purposes determined by the county in the resolution levying the tax or amendments to the resolution, including subsequent amendments providing for paying costs of acquiring, constructing, renovating, rehabilitating, equipping, and improving a port authority educational and cultural performing arts facility, as defined in section 307.674 of the Revised Code, and including debt service charges on bonds provided for in division (B) of section 307.674 of the Revised Code, the legislative authority of a county, by resolution adopted within ninety days after June 30, 1993, by a majority of the members of the legislative authority, may levy an additional excise tax not to exceed one and one-half per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. The excise tax authorized by division (O) of this section shall be in addition to any tax that is levied pursuant to divisions (A) to (N) of this section, to any excise tax levied pursuant to section 5739.08 of the Revised Code, and to any excise tax levied pursuant to section 351.021 of the Revised Code.

(2) The legislative authority of the county shall establish all regulations necessary to provide for the administration and allocation of the tax. The regulations may prescribe the time for payment of the tax, and may provide for the imposition of a penalty or interest, or both, for late payments, provided that the penalty does not exceed ten per cent of the amount of tax due, and the rate at which interest accrues does not exceed the rate per annum prescribed pursuant to section 5703.47 of the Revised Code.

(3) All revenues arising from the tax shall be expended in accordance with section 307.672 of the Revised Code and this division. The levy of a tax imposed under this division shall not commence prior to the first day of the month next following the execution of the cooperative agreement authorized by section 307.672 of the Revised Code by all parties to that agreement. The tax shall remain in effect at the rate at which it is imposed for the period of time determined by the legislative authority of the county. That period of time shall not exceed fifteen years, except that the legislative authority of a county with a population of less than two hundred fifty thousand according to the most recent federal decennial census, by resolution adopted by a majority

of its members before the original tax expires, may extend the duration of the tax for an additional period of time. The additional period of time by which a legislative authority extends a tax levied under division (O) of this section shall not exceed fifteen years.

(P)(1) The legislative authority of a county that has levied a tax under division (O) of this section may, by resolution adopted within one hundred eighty days after January 4, 2001, by a majority of the members of the legislative authority, amend the resolution levying a tax under that division to provide for the use of the proceeds of that tax, to the extent that it is no longer needed for its original purpose as determined by the parties to a cooperative agreement amendment pursuant to division (D) of section 307.672 of the Revised Code, to pay costs of acquiring, constructing, renovating, rehabilitating, equipping, and improving a port authority educational and cultural performing arts facility, including debt service charges on bonds provided for in division (B) of section 307.674 of the Revised Code, and to pay all obligations under any guaranty agreements, reimbursement agreements, or other credit enhancement agreements described in division (C) of section 307.674 of the Revised Code.

(2) The resolution may also provide for the extension of the tax at the same rate for the longer of the period of time determined by the legislative authority of the county, but not to exceed an additional twenty-five years, or the period of time required to pay all debt service charges on bonds provided for in division (B) of section 307.672 of the Revised Code and on port authority revenue bonds provided for in division (B) of section 307.674 of the Revised Code.

(3) All revenues arising from the amendment and extension of the tax shall be expended in accordance with section 307.674 of the Revised Code and divisions (O) and (P) of this section.

(Q)(1) As used in division (Q) of this section:

(a) "Convention facilities authority" has the same meaning as in section 351.01 of the Revised Code.

(b) "Convention center" has the same meaning as in section 307.695 of the Revised Code.

(2) Notwithstanding any contrary provision of division (N) of this section, the legislative authority of a county with a population of one million or more according to the most recent federal decennial census that has levied a tax under division (N) of this section may, by resolution adopted by a majority of the members of the legislative authority, provide for the extension of such levy and may provide that the proceeds of that tax, to the extent that they are no longer needed for their original purpose as defined by a cooperative agreement entered into under section 307.671 of the Revised Code, shall be deposited into the county general revenue fund. The resolution

shall provide for the extension of the tax at a rate not to exceed the rate specified in division (N) of this section for a period of time determined by the legislative authority of the county, but not to exceed an additional forty years.

(3) The legislative authority of a county with a population of one million or more that has levied a tax under division (A) of this section may, by resolution adopted by a majority of the members of the legislative authority, increase the rate of the tax levied by such county under division (A) of this section to a rate not to exceed five per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. Notwithstanding any contrary provision of division (A) of this section, the resolution may provide that all collections resulting from the rate levied in excess of three per cent, after deducting the real and actual costs of administering the tax, shall be deposited in the county general fund.

(4) The legislative authority of a county with a population of one million or more that has levied a tax under division (A) of this section may, by resolution adopted on or before August 30, 2004, by a majority of the members of the legislative authority, provide that all or a portion of the proceeds of the tax levied under division (A) of this section, after deducting the real and actual costs of administering the tax and the amounts required to be returned to townships and municipal corporations with respect to the first three per cent levied under division (A) of this section, shall be deposited in the county general fund, provided that such proceeds shall be used to satisfy any pledges made in connection with an agreement entered into under section 307.695 of the Revised Code.

(5) No amount collected from a tax levied, extended, or required to be deposited in the county general fund under division (Q) of this section shall be contributed to a convention facilities authority, corporation, or other entity created after July 1, 2003, for the principal purpose of constructing, improving, expanding, equipping, financing, or operating a convention center unless the mayor of the municipal corporation in which the convention center is to be operated by that convention facilities authority, corporation, or other entity has consented to the creation of that convention facilities authority, corporation, or entity. Notwithstanding any contrary provision of section 351.04 of the Revised Code, if a tax is levied by a county under division (Q) of this section, the board of county commissioners of that county may determine the manner of selection, the qualifications, the number, and terms of office of the members of the board of directors of any convention facilities authority, corporation, or other entity described in division (Q)(5) of this section.

(6)(a) No amount collected from a tax levied, extended, or required to be deposited in the county general fund under division (Q) of this section may be used for any purpose other than paying the direct and indirect costs of constructing, improving, expanding, equipping, financing, or operating a

convention center and for the real and actual costs of administering the tax, unless, prior to the adoption of the resolution of the legislative authority of the county authorizing the levy, extension, increase, or deposit, the county and the mayor of the most populous municipal corporation in that county have entered into an agreement as to the use of such amounts, provided that such agreement has been approved by a majority of the mayors of the other municipal corporations in that county. The agreement shall provide that the amounts to be used for purposes other than paying the convention center or administrative costs described in division (Q)(6)(a) of this section be used only for the direct and indirect costs of capital improvements, including the financing of capital improvements, except that the agreement may subsequently be amended by the parties that have entered into that agreement to authorize such amounts to instead be used for any costs related to the promotion or support of tourism or tourism-related programs.

(b) If the county in which the tax is levied has an association of mayors and city managers, the approval of that association of an agreement described in division (Q)(6)(a) of this section shall be considered to be the approval of the majority of the mayors of the other municipal corporations for purposes of that division.

(7) Each year, the auditor of state shall conduct an audit of the uses of any amounts collected from taxes levied, extended, or deposited under division (Q) of this section and shall prepare a report of the auditor of state's findings. The auditor of state shall submit the report to the legislative authority of the county that has levied, extended, or deposited the tax, the speaker of the house of representatives, the president of the senate, and the leaders of the minority parties of the house of representatives and the senate.

(R)(1) As used in division (R) of this section:

(a) "Convention facilities authority" has the same meaning as in section 351.01 of the Revised Code.

(b) "Convention center" has the same meaning as in section 307.695 of the Revised Code.

(2) Notwithstanding any contrary provision of division (N) of this section, the legislative authority of a county with a population of one million two hundred thousand or more according to the most recent federal decennial census or the most recent annual population estimate published or released by the United States census bureau at the time the resolution is adopted placing the levy on the ballot, that has levied a tax under division (N) of this section may, by resolution adopted by a majority of the members of the legislative authority, provide for the extension of such levy and may provide that the proceeds of that tax, to the extent that the proceeds are no longer needed for their original purpose as defined by a cooperative agreement entered into under section 307.671 of the Revised Code and after deducting

the real and actual costs of administering the tax, shall be used for paying the direct and indirect costs of constructing, improving, expanding, equipping, financing, or operating a convention center. The resolution shall provide for the extension of the tax at a rate not to exceed the rate specified in division (N) of this section for a period of time determined by the legislative authority of the county, but not to exceed an additional forty years.

(3) The legislative authority of a county with a population of one million two hundred thousand or more that has levied a tax under division (A) of this section may, by resolution adopted by a majority of the members of the legislative authority, increase the rate of the tax levied by such county under division (A) of this section to a rate not to exceed five per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. Notwithstanding any contrary provision of division (A) of this section, the resolution shall provide that all collections resulting from the rate levied in excess of three per cent, after deducting the real and actual costs of administering the tax, shall be used for paying the direct and indirect costs of constructing, improving, expanding, equipping, financing, or operating a convention center.

(4) The legislative authority of a county with a population of one million two hundred thousand or more that has levied a tax under division (A) of this section may, by resolution adopted on or before July 1, 2008, by a majority of the members of the legislative authority, provide that all or a portion of the proceeds of the tax levied under division (A) of this section, after deducting the real and actual costs of administering the tax and the amounts required to be returned to townships and municipal corporations with respect to the first three per cent levied under division (A) of this section, shall be used to satisfy any pledges made in connection with an agreement entered into under section 307.695 of the Revised Code or shall otherwise be used for paying the direct and indirect costs of constructing, improving, expanding, equipping, financing, or operating a convention center.

(5) Any amount collected from a tax levied or extended under division (R) of this section may be contributed to a convention facilities authority created before July 1, 2005, but no amount collected from a tax levied or extended under division (R) of this section may be contributed to a convention facilities authority, corporation, or other entity created after July 1, 2005, unless the mayor of the municipal corporation in which the convention center is to be operated by that convention facilities authority, corporation, or other entity has consented to the creation of that convention facilities authority, corporation, or entity.

(S) As used in division (S) of this section, "soldiers' memorial" means a memorial constructed and funded under Chapter 345. of the Revised Code.

The board of county commissioners of a county with a population between one hundred three thousand and one hundred seven thousand according to the most recent federal decennial census, by resolution adopted by a majority of the members of the board within six months after September 15, 2014, may levy a tax not to exceed three per cent on transactions by which a hotel is or is to be furnished to transient guests. The purpose of the tax shall be to pay the costs of expanding, maintaining, or operating a soldiers' memorial and the costs of administering the tax. All revenue arising from the tax shall be credited to one or more special funds in the county treasury and shall be spent solely for the purposes of paying those costs.

The board of county commissioners shall adopt all rules necessary to provide for the administration of the tax subject to the same limitations on imposing penalty or interest under division (A) of this section.

(T) As used in division (T) of this section, "eligible county" means a county in which a county agricultural society or independent agricultural society is organized under section 1711.01 or 1711.02 of the Revised Code, provided the agricultural society owns a facility or site in the county at which an annual harness horse race is conducted where one-day attendance equals at least forty thousand attendees.

A board of county commissioners of an eligible county, by resolution adopted by a majority of the members of the board, may levy an excise tax at the rate of up to three per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests for the purpose of paying the costs of permanent improvements at sites at which one or more agricultural societies conduct fairs or exhibits, paying the costs of maintaining or operating such permanent improvements, and paying the costs of administering the tax.

A resolution adopted under division (T) of this section, other than a resolution that only extends the period of time for which the tax is levied, shall direct the board of elections to submit the question of the proposed lodging tax to the electors of the county at a special election held on the date specified by the board in the resolution, provided that the election occurs not less than ninety days after a certified copy of the resolution is transmitted to the board of elections. A resolution submitted to the electors under division (T) of this section shall not go into effect unless it is approved by a majority of those voting upon it. The resolution takes effect on the date the board of county commissioners receives notification from the board of elections of an affirmative vote.

The tax shall remain in effect for the period specified in the resolution, not to exceed five years, and may be extended for an additional period of time not to exceed fifteen years thereafter by a resolution adopted by a majority of the members of the board. A resolution extending the period of time for which the tax is in effect is not subject to approval of the electors

of the county, but is subject to referendum under sections 305.31 to 305.99 of the Revised Code. All revenue arising from the tax shall be credited to one or more special funds in the county treasury and shall be spent solely for the purposes of paying the costs of such permanent improvements and maintaining or operating the improvements. Revenue allocated for the use of a county agricultural society may be credited to the county agricultural society fund created in section 1711.16 of the Revised Code upon appropriation by the board. If revenue is credited to that fund, it shall be expended only as provided in that section.

The board of county commissioners shall adopt all rules necessary to provide for the administration of the tax. The rules may prescribe the time for payment of the tax, and may provide for the imposition or penalty or interest, or both, for late payments, provided that the penalty does not exceed ten per cent of the amount of tax due, and the rate at which interest accrues does not exceed the rate per annum prescribed in section 5703.47 of the Revised Code.

(U) As used in division (U) of this section, "eligible county" means a county in which a tax is levied under division (A) of this section at a rate of three per cent and whose territory includes a part of Lake Erie the shoreline of which represents at least fifty per cent of the linear length of the county's border with other counties of this state.

The board of county commissioners of an eligible county that has entered into an agreement with a port authority in the county under section 4582.56 of the Revised Code may levy an additional lodging tax on transactions by which lodging by a hotel is or is to be furnished to transient guests for the purpose of financing lakeshore improvement projects constructed or financed by the port authority under that section. The resolution levying the tax shall specify the purpose of the tax, the rate of the tax, which shall not exceed two per cent, and the number of years the tax will be levied or that it will be levied for a continuing period of time. The tax shall be administered pursuant to the regulations adopted by the board under division (A) of this section, except that all the proceeds of the tax levied under this division shall be pledged to the payment of the costs, including debt charges, of lakeshore improvements undertaken by a port authority pursuant to the agreement under section 4582.56 of the Revised Code. No revenue from the tax may be used to pay the current expenses of the port authority.

A resolution levying a tax under division (U) of this section is subject to referendum under sections 305.31 to 305.41 and 305.99 of the Revised Code.

(V)(1) As used in division (V) of this section:

(a) "Tourism development district" means a district designated by a

municipal corporation under section 715.014 of the Revised Code or by a township under section 503.56 of the Revised Code.

(b) "Lodging tax" means a tax levied pursuant to this section or section 5739.08 of the Revised Code.

(c) "Tourism development district lodging tax proceeds" means all proceeds of a lodging tax derived from transactions by which lodging by a hotel located in a tourism development district is or is to be provided to transient guests.

(d) "Eligible county" has the same meaning as in section 307.678 of the Revised Code.

(2)(a) Notwithstanding division (A) of this section, the board of county commissioners, board of township trustees, or legislative authority of any county, township, or municipal corporation that levies a lodging tax on September 29, 2017, and in which any part of a tourism development district is located on or after that date shall amend the ordinance or resolution levying the tax to require either of the following:

(i) In the case of a tax levied by a county, that all tourism development district lodging tax proceeds from that tax be used exclusively to foster and develop tourism in the tourism development district;

(ii) In the case of a tax levied by a township or municipal corporation, that all tourism development district lodging tax proceeds from that tax be used exclusively to foster and develop tourism in the tourism development district.

(b) Notwithstanding division (A) of this section, any ordinance or resolution levying a lodging tax adopted on or after September 29, 2017, by a county, township, or municipal corporation in which any part of a tourism development district is located on or after that date shall require that all tourism development district lodging tax proceeds from that tax be used exclusively to foster and develop tourism in the tourism development district.

(c) A county shall not use any of the proceeds described in division (V)(2)(a)(i) or (V)(2)(b) of this section unless the convention and visitors' bureau operating within the county approves the manner in which such proceeds are used to foster and develop tourism in the tourism development district. Upon obtaining such approval, the county may pay such proceeds to the bureau to use for the agreed-upon purpose.

A municipal corporation or township shall not use any of the proceeds described in division (V)(2)(a)(ii) or (V)(2)(b) of this section unless the convention and visitors' bureau operating within the municipal corporation or township approves the manner in which such proceeds are used to foster and develop tourism in the tourism development district. Upon obtaining such approval, the municipal corporation or township may pay

such proceeds to the bureau to use for the agreed-upon purpose.

(3)(a) Notwithstanding division (A) of this section, the board of county commissioners of an eligible county that levies a lodging tax on March 23, 2018, may amend the resolution levying that tax to require that all or a portion of the proceeds of that tax otherwise required to be spent solely to make contributions to the convention and visitors' bureau operating within the county shall be used to foster and develop tourism in a tourism development district.

(b) Notwithstanding division (A) of this section, the board of county commissioners of an eligible county that adopts a resolution levying a lodging tax on or after March 23, 2018, may require that all or a portion of the proceeds of that tax otherwise required to be spent solely to make contributions to the convention and visitors' bureau operating within the county pursuant to division (A) of this section shall be used to foster and develop tourism in a tourism development district.

(c) A county shall not use any of the proceeds in the manner described in division (V)(3)(a) or (b) of this section unless the convention and visitors' bureau operating within the county approves the manner in which such proceeds are used to foster and develop tourism in the tourism development district. Upon obtaining such approval, the county may pay such proceeds to the bureau to use for the agreed upon purpose.

Section 2. That existing section 5739.09 of the Revised Code is hereby repealed."

In line 5, delete "1" and insert "3"

In line 36, delete "2" and insert "4"

In line 130, delete "2" and insert "4"

In line 141, delete "1" and insert "3"

In line 154, delete "3" and insert "5"

In line 1 of the title, after "To" insert "amend section 3743.75 of the Revised Code to"

In line 3 of the title, after "subdivisions," insert "to extend the fireworks license moratorium,"

After line 153, insert:

"Section 3. That section 3743.75 of the Revised Code be amended to read as follows:

Sec. 3743.75. (A) During the period beginning on June 29, 2001, and ending on December 31, ~~2020~~2021, the state fire marshal shall not do any of the following:

(1) Issue a license as a manufacturer of fireworks under sections

3743.02 and 3743.03 of the Revised Code to a person for a particular fireworks plant unless that person possessed such a license for that fireworks plant immediately prior to June 29, 2001;

(2) Issue a license as a wholesaler of fireworks under sections 3743.15 and 3743.16 of the Revised Code to a person for a particular location unless that person possessed such a license for that location immediately prior to June 29, 2001;

(3) Except as provided in division (B) of this section, approve the geographic transfer of a license as a manufacturer or wholesaler of fireworks issued under this chapter to any location other than a location for which a license was issued under this chapter immediately prior to June 29, 2001.

(B) Division (A)(3) of this section does not apply to a transfer that the state fire marshal approves under division (F) of section 3743.17 of the Revised Code.

(C) Notwithstanding section 3743.59 of the Revised Code, the prohibited activities established in divisions (A)(1) and (2) of this section, geographic transfers approved pursuant to division (F) of section 3743.17 of the Revised Code, and storage locations allowed pursuant to division (I) of section 3743.04 of the Revised Code or division (G) of section 3743.17 of the Revised Code are not subject to any variance, waiver, or exclusion.

(D) As used in division (A) of this section:

(1) "Person" includes any person or entity, in whatever form or name, that acquires possession of a manufacturer or wholesaler of fireworks license issued pursuant to this chapter by transfer of possession of a license, whether that transfer occurs by purchase, assignment, inheritance, bequest, stock transfer, or any other type of transfer, on the condition that the transfer is in accordance with division (D) of section 3743.04 of the Revised Code or division (D) of section 3743.17 of the Revised Code and is approved by the fire marshal.

(2) "Particular location" includes a licensed premises and, regardless of when approved, any storage location approved in accordance with section 3743.04 or 3743.17 of the Revised Code.

(3) "Such a license" includes a wholesaler of fireworks license that was issued in place of a manufacturer of fireworks license that existed prior to June 29, 2001, and was requested to be canceled by the license holder pursuant to division (D) of section 3743.03 of the Revised Code.

Section 4. That existing section 3743.75 of the Revised Code is hereby repealed."

In line 154, delete "3" and insert "5"

In line 1 of the title, after "To" insert "amend Sections 221.13 and 223.15 of H.B. 481 of the 133rd General Assembly to"

In line 3 of the title, after "subdivisions," insert "to modify capital reappropriations, to make capital appropriations for the biennium ending June 30, 2022, and"; delete ", and to"

In line 4 of the title, delete "declare an emergency"

Delete lines 5 through 159

After line 159, insert:

"Section 201.10. Except as otherwise provided in this act, all appropriation items in this act are appropriated out of any moneys in the state treasury to the credit of the designated fund that are not otherwise appropriated.

Section 203.10.

	1	2	3
A	ADJ ADJUTANT GENERAL		
B	Army National Guard Service Contract Fund (Fund 3420)		
C	C74537	Renovation Projects - Federal Share	\$ 9,410,962
D	C74539	Renovations and Improvements – Federal	\$ 4,216,100
E	TOTAL Army National Guard Service Contract Fund		\$ 13,627,062
F	Armory Improvements Fund (Fund 5340)		
G	C74542	Renovations and Improvements	\$ 950,000
H	TOTAL Armory Improvements Fund		\$ 950,000
I	Administrative Building Fund (Fund 7026)		
J	C74528	Camp Perry Improvements	\$ 1,686,250
K	C74535	Renovations and Improvements	\$ 8,460,961
L	C74556	Rickenbacker Runway Upgrades	\$ 611,000
M	TOTAL Administrative Building Fund		\$ 10,758,211

N TOTAL ALL FUNDS \$ 25,335,273

RENOVATIONS AND IMPROVEMENTS – FEDERAL

The foregoing appropriation item C74539, Renovations and Improvements – Federal, shall be used to fund capital projects that are coded as receiving one hundred per cent federal support pursuant to the agreement support code identified in the Facilities Inventory and Support Plan between the Office of the Adjutant General and the Army National Guard. Notwithstanding section 131.35 of the Revised Code, if after the effective date of this section, additional federal funds are made available to the Adjutant General to carry out the Facilities Inventory Support Plan, the Adjutant General may request that the Director of Budget and Management authorize expenditures in excess of the amounts appropriated to appropriation item C74539, Renovations and Improvements – Federal. Upon approval of the Director of Budget and Management, the additional amounts are hereby appropriated. Notwithstanding section 126.14 of the Revised Code, if the Adjutant General is approved by the federal government to complete additional, unanticipated one hundred per cent federally funded projects after July 1, 2020, and before October 1, 2021, the appropriations for these additional projects may be released upon written approval of the Director of Budget and Management.

Section 205.10.

	1	2	3
A	AGO ATTORNEY GENERAL		
B	Administrative Building Fund (Fund 7026)		
C	C05504	London Clean Agent Fire Suppression system	\$ 524,700
D	C05505	Richfield Roof Replacements	\$ 815,737
E	C05517	General Building Renovations	\$ 636,643
F	C05521	BCI London Renovations	\$ 2,151,183
G	C05529	London TTC Highway Response Course Renovation	\$ 601,718

H	TOTAL Administrative Building Fund	\$	4,729,981
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I	TOTAL ALL FUNDS	\$	4,729,981
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**Section 207.01. DEPARTMENT OF HIGHER EDUCATION AND
STATE INSTITUTIONS OF HIGHER EDUCATION**

	1	2	3
A	BOR DEPARTMENT OF HIGHER EDUCATION		
B	Higher Education Improvement Fund (Fund 7034)		
C	C23501	Ohio Supercomputer Center	\$ 7,224,750
D	C23516	Ohio Library and Information Network	\$ 13,966,773
E	C23524	Supplemental Renovations - Library Depositories	\$ 519,650
F	C23529	Workforce Based Training and Equipment	\$ 7,600,000
G	C23530	Technology Initiatives	\$ 2,375,000
H	C23532	OARnet	\$ 14,177,800
I	C23560	HEI Critical Maintenance and Upgrades	\$ 1,425,000
J	C23566	Campus Safety Grant Program	\$ 5,000,000
K	TOTAL Higher Education Improvement Fund		\$ 52,288,973
L	TOTAL ALL FUNDS		\$ 52,288,973

WORKFORCE BASED TRAINING AND EQUIPMENT

(A) Capital appropriations in this act made from appropriation item

C23529, Workforce Based Training and Equipment, shall be used to support the Regionally Aligned Priorities in Developing Skills (RAPIDS) program in the Department of Higher Education. The purpose of the RAPIDS program is to support collaborative projects among higher education institutions to strengthen education and training opportunities that maximize workforce development efforts in defined areas of the state.

(B) Capital funds appropriated for this purpose by the General Assembly shall be distributed by the Chancellor of Higher Education to Ohio regions or subsets of regions. Regions or subsets of regions may be defined by the state's economic development strategy.

(C) The Chancellor shall award capital funds within the program using an application and review process, as developed by the Chancellor. In reviewing applications and making awards, priority shall be given to proposals that demonstrate:

(1) Collaboration among and between state institutions of higher education, as defined in section 3345.011 of the Revised Code, Ohio Technical Centers, and other entities as determined to be appropriate by the Chancellor;

(2) Evidence of meaningful business support and engagement;

(3) Identification of targeted occupations and industries supported by data, which sources may include the Governor's Office of Workforce Transformation, OhioMeansJobs, labor market information from the Department of Job and Family Services, and lists of in-demand occupations;

(4) Sustainability beyond the grant period with the opportunity to provide continued value and impact to the region.

(D) In submitting proposals for consideration under the program, a state institution of higher education, as defined in section 3345.011 of the Revised Code, shall be the lead applicant and preference shall be given to proposals in which equipment and technology acquired by capital funds awarded under the program are owned by a state institution of higher education. If equipment, technology, or facilities acquired by capital funds awarded under the program will be owned by a separate governmental or nonprofit entity, the state institution of higher education shall enter into a joint use agreement with the entity, which shall be approved by the Chancellor.

CAMPUS SAFETY GRANT PROGRAM

(A) The foregoing appropriation item C23566, Campus Safety Grant Program, shall be used to make competitive grants to state institutions of higher education for eligible security improvements that assist the institutions in improving the overall physical security and safety of their buildings on public campuses throughout Ohio.

(B) The Director of Public Safety shall administer and award the grants described in division (A) of this section. The Director, in coordination with the Chancellor of Higher Education, shall establish procedures and forms by which applicants may apply for a grant, a competitive process for ranking applicants and awarding the grants, and procedures for distributing grants. The procedures shall require each applicant to do all of the following:

- (1) Describe how the grant will be used to integrate organizational preparedness with broader state and local preparedness efforts;
- (2) Submit a vulnerability assessment conducted by experienced security, law enforcement, or military personnel, and a description of how the grant will be used to address the vulnerabilities identified in the assessment.

(C) Prior to the awarding of any funds under this section, the Director of Public Safety shall consult and share preliminary funding recommendations with the Chancellor.

(D) Any grant submission that is created under this section that is determined to be a security record as defined in section 149.433 of the Revised Code is not a public record under section 149.43 of the Revised Code and is not subject to mandatory release or disclosure under that section.

(E) Upon the completion of the application and review process as defined in division (B) of this section, the Chancellor shall seek the approval of the Controlling Board to transfer appropriation to any institution receiving an award under this section.

(F) As used in this section:

(1) "Eligible security improvements" means a physical security enhancement, equipment, or inspection and screening equipment included on the Authorized Equipment List published by the United States Department of Homeland Security that is also within the definition of "costs of capital facilities" under section 151.01 of the Revised Code.

(2) "State institutions of higher education" has the same meaning as in section 3345.011 of the Revised Code.

Section 207.02.

	1	2	3
A	BTC BELMONT TECHNICAL COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C36800	Basic Renovations	\$ 274,589
D	C36809	Industrial Trades Center	\$ 739,846

E	C36810	Handicap Parking and Parking Improvement for Barr Community Building	\$	125,000
F	TOTAL Higher Education Improvement Fund		\$	1,139,435
G	TOTAL ALL FUNDS		\$	1,139,435

Section 207.03.

	1	2	3
A	BGU BOWLING GREEN STATE UNIVERSITY		
B	Higher Education Improvement Fund (Fund 7034)		
C	C24001	Basic Renovations - Firelands	\$ 320,000
D	C24068	Advanced Manufacturing, Engineering and Applied Science Corridor	\$ 16,000,000
E	C24069	BGSU Water Quality Research and Education Center	\$ 1,000,000
F	C24070	Piqua Public Safety Regional Training Center	\$ 400,000
G	C24071	BGSU Ohio Robotics Research and Training Center	\$ 250,000
H	C24072	BGSU Wood County Nursing Facility	\$ 50,000
I	C24073	Mercy College of Ohio Physician Assistant Program	\$ 125,000
J	TOTAL Higher Education Improvement Fund		\$ 18,145,000
K	TOTAL ALL FUNDS		\$ 18,145,000

Section 207.04.

	1	2	3
A	COT CENTRAL OHIO TECHNICAL COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		

C	C36905	Founders/Hopewell Hall Renovations	\$	2,500,000
D	C36925	Hopewell Hall Improvements	\$	275,286
E	C36926	Muskingum Valley Health Center	\$	150,000
F	TOTAL Higher Education Improvement Fund		\$	2,925,286
G	TOTAL ALL FUNDS		\$	2,925,286

Section 207.05.

	1	2	3
A	CSU CENTRAL STATE UNIVERSITY		
B	Higher Education Improvement Fund (Fund 7034)		
C	C25520	Campus Security Update	\$ 500,000
D	C25521	Classroom Technology Upgrades	\$ 370,000
E	C25525	ADA and Fire Safety Campus Updates	\$ 1,000,000
F	C25526	Campus Parking Lots, Building Entrances, and Sidewalks	\$ 950,000
G	C25527	HVAC Upgrades and Improvements	\$ 950,000
H	C25528	Center for Academic Research and Innovation Rehabilitation	\$ 550,000
I	C25530	YWCA Dayton Historic Building Renovation	\$ 500,000
J	TOTAL Higher Education Improvement Fund		\$ 4,820,000
K	TOTAL ALL FUNDS		\$ 4,820,000

Section 207.06.

	1	2	3
A	CTC CINCINNATI STATE COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		

C	C36140	Main Building Renovations	\$	3,328,363
D	C36141	IT System Upgrades	\$	2,000,000
E	C36143	Training and Education Infrastructure Upgrades	\$	1,000,000
F	C36144	The Building Blocks of History	\$	25,000
G	TOTAL Higher Education Improvement Fund		\$	6,353,363
H	TOTAL ALL FUNDS		\$	6,353,363

Section 207.07.

	1	2	3
A	CLT CLARK STATE COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38527	Rhodes Hall and Applied Science Center Renovation	\$ 3,039,265
D	C38532	Clark State Performing Arts Center	\$ 1,100,000
E	TOTAL Higher Education Improvement Fund		\$ 4,139,265
F	TOTAL ALL FUNDS		\$ 4,139,265

Section 207.08.

	1	2	3
A	CLS CLEVELAND STATE UNIVERSITY		
B	Higher Education Improvement Fund (Fund 7034)		
C	C26083	Science Research Building Renovation and Expansion	\$ 16,000,000
D	C26084	IT Security Upgrade and Data Center Restructuring	\$ 1,820,000
E	C26088	UH Center for Advanced Pediatric Surgery and Dentistry	\$ 750,000
F	C26089	Metro Health Rehabilitation Research	\$ 250,000

	Institute		
G	C26090 Jennings Center Safe Movement Equipment	\$	250,000
H	C26091 Tower City/City Block	\$	2,000,000
I	TOTAL Higher Education Improvement Fund	\$	21,070,000
J	TOTAL ALL FUNDS	\$	21,070,000

Section 207.09.

	1	2	3
A	CTI COLUMBUS STATE COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38435 Student Success Renovations	\$	5,500,000
D	C38437 Building Infrastructure Repairs	\$	9,251,300
E	C38445 Rickenbacker Area Mobility Center	\$	1,000,000
F	C38446 Center for Creative Career Development	\$	350,000
G	C38447 Workforce Development Training Center	\$	300,000
H	C38448 The Point	\$	250,000
I	C38449 Gravity Project Phase 2	\$	500,000
J	C38450 Jewish Family Services Technology Hub for Workforce Advancement	\$	125,000
K	TOTAL Higher Education Improvement Fund	\$	17,276,300
L	TOTAL ALL FUNDS	\$	17,276,300

Section 207.10.

	1	2	3
A	CCC CUYAHOGA COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		

C	C37800	Basic Renovations	\$	6,226,408
D	C37852	East Campus Exterior Plaza	\$	6,400,000
E	C37860	West Nursing Renovations	\$	3,000,000
F	C37861	Greater Cleveland Food Bank	\$	250,000
G	C37862	Cleveland Institute of Art Interactive Media Lab	\$	150,000
H	C37863	Playhouse Square Connor Palace Theatre Renovations and Improvements	\$	1,000,000
I	C37864	Solon Innovation Center	\$	150,000
J	TOTAL Higher Education Improvement Fund		\$	17,176,408
K	TOTAL ALL FUNDS		\$	17,176,408

Section 207.11.

	1	2	3
A	JTC EASTERN GATEWAY COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38623	HVAC/Plumbing Maintenance	\$ 1,895,842
D	C38624	Barnesville Family Dental Center	\$ 50,000
E	C38625	Jefferson County Fire Training Center	\$ 250,000
F	TOTAL Higher Education Improvement Fund		\$ 2,195,842
G	TOTAL ALL FUNDS		\$ 2,195,842

Section 207.12.

	1	2	3
A	ESC EDISON STATE COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C39000	Basic Renovations	\$ 716,100
D	C39015	IT Upgrades	\$ 307,000

E	C39018	HVAC Repair and Replacements	\$	350,000
F	C39019	Parking Lot Resurfacing	\$	400,000
G	TOTAL Higher Education Improvement Fund		\$	1,773,100
H	TOTAL ALL FUNDS		\$	1,773,100

Section 207.13.

	1	2	3
A	HTC HOCKING TECHNICAL COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C36327	Public Safety and Natural Resources Program Laboratory Renovation and Expansion	\$ 1,000,000
D	C36328	McClenaghan Center for Culinary Hospitality-Renovation	\$ 1,479,171
E	C36332	Fire Tower Upgrade	\$ 252,000
F	C36333	John Light Boiler Repair	\$ 70,000
G	C36334	Hocking Aquaculture Project	\$ 300,000
H	TOTAL Higher Education Improvement Fund		\$ 3,101,171
I	TOTAL ALL FUNDS		\$ 3,101,171

Section 207.14.

	1	2	3
A	LTC JAMES RHODES STATE COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38100	Basic Renovations	\$ 600,000
D	C38116	Center for Health Science Education and Innovation	\$ 1,000,000
E	C38117	IT Infrastructure	\$ 737,156

F	C38123	St. Rita's Medical Center	\$	500,000
G	C38124	Allen County Airport Communications	\$	300,000
H	TOTAL Higher Education Improvement Fund			\$ 3,137,156
I	TOTAL ALL FUNDS			\$ 3,137,156

Section 207.15.

	1	2	3
A	KSU KENT STATE UNIVERSITY		
B	Higher Education Improvement Fund (Fund 7034)		
C	C270G2	Satterfield Hall-HVAC	\$ 500,000
D	C270H2	Founders Hall HVAC Upgrades - Tuscarawas	\$ 500,000
E	C270I5	White Hall Rehabilitation	\$ 12,000,000
F	C270I7	Library Asbestos Abatement and Restroom Installation - Ashtabula	\$ 550,000
G	C270K3	Critical Deferred Maintenance-Kent	\$ 1,575,000
H	C270K4	Campus ADA Improvements- Kent	\$ 1,000,000
I	C270K5	Fine Arts Building Roof Replacement Phase 1-Stark	\$ 900,000
J	C270K6	Classroom 127 Renovation/Electrical System Upgrades-Salem	\$ 475,000
K	C270K7	Nursing Skills Lab Renovation-Geauga	\$ 450,000
L	C270K8	Mary Patterson Building Roof Replacement-East Liverpool	\$ 300,000

M	C270K9	Rockwell Hall Renovation and Expansion-Kent	\$	4,500,000
N	C270L1	Link Building Window/Envelope Rehabilitation-Trumbull	\$	500,000
O	C270L5	Garfield Zimmerman Home	\$	250,000
P	C270L6	Tuscarawas Regional Advanced Manufacturing/Innovation Center	\$	800,000
Q	C270L7	Cleveland Institute of Music	\$	150,000
R	C270L8	Blossom Music Center Improvements	\$	900,000
S	C270L9	Girl Scout STEM Center of Excellence at Camp Ledgewood	\$	100,000
T	C270M1	Severance Hall	\$	800,000
U	TOTAL Higher Education Improvement Fund		\$	26,250,000
V	TOTAL ALL FUNDS		\$	26,250,000

Section 207.16.

	1	2	3
A	LCC LAKELAND COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C37922	Existing Teaching and Teaching Support Space Renovations	\$ 2,829,110
D	C37923	IT Infrastructure and Security Improvements	\$ 459,599
E	C37924	C Building Roof Replacement	\$ 1,100,000
F	C37925	Northeast Ohio Workforce Transformation Facility	\$ 500,000

G	C37926	HOLA Commercial Kitchen Business Incubator	\$	75,000
H	TOTAL Higher Education Improvement Fund		\$	4,963,709
I	TOTAL ALL FUNDS		\$	4,963,709

Section 207.17.

	1	2	3	
A	LOR LORAIN COMMUNITY COLLEGE			
B	Higher Education Improvement Fund (Fund 7034)			
C	C3832 2	Mechanical Tunnel Repairs	\$	1,003,715
D	C3832 3	Parking Lot 2 and Lot 3	\$	3,011,146
E	C3832 4	Business Building	\$	1,154,272
F	C3832 5	Spitzer Conference Center	\$	1,154,272
G	C3832 6	Lorain Arts Academy Renovations	\$	350,000
H	C3832 7	Southern Lorain Boys and Girls Club	\$	250,000
I	C3832 8	Lorain County Medical and Dental Expansion	\$	310,000
J	C3832 9	Sears think[box] Phase V	\$	750,000
K	TOTAL Higher Education Improvement Fund		\$	7,983,405
L	TOTAL ALL FUNDS		\$	7,983,405

Section 207.18.

	1	2	3
A	MTC MARION TECHNICAL COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C35916	Bryson Hall Renovations	\$ 1,620,217
D	TOTAL Higher Education Improvement Fund		\$ 1,620,217
E	TOTAL ALL FUNDS		\$ 1,620,217

Section 207.19.

	1	2	3
A	MUN MIAMI UNIVERSITY		
B	Higher Education Improvement Fund (Fund 7034)		
C	C28597	Clinical Health Science and Student Wellness Building	\$ 21,210,000
D	C28598	Northwest Butler Creativity Hub Corridor	\$ 1,000,000
E	TOTAL Higher Education Improvement Fund		\$ 22,210,000
F	TOTAL ALL FUNDS		\$ 22,210,000

Section 207.20.

	1	2	3
A	NCC NORTH CENTRAL TECHNICAL COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38024	Fallerius Chillers and Boiler and Byron Kee Boilers Replacement	\$ 500,000
D	C38025	IT and Emergency Power Generators	\$ 663,293
E	C38026	Campus Wide Buildings-Front Doors and Windows	\$ 565,000

F	C38027	First Responders Safety and Training Center	\$	600,000
G	TOTAL Higher Education Improvement Fund		\$	2,328,293
H	TOTAL ALL FUNDS		\$	2,328,293

Section 207.21.

	1	2	3
A	NEM NORTHEAST OHIO MEDICAL UNIVERSITY		
B	Higher Education Improvement Fund (Fund 7034)		
C	C30541	Laboratory Air Handlers Replacement and Deferred Maintenance	\$ 600,000
D	C30542	Distributed Antenna System and Enhanced Video Security Surveillance System	\$ 700,000
E	C30543	Regula Corridor Renovation/Small Group Active Teaching Format Academic Learning Classroom Conversion	\$ 260,000
F	C30544	Network Fire Wall Replacement and Enhancement	\$ 250,000
G	C30545	Research and Graduate Education Building Research Laboratory Renovation	\$ 200,000
H	C30546	Hall of Fame Village Center for Excellence	\$ 1,000,000
I	C30547	Mercy Medical OBGYN Emergency Department	\$ 90,000
J	TOTAL Higher Education Improvement Fund		\$ 3,100,000
K	TOTAL ALL FUNDS		\$ 3,100,000

Section 207.22.

	1	2	3
A	NTC NORTHWEST STATE COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38219	Building B Renovations	\$ 2,376,366
D	C38222	Cyber Disaster Recovery Site	\$ 100,000
E	TOTAL Higher Education Improvement Fund		\$ 2,476,366
F	TOTAL ALL FUNDS		\$ 2,476,366

Section 207.23.

	1	2	3
A	OSU OHIO STATE UNIVERSITY		
B	Higher Education Improvement Fund (Fund 7034)		
C	C315BR	Emergency Generators	\$ 900,000
D	C315DM	Roof Repair and Replacements	\$ 4,800,000
E	C315DN	Fire System Replacements	\$ 3,900,000
F	C315DP	HVAC Repair and Replacements	\$ 3,600,000
G	C315DQ	Elevator Safety Repairs and Replacements	\$ 4,900,000
H	C315DS	Building Envelope Repair	\$ 1,000,000
I	C315DT	Plumbing Repair	\$ 1,800,000
J	C315DU	Road/Bridge Improvements	\$ 800,000
K	C315FD	Electrical Repairs	\$ 2,300,000
L	C315GL	Founders Hall Renovations - Newark	\$ 1,050,000

M	C315GY	Campbell Hall Renovations/Addition	\$	23,760,000
N	C315GZ	Biomedical and Materials Engineering Complex	\$	23,760,000
O	C315HA	Infrastructure Renewal	\$	1,000,000
P	C315HB	Galvin Hall Basement Renovations-Lima	\$	1,700,000
Q	C315HC	Boiler Replacement- Mansfield	\$	500,000
R	C315HD	Recreation Center Life Safety-Mansfield	\$	375,000
S	C315HE	HVAC and Emergency Generators-Mansfield	\$	275,000
T	C315HF	Building Entries Renewal and Renovation-Mansfield	\$	250,000
U	C315HG	Exterior Signs and Walk Renovation-Mansfield	\$	300,000
V	C315HH	Alber Student Center Renovation-Marion	\$	1,175,000
W	C315HI	Building Standby Generator Replacements-Marion	\$	525,000
X	C315HJ	Hopewell Hall Improvements- Newark	\$	275,000
Y	C315HK	Reese Center HVAC Renovations-Newark	\$	125,000
Z	C315HL	Alford Science Center Laboratory Equipment- Newark	\$	250,000
AA	C315HM	Fisher Hall Renovation- Wooster	\$	6,000,000

AB	C315HQ	Knox County Regional Airport	\$	900,000
AC	C315HR	Monroe Family Health Center	\$	100,000
AD	C315HS	Charitable Pharmacy and Market	\$	50,000
AE	C315HT	Farm on the Hilltop	\$	1,000,000
AF	C315HU	Ohio Manufacturing and Innovation Center	\$	500,000
AG	C315HV	PAST Innovation Lab	\$	300,000
AH	C315HW	Columbus Speech and Hearing Care Facility	\$	300,000
AI	C315HX	East Side Dental Clinic	\$	500,000
AJ	TOTAL Higher Education Improvement Fund		\$	88,970,000
AK	TOTAL ALL FUNDS		\$	88,970,000

Section 207.24.

	1	2	3
A	OHU OHIO UNIVERSITY		
B	Higher Education Improvement Fund (Fund 7034)		
C	C30075	Infrastructure Improvements	\$ 1,345,000
D	C30136	Building Envelope Restorations	\$ 2,640,000
E	C30157	Building and Safety System Improvements	\$ 2,816,572
F	C30158	Academic Space Improvements	\$ 13,902,778
G	C30171	Campus Infrastructure Improvements – Regional Campuses	\$ 4,675,650
H	TOTAL Higher Education Improvement Fund		\$ 25,380,000

I TOTAL ALL FUNDS \$ 25,380,000

Section 207.25.

	1	2	3
A	OTC OWENS COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38824	Access Improvement Projects	\$ 300,000
D	C38826	College Hall Renovation	\$ 5,261,171
E	C38830	Transportation Technology Building Renovation	\$ 475,000
F	C38833	IT Campus Security Upgrades	\$ 450,000
G	C38834	HVAC Renovation and Replacement	\$ 155,000
H	C38840	Findlay Family YMCA	\$ 400,000
I	C38841	50 North Expansion	\$ 500,000
J	C38842	Boys and Girls Club of Toledo	\$ 150,000
K	C38843	Owens Harvest Food Pantry and Clothes Center	\$ 100,000
L	TOTAL Higher Education Improvement Fund		\$ 7,791,171
M	TOTAL ALL FUNDS		\$ 7,791,171

Section 207.26.

	1	2	3
A	RGC RIO GRANDE COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C35617	IT Infrastructure and Information System Upgrades	\$ 1,332,754
D	TOTAL Higher Education Improvement Fund		\$ 1,332,754

E TOTAL ALL FUNDS \$ 1,332,754

Section 207.27.

	1	2	3
A	SSC SHAWNEE STATE UNIVERSITY		
B	Higher Education Improvement Fund (Fund 7034)		
C	C32400	Basic Renovations	\$ 3,810,000
D	TOTAL Higher Education Improvement Fund		\$ 3,810,000
E	TOTAL ALL FUNDS		\$ 3,810,000

Section 207.28.

	1	2	3
A	SCC SINCLAIR COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C37739	Building Clean and Seal Masonry	\$ 1,800,000
D	C37740	Campus Wide HVAC-Chillers and Boilers Upgrades	\$ 4,500,000
E	C37741	Electrical Grid and Utility System Replacements	\$ 1,000,000
F	C37742	Diesel Generators Replacement	\$ 700,000
G	C37743	Fire Sprinkler System Installation-Buildings 1-7	\$ 1,603,245
H	C37745	Advanced Manufacturing and Skilled Trades Training Hubs- DHE	\$ 1,000,000
I	C37747	National Aerospace Electric Power Innovation Center	\$ 1,000,000
J	C37748	Hope Center for Families	\$ 25,000
K	C37750	Advanced Manufacturing and	\$ 200,000

Skilled Trades Training Hubs

L	C37751	Dayton Arcade North Improvements	\$	200,000
M	C37752	21st Century Boys and Girls Club	\$	1,000,000
N	C37755	Comprehensive Outpatient Program Expansion (COPE)	\$	1,000,000
O	C37753	West Dayton Farmers Market and Food Hub	\$	500,000
P	TOTAL Higher Education Improvement Fund		\$	14,528,245
Q	TOTAL ALL FUNDS		\$	14,528,245

Section 207.29.

	1	2	3
A	SOC SOUTHERN STATE COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C32200	Basic Renovations	\$ 785,140
D	C32224	Instructional and Campus Technology Project	\$ 646,850
E	C32225	Campus Security Systems Project	\$ 279,497
F	C32227	Wilmington Air Park Infrastructure Improvement Project	\$ 500,000
G	TOTAL Higher Education Improvement Fund		\$ 2,211,487
H	TOTAL ALL FUNDS		\$ 2,211,487

Section 207.30.

	1	2	3
A	STC STARK TECHNICAL COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		

C	C38900	Basic Renovation	\$	1,160,370
D	C38921	HVAC Repair and Replacements	\$	675,000
E	C38929	Akron Center for Education and Workforce	\$	1,420,000
F	C38935	Roof Replacements	\$	1,900,000
G	C38937	21st Century Campus Digital Transformation Project	\$	1,300,000
H	C38939	Growing for Good	\$	200,000
I	C38940	United Way of Summit County Sojourner Truth Building Renovations	\$	100,000
J	TOTAL Higher Education Improvement Fund		\$	6,755,370
K	TOTAL ALL FUNDS		\$	6,755,370

Section 207.31.

	1	2	3
A	TTC TERRA STATE COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C36419	Repaving Parking Lots	\$ 488,000
D	C36420	Building E Renovations	\$ 223,869
E	C36421	IT Infrastructure Upgrades	\$ 317,500
F	C36422	Building B Server Room Duct Work	\$ 183,000
G	C36423	Campus Safety Door System	\$ 59,800
H	C36424	Math Laboratory Renovation	\$ 165,415
I	C36425	Sandusky County Continuous Learning Project	\$ 600,000
J	TOTAL Higher Education Improvement Fund		\$ 2,037,584

K TOTAL ALL FUNDS \$ 2,037,584

Section 207.32.

	1	2	3
A	UAK UNIVERSITY OF AKRON		
B	Higher Education Improvement Fund (Fund 7034)		
C	C25082	Crouse/Ayer Hall Consolidation	\$ 18,060,000
D	C25090	Medina County Battered Women's Shelter	\$ 500,000
E	C25091	Canton Jewish Community Project	\$ 50,000
F	C25092	South of Exchange Street Safety Initiative	\$ 100,000
G	C25093	McClain Gallery of Akron's Black History and Culture	\$ 257,000
H	C25094	Summit County Battered Women's Shelter	\$ 400,000
I	TOTAL Higher Education Improvement Fund		\$ 19,367,000
J	TOTAL ALL FUNDS		\$ 19,367,000

Section 207.33.

	1	2	3
A	UCN UNIVERSITY OF CINCINNATI		
B	Higher Education Improvement Fund (Fund 7034)		
C	C26678	Muntz Hall - Blue Ash	\$ 2,400,000
D	C266B3	Old Lindner Hall-College of Law Renovations	\$ 29,560,000
E	C266B4	Probasco Auditorium Renovation	\$ 4,500,000
F	C266B5	McDonough Hall and Student	\$ 1,250,000

Services Building Roofs-Clermont

G	C266B6	Kettering Facade Window Replacement	\$	750,000
H	C266B9	Jeff Wyler Boys and Girls Clubs of Greater Cincinnati	\$	50,000
I	C266C1	University of Cincinnati Hillel	\$	75,000
J	TOTAL Higher Education Improvement Fund		\$	38,585,000
K	TOTAL ALL FUNDS		\$	38,585,000

Section 207.34.

	1	2	3
A	UTO UNIVERSITY OF TOLEDO		
B	Higher Education Improvement Fund (Fund 7034)		
C	C34071	Elevator Safety Repairs and Replacements	\$ 1,300,000
D	C34072	Building Automation System Upgrades	\$ 1,500,000
E	C34073	Mechanical System Improvements	\$ 2,000,000
F	C34080	Building Envelope/Weatherproofing	\$ 2,000,000
G	C34083	Accessibility/ADA Improvements and Enhancements	\$ 345,000
H	C34089	Research Laboratory Renovations	\$ 600,000
I	C34094	Electrical System Enhancements	\$ 1,500,000
J	C34097	North Engineering Lab/Classroom Renovations	\$ 3,000,000
K	C34098	Classroom Renovations	\$ 1,600,000
L	C340A7	Underground Utility Infrastructure Improvements	\$ 1,000,000

M	C340A8	Centennial Mall Hardscape Improvements	\$	1,000,000
N	C340A9	Raymon H. Mulford Library Renovations	\$	1,000,000
O	C340B1	Network Security and Flow Monitoring Systems Upgrade	\$	1,200,000
P	C340B2	Wireless Infrastructure Upgrade	\$	1,250,000
Q	C340B3	Reverse Osmosis Auto Watering System for Research Animals	\$	625,000
R	C340B5	Lourdes University Health Sciences Building - Campus Gateway	\$	125,000
S	C340B6	Mosaic Lodge Community Center	\$	100,000
T	C340B7	University of Toledo MBDC/MBAC Relocation	\$	125,000
U	C340B8	YWCA of Northwest Ohio Building Renovations	\$	200,000
V	C340B9	University of Toledo Hillel	\$	50,000
W	TOTAL Higher Education Improvement Fund		\$	20,520,000
X	TOTAL ALL FUNDS		\$	20,520,000

Section 207.35.

	1	2	3
A	WTC WASHINGTON STATE COMMUNITY COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C35800	Basic Renovations	\$ 1,183,806
D	TOTAL Higher Education Improvement Fund		\$ 1,183,806
E	TOTAL ALL FUNDS		\$ 1,183,806

Section 207.36.

	1	2	3
A	WSU WRIGHT STATE UNIVERSITY		
B	Higher Education Improvement Fund (Fund 7034)		
C	C27578	University Safety Initiative	\$ 1,070,000
D	C27582	Campus Paving and Grounds	\$ 343,000
E	C27585	Campus Energy Efficiency and Controls	\$ 2,721,000
F	C27589	Gas Line Replacement	\$ 5,221,000
G	C27590	Workforce Development Center-Lake Campus	\$ 1,500,000
H	C27591	Trenary Hall Renovations-Lake Campus	\$ 500,000
I	C27592	Laboratory Animal Resources Occupational Safety	\$ 580,000
J	C27593	IT Infrastructure Upgrades	\$ 1,606,000
K	C27594	Health College Renovations	\$ 319,000
L	C27597	Celina Workforce Development Center	\$ 500,000
M	C27598	405 Xenia Avenue Market Redevelopment	\$ 150,000
N	TOTAL Higher Education Improvement Fund		\$ 14,510,000
O	TOTAL ALL FUNDS		\$ 14,510,000

Section 207.37.

	1	2	3
A	YSU YOUNGSTOWN STATE UNIVERSITY		
B	Higher Education Improvement Fund (Fund 7034)		
C	C34500	Basic Renovations	\$ 260,000
D	C34553	Campus Development	\$ 750,000
E	C34561	Building Envelope Renovations	\$ 1,500,000

F	C34562	Utility Distribution Upgrades/Expansion	\$	2,250,000
G	C34563	Moser Hall Renovations	\$	2,500,000
H	C34564	Elevator Safety Repairs and Replacements	\$	1,500,000
I	C34565	IT Infrastructure Upgrades	\$	1,000,000
J	C34566	Lincoln Building Renovations	\$	500,000
K	C34570	Global Investment Hub	\$	400,000
L	C34571	Akron Children's Beeghly Hospital	\$	500,000
M	C34572	BRITE Energy Labs Expansion	\$	50,000
N	TOTAL Higher Education Improvement Fund		\$	11,210,000
O	TOTAL ALL FUNDS		\$	11,210,000

Section 207.38.

	1	2	3
A	MAT ZANE STATE COLLEGE		
B	Higher Education Improvement Fund (Fund 7034)		
C	C36216	Campus Center Renovations	\$ 205,267
D	C36217	Parking/Walkway Improvements	\$ 400,000
E	C36218	Zanesville Campus Renovations	\$ 1,250,000
F	C36225	Muskingum University Health and Wellness Center	\$ 200,000
G	TOTAL Higher Education Improvement Fund		\$ 2,055,267
H	TOTAL ALL FUNDS		\$ 2,055,267

Section 207.41. For all appropriations in this act from the Higher Education Improvement Fund (Fund 7034) or the Higher Education Improvement Taxable Fund (Fund 7024) that require local funds to be contributed by any state-supported or state-assisted institution of higher education, the Department of Higher Education shall not recommend that any funds be released until the recipient institution demonstrates to the

Department of Higher Education and the Office of Budget and Management that the local funds contribution requirement has been secured or satisfied. The local funds shall be in addition to the appropriations in this act.

Section 207.42. None of the capital appropriations in this act for state-supported or state-assisted institutions of higher education shall be expended until the particular appropriation has been recommended for release by the Department of Higher Education and released by the Director of Budget and Management or the Controlling Board. Either the institution concerned, or the Department of Higher Education with the concurrence of the institution concerned, may initiate the request to the Director of Budget and Management or the Controlling Board for the release of the particular appropriation.

Section 207.43. (A) No capital appropriations in this act made from the Higher Education Improvement Fund (Fund 7034) or the Higher Education Improvement Taxable Fund (Fund 7024) shall be released for planning or for improvement, renovation, construction, or acquisition of capital facilities if the institution of higher education or the state does not own the real property on which the capital facilities are or will be located. This restriction does not apply in any of the following circumstances:

(1) The institution has a long-term (at least twenty years) lease of, or other interest (such as an easement) in, the real property.

(2) The Department of Higher Education certifies to the Controlling Board that undue delay will occur if planning does not proceed while the property or property interest acquisition process continues. In this case, funds may be released upon approval of the Controlling Board to pay for planning through the development of schematic drawings only.

(3) In the case of an appropriation for capital facilities that, because of their unique nature or location, will be owned or will be part of facilities owned by a separate nonprofit organization or public body and will be made available to the institution of higher education for its use or benefit, the nonprofit organization or public body either owns or has a long-term (at least twenty years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement with the institution of higher education that meets the requirements of division (C) of this section.

(B) Any appropriations that require cooperation between a technical college and a branch campus of a university may be released by the Controlling Board upon recommendation by the Department of Higher Education that the facilities proposed by the institutions are:

(1) The result of a joint planning effort by the university and the technical college, satisfactory to the Department of Higher Education;

(2) Facilities that will meet the needs of the region in terms of technical and general education, taking into consideration the totality of facilities that will be available after the completion of the projects;

(3) Planned to permit maximum joint use by the university and technical college of the totality of facilities that will be available upon their completion; and

(4) To be located on or adjacent to the branch campus of the university.

(C) The Department of Higher Education shall adopt and maintain rules regarding the release of moneys from all the appropriations for capital facilities for all state-supported or state-assisted institutions of higher education. In the case of capital facilities referred to in division (A)(3) of this section, the joint or cooperative use agreements shall include, as a minimum, provisions that:

(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than twenty years, with the value of such use or benefit or right to use to be, as is determined by the parties and approved by the Department of Higher Education, reasonably related to the amount of the appropriations;

(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use be terminated prior to the expiration of its full term;

(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state statutes and rules, including the provisions of this act; and

(4) Provide for payment or reimbursement to the institution of its administrative costs incurred as a result of the facilities project, not to exceed 1.5 per cent of the appropriated amount.

(D) Upon the recommendation of the Department of Higher Education, the Controlling Board may approve the transfer of appropriations for projects requiring cooperation between institutions from one institution to another institution with the approval of both institutions.

(E) Notwithstanding section 127.14 of the Revised Code, the Controlling Board, upon the recommendation of the Department of Higher Education, may transfer amounts appropriated to the Department of Higher Education to accounts of state-supported or state-assisted institutions created for that same purpose.

Section 207.44. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 2n of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.04 of the Revised Code, original obligations in an aggregate principal

amount not to exceed \$400,000,000, in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Higher Education Improvement Fund (Fund 7034) and the Higher Education Improvement Taxable Fund (Fund 7024) to pay costs of capital facilities for state-supported and state-assisted institutions of higher education.

Section 207.45. The requirements of Chapters 123. and 153. of the Revised Code, with respect to the powers and duties of the Executive Director of the Ohio Facilities Construction Commission as they relate to the procedure and awarding of contracts for capital improvement projects, and the requirements of section 127.16 of the Revised Code, with respect to the Controlling Board, do not apply to projects of community college districts and technical college districts.

Section 207.46. Those institutions locally administering capital improvement projects pursuant to sections 3345.50 and 3345.51 of the Revised Code may:

(A) Establish charges for recovering costs directly related to project administration as defined by the Executive Director of the Ohio Facilities Construction Commission. The Ohio Facilities Construction Commission, in consultation with the Office of Budget and Management, shall review and approve these administrative charges when the charges are in excess of 1.5 per cent of the total construction budget, provided that total administrative charges paid by the state do not exceed four per cent of the state's contribution to the total construction budget.

(B) Seek reimbursement from state capital appropriations to the institution for the in-house design services performed by the institution for the capital projects. Acceptable charges are limited to design document preparation work that is done by the institution. These reimbursable design costs shall be shown as "A/E fees" within the project's budget that is submitted to the Controlling Board or the Director of Budget and Management as part of a request for release of funds. The reimbursement for in-house design shall not exceed seven per cent of the estimated construction cost.

**Section 207.47. TRANSFERS OF HIGHER EDUCATION
CAPITAL APPROPRIATIONS**

The Director of Budget and Management may as necessary to maintain the exclusion from the calculation of gross income for federal income taxation purposes under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1 et seq., with respect to obligations issued to fund projects appropriated from the Higher Education Improvement Fund:

(A) Transfer appropriations between the Higher Education Improvement Fund and the Higher Education Improvement Taxable Fund;

(B) Create new appropriation items within the Higher Education Improvement Taxable Fund and make transfers of appropriations to them for projects originally funded from appropriations made from the Higher Education Improvement Fund.

The projects that are funded under new appropriation items created in this manner shall automatically be designated as specific for purposes of section 126.14 of the Revised Code.

Section 209.10.

	1	2	3
A	ETC BROADCAST EDUCATIONAL MEDIA COMMISSION		
B	Higher Education Improvement Fund (Fund 7034)		
C	C37406	Network Operations Center Upgrades	\$ 1,167,133
D	C37410	Ohio Radio Reading Services	\$ 82,939
E	C37412	Ohio Government Telecommunications	\$ 275,000
F	C37424	Television and Radio Equipment Replacement - Emergency Communications	\$ 2,100,000
G	TOTAL Higher Education Improvement Fund		\$ 3,625,072
H	TOTAL ALL FUNDS		\$ 3,625,072

Section 211.10.

	1	2	3
A	CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD		
B	Administrative Building Fund (Fund 7026)		
C	C87407	Statehouse Repair/Improvements	\$ 1,700,000

D	TOTAL Administrative Building Fund	\$	1,700,000
E	TOTAL ALL FUNDS	\$	1,700,000

Section 213.10.

	1	2	3
A	DAS DEPARTMENT OF ADMINISTRATIVE SERVICES		
B	Building Improvement Fund (Fund 5KZ0)		
C	C10035	Building Improvement	\$ 33,054,775
D	TOTAL Building Improvement Fund		\$ 33,054,775
E	Administrative Building Taxable Bond Fund (Fund 7016)		
F	C10041	MARCS - Taxable	\$ 7,093,977
G	TOTAL Administrative Building Taxable Bond Fund		\$ 7,093,977
H	Administrative Building Fund (Fund 7026)		
I	C10034	Aronoff Center Systems Replacements & Upgrades	\$ 375,000
J	C10042	IT Projects	\$ 11,000,000
K	TOTAL Administrative Building Fund		\$ 11,375,000
L	TOTAL ALL FUNDS		\$ 51,523,752

MARCS STEERING COMMITTEE AND STATEWIDE COMMUNICATIONS SYSTEM

There is hereby continued a Multi-Agency Radio Communications System (MARCS) Steering Committee consisting of the designees of the Directors of Administrative Services, Public Safety, Natural Resources, Transportation, Rehabilitation and Correction, and Budget and Management, and the State Fire Marshal or the State Fire Marshal's designee. The Director of Administrative Services or the Director's designee shall chair the Committee. The Committee shall provide assistance to the Director of Administrative Services for effective and efficient implementation of MARCS as well as develop policies for the ongoing management of the system. Upon dates prescribed by the Directors of Administrative Services

and Budget and Management, the MARCS Steering Committee shall report to the Directors on the progress of MARCS implementation and the development of policies related to the system.

The Committee shall establish a subcommittee to represent MARCS users on the local government level. The chairperson of the subcommittee shall serve as a member of the MARCS Steering Committee.

The foregoing appropriation item C10041, MARCS - Taxable, shall be used to purchase or construct the components of MARCS that are not specific to any one agency. The equipment may include, but is not limited to, computer and telecommunications equipment used for the functioning and integration of the system, communications towers, tower sites, tower equipment, and linkages among towers. The Director of Administrative Services shall, with the concurrence of the MARCS Steering Committee, determine the specific use of funds. Expenditures from this appropriation shall not be subject to Chapters 123. and 153. of the Revised Code.

Section 213.20. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, Chapter 154. of the Revised Code, and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed \$100,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Administrative Building Fund (Fund 7026) to pay costs associated with previously authorized capital facilities for the housing of branches and agencies of state government or their functions.

Section 215.10.

	1	2	3
A	AGR DEPARTMENT OF AGRICULTURE		
B	Administrative Building Fund (Fund 7026)		
C	C70007	Building and Grounds	\$ 3,868,500
D	C70022	Agricultural Society Facilities	\$ 3,917,500
E	C70023	Building #22 Laboratory Equipment	\$ 311,250
F	C70025	Building #22 IT Projects	\$ 3,531,638

G	TOTAL Administrative Building Fund	\$	11,628,888
H	Clean Ohio Agricultural Easement Fund (Fund 7057)		
I	C70009 Clean Ohio Agricultural Easement	\$	12,500,000
J	TOTAL Clean Ohio Agricultural Easement	\$	12,500,000
K	TOTAL ALL FUNDS	\$	24,128,888

Section 215.15. AGRICULTURAL SOCIETY FACILITIES

The foregoing appropriation item C70022, Agricultural Society Facilities, shall be used to support the projects listed in this section.

	1	2
A	Project List	
B	Darke County Swine and Community Pavilion	\$ 500,000
C	Delaware County Fair Grandstands	\$ 500,000
D	Brown County Fairgrounds Junior Fair Covered Arena	\$ 350,000
E	Ashtabula Agricultural Facility Improvements	\$ 325,000
F	Crawford County Fair	\$ 300,000
G	Highland County Agricultural Society Livestock Facility	\$ 275,000
H	Clermont County Agricultural Improvements	\$ 200,000
I	Muskingum County Fair Grandstand Enhancement Project	\$ 200,000
J	Noble County Fairgrounds New Swine/Hog Barn	\$ 200,000
K	Carroll Agricultural Society Show Barn	\$ 150,000
L	Ross County Fairground Improvements	\$ 150,000
M	Monroe County Fairground Educational Building	\$ 147,000

N	Clinton County Fairgrounds Maintenance Facility and Security Fencing	\$	100,000
O	Columbiana Fairgrounds Restroom and Shower Facilities	\$	100,000
P	Preble County Fairgrounds Conference Center and Grounds Improvement	\$	100,000
Q	Shelby County Fairgrounds	\$	100,000
R	Jackson County Fairgrounds Grandstand Repairs	\$	75,000
S	Scioto County Fairgrounds Electrical Upgrade and Stone Vaults	\$	50,000
T	Vinton County Fairgrounds	\$	50,000
U	Jefferson County Agricultural Society Small Animal Barn and Pavilion	\$	45,500

Section 217.10.

	1	2	3
A	COM DEPARTMENT OF COMMERCE		
B	State Fire Marshal Fund (Fund 5460)		
C	C80023	SFM Renovations and Improvements	\$ 580,662
D	C80034	Fire Training Apparatus	\$ 1,350,000
E	C80042	Fire Training Structure	\$ 285,000
F	TOTAL State Fire Marshal Fund		\$ 2,215,662
G	Administrative Building Fund (Fund 7026)		
H	C80045	Mahoning County Career and Technical Center and Valley STEM	\$ 400,000
I	C80046	Multi-jurisdictional Opioid Education and Workforce Training	\$ 500,000

and Meeting Center

J	TOTAL Administrative Building Fund	\$	900,000
K	TOTAL ALL FUNDS	\$	3,115,662

Section 219.10.

	1	2	3
A	DDD DEPARTMENT OF DEVELOPMENTAL DISABILITIES		
B	Mental Health Facilities Improvement Fund (Fund 7033)		
C	C59004	Community Assistance Projects	\$ 21,375,000
D	C59034	Statewide Developmental Centers	\$ 11,547,250
E	C59070	Hardin County YMCA Renovations	\$ 164,000
F	C59071	NECCO Gym Project	\$ 8,500
G	C59072	Windfall Developmental Disabilities Project	\$ 250,000
H	C59073	Hattie Larlham	\$ 400,000
I	C59074	Bridgeway Academy	\$ 1,000,000
J	C59075	Easterseals Production and Fulfillment Center	\$ 200,000
K	C59076	Forever Home	\$ 350,000
L	TOTAL Department of Developmental Disabilities		\$ 35,294,750
M	TOTAL ALL FUNDS		\$ 35,294,750

COMMUNITY ASSISTANCE PROJECTS

Capital appropriations in this act made from appropriation item C59004, Community Assistance Projects, may be used to provide community assistance funds for the development, purchase, construction, or renovation of facilities for day programs or residential programs that provide services to persons eligible for services from the Department of Developmental Disabilities or county boards of developmental disabilities and shall be distributed by the Department of Developmental Disabilities subject to Controlling Board approval.

Section 221.10.

	1	2	3
A	MHA DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES		
B	Mental Health Facilities Improvement Fund (Fund 7033)		
C	C58001	Community Assistance Projects	\$ 47,709,000
D	C58007	Infrastructure Renovations	\$ 48,104,800
E	C58048	Community Resiliency Projects	\$ 14,200,000
F	TOTAL Mental Health Facilities Improvement Fund		\$ 110,013,800
G	TOTAL ALL FUNDS		\$ 110,013,800

Section 221.13. COMMUNITY ASSISTANCE PROJECTS

Capital appropriations in this act made from appropriation item C58001, Community Assistance Projects, may be used for facilities constructed or to be constructed pursuant to Chapter 340., 5119., 5123., or 5126. of the Revised Code or the authority granted by section 154.20 and other applicable sections of the Revised Code and the rules issued pursuant to those chapters and that section and shall be distributed by the Department of Mental Health and Addiction Services subject to Controlling Board approval.

Of the foregoing appropriation item C58001, Community Assistance Projects, \$15,409,000 shall be used to support the projects listed in this section.

	1	2
A	Project List	
B	Comprehensive Addiction Center	\$ 4,500,000
C	Bellefaire JCB Pediatric Psychiatric Hospital and Autism School	\$ 1,000,000
D	Restoration of Mental Health Diversion Center	\$ 1,000,000

E	Sheakley Day Treatment	\$	934,000
F	Cleveland Clinic Akron General	\$	700,000
G	One Step Closer to Home	\$	650,000
H	Stella Maris	\$	500,000
I	Faith Mission Shelter Renovations	\$	400,000
J	Ohio Veterans Drug and Transcranial Magnetic Stimulation Treatment	\$	400,000
K	Providence House	\$	400,000
L	Applewood Center - Jones Home Campus	\$	350,000
M	New Beginnings Community-Based Residential Treatment	\$	350,000
N	Sr. Ignatia Heritage and Reflection Center	\$	300,000
O	Blessing House Facility	\$	250,000
P	Cedar Hills Transformation Camp	\$	250,000
Q	City of Lakewood - Mental Health and Addiction Services Support Space	\$	250,000
R	Washington County Recreation and Support Center	\$	200,000
S	(Cocoon) Comprehensive Advocacy Center for Survivors of Domestic and Sexual Violence	\$	200,000
T	CommQuests Recovery Campus Improvements	\$	200,000
U	West Dayton Community Services Center	\$	200,000
V	Edna House	\$	150,000

W	Meadow Center	\$	150,000
X	The Haven of Portage County	\$	150,000
Y	Y-Haven	\$	150,000
Z	Forbes House Domestic Violence Project	\$	120,000
AA	Seven Hills Trauma Recovery Center	\$	105,000
AB	Family Unity Center	\$	100,000
AC	Save a Warrior Project	\$	100,000
AD	Cadence Care Network Family and Community Resource Center	\$	50,000
AE	Child Focus Day Treatment Facility	\$	50,000
AF	Grace House Akron, Inc.	\$	50,000
AG	Lighthouse Behavioral Health Solutions Outpatient Behavioral Health Clinic	\$	50,000
AH	Sanctuary on Sullivant	\$	50,000
AI	The Glenway Outpatient Treatment Center - Phase 3 (Final)	\$	50,000
AJ	The Commons at Springfield	\$	25,000
AK	Women's Recovery Center	\$	13,000
AL	Lima Crossroads Crisis Centers	\$	12,000

Section 221.15. COMMUNITY RESILIENCY PROJECTS

The foregoing appropriation item, C58048, Community Resiliency Projects, shall be used in support of the establishment, expansion, and renovation of programming spaces for individuals affected by behavioral health related issues, specifically targeting, to the extent possible, programming spaces for middle and high school age youth affected by behavioral health related issues.

Funds shall be awarded to projects through a process to be developed by the Department of Mental Health and Addiction Services that may take into account, but is not limited to, the following factors: the poverty rate of the community in which the facility is to be located, the breadth and nature of the plan to engage a broad spectrum of at-risk youth, support of community

partners, readiness of the funding applicant to move forward with the project, and the array of supportive programming to be offered by the applicant. All projects shall comply with the community project standards and guidelines of the Department of Mental Health and Addiction Services.

Section 221.20. The Treasurer of State is hereby authorized to issue and sell in accordance with Section 2i of Article VIII, Ohio Constitution, and Chapter 154. of the Revised Code, particularly section 154.20 and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed \$150,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Mental Health Facilities Improvement Fund (Fund 7033) to pay costs of capital facilities as defined in section 154.01 of the Revised Code for mental health and addiction and developmental disability purposes.

Section 223.10.

	1	2	3
A	DNR DEPARTMENT OF NATURAL RESOURCES		
B	Administrative Building Fund (Fund 7026)		
C	C725D5	Fountain Square Building and Telephone Improvement	\$ 4,000,000
D	C725E0	DNR Fairgrounds Area Upgrades	\$ 1,000,000
E	C725N7	District Office Renovations	\$ 4,890,000
F	TOTAL Administrative Building Fund		\$ 9,890,000
G	Ohio Parks and Natural Resources Fund (Fund 7031)		
H	C72549	Facilities Development	\$ 14,370,000
I	C725E1	Local Parks Projects Statewide	\$ 4,875,750
J	C725E5	Project Planning	\$ 1,733,000
K	C725N8	Forestry Equipment	\$ 1,400,000
L	C725T3	Healthy Lake Erie Initiative	\$ 2,000,000
M	TOTAL Ohio Parks and Natural Resources Fund		\$ 24,378,750

N	Parks and Recreation Improvement Fund (Fund 7035)		
O	C725A0	State Parks, Campgrounds, Lodges, Cabins	\$ 81,007,500
P	C725B2	Parks Equipment	\$ 5,456,250
Q	C725C4	Muskingum River Lock and Dam	\$ 13,415,000
R	C725E2	Local Parks, Recreation, and Conservation Projects	\$ 64,453,745
S	C725E6	Project Planning	\$ 8,705,400
T	C725L8	Statewide Trails Program	\$ 3,200,000
U	C725N6	Wastewater/Water Systems Upgrades	\$ 18,440,000
V	C725R3	State Parks Renovations/Upgrades	\$ 18,614,784
W	C725R4	Dam Rehabilitation - Parks	\$ 42,585,000
X	C725U7	Eagle Creek Watershed Flood Mitigation	\$ 15,000,000
Y	TOTAL Parks and Recreation Improvement Fund		\$ 270,877,679
Z	Clean Ohio Trail Fund (Fund 7061)		
AA	C72514	Clean Ohio Trail Fund	\$ 12,500,000
AB	TOTAL Clean Ohio Trail Fund		\$ 12,500,000
AC	TOTAL ALL FUNDS		\$ 317,646,429

FEDERAL REIMBURSEMENT

All reimbursements received from the federal government for any expenditures made pursuant to this section shall be deposited in the state treasury to the credit of the fund from which the expenditure originated.

Section 223.15. The foregoing appropriation item C725E2, Local Parks, Recreation, and Conservation Projects, shall be used to support the projects listed in this section. An amount equal to two per cent of the projects listed may be used by the Department of Natural Resources for the administration of local projects.

	1	2
A	Project List	
B	Smale Riverfront Park	\$ 1,700,000
C	Cincinnati Court Street Plaza	\$ 1,500,000
D	Galloway Sports Complex One Field Project	\$ 1,500,000
E	More Home to Roam	\$ 1,500,000
F	Columbus Zoo Conservation Education Renovations	\$ 1,000,000
G	Holmes County Park District Trail	\$ 1,000,000
H	Loveland Parking Facility	\$ 900,000
I	Conneaut Marina Improvement	\$ 850,000
J	The Foundry	\$ 850,000
K	Cleveland MetroParks Zoo	\$ 800,000
L	Euclid Waterfront Improvement Plan Phase II	\$ 800,000
M	Stubbs Park Improvements	\$ 800,000
N	Toledo Zoo Entry Complex and Tiger and Bear Exhibit	\$ 800,000
O	Auglaize Mercer Recreational Complex	\$ 750,000
P	Chippewa Lake Park Project	\$ 750,000
Q	Hamilton Beltline Trail	\$ 750,000
R	Hudson Greenway Trail	\$ 750,000
S	Montgomery Quarter – Keystone Park	\$ 750,000
T	Sandusky Bay Pathway/Landing Park	\$ 750,000
U	Makino Park Inclusive Fields	\$ 675,000

V	Harbin Park Pavilion	\$	550,000
W	Akron Zoo	\$	500,000
X	Alum Creek and Olentangy Trail Connector	\$	500,000
Y	Flats East Bank Phase 3	\$	500,000
Z	Forest Lawn Flood Plain Restoration and Wildlife Trail	\$	500,000
AA	Great Miami River Recreation Bike Trail	\$	500,000
AB	Healey Creek Flood Mitigation	\$	500,000
AC	Jim Simmons Trail Reservoir Trail	\$	500,000
AD	Kurt Tunnell Memorial Trail	\$	500,000
AE	Massillon Reservoir Park Splash Pad	\$	500,000
AF	Medina Weymouth Community Center	\$	500,000
AG	Megaland Replacement Project	\$	500,000
AH	North Canton Performing Arts Park	\$	500,000
AI	North Ridgeville Millcreek Conservation and Flood Control Round 3	\$	500,000
AJ	Oak Harbor Waterfront	\$	500,000
AK	Scioto River Bridge and Trail	\$	500,000
AL	Springbrook Gardens Park Recreational Facility	\$	500,000
AM	Jackson Township Tam O'Shanter Park	\$	500,000
AN	The Wilds Overlook Café	\$	500,000
AO	The Wilds RV Park	\$	500,000
AP	Westlake Clague Park Playground	\$	487,155

Renovation

AQ	Chagrin River and Lake Erie Boat Access	\$	475,000
AR	Pymatuning Valley Greenway Project	\$	450,000
AS	Sunbury Ohio to Erie trail Design and Construction	\$	450,000
AT	Ripley Freedom Landing Boat Dock	\$	425,000
AU	Wadsworth Memorial Park Improvements	\$	420,000
AV	Education Center at Wild Hearts African Farm	\$	400,000
AW	Fairport Harbor Docks and Marina Project	\$	400,000
AX	Forest Run Metro Park Timberman Project	\$	400,000
AY	Geneva Memorial Field Improvements	\$	400,000
AZ	Memorable Morrow	\$	400,000
BA	Thaddeus Kosciuszko Park	\$	400,000
BB	Worthington McCord Park Renovations	\$	400,000
BC	Adams County Welcome Center	\$	350,000
BD	Crestline Pool and Park	\$	350,000
BE	Gateway Regional Sports Complex	\$	350,000
BF	Orrville Park Gateway Project	\$	350,000
BG	Shelby Black Fork Commons Plaza	\$	350,000
BH	Sidney Canal Feeder Trail	\$	350,000
BI	Wright Patterson AFB Main Gate Park Land Acquisition	\$	350,000

BJ	Lane Avenue Shared Use Path Project	\$	338,000
BK	Sheffield Village French Creek Project	\$	325,000
BL	Ashland Freer Field Improvements	\$	300,000
BM	Flying Squirrel Preserve Morrow County Parks Expansion	\$	300,000
BN	Hayden Run Trail Extension	\$	300,000
BO	Lafayette Township Park Improvements	\$	300,000
BP	Little Miami River Access at Bass Island	\$	300,000
BQ	Magic Mile Trail	\$	300,000
BR	Marshallville Preserve	\$	300,000
BS	Portage Lakes Drive Community Park	\$	300,000
BT	Rossford Marina and Veterans Memorial Park Safety Renovations	\$	300,000
BU	Alliance Park System Improvements	\$	250,000
BV	Canal Fulton Park Phase 2	\$	250,000
BW	Cave Lake Center for Community Leadership	\$	250,000
BX	Clay Township Park Pavilion & Playground Improvements	\$	250,000
BY	Conneaut Township Park Project	\$	250,000
BZ	Cooper Lodge, Camp Lakota	\$	250,000
CA	Diamond Park	\$	250,000
CB	E. Milo Beck Park-Clearcreek Park- Hazel Woods Connector Trail	\$	250,000
CC	Faircrest Park Improvements	\$	250,000

CD	First Ladies' Library Improvements	\$	250,000
CE	Geneva-on-the-Lake Bike Trail	\$	250,000
CF	Heights to Hudson Trail	\$	250,000
CG	J. Babe Stern Ball Field	\$	250,000
CH	Kalida 4 Seasons Community Health/Fitness Track	\$	250,000
CI	Metzger Park Project	\$	250,000
CJ	Millersport Canal Restoration - Phase I	\$	250,000
CK	Randolph Township Old School Playground	\$	250,000
CL	Recreational Field Improvements (Star Mill Park)	\$	250,000
CM	Wasson Way Uptown Connector Trail	\$	250,000
CN	Akron Children's Hospital	\$	225,000
CO	McDonald Commons Master Plan	\$	215,000
CP	Lawrence County Union Rome Trails and Walkways	\$	214,000
CQ	Ashland Main Street Town Square Park	\$	200,000
CR	Black River Community Multi-use Facility	\$	200,000
CS	Bradstreet's Landing Pier, Lakefront Access and Resiliency Improvements	\$	200,000
CT	Buckeye Lake Dredge	\$	200,000
CU	East Lincoln Street Connector Project	\$	200,000
CV	Elks CC Dam Repair Project	\$	200,000
CW	Holden Arboretum	\$	200,000
CX	Home Road Trail Extension	\$	200,000

CY	Kenton Memorial Park Golf Course Recreation Center	\$	200,000
CZ	Kuliga Park Improvement Project Phase I	\$	200,000
DA	Lebanon Sports Complex Improvements	\$	200,000
DB	Lima All Ability Playground	\$	200,000
DC	Lorain County Metro Park Connector	\$	200,000
DD	Matthew Thomas Park Master Plan	\$	200,000
DE	Mayerson JCC Improvements	\$	200,000
DF	Munson Springs Nature Preserve & Historical Site	\$	200,000
DG	Opportunity Park Improvements	\$	200,000
DH	Perry Township Lakeshore Improvement Project	\$	200,000
DI	Red Brook Metropark Flagship Park	\$	200,000
DJ	Shared Use Path Connector from Goosepond Road to the Licking County Health Department	\$	200,000
DK	Sheffield Village Trails	\$	200,000
DL	Sylvania Burnham Park Upgrade/Plummer Pool Renovations	\$	200,000
DM	Wellston Pride Park Revitalization Project Phase II	\$	200,000
DN	West Jefferson Park	\$	200,000
DO	Fort Jennings Freedom Square	\$	175,000
DP	Lebanon Bicentennial Park Restrooms	\$	175,000

DQ	McKelvey Lake Park	\$	175,000
DR	3 Rivers Peninsula Project	\$	150,000
DS	Antrim Community Center	\$	150,000
DT	Bronson Park Multi-use Path	\$	150,000
DU	Crescent Park Regional Universal Play Area	\$	150,000
DV	Findlay Playground/Grant Park/Over-the-Rhine Recreation Center	\$	150,000
DW	Glass City Enrichment Center	\$	150,000
DX	Gorman Park Redevelopment Project	\$	150,000
DY	Grafton Reservoir Park Trail	\$	150,000
DZ	Grandview Yard Recreational Trail	\$	150,000
EA	Harbin Park Loop Trail	\$	150,000
EB	Lancaster All Abilities Playground	\$	150,000
EC	Little Hocking Community and Recreation Center	\$	150,000
ED	Moberly Branch Connector Trail	\$	150,000
EE	Delhi Township Neighborhood Playground Area	\$	150,000
EF	Ottawa Hills Recreation Field/Renovation	\$	150,000
EG	Ottawa Memorial Pool Improvements	\$	150,000
EH	Parker Square and Memorial Park Improvements Project	\$	150,000
EI	Pickerington Soccer Association Facility Improvements	\$	150,000
EJ	Piqua Downtown Riverfront Park	\$	150,000

Improvements

EK	Powhatan Boat Ramp	\$	150,000
EL	Pump House Meadow and Mindfulness Trail	\$	150,000
EM	Rodger W. Young Park: Kiwanis Inclusive Play Park	\$	150,000
EN	Strongsville Ehrnfelt Center	\$	150,000
EO	Swanton Railroad Park	\$	150,000
EP	Horizon Education Playground Improvements	\$	140,000
EQ	Lake Jinelle Rehabilitation	\$	140,000
ER	Wadsworth Durling Park Improvements	\$	135,000
ES	Plymouth Community Pool	\$	125,000
ET	Reagan Park and Trail	\$	122,000
EU	Freeman Road Park Project	\$	115,000
EV	Mary Rutan Tennis Court Project	\$	115,000
EW	Lodi's Richman Field Splash Pad	\$	105,000
EX	Avon Lake Weiss Field Park Pavilion Replacement Project	\$	100,000
EY	Avon Veterans Memorial Park Expansion	\$	100,000
EZ	Caldwell Ice Rink Construction	\$	100,000
FA	Camp Butterworth	\$	100,000
FB	Camp Libbey	\$	100,000
FC	Camp Stoneybrook	\$	100,000
FD	Camp WhipPoorWill	\$	100,000

FE	Carlisle Township Veteran's Memorial	\$	100,000
FF	Central Avenue Pedestrian and Bike Trail	\$	100,000
FG	Circleville Ted Lewis Park Renovation	\$	100,000
FH	City of Brooklyn Trail Project	\$	100,000
FI	North Olmsted Clague Park Improvements	\$	100,000
FJ	Columbia Township Wooster Pike Bike Trail	\$	100,000
FK	Concord Township Park Redevelopment Plan	\$	100,000
FL	Forest Park Central Park Improvements	\$	100,000
FM	Galion Park Square Renovation	\$	100,000
FN	Gratis Bicentennial Park	\$	100,000
FO	Great Stone Viaduct	\$	100,000
FP	Lisbon Greenway Bike Trail	\$	100,000
FQ	Harvest Home Park Lodge 21st Century Improvements	\$	100,000
FR	Independence Civic Center Renovations	\$	100,000
FS	Lake to Lodge Accessible Trail Project at Burr Oak State Park	\$	100,000
FT	Lockbourne Magnolia Trail	\$	100,000
FU	Mansfield Newhope Inclusive Playground	\$	100,000
FV	Mayfield Village Civic Center Upgrades	\$	100,000

FW	Meigs County Pool	\$	100,000
FX	Miracle Field Complex	\$	100,000
FY	Mitchell Park Trail Connector	\$	100,000
FZ	Perrysville Weltmer Park Upgrades	\$	100,000
GA	Poland Municipal Forest Restoration	\$	100,000
GB	Rock Creek Connector Trail	\$	100,000
GC	Rodger W. Young Park: Ball Diamond	\$	100,000
GD	Schultz Campus for Jewish Life: Family Recreation and Accessibility Enhancements	\$	100,000
GE	Stark County Firefighters Memorial Park	\$	100,000
GF	Summit Metro Parks	\$	100,000
GG	Village of Chagrin Falls Riverside Park Walking Path	\$	100,000
GH	Whitehall Community Park Revitalization	\$	100,000
GI	Waldo Community Center Walking Bridge	\$	99,000
GJ	Karohl Park CXT Restrooms	\$	95,000
GK	Hobson Freedom Park	\$	95,000
GL	Marion Township Greenway Phase 1	\$	85,000
GM	Stanbery Park Shelter	\$	80,000
GN	Lake Baccarat Richwood Park Improvements	\$	76,739
GO	Bramble Recreation Area Nature Playscape	\$	75,000

GP	Brecksville Blossom Hill Baseball Field Lighting	\$	75,000
GQ	Buckeye Lake Crystal Lagoon	\$	75,000
GR	Geneva-on-the-Lake Shoreline Protection Project	\$	75,000
GS	Hiestand Woods Improvement Project	\$	75,000
GT	Lela McGuire Jeffrey Park Soccer Complex	\$	75,000
GU	Lisbon Park Walking Track	\$	75,000
GV	McConnelsville Community Recreation Building	\$	75,000
GW	Olmsted Falls Playground Enhancements	\$	75,000
GX	Olmsted Township Brentwood Playground Development	\$	75,000
GY	Renovate Existing Fitzwater Train Yard Operations Building	\$	75,000
GZ	Seven Hills Calvin Park Concession Project	\$	75,000
HA	Summit Lake Vision Plan	\$	75,000
HB	Van Wert Reservoir Trails	\$	75,000
HC	Vermillion Lakefront Revitalization	\$	75,000
HD	Village of Moreland Hills Forest Ridge Park Improvements	\$	75,000
HE	Wapakoneta Veterans Memorial Park Splash Pad	\$	75,000
HF	Wellsville Marina	\$	75,000
HG	Ray Mellert Park	\$	71,000

HH	Willard Park Playground	\$	60,000
HI	Gloria Glens Park Improvements	\$	56,000
HJ	Heartland Trail	\$	55,000
HK	Willadale Segment-Southgate Connector Trail	\$	55,000
HL	Bay Village Interurban Pedestrian Bridge	\$	50,000
HM	Chardon Living Memorial Park Improvements	\$	50,000
HN	Earl Thomas Conley Park Improvements	\$	50,000
HO	Fayette Normal Memorial Park Community Splash Pad	\$	50,000
HP	Fox Island Inclusive Playground	\$	50,000
HQ	Harmar Pedestrian Bridge Restoration Project	\$	50,000
HR	Jeromesville Square Park	\$	50,000
HS	Jewish Federation of Greater Dayton Nature Trail	\$	50,000
HT	Keener Park Renovations/Pickleball Courts	\$	50,000
HU	Kent State and Stark State Campus Trail	\$	50,000
HV	Kettlersville Village Park Improvement	\$	50,000
HW	Lebanese Cultural Garden	\$	50,000
HX	Leipsic Downtown Park and Stage	\$	50,000
HY	Lyndhurst Inclusive and Accessible Playground Project	\$	50,000

HZ	Magnolia Flouring Mills Restoration	\$	50,000
IA	Middleburg Heights Public Park Pavilions Project	\$	50,000
IB	Milford Center Rail Depot	\$	50,000
IC	Moscow Riverfront Stabilization	\$	50,000
ID	Ohio and Erie Canal Way Towpath Trail	\$	50,000
IE	Ohio Township Swimming Pool	\$	50,000
IF	Perrysburg Inclusive Playground at Rotary Park	\$	50,000
IG	Pomeroy Multimodal Path	\$	50,000
IH	Red Cap Park Recreation Development	\$	50,000
II	Revitalization of Short Park	\$	50,000
IJ	Richwood Opera House	\$	50,000
IK	Silverton Town Commons	\$	50,000
IL	Stoner Pond at Ranger Park Fishing Dock Construction	\$	50,000
IM	Uptown Ecological Corridor	\$	50,000
IN	West Union Pedestrian Bike Path	\$	50,000
IO	Wooster Memorial Splash Pad Park	\$	50,000
IP	Thomas Lane Pocket Park Project	\$	46,740
IQ	Ault Park Improvements	\$	46,000
IR	Carey Memorial Park Backsplash	\$	45,000
IS	Headwaters Nature Trail	\$	45,000
IT	Village of Lakemore Hinton Humniston Fitness Park Renovations	\$	45,000

IU	Austin Badger Park Path	\$	43,000
IV	African American Cultural Gardens	\$	40,000
IW	Gallipolis City Pool	\$	40,000
IX	Monroe Community Park Activity Center	\$	40,000
IY	Nimisilla Park Excavating	\$	40,000
IZ	Rittman Youth Football Field	\$	40,000
JA	Spencer JB Firestone Park	\$	40,000
JB	Ashland County Corner Park Trail	\$	38,000
JC	Jeromesville Community Garden	\$	35,000
JD	Ray Mellert Dog Park Project	\$	35,000
JE	Bradley Park Playground	\$	32,279
JF	Kobak Baseball Field Lighting Project	\$	32,000
JG	Perry Township Community Recreation Center	\$	30,000
JH	Village of Weston Community Splash Pad	\$	30,000
JI	Weston Reservoir Restoration	\$	30,000
JJ	New Richmond Liberty Landing Park	\$	25,000
JK	East Liverpool Park Improvements	\$	25,000
JL	Lucas Community Playground	\$	25,000
JM	New Bremen STEM Waterway	\$	25,000
JN	Rayland Friendship Park Restroom Project	\$	25,000
JO	Smiley Park Ball Field Fencing	\$	25,000
JP	Veterans Park of Wellsville	\$	25,000

JQ	Willshire Ballpark Enhancements	\$	25,000
JR	Oakwood Community Park	\$	22,610
JS	Cleveland Cultural Gardens - Rusin Garden	\$	22,000
JT	Pirate Park Improvements	\$	21,000
JU	Payne Buckeye Park	\$	20,500
JV	Auglaize Village Handi-capable Heritage Trail	\$	20,000
JW	Kenton Municipal Pool improvements	\$	20,000
JX	Lyons Community Park Improvements	\$	20,000
JY	Wakeman Trail Connector	\$	17,000
JZ	Lorain Pier Planning Project	\$	15,000
KA	Alger Park Ballfield Backstop	\$	12,000
KB	Outdoor Band Stage at Lucas Community Center	\$	10,000
KC	Antwerp Riverside Park Fitness Trail	\$	7,500
KD	New Bremen StoryWalk	\$	7,500
KE	Melrose Park Renovation	\$	7,000
KF	Grover Hill Welcome Park Playground	\$	5,598
KG	Broughton Park Playground	\$	4,124

Section 223.20. For the projects for which appropriations are made in this act from the Parks and Recreation Improvement Fund (Fund 7035), the Department of Natural Resources shall periodically prepare and submit to the Director of Budget and Management the estimated design, planning, and engineering costs of capital-related work to be done by the Department of Natural Resources for each project. Based on the estimates, the Director of Budget and Management may release appropriations from appropriation item C725E6, Project Planning, within Fund 7035, to pay for design, planning, and engineering costs incurred by the Department of Natural Resources for the projects. Upon release of the appropriations by the Director of Budget and Management, the Department of Natural Resources shall pay for these

expenses from the Parks Capital Expenses Fund (Fund 2270), and be reimbursed by Fund 7035 using an intrastate voucher.

Section 223.30. For the projects for which appropriations are made in this act from the Ohio Parks and Natural Resources Fund (Fund 7031), the Ohio Department of Natural Resources shall periodically prepare and submit to the Director of Budget and Management the estimated design, planning, and engineering costs of capital-related work to be done by the Department of Natural Resources for each project. Based on those estimates, the Director of Budget and Management may release appropriations from appropriation item C725E5, Project Planning, within Fund 7031 to pay for design, planning, and engineering costs incurred by the Department of Natural Resources for the projects. Upon release of the appropriations by the Director of Budget and Management, the Department of Natural Resources shall pay for these expenses from the Capital Expenses Fund (Fund 4S90) and be reimbursed by Fund 7031 using an intrastate voucher.

Section 223.40. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 2l of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.05 of the Revised Code, original obligations in an aggregate principal amount not to exceed \$20,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Ohio Parks and Natural Resources Fund (Fund 7031) to pay costs of capital facilities that enhance the use or enjoyment of Ohio's natural resources.

Section 223.50. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, and Chapter 154. of the Revised Code, particularly section 154.22, and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed \$250,000,000, in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Parks and Recreation Improvement Fund (Fund 7035) to pay the costs of capital facilities for parks and recreation purposes.

Section 224.10.

1

2

3

A

TAX DEPARTMENT OF TAXATION

B

Administrative Building Fund (Fund 7026)

C	C11001	Enhanced Electronic Filing	\$	27,550,000
D	TOTAL Administrative Building Fund		\$	27,550,000
E	TOTAL ALL FUNDS		\$	27,550,000

Section 227.10.

	1	2	3
A	DPS DEPARTMENT OF PUBLIC SAFETY		
B	Administrative Building Taxable Bond Fund (Fund 7016)		
C	C76068	Lorain County MARCS Tower/Sheffield Lake	\$ 150,000
D	C76071	Lewisburg MARCS Tower	\$ 400,000
E	C76072	Richland County MARCS Tower	\$ 400,000
F	C76073	Fredericksburg MARCS Tower	\$ 250,000
G	C76074	Williams County MARCS Tower	\$ 250,000
H	C76075	Bowling Green MARCS Tower	\$ 500,000
I	TOTAL Administrative Building Taxable Bond Fund		\$ 1,950,000
J	Administrative Building Fund (Fund 7026)		
K	C76000	Platform Scales Improvements	\$ 350,000
L	C76035	Alum Creek Facility Renovations and Upgrades	\$ 950,000
M	C76036	Shipley Building Renovations and Improvements	\$ 1,235,000
N	C76044	OSHP Headquarters/Post Renovations and Improvements	\$ 4,511,542
O	C76045	OSHP Academy Renovations and Improvements	\$ 325,000

P	C76049	EMA Building Renovations and Improvements	\$	650,000
Q	C76069	Medina County Safety Services Complex	\$	400,000
R	C76070	Medina County Driving Skills Pad Garage	\$	50,000
S	C76076	Ohio Task Force One (OH-TF1) Warehouse	\$	50,000
T	TOTAL Administrative Building Fund		\$	8,521,542
U	TOTAL ALL FUNDS		\$	10,471,542

Section 229.10.

	1	2	3
A	DRC DEPARTMENT OF REHABILITATION AND CORRECTION		
B	Adult Correctional Building Fund (Fund 7027)		
C	C50100	Local Jails	\$ 51,054,000
D	C50101	Community-Based Correctional Facilities	\$ 5,400,000
E	C50105	Water System/Plant Improvements	\$ 11,250,000
F	C50114	Community Residential Program	\$ 2,950,000
G	C50136	General Building Renovations	\$ 211,075,000
H	TOTAL Adult Correctional Building Fund		\$ 281,729,000
I	TOTAL ALL FUNDS		\$ 281,729,000

Section 229.20. LOCAL JAILS

The foregoing appropriation item C50100, Local Jails, shall be used for the construction and renovation of county jails. The Department of Rehabilitation and Correction shall designate the projects involving the construction and renovation of county jails.

The Department of Rehabilitation and Correction may review and approve the renovation and construction of projects for which funds are

provided. The proceeds of any obligations authorized under this section shall not be applied to any such facilities that are not designated and approved by the Department of Rehabilitation and Correction.

The Department of Rehabilitation and Correction shall adopt guidelines to accept and review applications and designate projects. The guidelines shall require the county or counties to justify the need for the project and to comply with timelines for the submission of documentation pertaining to the project and project location.

In reviewing applications and designating projects, the Department of Rehabilitation and Correction shall prioritize applications and projects that:

- (1) Target county jails that the Department of Rehabilitation and Correction determines to have the greatest need for construction or renovation work;
- (2) Improve substantially the condition, safety and operational ability of the jail; and
- (3) Benefit jails that are, or will be, used by multiple counties.

Of the foregoing appropriation item C50100, Local Jails, \$1,054,000 shall be used to support the projects listed in this section.

	1	2
A	Project List	
B	Allen County Justice Center	\$ 250,000
C	Vinton County Emergency Response Correctional Facility	\$ 200,000
D	Logan County Jail	\$ 139,000
E	Holmes County Jail	\$ 100,000
F	Medina County Jail	\$ 100,000
G	Noble County Justice Center	\$ 100,000
H	Wyandot County Jail	\$ 100,000
I	Fayette County Adult Detention Center	\$ 65,000

Section 229.25. COMMUNITY-BASED CORRECTIONAL FACILITIES

For capital appropriations in this act made from appropriation item C50101, Community-Based Correctional Facilities, the Department of

Rehabilitation and Correction shall designate the projects involving the construction and renovation of single-county and district community-based correctional facilities.

The Department of Rehabilitation and Correction may review and approve the renovation and construction of projects for which funds are provided. The proceeds of any obligations authorized under this section shall not be applied to any such facilities that are not designated and approved by the Department of Rehabilitation and Correction.

The Department of Rehabilitation and Correction shall adopt guidelines to accept and review applications and designate projects. The guidelines shall require the county or counties to justify the need for the facility and to comply with timelines for the submission of documentation pertaining to the site, program, and construction.

Section 229.30. COMMUNITY RESIDENTIAL PROGRAM RENOVATIONS

Capital appropriations in this act made from appropriation item C50114, Community Residential Program, may be used by the Department of Rehabilitation and Correction, pursuant to sections 5120.103 to 5120.105 of the Revised Code, to provide for the construction or renovation of halfway house facilities for offenders eligible for community supervision by the Department of Rehabilitation and Correction.

Section 229.40. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, Chapter 154. of the Revised Code, and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed \$275,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Adult Correctional Building Fund (Fund 7027) to pay costs of capital facilities for the Department of Rehabilitation and Correction or its functions.

Section 231.10.

	1	2	3
A	DVS DEPARTMENT OF VETERANS SERVICES		
B	Nursing Home – Federal Fund (Fund 3190)		
C	C90074	Sandusky Renovation Federal	\$ 1,914,868
D	C90077	Georgetown Renovation Federal	\$ 2,690,843

E	TOTAL Nursing Home - Federal Fund	\$	4,605,711
F	Veterans' Home Improvement Fund (Fund 6040)		
G	C90073 Sandusky Equipment State	\$	366,320
H	C90075 Sandusky Renovation State	\$	1,248,253
I	C90076 Georgetown Equipment State	\$	213,750
J	C90078 Georgetown Renovation State	\$	1,448,915
K	TOTAL Veterans' Home Improvement Fund	\$	3,277,238
L	TOTAL ALL FUNDS	\$	7,882,949

Section 233.10.

	1	2	3
A	DYS DEPARTMENT OF YOUTH SERVICES		
B	Juvenile Correctional Building Fund (Fund 7028)		
C	C47002 General Institutional Renovations	\$	2,014,310
D	C47003 Community Rehabilitation Centers	\$	434,428
E	C47007 Local Juvenile Detention Centers	\$	1,037,570
F	C47022 Building Additions-CJCF	\$	6,138,815
G	C47025 Cuyahoga Housing Replacement	\$	23,320,304
H	C47026 Indian River Program Building	\$	6,758,687
I	C47028 Paulding County Community-based Assessment Center	\$	40,000
J	C47029 Cleveland Rape Crisis Centers	\$	250,000
K	TOTAL Juvenile Correctional Building Fund	\$	39,994,114
L	TOTAL ALL FUNDS	\$	39,994,114

Section 233.20. COMMUNITY REHABILITATION CENTERS

For capital appropriations in this act made from appropriation item C47003, Community Rehabilitation Centers, the Department of Youth Services shall designate the projects involving the construction and

renovation of single-county and multicounty community corrections facilities.

The Department of Youth Services may review and approve the renovation and construction of projects for which funds are provided. The proceeds of any obligations authorized under this section shall not be applied to any such facilities that are not designated and approved by the Department of Youth Services.

The Department of Youth Services shall adopt guidelines to accept and review applications and designate projects. The guidelines shall require the county or counties to justify the need for the facility and to comply with timelines for the submission of documentation pertaining to the site, program, and construction.

For purposes of this section, "community corrections facilities" has the same meaning as in section 5139.36 of the Revised Code.

Section 233.30. LOCAL JUVENILE DETENTION CENTERS

For capital appropriations in this act made from appropriation item C47007, Local Juvenile Detention Centers, the Department of Youth Services shall designate the projects involving the construction and renovation of county and multicounty juvenile detention centers.

The Department of Youth Services may review and approve the renovation and construction of projects for which funds are provided. The proceeds of any obligations authorized under this section shall not be applied to any such facilities that are not designated by the Department of Youth Services.

The Department of Youth Services shall comply with the guidelines set forth in this section, accept and review applications, designate projects, and determine the amount of state match funding to be applied to each project. The department shall, with the advice of the county or counties participating in a project, determine the funded design capacity of the detention centers that are designated to receive funding. Notwithstanding any provisions to the contrary contained in Chapter 153. of the Revised Code, the Department of Youth Services may coordinate, review, and monitor the drawdown and use of funds for the renovation and construction of projects for which designated funds are provided.

(A) The Department of Youth Services shall develop a formula to determine the amount, if any, of state match that may be provided to a single county or multicounty detention center project.

(B) The formula developed by the Department of Youth Services shall yield a percentage of state match ranging from zero to sixty per cent. The funding authorized under this section that may be applied to a construction or renovation project shall not exceed the actual cost of the

project.

The funding authorized under this section shall not be applied to any project unless the detention center will be built in compliance with health, safety, and security standards for detention centers as established by the Department of Youth Services. In addition, the funding authorized under this section shall not be applied to the renovation of a detention center unless the renovation is for the purpose of increasing the number of beds in the center, or to meet health, safety, or security standards for detention centers as established by the Department of Youth Services.

Section 233.40. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, Chapter 154. of the Revised Code, and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed \$30,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Juvenile Correctional Building Fund (Fund 7028) to pay the costs of capital facilities for the Department of Youth Services or its functions.

Section 234.10.

	1	2	3
A	DEV DEVELOPMENT SERVICES AGENCY		
B	Coal Research and Development Fund (Fund 7046)		
C	C19505	Coal Research and Development	\$ 5,000,000
D	TOTAL Coal Research and Development Fund		\$ 5,000,000
E	Service Station Cleanup Fund (Fund 7100)		
F	C19507	Service Station Cleanup	\$ 12,500,000
G	TOTAL Service Station Cleanup Fund		\$ 12,500,000
H	TOTAL ALL FUNDS		\$ 17,500,000

SERVICE STATION CLEANUP FUND

(A) For purposes of this section:

(1) "Political subdivision" means a county, municipal corporation, township, port authority, or a county land reutilization corporation organized under Chapter 1724. of the Revised Code.

(2) "Class C release" has the same meaning as in section 3737.87 of the Revised Code.

(3) "Property assessment" means a property assessment conducted in accordance with section 3746.04 of the Revised Code or a corrective action process or source investigation process under rule 1301:7-9-13 of the Ohio Administrative Code.

(4) "Property owner" means a political subdivision, an organization that owns publicly owned lands, or, with respect to land forfeited to the state under Chapter 5723. of the Revised Code, a county land reutilization corporation.

(5) "Cleanup or remediation" means any action at a Class C release site to contain, remove, or dispose of petroleum or other hazardous substances or remove underground storage tanks used to store petroleum or other hazardous substances.

(6) "Publicly owned lands" includes lands that are owned by an organization that has entered into a relevant agreement with a political subdivision and lands forfeited to the state under Chapter 5723. of the Revised Code.

(B) The Abandoned Gas Station Cleanup Grant Program is established in the Development Services Agency for the purpose of cleanup and remediation of Class C release sites to provide for and enable the environmentally safe and productive reuse of publicly owned lands by the remediation or cleanup, or planning and assessment for that remediation or cleanup, of contamination or by addressing property conditions or circumstances that may be deleterious to public health and safety or the environment or that preclude or inhibit environmentally sound or economic reuse of the property as authorized by Section 2o of Article VIII, Ohio Constitution. Under this program, the Director of Development Services may do either or both of the following:

(1) Award a grant of up to \$100,000 to a property owner for purposes of a property assessment on a Class C release site;

(2) Award a grant of up to \$500,000 to a property owner for purposes of cleanup or remediation of a Class C release site.

Grants under divisions (B)(1) and (2) of this section shall be used by a property owner to create a site that provides opportunities for economic impact through redevelopment. The Director of Development Services may consult with the Environmental Protection Agency, the State Fire Marshal, the Ohio Water Development Authority, and the Ohio Public Works Commission in connection with this program and the awarding of these grants. Sections 122.651 to 122.658 of the Revised Code do not apply to this program.

(C) A property owner applying for a grant under division (B)(1) or (2) of this section shall submit an application for the grant on a form prescribed by the Director of Development Services.

An authorized representative of the property owner shall sign and submit an affidavit with the application certifying that the property owner did not cause or contribute to any prior release of petroleum or other hazardous substances on the site.

Upon receipt of an application, the Director shall examine the application and all accompanying information to determine if the application is complete. If the Director determines that the application is not complete, the Director shall promptly notify the property owner that the application is not complete, provide a description of the information that is missing from the application, and return the application and all accompanying information to the property owner. The property owner may resubmit the application.

If the Director approves an application under this section, the Director may enter into an agreement with the property owner to award a grant to the property owner. The agreement shall be executed prior to paying or disbursing any grant funds approved by the Director under this section. With respect to a grant awarded to a county land reutilization corporation for land that has been forfeited to the state under Chapter 5723. of the Revised Code, the agreement shall require that the land be transferred to the corporation prior to the payment or disbursement of the grant funds.

(D) The Service Station Cleanup Fund (Fund 7100) is hereby created in the state treasury. The fund shall consist of moneys transferred to it pursuant to this section from the Clean Ohio Revitalization Fund (Fund 7003) created in section 122.658 of the Revised Code. Investment earnings of the fund shall be credited to the fund. Moneys in the fund shall be used to award grants pursuant to the Abandoned Gas Station Cleanup Grant Program established in this section.

(E) At the request of the Director of Development Services, the Director of Budget and Management may transfer up to \$10,000,000 cash from the Clean Ohio Revitalization Fund (Fund 7003) to the Service Station Cleanup Fund (Fund 7100) as needed to provide for grants awarded by the Director of Development Services under this section.

Section 234.20. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 15 of Article VIII, Ohio Constitution, and Chapter 151. of the Revised Code, and particularly sections 151.01 and 151.07 of the Revised Code, original obligations in an aggregate principal amount not to exceed \$2,000,000 in addition to the original obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, in amounts necessary to ensure

sufficient moneys to the credit of the Coal Research and Development Fund (Fund 7046) to pay costs of research and development of clean coal technology projects.

Section 235.10.

	1	2	3
A	EXP EXPOSITIONS COMMISSION		
B	Administrative Building Fund (Fund 7026)		
C	C72305	Facility Improvements and Modernization	\$ 10,000,000
D	C72312	Renovations and Equipment Replacement	\$ 1,500,000
E	TOTAL Administrative Building Fund		\$ 11,500,000
F	TOTAL ALL FUNDS		\$ 11,500,000

Section 237.10.

	1	2	3
A	FCC FACILITIES CONSTRUCTION COMMISSION		
B	Administrative Building Fund (Fund 7026)		
C	C23016	Energy Conservation Projects	\$ 1,900,000
D	C230E5	State Agency Planning/Assessment	\$ 2,660,000
E	TOTAL Administrative Building Fund		\$ 4,560,000
F	Cultural and Sports Facilities Building Fund (Fund 7030)		
G	C23023	OHS - Ohio History Center Exhibit Replacement	\$ 150,000
H	C23024	OHS - Statewide Site Exhibit Renovation	\$ 475,000
I	C23025	OHS - Statewide Site Repairs	\$ 1,997,062
J	C23028	OHS - Basic Renovations and Emergency Repairs	\$ 950,000

K	C23032	OHS - Ohio Historical Center Rehabilitation	\$	3,412,500
L	C23033	OHS - Stowe House State Memorial	\$	1,045,000
M	C23057	OHS - Online Portal to Ohio's Heritage	\$	712,500
N	C230D2	OHS - Grant Boyhood Home	\$	315,143
O	C230E6	OHS - Exhibits Native American Sites	\$	190,000
P	C230E9	OHS - Ohio Museum of Ceramics	\$	332,500
Q	C230EO	OHS - Poindexter Village Museum	\$	1,425,000
R	C230FM	Cultural and Sports Facilities Projects	\$	61,311,538
S	C230FR	OHS - Wahkeena Nature Preserve	\$	432,250
T	C230FS	OHS - Ohio River Museum New Building	\$	950,000
U	C230FT	OHS - Statewide Site Security System	\$	474,145
V	C230W7	OHS - Lundy House Restoration	\$	994,650
W	C230X1	OHS - Site Energy Conservation	\$	289,750
X	TOTAL Cultural and Sports Facilities Building Fund		\$	75,457,038
Y	School Building Program Assistance Fund (Fund 7032)			
Z	C23002	School Building Program Assistance	\$	300,000,000
AA	C23020	School Safety Grant Program	\$	5,000,000
AB	TOTAL School Building Program Assistance Fund		\$	305,000,000
AC	TOTAL ALL FUNDS		\$	385,017,038

ENERGY CONSERVATION PROJECT

The foregoing appropriation item C23016, Energy Conservation

Project, shall be used to perform energy conservation renovations, including the United States Environmental Protection Agency's Energy Star Program, in state-owned facilities. Prior to the release of funds for renovation, state agencies shall have performed a comprehensive energy audit for each project. The Ohio Facilities Construction Commission shall review and approve proposals from state agencies to use these funds for energy conservation. Public school districts and state-supported and state-assisted institutions of higher education are not eligible for funding from this item.

STATE AGENCY PLANNING/ASSESSMENT

Capital appropriations in this act made from appropriation item C230E5, State Agency Planning/Assessment, shall be used by the Facilities Construction Commission to provide assistance to any state agency for assessment, capital planning, and maintenance management.

Section 237.13. CULTURAL AND SPORTS FACILITIES PROJECTS

The foregoing appropriation item C230FM, Cultural and Sports Facilities Projects, shall be used to support the projects listed in this section.

	1	2
A	Project List	
B	FC Cincinnati	\$ 16,000,000
C	Cleveland Museum of Natural History: Investing in Science Education	\$ 2,250,000
D	Rock and Roll Hall of Fame and Great Lakes Science Center	\$ 1,750,000
E	Cincinnati Art Museum Master Plan	\$ 1,400,000
F	Lima Rotary Stage and Park	\$ 1,250,000
G	Ohio Theatre Restoration	\$ 1,250,000
H	West End Community Parking Garage	\$ 1,250,000
I	Baum-Taft House	\$ 1,000,000
J	Cincinnati Ballet Center	\$ 1,000,000
K	Directing the Future: A New Stage for	\$ 1,000,000

Cincinnati's National Theatre

L	Jeep Museum	\$	1,000,000
M	Dayton Air Credit Union Ballpark	\$	1,000,000
N	Imagination District	\$	1,000,000
O	20/20 Canton Cultural Center Renovations	\$	1,000,000
P	Northwood Community Recreation Center	\$	1,000,000
Q	Cleveland Museum of Art	\$	750,000
R	Crawford Auto Aviation Museum	\$	750,000
S	Advancing Learning About Ohio in the Restored Cincinnati Union Terminal	\$	750,000
T	Stan Hywet Hall & Gardens	\$	750,000
U	Marion Palace Theatre	\$	550,000
V	Schine's Theatre Restoration	\$	500,000
W	Carnes Center	\$	500,000
X	BAYarts	\$	500,000
Y	Restoration of James A. Garfield Memorial	\$	500,000
Z	Columbus Historical Society Engine House #6	\$	500,000
AA	Contemporary Arts Center Creativity Center	\$	500,000
AB	SeaGate Convention Centre	\$	500,000
AC	World Heritage and Visitor Center	\$	500,000
AD	Hale Farm	\$	500,000
AE	Marysville Avalon Theatre	\$	500,000

AF	Louis Sullivan Building of Newark Restoration and Adaptive Reuse	\$	489,000
AG	Lake Erie Nature and Science Center Wildlife Gardens Education Project	\$	450,000
AH	Ariel Opera House Energy Efficiency and Safety Updates	\$	400,000
AI	Cincinnati Opera House	\$	400,000
AJ	Imagination Station	\$	400,000
AK	Arbogast Performing Arts Center	\$	400,000
AL	OH WOW! The Roger and Gloria Jones Children's Center for Science and Technology	\$	350,000
AM	Stambaugh Auditorium	\$	350,000
AN	Washington Court House Auditorium	\$	325,000
AO	Midland Theatre Project	\$	324,000
AP	Harveysburg First Free Black School	\$	322,500
AQ	Champaign County Historical Museum	\$	300,000
AR	Creating Our Future-The Campaign for Beck Center	\$	300,000
AS	Barn at Stratford Roof Project	\$	300,000
AT	Norwich Township Veterans Memorial Relocation Project	\$	300,000
AU	Willoughby Amphitheater	\$	300,000
AV	Museum of Clay Industry and Folk Art	\$	300,000
AW	Logan Theater	\$	275,000
AX	Butler Institute of American Art	\$	275,000
AY	Springfield Museum of Art Renovation	\$	250,000

AZ	O.P. Chaney/Historic Mill	\$	250,000
BA	Athletes in Action Chapel	\$	250,000
BB	Holmes County Center for the Arts	\$	250,000
BC	Norwalk Theater Rehabilitation Project	\$	250,000
BD	Tam O'Shanter Renovations	\$	250,000
BE	Heritage Hall and Education Center	\$	250,000
BF	Columbus Museum of Art Accessibility Upgrades	\$	225,000
BG	Ohio State Reformatory ADA Improvements	\$	225,000
BH	Ohio State Reformatory Pedestrian Bridge	\$	225,000
BI	Veterans Memorial Civic and Convention Center	\$	200,000
BJ	Loudonville Opera House Improvements	\$	200,000
BK	Ohio Valley Museum of Discovery	\$	200,000
BL	Grove City Outdoor Cultural Arts Performance Facility	\$	200,000
BM	Grove City Historical Society Renovations	\$	200,000
BN	South Point Community Center Update and Modernize	\$	200,000
BO	Valentine Theatre HVAC System Upgrade	\$	200,000
BP	McDowell-Phillips Home and Museum Preservation	\$	200,000
BQ	Protect Our Bones: Critical Infrastructure Improvements at the	\$	200,000

Boonshoft Museum

BR	SteAm Collaboratory at K12 Gallery & TEJAS	\$	200,000
BS	Massillon Museum Mechanical Update	\$	200,000
BT	Warren Community Amphitheater Renovations	\$	200,000
BU	Niswonger Performing Arts Center Annex Project	\$	200,000
BV	Peoples Bank Theatre	\$	200,000
BW	Oak Street Theater Renovation	\$	200,000
BX	Buckeye Agricultural Museum and Education Center	\$	194,538
BY	Historic Township Hall Relocation and Restoration	\$	180,000
BZ	African American Museum	\$	150,000
CA	FRONT: MidTown Arts Campus	\$	150,000
CB	Karamu House Phase III	\$	150,000
CC	Defiance Community Auditorium Renovation Project	\$	150,000
CD	Arts Castle Roof Skylight Project	\$	150,000
CE	Carnegie Center Historical Restorations	\$	150,000
CF	Invisible Gallery	\$	150,000
CG	Madison Place Fire House Renovation	\$	150,000
CH	Greenfield Historical Society Restoration Project	\$	150,000
CI	Toledo Museum of Art	\$	150,000
CJ	Clearview Museum	\$	150,000

CK	Akron Art Museum	\$	150,000
CL	Baldwin-Buss House Restoration	\$	150,000
CM	Sally Buffalo Park Outdoor Stage	\$	140,000
CN	Packard Music Hall	\$	140,000
CO	Unionville Tavern Improvements	\$	125,000
CP	Pickaway County Memorial Hall	\$	125,000
CQ	Zanesville Museum of Art Critical Facility Repairs	\$	107,500
CR	Wooster Amphitheater	\$	100,000
CS	Broadview Heights Community Amphitheater	\$	100,000
CT	City of Brook Park Municipal Campus Outdoor Amphitheater	\$	100,000
CU	Maltz Museum of Jewish Heritage Reimagine Project	\$	100,000
CV	North Royalton Memorial Park Amphitheater	\$	100,000
CW	The Music Settlement Center for Innovation, Education, and Technology	\$	100,000
CX	Jeffrey Mansion	\$	100,000
CY	Minerva Park Amphitheater Restoration	\$	100,000
CZ	Rickenbacker Woods Museum	\$	100,000
DA	Fayette Opera House Roof Replacement	\$	100,000
DB	Covedale Center - Phase 6 Renovations	\$	100,000
DC	Evendale Cultural Arts Center ADA Compliance	\$	100,000

DD	Steubenville Grand Theater	\$	100,000
DE	West Liberty Town Hall Opera House Community Center Restoration and Renovation	\$	100,000
DF	Polish Cultural Center	\$	100,000
DG	Battle of Buffington Island Civil War Battlefield Museum	\$	100,000
DH	Meigs County Pioneer and Historical Society Renovations	\$	100,000
DI	Twin City Opera House	\$	100,000
DJ	Gant Stadium Renovation	\$	100,000
DK	Octagon House	\$	100,000
DL	Circleville Historic City Hall Improvements	\$	100,000
DM	Pickaway County Historical Society Museum	\$	100,000
DN	Portage County Historical Society Renovation	\$	100,000
DO	Camden Opera House Second Floor Renovation	\$	100,000
DP	Southern Ohio War Memorial	\$	100,000
DQ	McKinley Presidential Library and Museum	\$	100,000
DR	Stone Academy	\$	92,000
DS	Morgan History Center Renovation	\$	85,000
DT	Gerber Scribe Rule Barn Relocation	\$	80,000
DU	Southeast Ohio History Center	\$	75,000
DV	Muirfield Dr. Kinetic Arts Project	\$	75,000

DW	Gallipolis Railroad Freight Station Museum	\$	75,000
DX	Case-Barlow Farm Barn Improvements	\$	75,000
DY	Convoy Opera House Facility Renovation	\$	75,000
DZ	Hune Covered Bridge Relocation	\$	75,000
EA	Medina Historic District Lighting Project	\$	65,000
EB	Burnison Barn	\$	64,000
EC	Village Productions Building Renovations	\$	50,000
ED	Fountain City Amphitheater	\$	50,000
EE	Soap Box Derby Track Resurfacing and Sidewalks Additions and Upgrades	\$	50,000
EF	Gaslight Theater	\$	50,000
EG	Sorg Opera House	\$	50,000
EH	Chagrin Falls Historical Society Campaign for the 1874 Italianate House	\$	50,000
EI	Parma Heights Cultural and Recreation Center Renovation Phase II (Cassidy Theatre)	\$	50,000
EJ	Jewish Community Center JCC Youth Arts Project	\$	50,000
EK	Monroe Theatre	\$	50,000
EL	Freedom Township Historical Society of Portage County	\$	50,000
EM	Mausoleum Repair	\$	50,000
EN	John S. Knight Convention Center	\$	50,000

EO	G.A.R. Hall ADA Accessibility	\$	50,000
EP	Anchorage Building Climate Control Project	\$	50,000
EQ	Grant Memorial Building Restoration	\$	40,000
ER	William Lytle's Land Office at Harmony Hill	\$	40,000
ES	Darke County Art Trail Initiative	\$	40,000
ET	Ohio Glass Museum	\$	40,000
EU	Wendel Concert Stage	\$	35,000
EV	History of Weston, Historical Offerings	\$	30,000
EW	Killbuck Valley Museum	\$	27,000
EX	Indian Hills The Little Red School House	\$	25,000
EY	Mt. Sterling Museum Improvements	\$	25,000
EZ	Heritage Farm Museum Improvement	\$	25,000
FA	Piketon Liberty Memorial	\$	25,000
FB	Wilderness Trail Museum Electrical Upgrade	\$	24,000
FC	Stained Glass Window Restoration for the Wapakoneta Museum	\$	22,000
FD	Packer Historical Center for the Anna District	\$	21,000
FE	Shelby House Museum	\$	20,000
FF	Spring Hill Historic Home	\$	20,000
FG	Cortland Veterans Memorial Project (Phase II)	\$	20,000
FH	Hicksville Huber Opera House	\$	15,000

FI	Jackson Center Museum Building Improvements	\$	13,500
FJ	Crestline Historical Society	\$	10,000
FK	Leipsic Recreation Center Improvements	\$	7,500
FL	Jeromesville Totem Pole	\$	3,000

Section 237.15. SCHOOL BUILDING PROGRAM ASSISTANCE

Capital appropriations in this act made from appropriation item C23002, School Building Program Assistance, shall be used by the Facilities Construction Commission to provide funding to school districts that receive conditional approval from the Commission pursuant to Chapter 3318. of the Revised Code.

SCHOOL SAFETY GRANT PROGRAM

(A) The foregoing appropriation item C23020, School Safety Grant Program, shall be used to make competitive grants of up to \$100,000 to public schools for eligible security improvements that assist the schools to improve the overall physical security and safety of their buildings.

(B) The Facilities Construction Commission shall administer and award the grants described in division (A) of this section. The Commission, in coordination with the division of Ohio Homeland Security of the Department of Public Safety, shall establish procedures and forms by which applicants may apply for a grant, a competitive process for ranking applicants and awarding the grants, and procedures for distributing grants. The procedures shall require each applicant to do all of the following:

(1) Describe how the grant will be used to integrate organizational preparedness with broader state and local preparedness efforts;

(2) Submit a vulnerability assessment conducted by experienced security, law enforcement, or military personnel, and a description of how the grant will be used to address the vulnerabilities identified in the assessment.

(C) Any grant submission that is created under this section that is determined to be a security record as defined in section 149.433 of the Revised Code is not a public record under section 149.43 of the Revised Code and is not subject to mandatory release or disclosure under that section.

(D) The Facilities Construction Commission may use up to two and one-half per cent of the total amount appropriated to administer the program.

(E) As used in this section:

(1) "Eligible security improvements" means a physical security enhancement, equipment, or inspection and screening equipment included on

the Authorized Equipment List published by the United States Department of Homeland Security that is also within the definition of "costs of capital facilities" under section 151.01 of the Revised Code.

(2) "Public schools" has the same meaning as in section 3781.106 of the Revised Code.

Section 237.20. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, Chapter 154. of the Revised Code, and particularly section 154.23 and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed \$65,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Cultural and Sports Facilities Building Fund (Fund 7030) to pay costs of capital facilities for Ohio cultural facilities and Ohio sports facilities.

Section 237.30. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 2n of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.03 of the Revised Code, original obligations in an aggregate principal amount not to exceed \$100,000,000, in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the School Building Program Assistance Fund (Fund 7032) to pay the state share of the costs of constructing classroom facilities pursuant to Chapter 3318. of the Revised Code.

Section 241.10.

	1	2	3
A	JSC JUDICIARY SUPREME COURT		
B	Administrative Building Fund (Fund 7026)		
C	C00502	General Building Renovations	\$ 1,159,000
D	TOTAL Administrative Building Fund		\$ 1,159,000
E	TOTAL ALL FUNDS		\$ 1,159,000

Section 243.10.

	1	2	3
A	PWC PUBLIC WORKS COMMISSION		
B	State Capital Improvements Fund (Fund 7038)		
C	C15000	Local Public Infrastructure/State CIP	\$ 200,000,000
D	TOTAL State Capital Improvements Fund		\$ 200,000,000
E	State Capital Improvements Revolving Loan Fund (Fund 7040)		
F	C15030	Revolving Loan	\$ 42,500,000
G	TOTAL State Capital Improvements Revolving Loan Fund		\$ 42,500,000
H	Clean Ohio Conservation Fund (Fund 7056)		
I	C15060	Clean Ohio Conservation Program	\$ 37,500,000
J	TOTAL Clean Ohio Conservation Fund		\$ 37,500,000
K	TOTAL ALL FUNDS		\$ 280,000,000

LOCAL PUBLIC INFRASTRUCTURE

Capital appropriations in this act made from the State Capital Improvements Fund (Fund 7038) shall be used in accordance with sections 164.01 to 164.12 of the Revised Code. The Director of the Public Works Commission may certify to the Director of Budget and Management that a need exists to appropriate investment earnings to be used in accordance with sections 164.01 to 164.12 of the Revised Code. If the Director of Budget and Management determines pursuant to division (D) of section 164.08 and section 164.12 of the Revised Code that investment earnings are available to support additional appropriations, such amounts are hereby appropriated.

If the Public Works Commission receives refunds due to project overpayments that are discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing appropriations. If the project

refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15000, Local Public Infrastructure/State CIP.

REVOLVING LOAN

Capital appropriations in this act made from the State Capital Improvements Revolving Loan Fund (Fund 7040) shall be used in accordance with sections 164.01 to 164.12 of the Revised Code.

If the Public Works Commission receives refunds due to project overpayments that are discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing appropriations. If the project refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15030, Revolving Loan.

CLEAN OHIO CONSERVATION GRANT REPAYMENTS

Capital appropriations in this act made from the Clean Ohio Conservation Fund (Fund 7056) shall be used in accordance with sections 164.20 to 164.27 of the Revised Code.

Any amount in grant repayments received by the Public Works Commission and deposited into the Clean Ohio Conservation Fund pursuant to section 164.261 of the Revised Code is hereby appropriated through the foregoing appropriation item C15060, Clean Ohio Conservation.

Section 243.20. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Sections 2p and 2s of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.08 of the Revised Code, original obligations, in an aggregate principal amount not to exceed \$300,000,000 in addition to the original obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the State Capital Improvements Fund (Fund 7038) to pay costs of capital improvement projects of local subdivisions.

Section 243.30. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Sections 2o and 2q of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01

and 151.09 of the Revised Code, original obligations of the state in an aggregate principal amount not to exceed \$50,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Clean Ohio Conservation Fund (Fund 7056), the Clean Ohio Agricultural Easement Fund (Fund 7057), and the Clean Ohio Trail Fund (Fund 7061) to pay costs of conservation projects.

Section 245.10.

	1	2	3
A	OSB SCHOOL FOR THE BLIND		
B	Administrative Building Fund (Fund 7026)		
C	C22616	Renovations and Improvements	\$ 1,995,000
D	TOTAL Administrative Building Fund		\$ 1,995,000
E	TOTAL ALL FUNDS		\$ 1,995,000

Section 247.10.

	1	2	3
A	OSD SCHOOL FOR THE DEAF		
B	Administrative Building Fund (Fund 7026)		
C	C22107	Renovations and Improvements	\$ 663,764
D	C22116	Buildings Demolition	\$ 61,812
E	TOTAL Administrative Building Fund		\$ 725,576
F	TOTAL ALL FUNDS		\$ 725,576

Section 501.10. Money distributed to the City of Hilliard from the Parks and Recreation Improvement Fund (Fund 7035) for the Grener Property Recreational Facility under H.B. 529 of the 132nd General Assembly may alternatively be used by the City of Hilliard for the Father Rodric J. DiPietro Park Improvements Project.

Section 509.01. CERTIFICATION OF AVAILABILITY OF MONEYS

Moneys that require release shall not be expended from any

appropriation contained in this act without certification of the Director of Budget and Management that there are sufficient moneys in the state treasury in the fund from which the appropriation is made. Such certification made by the Office of Budget and Management shall be based on estimates of revenue, receipts, and expenses. Nothing in this section limits the authority of the Director of Budget and Management granted in section 126.07 of the Revised Code.

Section 509.02. LIMITATION ON USE OF CAPITAL APPROPRIATIONS

The appropriations made in this act, excluding those made from the State Capital Improvement Fund (Fund 7038) and the State Capital Improvements Revolving Loan Fund (Fund 7040) for buildings or structures, including remodeling and renovations, are limited to:

- (A) Acquisition of real property or interests in real property;
- (B) Buildings and structures, which includes construction, demolition, complete heating and cooling, lighting, and lighting fixtures, and all necessary utilities, ventilating, plumbing, sprinkling, water and sewer systems, when such systems are authorized or necessary;
- (C) Architectural, engineering, and professional services expenses directly related to the projects;
- (D) Machinery that is necessary to the operation or function of the building or structure at the time of initial acquisition or construction;
- (E) Acquisition, development, and deployment of new computer systems, including the integration of existing and new computer systems, but excluding regular or ongoing maintenance or support agreements;
- (F) Furniture, fixtures, or equipment that meets all the following criteria:
 - (1) Is essential in bringing the facility up to its intended use or is necessary for the functioning of the particular facility or project;
 - (2) Has a unit cost of about \$100 or more; and
 - (3) Has a useful life of five years or more.

Furniture, fixtures, or equipment that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated shall not be paid for from these appropriations. This paragraph does not apply to appropriation line items specifically for furniture, fixtures, or equipment.

Section 509.03. CONTINGENCY RESERVE REQUIREMENT

Any request for release of capital appropriations by the Director of Budget and Management or the Controlling Board for projects, the contracts for which are awarded by the Ohio Facilities Construction Commission, shall

contain a contingency reserve, the amount of which shall be determined by the Ohio Facilities Construction Commission, for payment of unanticipated project expenses. Any amount deducted from the encumbrance for a contractor's contract as an assessment for liquidated damages shall be added to the encumbrance for the contingency reserve. Contingency reserve funds shall be used to pay costs resulting from unanticipated job conditions, to comply with rulings regarding building and other codes, to pay costs related to errors or omissions in contract documents, to pay costs associated with changes in the scope of work, and to pay the cost of settlements and judgments related to the project.

Any funds remaining upon completion of a project, may, upon approval of the Controlling Board, be released for the use of the institution to which the appropriation was made for another capital facilities project or projects.

Section 509.04. SATISFACTION OF JUDGMENTS AND SETTLEMENTS AGAINST THE STATE

Except as otherwise provided in this section, an appropriation contained in this act or in any other act may be used for the purpose of satisfying judgments, settlements, or administrative awards ordered or approved by the Court of Claims or by any other court of competent jurisdiction in connection with civil actions against the state. This authorization does not apply to appropriations that are to be applied to or used for payment of guarantees by or on behalf of the state or for payments under lease agreements relating to or debt service on bonds, notes, or other obligations of the state. Notwithstanding any other section of law to the contrary, this authorization includes appropriations from funds into which proceeds or direct obligations of the state are deposited only to the extent that the judgment, settlement, or administrative award is for or represents capital costs for which the appropriation may otherwise be used and is consistent with the purpose for which any related obligations were issued or entered into. Nothing contained in this section is intended to subject the state to suit in any forum in which it is not otherwise subject to suit, nor is it intended to waive or compromise any defense or right available to the state in any suit against it.

Section 509.05. CAPITAL RELEASES BY THE DIRECTOR OF BUDGET AND MANAGEMENT

Notwithstanding section 126.14 of the Revised Code, appropriations for appropriation items C50100, Local Jails, and C50101, Community-Based Correctional Facilities, appropriated from the Adult Correctional Building Fund (Fund 7027) to the Department of Rehabilitation and Correction, and any projects specifically identified for C58001, Community Assistance Projects, shall be released upon the written approval of the Director of

Budget and Management. The appropriations from the Public School Building Fund (Fund 7021), the Education Facilities Trust Fund (Fund N087), and the School Building Program Assistance Fund (Fund 7032) to the Facilities Construction Commission, from the Transportation Building Fund (Fund 7029) to the Department of Transportation, from the Clean Ohio Conservation Fund (Fund 7056), the State Capital Improvement Fund (Fund 7038), and the State Capital Improvements Revolving Loan Fund (Fund 7040) to the Public Works Commission, and from the Underground Parking Garage Operating Fund (Fund 2080) to the Capitol Square Review and Advisory Board shall be released upon presentation of a request to release the funds, by the agency to which the appropriation has been made, to the Director of Budget and Management.

Section 509.06. PREVAILING WAGE REQUIREMENT

Except as provided in section 4115.04 of the Revised Code, moneys appropriated or reappropriated by the 133rd General Assembly shall not be used for the construction of public improvements, as defined in section 4115.03 of the Revised Code, unless the mechanics, laborers, or workers engaged therein are paid the prevailing rate of wages prescribed in section 4115.04 of the Revised Code. Nothing in this section affects the wages and salaries established for state employees under Chapter 124. of the Revised Code, or collective bargaining agreements entered into by the state under Chapter 4117. of the Revised Code, while engaged on force account work, nor does this section interfere with the use of inmate and patient labor by the state.

Section 509.07. AUTHORIZATION OF THE DIRECTOR OF BUDGET AND MANAGEMENT

The Director of Budget and Management shall authorize both of the following:

(A) The initial release of moneys for projects from the funds into which proceeds of direct obligations of the state are deposited; and

(B) The expenditure or encumbrance of moneys from funds into which proceeds of direct obligations are deposited, only after determining to the Director's satisfaction that either of the following applies:

(1) The application of such moneys to the particular project will not negatively affect any exclusion of the interest or interest equivalent on obligations issued to provide moneys to the particular fund from the calculation of gross income for federal income tax purposes under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended.

(2) Moneys for the project will come from the proceeds of federally taxable obligations, the interest on which is not so excluded from the calculation of gross income for federal income tax purposes and which have

been authorized and issued on that basis by their issuing authority.

In the event the Director determines that the condition set forth in division (B)(1) of this section does not apply, and that there is no existing fund in the state treasury to enable compliance with the condition set forth in division (B)(2) of this section, the Director may create a fund in the state treasury for the purpose of receiving proceeds of federally taxable obligations. The Director may establish capital appropriation items in that taxable bond fund that correspond to the preexisting capital appropriation items in the associated tax-exempt bond fund. The Director also may transfer capital appropriations in whole or in part between the taxable and tax-exempt bond funds within a particular purpose for which the bonds have been authorized.

Section 509.11. REQUIREMENTS RELATING TO NON-STATE OWNERSHIP OF CERTAIN FINANCED PROJECTS

(A) No capital improvement appropriations or reappropriations made in this act from the Mental Health Facilities Improvement Fund (Fund 7033) or from the Parks and Recreation Improvement Fund (Fund 7035) shall be released for planning or for improvement, renovation, or construction or acquisition of capital facilities if a governmental agency, as defined in section 154.01 of the Revised Code, does not own the real property that constitutes the capital facilities or on which the capital facilities are or will be located. This restriction does not apply in any of the following circumstances:

(1) The governmental agency has a long-term (at least fifteen years) lease of, or other interest (such as an easement) in, the real property.

(2) In the case of an appropriation or reappropriation for capital facilities that, because of their unique nature or location, will be owned or be part of facilities owned by a separate nonprofit organization and made available to the governmental agency for its use or benefit, the nonprofit organization either owns or has a long-term (at least fifteen years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement, with and approved by the governmental agency that meets the requirements of division (B) of this section.

(B) In the case of capital facilities referred to in division (A)(2) of this section, the joint or cooperative use agreement shall include, as a minimum, provisions that:

(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than fifteen years, with the value of such use or right to use to be, as determined by the parties and approved by the approving department, reasonably related to the amount of the appropriation;

(2) Provide for pro rata reimbursement to the state should the

arrangement for joint or cooperative use by a governmental agency be terminated; and

(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state statutes and rules, including the provisions of this act.

Section 518.10. OBLIGATIONS ISSUED UNDER CHAPTER 151. OF THE REVISED CODE

The capital improvements for which appropriations or reappropriations are made in this act from the Higher Education Improvement Taxable Fund (Fund 7024), the Ohio Parks and Natural Resources Fund (Fund 7031), the School Building Program Assistance Fund (Fund 7032), the Higher Education Improvement Fund (Fund 7034), the State Capital Improvements Fund (Fund 7038), the State Capital Improvements Revolving Loan Fund (Fund 7040), the Coal Research and Development Fund (Fund 7046), the Clean Ohio Conservation Fund (Fund 7056), the Clean Ohio Agricultural Easement Fund (Fund 7057), and the Clean Ohio Trail Fund (Fund 7061) are determined to be capital improvements and capital facilities for natural resources, a statewide system of common schools, state-supported and state-assisted institutions of higher education, local subdivision capital improvement projects, coal research and development projects, and conservation purposes (under the Clean Ohio Program) and are designated as capital facilities to which proceeds of obligations issued under Chapter 151. of the Revised Code are to be applied.

Section 518.20. OBLIGATIONS ISSUED UNDER CHAPTER 154. OF THE REVISED CODE

The capital improvements for which appropriations or reappropriations are made in this act from the Administrative Building Taxable Bond Fund (Fund 7016), the Administrative Building Fund (Fund 7026), the Adult Correctional Building Fund (Fund 7027), the Juvenile Correctional Building Fund (Fund 7028), the Transportation Building Fund (Fund 7029), the Cultural and Sports Facilities Building Fund (Fund 7030), the Mental Health Facilities Improvement Fund (Fund 7033), and the Parks and Recreation Improvement Fund (Fund 7035) are determined to be capital improvements and capital facilities for housing state agencies and branches of government, mental health and developmental disabilities, and parks and recreation and are designated as capital facilities to which proceeds of obligations issued under Chapter 154. of the Revised Code are to be applied.

Section 523.10. TRANSFER OF OPEN ENCUMBRANCES

Upon the request of the agency to which a capital project appropriation item is appropriated, the Director of Budget and Management may transfer open encumbrance amounts between separate encumbrances for the project appropriation item to the extent that any reductions in

encumbrances are agreed to by the contracting vendor and the agency.

Section 525.10. LITIGATION PROCEEDS TO THE ADMINISTRATIVE BUILDING FUND

Any proceeds received by the state as the result of litigation or a settlement agreement related to any liability for the planning, design, engineering, construction, or constructed management of facilities operated by the Department of Administrative Services shall be deposited into the General Revenue Fund or the Building Improvement Fund (Fund 5KZ0).

Section 527.10. FACILITIES ESTABLISHMENT FUND APPROPRIATION INCREASES

Notwithstanding sections 127.14 and 131.35 of the Revised Code, the Controlling Board may authorize expenditures for fiscal year 2021, in excess of the amounts appropriated, from the Facilities Establishment Fund (Fund 7037) for purposes consistent with Chapter 166. of the Revised Code. Upon approval of the Controlling Board, the excess amounts are hereby appropriated.

Section 601.10. That Sections 221.13 and 223.15 of H.B. 481 of the 133rd General Assembly be amended to read as follows:

Sec. 221.13. COMMUNITY ASSISTANCE PROJECTS

Capital reappropriations in this act made from appropriation item C58001, Community Assistance Projects, may be used for facilities constructed or to be cons

Revised Code or the authority granted by section 154.20 and other applicable sections of the Revised Code and the rules issued pursuant to those chapters and that section and shall be distributed by the Department of Mental Health and Addiction Services subject to Controlling Board approval.

The amount reappropriated for the foregoing appropriation item C58001, Community Assistance Projects, is the unencumbered balance as of June 30, 2020, minus \$600,000. The foregoing appropriation item C58001, Community Assistance Projects, shall be used to support the projects listed in this section unless the amounts are distributed prior to June 30, 2020.

	1	2
A	Project List	
B	Cuyahoga County Mental Health Jail Diversion Facility	\$ 700,000
C	Cornerstone of Hope - Cuyahoga County	\$ 500,000

D	Lorain County Recovery One Center Renovation <u>The Road to Hope House, Inc.</u>	\$	500,000
E	Tri-County One Wellness Place Troy Facility	\$	450,000
F	Portage County Detoxification and Residential Treatment Center	\$	400,000
G	Phillis Wheatley Home for Youth Aging Out of Foster Care	\$	350,000
H	Opiate Treatment Center at Western Reserve Area on Aging	\$	300,000
I	Alvis House Opiate Addiction Treatment Center	\$	300,000
J	Adams County Wilson Children's Home	\$	250,000
K	Lake County Painseville Addiction Recovery Center	\$	160,000
L	Maryhaven's Addiction Stabilization Center <u>Maryhaven of Franklin County</u>	\$	125,000
M	Talbert House Glenway Outpatient Treatment Center Renovations	\$	75,000
N	Child Focus Opiate Addiction Supervised Visitation Facility at Batavia	\$	50,000

Sec. 223.15. LOCAL PARKS, RECREATION, AND CONSERVATION PROJECTS

The amount reappropriated from the foregoing appropriation item C725E2, Local Parks, Recreation, and Conservation Projects, shall be equal to the amount of all unreleased local parks projects and allowable administrative costs specified in this section, unless amounts are released prior to June 30, 2020. Prior to the expenditure of this appropriation, the Department of Natural Resources shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$52,144.

Of the foregoing appropriation item C725E2, Local Parks, Recreation, and Conservation Projects, an amount equal to two per cent of the projects listed may be used by the Department of Natural Resources for the administration of local projects.

1

A Project List

B	Lakefront Pedestrian Bridge	\$ 3,500,000
C	Flats East Development	\$ 2,000,000
D	City of Cleveland - Lakefront Access Project	\$ 1,500,000
E	Bridge to Wendy Park	\$ 1,000,000
F	Worthington Pools Renovation	\$ 1,000,000
G	Dublin Bridge Park and Greenways Project	\$ 650,000
H	The REC at Crawford Commons Facility	\$ 500,000
I	Buckeye Lake Feeder Channel Restoration	\$ 400,000
J	Buckeye Lake Public Pier	\$ 400,000
K	Danny Thomas Park Renovation	\$ 400,000
L	Lincoln Park Stadium and Field Restoration	\$ 400,000
M	Whitehall Community Park Extension	\$ 400,000
N	Miami Canal Trail Extension at Gilmore MetroPark	\$ 350,000
O	Dover Riverfront Trailhead Connector	\$ 350,000
P	Glenford Earthworks Phase III	\$ 300,000
Q	Solon-Chagrin Falls Multi-purpose Trail	\$ 300,000
R	Wadsworth City Park	\$ 300,000
S	Tiffin Recreation, Arts and Learning Park	\$ 300,000
T	Wooster Venture Boulevard Park Project	\$ 300,000
U	Muskingum River Lock and Dam	\$ 250,000
V	New Bremen Bike Path	\$ 250,000
W	Grand Lake Shoreline Water Quality Improvements	\$ 250,000

X	Jeffrey Mansion Expansion Project	\$ 250,000
Y	Montgomery Gateway Keystone Park	\$ 250,000
Z	Village of Woodmere Chagrin Valley Gateway Pedestrian Trail	\$ 215,000
AA	Dayton Webster Station Landing	\$ 200,000
AB	Little Miami State Park/Little Miami Trail	\$ 200,000
AC	South Point Community Recreation Center	\$ 200,000
AD	Union and Rome Townships Trails Project	\$ 200,000
AE	Marion Tallgrass Trail	\$ 150,000
AF	Harrisburg Baseball Complex	\$ 150,000
AG	Mill Creek Valley Conservancy District Corridor Revitalization	\$ 150,000
AH	Moberly Branch Connector Trail - Pedestrian Bridge	\$ 150,000
AI	Montville Township Park Improvements	\$ 150,000
AJ	Medina County Rocky River Trail West Branch	\$ 150,000
AK	Clearcreek Hazel Woods Bike Connector	\$ 150,000
AL	Kamp Dovetail	\$ 150,000
AM	Redskin Memorial Park Playground	\$ 145,000
AN	Cahoon Memorial Park Improvements	\$ 130,000
AO	Fairlawn Gully Water Quality Basins	\$ 125,000
AP	Bremenfest Shelterhouse	\$ 100,000
AQ	Deer Park Community Center Renovation & Trailhead	\$ 100,000
AR	Fairfax Ziegler Park Improvements	\$ 100,000
AS	Steubenville Ohio River Marina Improvement Project	\$ 100,000

AT	City of Sylvania SOMO Project	\$ 100,000
AU	Brunswick Hills Township Park	\$ 100,000
AV	Scippo Creek Conservation	\$ 75,000
AW	Jackson Street Pier and Shoreline Drive Revitalization Project	\$ 75,000
AX	Western Reserve Greenway Bike Trail	\$ 75,000
AY	Mary Fate Park Improvements	\$ 60,000
AZ	Gallipolis Pool Project	\$ 52,144
BA	Miami Erie Canal Cleanup	\$ 50,000
BB	James Day Park Warrior Run	\$ 50,000
BC	Jefferson Park Recreation Upgrades	\$ 50,000
BD	Rocky Fork State Park Water and Electrical Upgrade	\$ 50,000
BE	Avon Lake Veterans Park Gazebo	\$ 50,000
BF	Camp Sherman Park	\$ 50,000
BG	Willard Splash Pad and Park Improvements	\$ 50,000
BH	<u>Kelley Nature Preserve Boat Ramp</u>	<u>\$ 50,000</u>
BI	Bruce L. Chapin Bridge - Northcoast Inland Trail	\$ 45,000
BJ	Beaver Park Sports Field	\$ 40,000
BK	Village of Highland Hills Gazebo	\$ 35,000
BL	Monroeville Clark Park - North Coast Inland Trail Connection	\$ 33,000
BM	Camp McKinley Improvements	\$ 30,000
BN	Crestline Park Lighting	\$ 25,000
BO	Ohio City Warrior Trail Extension Phase 2	\$ 22,000
BP	Waverly Canal Park	\$ 20,000

BQ	Clifton to Yellow Springs Bike Trail	\$	20,000
BR	Seville Memorial Park Public Restroom Facilities	\$	15,000
BS	Hinkley Township Park	\$	13,000
BT	Shiloh Firestone Park Restoration	\$	12,000
BU	Village of Albany Bike Paths	\$	10,000

Section 601.11. That existing Sections 221.13 and 223.15 of H.B. 481 of the 133rd General Assembly are hereby repealed.

Section 701.10. ATTORNEY GENERAL NEW COLLECTION SYSTEM

The Attorney General New Collection System is a secure, end-to-end collections and recovery management system designed to collect and recover more debt, control costs, and stay compliant with state and federal regulations. The Attorney General may acquire and implement the system, including, but not limited to, the acquisition of the application hardware and software and the installation, implementation, and integration thereof, for the use of the Attorney General. The Attorney General may enter into lease-purchase agreements to finance, or refinance, the system. At the request of the Attorney General, the Director of Budget and Management shall make arrangements for the issuance of obligations, including fractionalized interests in public obligations as defined in division (N) of section 133.01 of the Revised Code, to finance the system, provided that not more than \$26,000,000 in proceeds of those obligations shall be raised for this purpose.

Lease payments contemplated in lease-purchase agreements entered into pursuant to the preceding paragraph, subject to lawful appropriations made by the General Assembly, shall be made solely from the Attorney General Claims Fund (Fund 4190).

Section 806.10. The items of law contained in this act, and their applications, are severable. If an item of law contained in this act, or if an application of an item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be given effect without the invalid item or application.

Section 812.10. The provisions of this act in sections prefixed with section numbers in the 200s with the purpose of drawing money from the state treasury in payment of liabilities lawfully incurred under those sections, cease to have effect at midnight (24:00) on June 30, 2022."

In line 3 of the title, after "subdivisions," insert "to establish a grant program under the Department of Natural Resources to fund local emergency erosion control measures,"

After line 153, insert:

"Section 3. Except as otherwise provided in this act, all appropriation items in this section are appropriated out of any moneys in the state treasury to the credit of the Parks and Recreation Improvement Fund (Fund 7035) that are not otherwise appropriated. The capital appropriations made in this section are in addition to any other appropriations made for the FY 2021-FY 2022 capital biennium.

	1	2	3
A	DNR DEPARTMENT OF NATURAL RESOURCES		
B	Parks and Recreation Improvement Fund (Fund 7035)		
C	C725U Erosion Emergency Assistance	\$	5,000,000
	8		
D	TOTAL Parks and Recreation Improvement Fund	\$	5,000,000
E	TOTAL ALL FUNDS	\$	5,000,000

The foregoing appropriation item C725U8, Erosion Emergency Assistance, shall be used by the Director of Natural Resources to provide grants to local subdivisions for erosion projects which in the judgement of the Director are necessary for the immediate preservation of the health, safety, and welfare of the citizens of the local subdivisions requesting assistance. Applications addressing severe erosion along the Lake Erie shoreline shall be prioritized.

Section 4. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, and Chapter 154. of the Revised Code, particularly section 154.22, and other applicable sections of the Revised Code, original obligations in an aggregate principal amount not to exceed \$5,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, as needed to provide sufficient moneys to the credit of the Parks and Recreation Improvement Fund (Fund 7035) to pay costs of capital facilities for parks and recreation purposes."

In line 154, delete "3" and insert "5"

Delete lines 5 through 129

After line 129, insert:

"Section 1. Notwithstanding any other amendment to the title of S.B.

310 adopted by the committee of conference, the title shall express the bill's content as follows: "to provide for the essential operations of state government, to make capital appropriations for the biennium ending June 30, 2022, to modify capital reappropriations, to make other appropriations, and to declare an emergency"

Notwithstanding any other amendment revising the emergency clause of S.B. 310, or adding an emergency clause to S.B. 310, adopted by the committee of conference, only one section of the bill shall declare an emergency, which shall be the last section of the bill, to read as follows: "This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to continue essential operation of state government, address capital and other appropriations, and respond to the declared pandemic and global health emergency related to COVID-19. Therefore, this act shall go into immediate effect.""

Delete lines 130 through 159

In line 1 of the title, after "To" insert "repeal section 3317.60 of the Revised Code to"

In line 3 of the title, after "subdivisions," insert "to require the completion of several school financing studies by December 31, 2022,"

After line 4, insert:

"Section 1. That section 3317.60 of the Revised Code is hereby repealed."

After line 4, insert:

"Section 2. (A)(1) The Department of Education shall conduct a study that does both of the following:

(a) Reviews the criteria used in the current school funding formula to define "economically disadvantaged students" in order to determine the effectiveness of the criteria;

(b) Researches how other states define "economically disadvantaged students" and how "economically disadvantaged students" are addressed in other states' school funding formulas.

The Department shall submit a report of its findings to the individuals prescribed in division (B) of this section not later than December 31, 2022.

(2) The Department of Education, in consultation with the Department of Job and Family Services and stakeholder groups determined appropriate by the Department, shall prepare a report including both of the following:

(a) A review of early child initiatives in Ohio, including preschool, Head Start, and other early learning opportunities for young children;

(b) Information regarding how other states support early learning opportunities for young children.

The Department of Education shall submit the report to the individuals prescribed in division (B) of this section not later than December 31, 2022.

(B) The reports prepared under division (A) of this section shall be submitted to all of the following:

(1) The President and Minority Leader of the Senate;

(2) The Speaker and Minority Leader of the House of Representatives;

(3) The members of the standing committees of the House of Representatives and the Senate that consider legislation regarding primary and secondary education.

Section 3. (A)(1)(a) The Office of Budget and Management shall, in consultation with the Department of Education, create an inventory of all state budget line items that, in the Office's determination, provide funding services to children that includes all of the following information:

(i) The fiscal year 2019 funding for each line item;

(ii) A brief description of services provided by each line item;

(iii) Estimates of funding and program descriptions of all line items that are also used to fund other types of programs, including a description explaining how those different programs interact and for whom they are provided;

(iv) A preliminary analysis of policy implications regarding the potential creation and funding of "wrap-around services," as defined by the Office, including health clinics provided in educational settings.

(b) The data shall be disaggregated into three categories based on students' age ranges as follows:

(i) Students receiving special education services for a disability specified in divisions (A) to (F) of section 3317.013 of the Revised Code between zero and twenty-one years of age;

(ii) Students not described by division (A)(1)(b)(i) of this section between zero and four years of age; and

(iii) Students not described in division (A)(1)(b)(i) of this section between five and eighteen years of age.

Additionally, the data shall be disaggregated into service categories that may be provided by multiple agencies, funds, and line items, such as children's mental health, children's physical health, child nutrition, early childhood education, primary and secondary education, special education,

juvenile detention services, and any other categories that receive significant state and federal funding.

(c) The Office shall submit the inventory to the individuals prescribed in division (B) of this section not later than December 31, 2022.

(2) The Department of Education shall conduct an evaluation of all of the following topics regarding special education:

(a) The categories of special education students specified under section 3317.013 of the Revised Code and the funding amounts corresponding to those categories;

(b) Best practices for providing education to special education students;

(c) Protocols for providing treatment to special education students;

(d) Technology to enhance the provision of special education;

(e) Costs of providing special education;

(f) Transportation of special education students.

The Department shall submit a report of its findings and recommendations to the individuals prescribed in division (B) of this section not later than December 31, 2022.

(3) The Department of Education shall, in collaboration with the Auditor of State and a workgroup established by the Department that consists of educators, auditors, and employees of the Department, review the funding reporting protocols and requirements for gifted services with the intention of recommending improvements regarding accountability for the spending of gifted funds paid to city, local, and exempted village school districts under section 3317.022 of the Revised Code. The Department shall submit a report of its findings and recommendations to the individuals prescribed in division (B) of this section not later than December 31, 2022.

(4) The Department of Education shall develop recommendations for an incentive program for school districts in rural areas of the state that provide services to students identified as gifted under division (A), (B), (C), or (D) of section 3324.03 of the Revised Code and submit a report of its findings to the individuals prescribed in division (B) of this section not later than December 31, 2022.

(5) The Department of Education shall, in collaboration with the Auditor of State and the Ohio Educational Service Center Association, conduct an evaluation of educational service centers, including all of the following:

(a) Services provided;

(b) Cost of existing services;

(c) The ability to generate revenue for providing nonmandatory services and offset fixed costs with that revenue;

(d) The average operating cost per pupil;

(e) The effectiveness and efficiency of all educational service centers.

The Department shall submit a report of its findings and a recommendation for a funding formula for educational service centers to the individuals prescribed in division (B) of this section not later than December 31, 2022.

(6) The Department of Education shall evaluate the current funding amounts and required services for all categories of English learners described in section 3317.016 of the Revised Code. The Department shall submit a report of its findings to the individuals prescribed in division (B) of this section not later than December 31, 2022.

(7) The Department of Education shall conduct a study of the cost to educate students enrolled in internet- or computer-based community schools and shall consult with these schools while conducting this study. The Department shall submit a result of its findings to the individuals prescribed in division (B) of this section not later than December 31, 2022.

(B) Reports prepared under divisions (A)(1), (2), (3), (4), (5), (6), and (7) of this section shall be submitted to all of the following:

(1) The chairperson, vice chair, and ranking minority member of the finance committees of the House of Representatives and the Senate;

(2) The chairperson, vice chair, and ranking minority member of the finance subcommittees regarding primary and secondary education of the House of Representatives and the Senate;

(3) The chairperson, vice chair, and ranking minority member of the standing committees of the House of Representatives and the Senate that consider legislation regarding primary and secondary education;

(4) The Superintendent of Public Instruction;

(5) The President of the State Board of Education.

(C) It is the intent of the General Assembly that the recommendations developed under division (A)(5) of this section be the basis of legislation enacted by the General Assembly in order to take effect for fiscal year 2023 and that the recommendations developed under divisions (A)(2), (3), (4), (6), and (7) of this section be the basis of legislation enacted by the General Assembly in order to take effect for fiscal year 2024.

Section 4. (A) The Department of Education, in consultation with community school governing authorities and other appropriate stakeholders, shall evaluate the cost of operating community schools on a per-pupil or other reasonable basis as a replacement for the discontinuance of a fixed per-

pupil formula amount.

(B) Not later than December 31, 2022, the Department shall submit its findings to all of the following:

(1) The chairperson, vice chair, and ranking minority member of the finance committees of the House of Representatives and the Senate;

(2) The chairperson, vice chair, and ranking minority member of the finance subcommittees regarding primary and secondary education of the House of Representatives and the Senate;

(3) The chairperson, vice chair, and ranking minority member of the standing committees of the House of Representatives and the Senate that consider legislation regarding primary and secondary education;

(4) The Superintendent of Public Instruction;

(5) The President of the State Board of Education.

Section 5. (A) A joint legislative task force to examine transportation of community school and nonpublic school students is hereby established and shall consist of six members, three of whom shall be appointed by the Speaker of the House of Representatives and three of whom shall be appointed by the President of the Senate. The Speaker of the House of Representatives and President of the Senate shall appoint a chairperson and vice-chairperson or co-chairpersons for the task force.

(B) The task force, in consultation with the Superintendent of Public Instruction, the Auditor of State, and other stakeholders, shall study the transportation of such students and determine methods to create greater efficiency and minimize costs in transporting such students. The task force shall report its findings and a recommendation for a funding formula for the transportation of such students to the Speaker of the House of Representatives and the President of the Senate not later than December 31, 2022."

In line 5, delete "1" and insert "6"

In line 130, delete "2" and insert "7"

After line 153, insert:

"Section 8. All items in this section are hereby appropriated as designated out of any moneys in the state treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2020 and those in the second column are for fiscal year 2021. The appropriations made in this act are in addition to any other appropriations made for the FY 2020-FY 2021 biennium.

A EDU DEPARTMENT OF EDUCATION

B State Lottery Fund Group

C 7017 200611 Education Studies \$ 0 \$ 3,000,000

D TOT SLF State Lottery Fund \$ 0 \$ 3,000,000
AL GroupE TOTAL ALL BUDGET FUND \$ 0 \$ 3,000,000
GROUPS

EDUCATION STUDIES

Of the foregoing appropriation item 200611, Education Studies, up to \$3,000,000 in fiscal year 2021 shall be used to fund the education-related studies required under Sections 2 to 5 of S.B. 310 of the 133rd General Assembly.

Section 9. 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. Expenditures from appropriations contained in this act shall be accounted for as though made in H.B. 166 of the 133rd General Assembly.

The appropriations made in this act are subject to all provisions of H.B. 166 of the 133rd General Assembly that are generally applicable to such appropriations."

In line 154, delete "3" and insert "10"

In line 1 of the title, after "To" insert "enact sections 5101.88, 5101.881, 5101.884, 5101.885, 5101.886, 5101.887, 5101.889, 5101.8811, and 5103.0329 of the Revised Code to create the Kinship Support Program, to"

After line 4, insert:

"**Section 1.** That sections 5101.88, 5101.881, 5101.884, 5101.885, 5101.886, 5101.887, 5101.889, 5101.8811, and 5103.0329 of the Revised Code be enacted to read as follows:

Sec. 5101.88. As used in sections 5101.881 to 5101.8811 of the Revised Code:

(A) "Cost-of-living adjustment" has the same meaning as in section 5107.04 of the Revised Code.

(B) "Kinship caregiver" has the same meaning as in section 5101.85 of the Revised Code.

Sec. 5101.881. There is hereby established the kinship support program. The department of job and family services shall coordinate and administer the program to the extent funds are appropriated and allocated for this purpose.

Sec. 5101.884. The kinship support program shall provide financial payments to kinship caregivers who:

(A) Receive placement of a child who is in the temporary or permanent custody of a public children services agency or under the Title IV-E agency with legal responsibility for the care and placement of the child; and

(B) Do not have foster home certification under section 5103.03 of the Revised Code.

Sec. 5101.885. Kinship support program payments under section 5101.884 of the Revised Code shall be ten dollars and twenty cents per child, per day, to the extent funds are available. The department of job and family services shall increase the payment amount on January 1, 2022, and on the first day of each January thereafter by the cost-of-living adjustment made in the immediately preceding December.

Sec. 5101.886. Kinship support program payments shall be made to kinship caregivers as follows:

(A) For not more than nine months after the effective date of this section, if a child has been placed with the kinship caregiver as of the effective date of this section;

(B) For not more than than nine months after the placement of a child with the kinship caregiver, if the placement occurs during the nine-month period that begins on the effective date of this section;

(C) For not more than six months after the date of placement of a child with the kinship caregiver, if the placement occurs after the nine-month period that began on the effective date of this section.

Sec. 5101.887. Kinship support program payments under section 5101.884 of the Revised Code shall cease when any of the following occur:

(A) The kinship caregiver obtains foster home certification under section 5103.03 of the Revised Code.

(B) In accordance with section 5101.886 of the Revised Code;

(C) Placement with the kinship caregiver is terminated or otherwise ceases.

Sec. 5101.889. A kinship caregiver, on obtaining foster home certification under section 5103.03 of the Revised Code, shall receive foster care maintenance payments equal to the custodial agency rate as determined by the certifying agency, which is either the custodial agency, private child

placing agency, or private non-custodial agency.

Sec. 5101.8811. The director of job and family services may adopt rules for the administration of the kinship support program in accordance with section 111.15 of the Revised Code.

Sec. 5103.0329. (A) A recommending agency may submit a request to the department of job and family services, on a case-by-case basis only, to waive any non-safety standards for a kinship caregiver seeking foster home certification. Non-safety standards include training hours and other requirements under sections 5103.031, 5103.032, and 5103.039 of the Revised Code and standards established by rules adopted under sections 5103.03 and 5103.0316 of the Revised Code, in accordance with 42 U.S.C. 671 (a)(10).

(B) "Kinship caregiver" has the same meaning as in section 5101.85 of the Revised Code."

In line 5, delete "1" and insert "2"

In line 130, delete "2" and insert "3"

In line 154, delete "3" and insert "4"

In line 3 of the title, after "subdivisions," insert "to specify that school districts are not subject to the existing spending limitation for the operation of school activity programs for the 2019-2020 and the 2020-2021 school years,"

After line 129, insert:

"Section 2. Notwithstanding section 3315.062 of the Revised Code, for the 2019-2020 and 2020-2021 school years, the limit on a school district's expenditures for the operation of student activity programs specified in division (A) of that section shall not apply."

In line 130, delete "2" and insert "3"

In line 154, delete "3" and insert "4"

In line 157, after "governments" insert "and school districts"

In line 36, delete "2" and insert "3"

After line 129, insert:

"Section 2. Notwithstanding section 3310.16 of the Revised Code and Section 4 of S.B. 89 of the 133rd General Assembly, the priority application period for Educational Choice Scholarships awarded under section 3310.03 of the Revised Code for the 2021-2022 school year shall open on March 2, 2021."

In line 130, delete "2" and insert "3"

In line 154, delete "3" and insert "4"

In line 3 of the title, after "appropriation," insert "to make changes in the regulation of certain health care professionals with respect to COVID-19,"

After line 153, insert:

"Section 3. (A) During the period beginning on the effective date of this section and ending May 1, 2021, the following requirements of Chapters 4730. and 4731. of the Revised Code governing the practice and supervision of physician assistants are suspended, but only to the extent necessary for a hospital or other health care facility to implement division (B) of this section:

(1) That a physician assistant may practice only under the direction, control, and supervision of a physician or podiatrist with whom the physician assistant has entered into a supervision agreement;

(2) That a physician assistant may perform services only if authorized by the physician or podiatrist with whom the physician assistant has entered into a supervision agreement and by the hospital or other health care facility within which the physician assistant is practicing;

(3) That a physician or podiatrist may serve as a physician assistant's supervising physician or podiatrist only if that practitioner has entered into a supervision agreement with the physician assistant.

(B) During the period described in division (A) of this section, both of the following apply to the practice and supervision of a physician assistant who is employed by or under contract with a hospital or other health care facility:

(1) The physician assistant may practice under the direction, control, and supervision of a physician or podiatrist with whom the physician assistant has not entered into a supervision agreement.

(2) The physician assistant may perform services authorized by a physician or podiatrist described in division (B)(1) of this section and by the hospital or other health care facility within which the physician assistant is practicing.

(C) This section does not limit the authority of a physician assistant to do either of the following:

(1) Provide medical care under section 4730.04 of the Revised Code in response to a need precipitated by a disaster or emergency, as defined in that section;

(2) Administer, deliver, or distribute drugs pursuant to a protocol implemented under section 3701.048 of the Revised Code following the declaration of an emergency that affects the public health.

Section 4. (A) During the period beginning on the effective date of this section and ending on May 1, 2021, the following requirements of Chapters 4723. and 4731. of the Revised Code governing the practice of and

collaboration with certified nurse-midwives, clinical nurse specialists, and certified nurse practitioners are suspended, but only to the extent necessary for a hospital or other health care facility to implement division (B) of this section:

(1) That a certified nurse-midwife, clinical nurse specialist, or certified nurse practitioner may practice only in accordance with a standard care arrangement entered into with each physician or podiatrist with whom the nurse collaborates;

(2) That a physician or podiatrist may serve as a collaborating physician or podiatrist on behalf of a certified nurse-midwife, clinical nurse specialist, or certified nurse practitioner only if the physician or podiatrist has entered into a standard care arrangement with the nurse.

(B) During the period described in division (A) of this section, both of the following apply to the practice of and the collaboration with a certified nurse-midwife, clinical nurse specialist, or certified nurse practitioner who is employed by or under contract with a hospital or other health care facility:

(1) The nurse may practice with a physician or podiatrist without having entered into a standard care arrangement with that physician or podiatrist, as long as the physician or podiatrist is continuously available to communicate with the nurse either in person or by electronic communication.

(2) The nurse may perform services by practicing with a physician or podiatrist described in division (B)(1) of this section if authorized by the hospital or other health care facility within which the nurse is practicing.

(C) This section does not limit the authority of a certified nurse-midwife, clinical nurse specialist, or certified nurse practitioner to administer, deliver, or distribute drugs pursuant to a protocol implemented under section 3701.048 of the Revised Code following the declaration of an emergency that affects the public health.

Section 5. (A) As used in this section, "emergency medical technician-basic," "emergency medical technician-intermediate," and "emergency medical technician-paramedic" have the same meanings as in section 4765.01 of the Revised Code.

(B) During the period beginning on the effective date of this section and ending May 1, 2021, and notwithstanding any conflicting provision of the Revised Code, an emergency medical technician-basic, emergency medical technician-intermediate, and emergency medical technician-paramedic who has received proper training may administer a test for COVID-19 and collect and label test specimens.

Section 6. (A) As used in this section:

(1) "Licensed practical nurse" has the same meaning as in section 4723.01 of the Revised Code.

(2) "Respiratory care professional" has the same meaning as in section 4761.01 of the Revised Code.

(B) During the period beginning on the effective date of this section and ending May 1, 2021, and notwithstanding any conflicting provision of the Revised Code, a licensed practical nurse may perform nursing care as identified in division (F) of section 4723.01 of the Revised Code at the direction of a respiratory care professional, and a respiratory care professional may provide that direction.

Section 7. (A) As used in this section, "licensing board" means a board authorized by Chapter 4723., 4729., 4730., 4731., 4761., or 4765. of the Revised Code to issue a license or certificate to engage in a specific profession, occupation, or occupational activity.

(B) Subject to division (D) of this section and notwithstanding any conflicting provision of the Revised Code, a health care professional described in division (C) of this section who meets both of the following conditions may practice during the period beginning on the effective date of this section and ending May 1, 2021:

(1) In the five-year period immediately preceding the effective date of this section, the professional held a license or certificate to practice issued by a licensing board.

(2) During the five-year period described in division (B)(1) of this section, the professional's license or certificate expired or became inactive, which may have occurred because the professional retired from practice.

In such a case, the health care professional shall be deemed to be practicing under a temporary license as if it were issued by the professional's respective licensing board and shall not be required to reactivate, restore, or renew the professional's prior license or certificate in order to practice under this section.

(C) The health care professionals eligible to practice under this section are the following:

(1) Licensed practical nurses, registered nurses, and advanced practice registered nurses;

(2) Pharmacists;

(3) Physician assistants;

(4) Physicians, including podiatrists;

(5) Respiratory care professionals;

(6) Emergency medical technicians-basic, emergency medical technicians-intermediate, and emergency medical technicians-paramedic.

(D) A health care professional who meets the conditions described in division (B) of this section is not authorized to practice under this section if

either of the following applies:

(1) The respective licensing board had revoked or suspended the professional's prior license or certificate.

(2) The professional surrendered the professional's prior license or certificate in an effort to avoid disciplinary or other adverse action."

In line 154, delete "3" and insert "8"

In line 1 of the title, after "To" insert "amend Section 27 of H.B. 481 of the 133rd General Assembly to"

After line 153, insert:

"Section 3. That Section 27 of H.B. 481 of the 133rd General Assembly (as amended by H.B. 404 of the 133rd General Assembly) be amended to read as follows:

Sec. 27. (A) For the purpose of this section:

(1) "Subdivision" means a county, township, or municipal corporation, and does not include a park district.

(2) "Ineligible subdivision" means a county or municipal corporation receiving a direct payment under section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 801(b)(2).

(3) "2019 LGF allocation" means the amount that would have been deposited to a county's county undivided local government fund in 2019 disregarding any reduction under section 5747.502 of the Revised Code and excluding any amounts deposited in that fund that were paid in that year to ineligible subdivisions or pursuant to section 5747.503 of the Revised Code.

(4) "2019 CULGF allocation" means the amount of funds from a county's county undivided local government fund a subdivision would have received in 2019 under section 5747.51 or 5747.53 of the Revised Code disregarding any reduction under section 5747.502 of the Revised Code and any adjustment because the subdivision, pursuant to an ordinance or resolution, elected to forgo all or a portion of its share of such funds.

(5) "Population" means the most recent population estimate published by the Development Services Agency and based on the American Community Survey, as published by the United States Census Bureau. The population of a township includes only the population of the township's unincorporated area.

(B) As soon as is practicable after the effective date of this section, the Director of Budget and Management, in consultation with the Tax Commissioner, shall provide for payment from the Coronavirus Relief Fund to each county treasury, to be deposited into a new fund in the county treasury to be named the county coronavirus relief distribution fund, which the county auditor shall create for this purpose. The amount of the payment

to each county coronavirus relief distribution fund shall equal the amount appropriated under Section 28 of this act multiplied by a fraction, the numerator of which is the 2019 LGF allocation for that county and the denominator of which is the sum of the 2019 LGF allocations for all counties.

(C) Within seven days of deposit in the county coronavirus relief distribution fund of the payment described in division (B) of this section, the county auditor shall distribute that money to the county, unless the county is an ineligible subdivision, and to each municipal corporation and township that is not an ineligible subdivision, in an amount equal to the amount of money in that fund multiplied by a fraction, the numerator of which equals the subdivision's 2019 CULGF allocation and the denominator of which equals the sum of the 2019 CULGF allocations from that county's county undivided local government fund for all such subdivisions.

Upon making the distribution, the county auditor shall report to the Director of Budget and Management the amount distributed to each subdivision. The report shall be made in the manner prescribed by the Director.

(D) To be eligible to receive a payment under division (C) of this section, the legislative authority of a county, township, or municipal corporation must adopt a resolution or ordinance affirming that the funds so received may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 801(d), and any applicable regulations. Subject to division (F) of this section, until the legislative authority adopts this resolution or ordinance, the subdivision's share of the money from the county coronavirus relief distribution fund shall remain in that fund. The legislative authority shall certify a copy of the resolution or ordinance to the county auditor and the Director of Budget and Management.

(E) Money received under division (C) of this section by a subdivision shall be deposited into a new fund in the subdivision's treasury to be named the local coronavirus relief fund, which the subdivision's fiscal officer shall create for this purpose. Money in that fund shall be used to cover only costs of the subdivision consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 801(d). Money in a subdivision's local coronavirus relief fund shall be audited by the Auditor of State during the subdivision's next regular audit under section 117.11 of the Revised Code to determine whether money in the fund has been expended in accordance with the requirements of this section.

(F)(1) Not later than November 20, 2020, the fiscal officer of each subdivision shall pay the unencumbered balance of money in the

subdivision's local coronavirus relief fund to the county treasurer, who shall deposit this revenue in the county coronavirus relief distribution fund. If the subdivision is located within more than one county, the subdivision's fiscal officer shall apportion and pay the unencumbered balance of money in the fund among the counties in which it is located proportionally, based on the cumulative amount of money the subdivision received from each such county's coronavirus relief distribution fund under division (C) of this section, division (C) of Section 4 of H.B. 614 of the 133rd General Assembly, and any other appropriations approved by the Controlling Board. On or before November 25, 2020, the county auditor shall distribute all money to the credit of the county coronavirus relief distribution fund to the county and to each municipal corporation and township fully or partially located within that county, unless the subdivision is an ineligible subdivision or paid an unencumbered balance to the treasurer under this division or the subdivision's legislative authority has not adopted the resolution or ordinance required under division (D) of this section. Subject to divisions (F)(2) and (3) of this section, the money shall be distributed as follows:

(a) Twenty-five per cent of the money to the county if it qualifies for a distribution under division (F)(1) of this section;

(b) The remaining balance to each such qualifying municipal corporation or township, of which the distribution to each shall equal the amount of the remaining balance multiplied by a fraction, the numerator of which is the population of the municipal corporation or the township, and the denominator of which is the sum of the populations of all such municipal corporations and townships in the county that qualify for a distribution under division (F)(1) of this section. Only the portion of a municipal corporation's or township's population that resides in the county shall be included in computing that numerator and denominator.

(2) If fewer than twenty-five per cent of the municipal corporations and townships with a population that resides in a county qualify for a distribution under division (F)(1) of this section, "fifty per cent" shall be substituted for "twenty-five per cent" in computing the amount of money to be distributed to the county under division (F)(1)(a) of this section if the county qualifies for such a distribution.

(3) Any money in a county coronavirus relief distribution fund that cannot be distributed under division (F)(1) of this section because no subdivision qualifies for a distribution, or because only the county qualifies for a distribution, shall be paid to the state treasury in the manner prescribed by the Director of Budget and Management.

(4) Money received by a subdivision under division (F)(1) of this section shall be deposited in the subdivision's local coronavirus relief fund and used as required under division (E) of this section.

(5) Upon making the distribution under division (F)(1) of this section, the county auditor shall report to the Director of Budget and Management the amount of the unencumbered balance paid to the county treasury by each subdivision making such a payment and the amount distributed to each subdivision receiving a distribution under this division. If no subdivision made such a payment to the county treasury, the auditor shall report that no such payments were made. The report shall be made in the manner prescribed by the Director.

~~(G)~~(G)(1) Subject to division (G)(2) of this section:

(a) Not later than February 1, 2021, the fiscal officer of each subdivision shall pay the unexpended balance of money in the subdivision's local coronavirus relief fund to the state treasury in the manner prescribed by the Director of Budget and Management. ~~This division does not authorize any subdivision to~~

(b) ~~No subdivision may use money in its local coronavirus relief fund for expenses incurred after December 30, 2020. A~~

(c) A subdivision's local coronavirus relief fund may be held open during the period beginning December 31, 2020, and ending February 1, 2021, only for account reconciliation and other similar purposes.

(2) Upon the request of the Director of Budget and Management, the Controlling Board may extend any date prescribed by division (G)(1)(a), (b), or (c) of this section. Upon approval of such an extension by the Controlling Board, the Director shall notify the fiscal officer of each township and municipal corporation that is not an ineligible subdivision and the county auditor of each county of the extended date or dates.

(H) A county, municipal corporation, or township receiving a payment from a county coronavirus relief distribution fund under this section shall, upon request, provide any information related to those payments or their expenditure to the Director of Budget and Management.

Section 4. That existing Section 27 of H.B. 481 of the 133rd General Assembly (as amended by H.B. 404 of the 133rd General Assembly) is hereby repealed.

Section 5. The amendment by this act of Section 27 of H.B. 481 of the 133rd General Assembly (as amended by H.B. 404 of the 133rd General Assembly) applies to all amounts distributed to a county coronavirus relief distribution fund under that section or Section 4 of H.B. 614 of the 133rd General Assembly, including appropriations in Section 28 of H.B. 481 of the 133rd General Assembly and Section 8 of H.B. 614 of the 133rd General Assembly, as well as all appropriations approved by the Controlling Board and distributed to such a fund before, on, or after the effective date of this section."

In line 154, delete "3" and insert "6"
In line 131, after the second "of" insert "the designated fund"
In line 132, delete "the Coronavirus Relief Fund (Fund 5CV1)"
After line 143, insert:

	1	2	3	4	5
A	DDD DEPARTMENT OF DEVELOPMENTAL DISABILITIES				
B	Federal Fund Group				
C	3A40	653654	Medicaid Services	\$ 0	\$ 80,000,000
D	TOTAL	FED Federal Fund Group		\$ 0	\$ 80,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$ 0	\$ 80,000,000

"

In line 3 of the title, after "subdivisions," insert "regarding student wellness and success funding for fiscal year 2021,"
After line 129, insert:
"Section 2. After all payments for fiscal year 2021 have been made under sections 3314.088, 3317.0219, 3317.163, and 3326.42 of the Revised Code, the Department of Education shall distribute any amounts remaining in appropriation item 200604, Student Wellness and Success, through a methodology determined by the Department in consultation with the Office of Budget and Management."

In line 130, delete "2" and insert "3"
In line 154, delete "3" and insert "4"
In line 1 of the title, after "To" insert "amend section 5501.91 of the Revised Code to"
In line 3 of the title, after "subdivisions," insert "to make changes to other specified laws,"
After line 153, insert:
"Section 3. That section 5501.91 of the Revised Code be amended to read as follows:
Sec. 5501.91. (A) As used in this section, "port authority" means a

port authority created under Chapter 4582. of the Revised Code.

(B) There is hereby established the Ohio maritime assistance program, which the department of transportation shall administer. Under the program, a port authority may apply to the department for a grant to be used as prescribed in division (D) of this section. In order to be eligible for a grant under this section, a port authority is required to meet either of the following requirements:

(1) At the time of application for a grant, the port authority owns an active marine cargo terminal located on the shore of Lake Erie or the Ohio river or on a Lake Erie tributary.

(2) At the time of application for a grant, the port authority is located in, or has jurisdiction within, a federally qualified opportunity zone and the federally qualified opportunity zone has an active marine cargo terminal with a stevedoring operation that is located on the shore of Lake Erie or the Ohio river.

(C)(1) Every applicant for a grant shall submit with its application a written business justification for the investment that indicates the operational and market need for the project in a form the director of transportation shall prescribe.

(2) The department shall evaluate all grant applications according to the following criteria:

(a) The degree to which the proposed project will increase the efficiency or capacity of maritime cargo terminal operations;

(b) Whether the project will result in the handling of new types of cargo or an increase in cargo volume;

(c) Whether the project will meet an identified supply chain need or benefit Ohio firms that export goods to foreign markets, or import goods to Ohio for use in manufacturing or for value-added distribution;

(d) Any other criteria the director determines to be appropriate.

(3) If a grant application does not meet the criteria specified in divisions (C)(2)(b) and (c) of this section, an applicant is not eligible for a grant under this section.

(D) A port authority shall use a grant awarded under this section only for any of the following purposes:

(1) Land acquisition and site development for marine cargo terminal and associated uses, including demolition and environmental remediation;

(2) Construction of wharves, quay walls, bulkheads, jetties, revetments, breakwaters, shipping channels, dredge disposal facilities, projects for the beneficial use of dredge material, and other structures and improvements directly related to maritime commerce and harbor

infrastructure;

(3) Construction and repair of warehouses, transit sheds, railroad tracks, roadways, gates and gatehouses, fencing, bridges, offices, shipyards, and other improvements needed for marine cargo terminal and associated uses, including shipyards;

(4) Acquisition of cargo handling equipment, including mobile shore cranes, stationary cranes, tow motors, fork lifts, yard tractors, craneways, conveyor and bulk material handling equipment, and all types of ship loading and unloading equipment;

(5) Planning and design services and other services associated with construction.

(E) A port authority shall pay a matching amount of at least one dollar for each grant dollar received for the proposed project.

(F) The director of transportation, ~~in accordance with Chapter 119 of the Revised Code~~, shall ~~adopt rules governing~~ govern the program established under this section, including the grant application, evaluation, award processes, and how the grant money may be spent by a port authority.

Section 4. That existing section 5501.91 of the Revised Code is hereby repealed."

In line 154, delete "3" and insert "5"

In line 132, delete "Coronavirus Relief Fund (Fund 5CV1)" and insert "designated fund"

After line 143, insert:

"MEDICAID APPROPRIATION ADJUSTMENTS

The following adjustments are hereby made to the fiscal year 2021 appropriations for the Department of Medicaid:

(A) Hospital Assessment Fund (Fund 5GF0) appropriation item 651656, Medicaid Services - Hospital Upper Payment Limit, shall be increased by \$175,000,000.

(B) Health Care Federal Fund (Fund 3F00) appropriation item 651623, Medicaid Services - Federal, shall be increased by \$525,000,000."

In line 132, delete "Coronavirus Relief Fund (Fund 5CV1)" and insert "designated fund"

After line 143, insert:

"MEDICAID APPROPRIATION ADJUSTMENTS

Due to the enhanced federal medical assistance percentage enacted as a result of the COVID-19 pandemic, the following adjustments are hereby made to the fiscal year 2021 appropriations for the Department of Medicaid:

(A) General Revenue Fund appropriation item 651525, Medicaid Health Care Services, shall be increased by \$1,035,243,542; this increase shall consist of a decrease in the state share of \$566,365,999 and an increase in the federal share of \$1,601,609,541.

(B) Health Care Federal Fund (Fund 3F00) appropriation item 651623, Medicaid Services – Federal, shall be increased by \$2,596,799,320.

(C) Health Insuring Corporation Class Franchise Fee Fund (Fund 5TN0) appropriation item 651684, Medicaid Services – HIC Fee, shall be increased by \$200,000,000.

(D) General Revenue Fund appropriation item 651526, Medicare Part D, shall be decreased by \$136,870,203.

(E) Health Care/Medicaid Support and Recoveries Fund (Fund 5DL0) appropriation item 651639, Medicaid Services – Recoveries, shall be decreased by \$179,999,154."

In line 1 of the title, after "To" insert "enact sections 197.01, 197.03, 197.04, 197.05, 197.06, 197.07, 197.08, 197.11, 197.12, and 197.13 of the Revised Code to"

In line 3 of the title, after "subdivisions," insert "to create the Holocaust and Genocide Memorial and Education Commission,"

After line 153, insert:

"Section 3. That sections 197.01, 197.03, 197.04, 197.05, 197.06, 197.07, 197.08, 197.11, 197.12, and 197.13 of the Revised Code be enacted to read as follows:

Sec. 197.01. As used in this chapter:

(A) "Genocide" means an internationally recognized crime where the following acts are committed against a national, ethnic, racial, or religious group's members with the intent to destroy, in whole or in part, the group:

(1) Killing;

(2) Causing serious bodily or mental harm;

(3) Deliberately inflicting life conditions calculated to bring about physical destruction, in whole or in part;

(4) Imposing measures intended to prevent births;

(5) Forcibly transferring a group's children to another group.

(B) "Holocaust" means the systematic, state-sponsored persecution and murder of approximately six million Jews by the Nazi regime and its allies and collaborators. Other victims, including the Roma and Sinti, also known as Gypsies, homosexuals, Poles, people with disabilities, and Jehovah's Witnesses, were also persecuted and murdered by the Nazi regime.

Sec. 197.03. There is hereby created the Holocaust and genocide

memorial and education commission.

Sec. 197.04. (A) The Holocaust and genocide memorial and education commission shall consist of fifteen members as follows:

(1) Two members shall be members of the house of representatives appointed by the governor after consultation with the speaker of the house of representatives, with one member being from the majority party and one member being from the minority party, to serve a term of the remainder of the general assembly during which the representative is appointed.

(2) Two members shall be members of the senate appointed by the governor after consultation with the president of the senate, with one member being from the majority party and one member being from the minority party, to serve a term of the remainder of the general assembly during which the senator is appointed.

(3) Three nonvoting ex officio members, to serve until the ex officio member ceases to hold the applicable office:

(a) The superintendent of public instruction;

(b) The chancellor of higher education;

(c) The director of veterans services.

(4) Eight members shall be appointed by the governor with the advice and consent of the senate, to serve a term of three years, as follows:

(a) At least three members shall be involved in Holocaust and genocide memorial and education or have a personal connection or experience with the Holocaust or genocide.

(b) At least three members shall have expertise regarding the Holocaust and investigation, analysis, or research regarding genocide.

(B) Vacancies shall be filled in the manner provided under division (A) of this section. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of that term. Any appointed member shall continue in office subsequent to the expiration of that member's term until the member's successor takes office or until a period of sixty days has elapsed, whichever occurs first.

Sec. 197.05. (A) The Holocaust and genocide memorial and education commission shall meet not less than six times during a calendar year.

(B) On the first meeting, the commission shall elect a chairperson, vice-chairperson, and other officers from the voting members.

(C) The commission shall adopt rules governing the commission.

Sec. 197.06. Eight voting members of the Holocaust and genocide

memorial and education commission constitute a quorum of the commission. No action of the commission shall be taken without the affirmative vote of eight voting members.

Sec. 197.07. Members of the Holocaust and genocide memorial and education commission shall serve without compensation, but shall be reimbursed for expenses actually and necessarily incurred in the performance of their duties.

Sec. 197.08. The Holocaust and genocide memorial and education commission shall do the following:

(A) Gather and disseminate Holocaust and genocide information throughout this state;

(B) Take inventory of current statewide Holocaust and genocide memorial and education programs and initiatives, and propose programming to fill program and initiative gaps;

(C) Secure appropriate recognition of the accomplishments and contributions of Holocaust and genocide survivors, liberators, and Ohioans active in rescue and resettlement efforts, and make their stories accessible for educational purposes;

(D) Promote public awareness of issues relating to Holocaust and genocide memorial and education through public education programs;

(E) Partner with public and private organizations that serve Holocaust and genocide survivors, veterans, and liberators, including the Nancy and David Wolf Holocaust and humanity center, the national veterans memorial and museum, the Maltz museum of Jewish heritage, the national museum of the United States air force, and local, state, national, or international historical societies, museums, and memorials for educational purposes;

(F) Advise and educate the governor, general assembly, and state departments and agencies regarding the nature, magnitude, and priorities of Holocaust and genocide memorial and education, and develop policies and programs to address those needs;

(G) Seek opportunities to provide resources for schools to teach effectively about the Holocaust and genocide;

(H) Review and approve grants that are administered or subcontracted by the commission or the Holocaust and genocide memorial and education office established under section 197.11 of the Revised Code;

(I) Coordinate with and provide information regarding available state services to meet the needs of Holocaust and genocide survivors, liberators, educators, students, and public safety and law enforcement;

(J) Review and approve the annual report prepared by the office under section 197.13 of the Revised Code.

Sec. 197.11. There is hereby created the Holocaust and genocide memorial and education office to serve the Holocaust and genocide memorial and education commission.

Sec. 197.12. The director of the Holocaust and genocide memorial and education office shall be appointed by, and serve at the pleasure of, the Holocaust and genocide memorial and education commission. The director shall, with the commission's approval, appoint employees as necessary to carry out the duties of the office. The employees shall serve at the director's pleasure.

Sec. 197.13. The Holocaust and genocide memorial and education office shall do the following:

(A) Advise and provide information to the Holocaust and genocide memorial and education commission on statewide programs and new opportunities to further Holocaust and genocide memorial and education;

(B) Serve as a clearinghouse to review, comment on, and propose initiatives submitted to the office that meet Holocaust and genocide memorial and education needs;

(C) Apply for and accept grants and gifts from public and private sources to be administered by the office or subcontracted to local public or nonprofit agencies that shall use the grants and gifts for the purpose intended;

(D) Monitor and evaluate all programs subcontracted to local public or nonprofit agencies and ensure that any grants or gifts are being used for the purpose intended;

(E) Endeavor to ensure that Holocaust and genocide survivors, liberators, educators, and others involved in Holocaust and genocide education and memorial have access to decision-making bodies in local, state, national, and international departments, agencies, and genocide education and memorial organizations;

(F)(1) Establish advisory committees for special subjects, as needed, to facilitate and maximize community participation and subject matter expertise in the operation of the commission;

(2) Advisory committees shall be comprised of members representing community organizations, charitable institutions, elementary and secondary schools, higher education institutions, faith-based organizations, public officials, and other persons as determined by the office.

(G) Establish relationships with local and state governments, federal officials, nonprofit organizations, and the private sector to promote and ensure the highest standards of Holocaust and genocide memorial and education;

(H) Submit a written annual report of the office's activities, accomplishments, and recommendations to the commission."

In line 154, delete "3" and insert "4"

In line 3 of the title, after "subdivisions," insert "to permit, with Controlling Board approval, expenditures from the Coronavirus Relief Fund,"

After line 153, insert:

"Section 3. CORONAVIRUS RELIEF FUND APPROPRIATION

Any unexpended or unencumbered cash in the State Coronavirus Relief Fund (Fund 5CV1) is hereby appropriated for fiscal year 2021 to appropriation item 042621, COVID Response Multiple Agencies, for expenses incurred on or after March 1, 2020, in response to the coronavirus pandemic. This includes cash that had been previously appropriated or distributed but returned to Fund 5CV1. It does not include cash received by the state and deposited into Fund 5CV1 as a result of acts of the United States Congress made after November 1, 2020.

Prior to spending these appropriations, the Director of Budget and Management shall obtain Controlling Board approval. The Director of Budget and Management, with the approval of the Controlling Board, may transfer these appropriations to new or existing appropriation items within Fund 5CV1 for expenditures incurred on or after March 1, 2020."

In line 154, delete "3" and insert "4"

In line 1 of the title, delete "provide for the distribution of some federal"

Delete line 2 of the title

In line 3 of the title, delete "subdivisions, to"; delete "an appropriation," and insert "appropriations"

Delete lines 5 through 159

Managers on the Part of the
Senate

/S/ MATT DOLAN
MATT DOLAN

/S/ DAVE BURKE
DAVE BURKE

/S/ VERNON SYKES
VERNON SYKES

Managers on the Part of the
House of Representatives

/S/ SCOTT OELSLAGER
SCOTT OELSLAGER

/S/ JAMIE CALLENDER
JAMIE CALLENDER

/S/ JACK CERA
JACK CERA

The question being, "Shall the emergency clause stand as part of the report of the committee of conference?"

The yeas and nays were taken and resulted – yeas 77, nays 7, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Butler	Callender
Carfagna	Carruthers	Cera	Clites
Crawley	Crossman	Cutrona	Denson
Edwards	Fraizer	Galonski	Ghanbari
Ginter	Green	Greenspan	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hoops
Howse	Ingram	Jones	Jordan
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lightbody
Lipps	Liston	Manchester	Manning, G.
McClain	Merrin	Miller, A.	Miller, J.
Miranda	O'Brien	Oelslager	Perales
Plummer	Reineke	Richardson	Riedel
Robinson	Roemer	Romanchuk	Russo
Seitz	Sheehy	Skindell	Smith, K.
Smith, T.	Sobecki	Stein	Stephens
Stoltzfus	Strahorn	Swearingen	Sweeney
Sykes	West	Wiggam	Wilkin
			Cupp-77

Representatives Brent, Brinkman, Dean, Hood, Keller, Powell, and Zeltwanger voted in the negative-7.

Having received the required constitutional majority, the emergency clause stood as part of the report of the committee of conference.

The question being, "Shall the report of the committee of conference be agreed to as an emergency measure?"

The yeas and nays were taken and resulted – yeas 77, nays 7, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Butler
Callender	Carfagna	Carruthers	Cera
Clites	Crawley	Crossman	Cutrona
Denson	Edwards	Fraizer	Galonski
Ghanbari	Ginter	Green	Greenspan
Hambley	Hicks-Hudson	Hillyer	Holmes, A.
Hoops	Howse	Ingram	Jones
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lightbody
Lipps	Liston	Manchester	Manning, G.
McClain	Merrin	Miller, A.	Miller, J.
Miranda	O'Brien	Oelslager	Perales
Plummer	Reineke	Richardson	Riedel
Robinson	Roemer	Romanchuk	Russo
Seitz	Sheehy	Skindell	Smith, K.
Smith, T.	Sobecki	Stein	Stephens
Stoltzfus	Strahorn	Swearingen	Sweeney
Sykes	West	Wiggam	Wilkin
			Cupp-77

Representatives Brinkman, Dean, Hood, Jordan, Keller, Powell, and

Zeltwanger voted in the negative-7.

The report of the committee of conference was agreed to.

Representative Keller moved that House Rule 66, pertaining to bills being placed on the calendar, be suspended and that **H. B. No. 381**-Representatives Keller, Hood; and **Sub. H. B. No. 178**-Representatives Hood, Brinkman be taken up for immediate consideration the third time.

On motion of Representative Butler, the House adjourned until Tuesday, December 22, 2020 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.