

**As Reported by the Senate Small Business and Economic Opportunity  
Committee**

**134th General Assembly**

**Regular Session  
2021-2022**

**Sub. S. B. No. 134**

**Senator Lang**

**Cosponsors: Senators Brenner, Cirino, Reineke, Romanchuk, Rulli, Wilson**

---

**A BILL**

To enact section 3701.353 of the Revised Code to 1  
enact The Business Fairness Act and to declare 2  
an emergency. 3

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

**Section 1.** That section 3701.353 of the Revised Code be 4  
enacted to read as follows: 5

Sec. 3701.353. Notwithstanding section 3701.352 of the 6  
Revised Code, a business does not violate that section and may 7  
continue or resume operations if both of the following are true: 8

(A) The business has been required to cease or limit 9  
operations by order or rule of the director or department of 10  
health that was issued under this chapter to prevent a threat to 11  
the public caused by a pandemic, epidemic, or bioterrorism 12  
event; 13

(B) The business complies with all safety precautions that 14  
the order or rule requires of businesses that are permitted to 15  
continue operations under the order or rule. 16

This section does not apply to an order or rule of the 17  
director or department of health that is issued under this 18  
chapter and applicable only to a particular business or business 19  
location due to circumstances uniquely present at that 20  
particular business or business location. 21

**Section 3.** This act's enactment of section 3701.353 of the 22  
Revised Code shall be known as "The Business Fairness Act." 23

**Section 4.** This act is hereby declared to be an emergency 24  
measure necessary for the immediate preservation of the public 25  
peace, health, and safety. The reasons for such necessity are 26  
the economic effects of COVID-19. Therefore, this act shall go 27  
into immediate effect. 28