

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, FEBRUARY 17, 2021

FOURTEENTH DAY

Hall of the House of Representatives, Columbus, Ohio

Wednesday, February 17, 2021, 9:00 o'clock a.m.

The House met pursuant to adjournment.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 129 - Representatives Hoops, Sobecki.

Cosponsors: Representatives Lanese, Bird, Crossman, Miller, A., Riedel, Weinstein, Cross.

To amend sections 3333.38 and 3345.32 and to enact section 3333.125 of the Revised Code to establish the Commercial Truck Driver Student Aid program and to make an appropriation.

H. B. No. 130 - Representatives Miller, J., Blackshear.

Cosponsors: Representatives Boggs, Crawley, Crossman, Jarrells, Lepore-Hagan, Miranda, Russo, West.

To amend sections 124.11 and 124.30 of the Revised Code to allow a police department to fill a vacant position in the classified civil service without a competitive examination.

H. B. No. 131 - Representative Brinkman.

To enact section 5534.416 of the Revised Code to designate a portion of U.S. Route 50 in Hamilton County as the "Deputy Sheriff Emil Kleinwaechter Memorial Highway."

H. B. No. 132 - Representatives Hillyer, Jones.

Cosponsors: Representatives Kick, Young, T., Cross, Seitz, Miller, J.

To amend sections 4513.601, 4513.62, 5322.01, 5322.02, and 5322.03 and to enact sections 4505.104, 4513.602, and 4513.603 of the Revised Code to amend the law regarding self-service storage facilities and towing.

H. B. No. 133 - Representative Hillyer.

Cosponsors: Representatives Holmes, Riedel, Kick, Young, T., Seitz.

To amend sections 135.77, 135.774, 307.04, 1115.05, 1321.52, 1321.68, 1322.01, 1322.02, 1322.04, 1322.07, 1322.09, 1322.10, 1322.12, 1322.15, 1322.29, 1322.30, 1322.32, 1322.34, 1322.43, 1322.50, 1322.52, 1345.01, 1349.72, 2913.11, and 4712.05; to enact section 1319.17; and to repeal sections 1322.24, 1322.25, and 1349.16 of the Revised Code relating to commerce and property tax valuation complaints, and to repeal the version of section 1322.24 of the Revised Code that is scheduled to take effect October

9, 2021.

Said bills were considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Crawley submitted the following report:

The standing committee on Finance to which was referred **H. B. No. 2-** Representatives Carfagna, Stewart, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

RE: REGARDS BROADBAND EXPANSION

Representative Carfagna moved to amend the title as follows:

Add the names: "Edwards, Schmidt, West"

Representative Carfagna moved to amend as follows:

In line 22 of the title, delete "and"; after "appropriation" insert ", and to declare an emergency"

After line 1502, insert:

"Section 5. 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 that the lack of broadband access in the state is an ongoing issue that has become more urgent during the COVID-19 pandemic and requires additional broadband infrastructure to be deployed at the earliest possible date. Therefore, this act shall go into immediate effect."

The motion was agreed to and the bill so amended.

Representative Carfagna moved to amend as follows:

In line 309, delete "from the Ohio residential"

Delete line 310

In line 311, delete "122.4037 of the Revised Code" and insert "appropriated by the general assembly for this purpose"

In line 652, delete "and funds appropriated for the Ohio"

In line 653, delete "residential broadband expansion grant program"

In line 654, delete "Ohio residential broadband expansion grant program" and insert "general revenue"

In line 655, delete ", which is hereby created in the state treasury. All amounts"

Delete lines 656 and 657

In line 658, delete "grants under sections 122.40 to 122.4077 of the Revised Code"

After line 1468, insert:

"Section 3. All items in Section 4 of this act are hereby appropriated as designated out of any moneys in the state treasury to the credit of the designated fund. For all operating appropriations made in that section, those in the first column are for fiscal year 2020 and those in the second column are for fiscal year 2021. The operating appropriations made in Section 4 of this act are in addition to any other operating appropriations made for the FY 2020-FY 2021 biennium."

In line 1469, delete "3" and insert "4"; delete "All items in this section are hereby"

Delete lines 1470 through 1476

In the table on line 1477, in row B, column 1, delete "Facilities Establishment Fund Group" and insert "General Revenue Fund"

In the table on line 1477, in row C, column 1, delete "SGTO" and insert "GRF"; column 2, delete "195550" and insert "195651"; column 3, before "Broadband" insert "Residential"; delete "Development" and insert "Expansion"

In the table on line 1477, in row D, column 1, delete "FCE Facilities Establishment Fund Group" and insert "GRF General Revenue Fund"

In line 1478, before "BROADBAND" insert "RESIDENTIAL"; delete "DEVELOPMENT" and insert "EXPANSION"

Delete line 1479 and insert "The"

In line 1480, delete "195550" and insert "195651"; after "," insert "Residential"; delete "Development" and insert "Expansion"

Delete lines 1484 through 1488

In line 1490, delete "195550" and insert "195651"; after "," insert "Residential"; after "Broadband" insert "Expansion"; delete "Development"

In line 1493, delete "4" and insert "5"

In line 1496, after the first "in" insert "Section 4 of"

In line 1498, after "from" insert "operating"; after "in" insert "Section 4 of"

In line 1500, after "The" insert "operating"; after "in" insert "Section 4 of"

After line 1502, insert:

"Section 6. All items in Section 7 of this act are hereby appropriated

as designated out of any moneys in the state treasury to the credit of the designated fund. For all operating appropriations made in Section 7 of this act, those in the first column are for fiscal year 2022 and those in the second column are for fiscal year 2023. The operating appropriations made in Section 7 of this act are in addition to any other operating appropriations made for the FY 2022-FY 2023 biennium.

Section 7.

1	2	3	4	5
A	DEV DEVELOPMENT SERVICES AGENCY			
B	General Revenue Fund			
C	GRF	195651	Residential Broadband Expansion Grants	\$170,000,000 \$20,000,000
D	TOTAL General Revenue Fund		\$170,000,000	\$20,000,000
E	TOTAL ALL BUDGET FUND GROUPS		\$170,000,000	\$20,000,000

RESIDENTIAL BROADBAND EXPANSION GRANTS

The foregoing appropriation item 195651, Residential Broadband Expansion Grants, shall be used for grants under the Ohio Residential Broadband Expansion Grant Program established in section 122.401 of the Revised Code.

Any unexpended and unencumbered portion of the foregoing appropriation item 195651, Residential Broadband Expansion Grants, at the end of fiscal year 2022 is hereby reappropriated for the same purpose in fiscal year 2023.

Section 8. 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 Section 7 of this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from operating appropriations contained in Section 7 of this act shall be accounted for as though made in the main operating appropriations act of the 134th General Assembly. The operating appropriations made in Section 7 of this act are subject to all provisions of the main operating appropriations act of the 134th General Assembly that are generally applicable to such appropriations."

The motion was agreed to and the bill so amended.

SCOTT OELSLAGER
ERICA C. CRAWLEY
BRIAN BALDRIDGE

PHIL PLUMMER
CINDY ABRAMS
RICK CARFAGNA

SARA P. CARRUTHERS
JAY EDWARDS
JAMES M. HOOPS
DONTAVIUS L. JARRELLS
DARRELL KICK
P. SCOTT LIPPS
THOMAS F. PATTON
BILL ROEMER
MICHAEL J. SKINDELL
REGGIE STOLTZFUS
BRIDE ROSE SWEENEY
THOMAS WEST

JON CROSS
HARAZ N. GHANBARI
STEPHANIE D. HOWSE
BRIGID KELLY
JEFF LARE
MICHAEL J. O'BRIEN
TRACY M. RICHARDSON
JEAN SCHMIDT
JASON STEPHENS
D. J. SWEARINGEN
DANIEL P. TROY

The report was agreed to.

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

Representative Sykes reported for the Rules and Reference committee recommending that the following House Bills and Senate Bills be considered for the second time and referred to the following committees for consideration:

H. B. No. 101 - Representatives Stephens and Edwards
TO ESTABLISH NEW PROCESSES FOR FUNDING THE
CONSTRUCTION, ACQUISITION, IMPROVEMENT, OPERATION, AND
MAINTENANCE OF JAIL FACILITIES.

To the committee on Infrastructure and Rural Development

H. B. No. 102 - Representative Holmes
TO DESIGNATE A PORTION OF INTERSTATE ROUTE 70 IN LICKING
COUNTY AS THE "SFC RON ROSSER MEDAL OF HONOR RECIPIENT
MEMORIAL HIGHWAY."

To the committee on Transportation and Public Safety

H. B. No. 103 - Representative Merrin
REGARDING THE ADOPTION AND DURATION OF EMERGENCY
ADMINISTRATIVE RULES.

To the committee on State and Local Government

H. B. No. 104 - Representative Stein
TO DESIGNATE A PORTION OF STATE ROUTE 162 IN HURON
COUNTY AS THE "ARMY SERGEANT PATRICK RYAN CARROLL
MEMORIAL HIGHWAY."

To the committee on Transportation and Public Safety

H. B. No. 105 - Representatives Lipps and Kelly
WITH RESPECT TO AGE-APPROPRIATE STUDENT INSTRUCTION IN
CHILD SEXUAL ABUSE AND SEXUAL VIOLENCE PREVENTION AND

IN-SERVICE STAFF TRAINING IN CHILD SEXUAL ABUSE PREVENTION.

To the committee on Primary and Secondary Education

H. B. No. 106 - Representative Cross

TO DESIGNATE JANUARY AS "RADON AWARENESS MONTH."

To the committee on Health

H. B. No. 107 - Representative Baldridge

TO REVISE THE ELEVATOR LAW.

To the committee on Commerce and Labor

H. B. No. 108 - Representative Galonski

REGARDING PARENTAL RIGHT OF DISPOSITION FOR A DECEASED ADULT CHILD.

To the committee on Civil Justice

H. B. No. 109 - Representatives Abrams and Carruthers

TO INCREASE PENALTIES FOR CERTAIN ASSAULT, VANDALISM, AND RIOT OFFENSES, TO ALLOW PEACE OFFICERS TO BRING CIVIL SUITS AGAINST PERSONS PARTICIPATING IN A RIOT, AND TO PROHIBIT BIAS MOTIVATED INTIMIDATION OF FIRST RESPONDERS.

To the committee on Criminal Justice

H. B. No. 110 - Representative Oelslager

TO MAKE OPERATING APPROPRIATIONS FOR THE BIENNIUM BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2023, TO LEVY TAXES, AND TO PROVIDE AUTHORIZATION AND CONDITIONS FOR THE OPERATION OF STATE PROGRAMS.

To the committee on Finance

H. B. No. 111 - Representative Lightbody

TO ALTER THE LAW GOVERNING THE USE OF A HANDHELD ELECTRONIC WIRELESS COMMUNICATIONS DEVICE WHILE DRIVING.

To the committee on Transportation and Public Safety

H. B. No. 112 - Representatives Miller, J. and Lepore-Hagan

TO REQUIRE ONE-TIME PERFORMANCE AUDITS OF SCHOOL DISTRICTS WITH A CURRENT ACADEMIC DISTRESS COMMISSION.

To the committee on Primary and Secondary Education

H. B. No. 113 - Representatives Upchurch and Miller, J.

TO ALLOW THE CHIEF OF POLICE OF A MUNICIPAL CORPORATION TO CONDUCT TRAINING SCHOOLS FOR PROSPECTIVE LAW ENFORCEMENT OFFICERS.

To the committee on State and Local Government

H. B. No. 114 - Representative Jarrells

TO REQUIRE THE OHIO HISTORY CONNECTION TO DESIGNATE POINDEXTER VILLAGE AS A STATE HISTORIC SITE.

To the committee on State and Local Government

H. B. No. 115 - Representatives Ingram and Bird

TO ELIMINATE THE RIGHT OF FIRST REFUSAL FOR CERTAIN SCHOOLS IN THE ACQUISITION OF SCHOOL DISTRICT REAL PROPERTY.

To the committee on Primary and Secondary Education

H. B. No. 116 - Representative Baldrige

TO ENACT THE OHIO COMPUTER CRIMES ACT AND TO AMEND THE VERSION OF SECTION 109.572 OF THE REVISED CODE THAT IS SCHEDULED TO TAKE EFFECT OCTOBER 9, 2021, TO CONTINUE THE PROVISIONS OF THIS ACT ON AND AFTER THAT DATE.

To the committee on Criminal Justice

H. B. No. 117 - Representative Brinkman

REGARDING SCHOOL DISTRICT TERRITORY TRANSFERS AND TO DECLARE AN EMERGENCY.

To the committee on Primary and Secondary Education

H. B. No. 118 - Representatives Riedel and Stein

TO REQUIRE INCLUSION OF SAFETY SPECIFICATIONS IN WIND FARM CERTIFICATE APPLICATIONS, TO MODIFY WIND TURBINE SETBACKS, AND TO PERMIT A TOWNSHIP REFERENDUM VOTE ON CERTAIN WIND FARM AND SOLAR FACILITY CERTIFICATES.

To the committee on Public Utilities

H. B. No. 119 - Representatives Sweeney and Holmes

TO CREATE "THE OHIO AEROSPACE INSTITUTE" LICENSE PLATE.

To the committee on Transportation and Public Safety

H. B. No. 120 - Representatives Fraizer and Richardson

TO PERMIT COMPASSIONATE CARE VISITS IN LONG-TERM CARE FACILITIES DURING THE COVID-19 STATE OF EMERGENCY, TO ESTABLISH CRITERIA FOR THOSE VISITS, AND TO DECLARE AN EMERGENCY.

To the committee on Families, Aging, and Human Services

H. B. No. 121 - Representatives Lanese and Boggs

TO ELIMINATE THE SPOUSAL EXCEPTIONS FOR THE OFFENSES OF RAPE, SEXUAL BATTERY, UNLAWFUL SEXUAL CONDUCT WITH A MINOR, GROSS SEXUAL IMPOSITION, SEXUAL IMPOSITION, AND IMPORTUNING AND TO PERMIT A PERSON TO TESTIFY AGAINST THE PERSON'S SPOUSE IN A PROSECUTION FOR ANY OF THOSE OFFENSES.

To the committee on Criminal Justice

H. B. No. 122 - Representatives Fraizer and Holmes
TO ESTABLISH AND MODIFY REQUIREMENTS REGARDING THE
PROVISION OF TELEHEALTH SERVICES.

To the committee on Insurance

H. B. No. 123 - Representatives Fraizer and Cross
TO MODIFY THE LAW GOVERNING COMMUNITY REINVESTMENT
AREAS AND THE TERMS UNDER WHICH PROPERTY MAY BE
EXEMPTED IN SUCH AREAS.

To the committee on Ways and Means

H. B. No. 124 - Representatives Roemer and Young, B.
TO EQUALIZE THE PASS-THROUGH ENTITY WITHHOLDING AND
THE BUSINESS INCOME TAX RATE.

To the committee on Ways and Means

H. B. No. 125 - Representatives Crossman and Lightbody
REGARDING HEALTH INSURANCE PREMIUMS AND BENEFITS.

To the committee on Insurance

H. B. No. 126 - Representative Merrin
TO REQUIRE LOCAL GOVERNMENTS THAT CONTEST PROPERTY
VALUES TO FORMALLY PASS AN AUTHORIZING RESOLUTION FOR
EACH CONTEST AND TO NOTIFY PROPERTY OWNERS.

To the committee on Ways and Means

H. B. No. 127 - Representative Merrin
TO ESTABLISH RELIEF FOR BUSINESSES THAT HAVE VIOLATED
COVID-19 ORDERS BY VACATING AND EXPUNGING THE
VIOLATIONS AND BY REFUNDING FINES TO THOSE BUSINESSES
AND TO MAKE AN APPROPRIATION.

To the committee on State and Local Government

H. B. No. 128 - Representatives Hoops and Stein
TO MAKE CHANGES REGARDING ELECTRIC UTILITY SERVICE
LAW, TO REPEAL CERTAIN PROVISIONS OF H.B. 6 OF THE 133RD
GENERAL ASSEMBLY, AND TO PROVIDE REFUNDS TO RETAIL
ELECTRIC CUSTOMERS IN THE STATE.

To the committee on Public Utilities

S. B. No. 2 - Senator Gavarone
TO MAKE CHANGES TO THE REQUIREMENTS FOR COMPETENCY
EVALUATIONS AND MENTAL HEALTH TREATMENT IN CRIMINAL
CASES AND TO ENTER INTO THE PSYCHOLOGY
INTERJURISDICTIONAL COMPACT (PSYPACT).

To the committee on Criminal Justice

S. B. No. 8 - Senator McColley

REGARDING BROADBAND EXPANSION, INCLUDING ACCESS TO ELECTRIC COOPERATIVE EASEMENTS AND FACILITIES, AND TO MAKE AN APPROPRIATION.

To the committee on Finance

S. B. No. 11 - Senator Brenner

TO DESIGNATE FEBRUARY 7 TO 14 AS "CONGENITAL HEART DEFECT AWARENESS WEEK."

To the committee on Health

Sub. S. B. No. 18 - Senators Roegner and Schaffer

TO EXPRESSLY INCORPORATE CHANGES IN THE INTERNAL REVENUE CODE SINCE MARCH 27, 2020, INTO OHIO LAW, TO EXCLUDE CERTAIN LOAN AMOUNTS FORGIVEN UNDER FEDERAL LAW FROM THE COMMERCIAL ACTIVITY TAX, TO AUTHORIZE A COMMERCIAL ACTIVITY TAX EXCLUSION FOR BUREAU OF WORKERS' COMPENSATION DIVIDENDS PAID TO EMPLOYERS, AND TO DECLARE AN EMERGENCY.

To the committee on Ways and Means

ROBERT R. CUPP

EMILIA STRONG SYKES

KRISTIN BOGGS

RICK CARFAGNA

SCOTT OELSLAGER

BILL SEITZ

TIMOTHY E. GINTER

CINDY ABRAMS

RICHARD D. BROWN

DON JONES

PHIL PLUMMER

Representative Jones moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bills and Senate Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills and Senate Bills were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

Representative Sykes reported for the Rules and Reference committee recommending that the following House Concurrent Resolution and House Resolutions be introduced and referred to the following committees for consideration:

H. C. R. No. 4 - Representative Ingram

TO URGE THE UNITED STATES CONGRESS TO REVIEW AND EVALUATE CREDIT REPORTING AGENCIES AND HOW CREDIT SCORES AND CREDIT RATINGS CREATE ECONOMIC INEQUITIES.

To the committee on Financial Institutions

H. R. No. 18 - Representative Galonski

A RESOLUTION URGING CONGRESS TO AWARD A CONGRESSIONAL GOLD MEDAL TO THE LATE SENATOR JOHN GLENN AND THE LATE MRS. ANNIE GLENN.

To the committee on State and Local Government

H. R. No. 19 - Representatives Sobecki and Stephens

TO URGE THE UNITED STATES CONGRESS TO CREATE A NATIONAL INFRASTRUCTURE BANK TO FINANCE URGENTLY NEEDED INFRASTRUCTURE PROJECTS.

To the committee on Infrastructure and Rural Development

/s/ ROBERT R. CUPP

Robert R. Cupp, Chair

Representative Jones moved that the Rules and Reference committee report on resolutions be agreed to and that the House Concurrent Resolution and House Resolutions contained therein be introduced and referred as recommended.

The motion was agreed to.

Said House Concurrent Resolution and House Resolutions were introduced and referred as recommended.

Representative Sykes reported for the Rules and Reference committee recommending that the following resolution be read by title only and approved:

H. R. No. 17 - Representative Miller, J.

Honoring Saint Joseph Catholic Church on its One Hundred Fiftieth Anniversary.

/s/ ROBERT R. CUPP

Robert R. Cupp, Chair

Representative Jones moved that the Rules and Reference committee report on resolutions be agreed to and that the resolution contained therein be approved.

The motion was agreed to.

On motion of Representative Jones, the House adjourned until Thursday, February 18, 2021 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.