

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, MAY 12, 2021

FORTY-SEVENTH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, May 12, 2021, 1:00 o'clock p.m.

The House met pursuant to adjournment.

Prayer was offered by Pastor Brian Solomon of the Capitol Ministries in Columbus, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 307 - Representatives West, Leland.

Cosponsors: Representatives Boggs, Boyd, Denson, Sweeney, Smith, K., Galonski, Lightbody, Crossman, Brown, Miller, J., Skindell, Sheehy, Crawley, Weinstein.

To enact section 109.70 of the Revised Code to prohibit law enforcement agencies from using quotas for arrests and citations.

H. B. No. 308 - Representative Brown.

To amend section 4501.21 and to enact section 4503.703 of the Revised Code to create the "Loyal Order of the Moose" license plate.

H. B. No. 309 - Representative Brinkman.

Cosponsors: Representatives Koehler, Zeltwanger, Riedel, Fowler Arthur, Vitale.

To amend sections 4116.01, 4116.02, 4116.03, and 4116.04; to enact sections 4116.021, 4116.031, and 4116.05; and to repeal section 153.83 of the Revised Code to enact the Fair and Open Competition Act regarding project labor agreements in public improvement contracts.

Said bills were considered the first time.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS
FOR SECOND CONSIDERATION**

Representative Ingram submitted the following report:

The standing committee on Higher Education and Career Readiness to which was referred **H. B. No. 77**-Representatives Manchester, Sweeney, et al., having had the same under consideration, reports it back and recommends its passage.

RE: PERMIT HIGHER ED BOARD OF TRUSTEES ATTEND
ELECTRONICALLY

Representative Young, T. moved to amend the title as follows:

Add the name: "Ingram"

LAURA LANESE

CATHERINE D. INGRAM

THOMAS HALL

MARY LIGHTBODY

GAIL K. PAVLIGA

CASEY WEINSTEIN

TOM YOUNG

ADAM C. BIRD

MARILYN S. JOHN

JOSEPH A. MILLER III

KENT SMITH

The report was agreed to.

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

Representative Robinson submitted the following report:

The standing committee on Primary and Secondary Education to which was referred **H. B. No. 244**-Representatives White, Lampton, et. al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: REGARDS EDUCATIONAL OPPORTUNITIES/ENROLLMENT
MILITARY KIDS

Representative Bird moved to amend the title as follows:

Add the names: "Manning, Robinson, Fowler Arthur, Ingram, Jones, Lightbody, Miller, J., Sobecki"

Representative Bird moved to amend as follows:

In line 11, delete "Local" and insert "In order to minimize disruptions, local"

In line 13, delete "in order to minimize disruptions"

In line 15, delete "and from" and insert "or within"

In line 16, after "another." insert "Local education agencies also shall permit such students to participate in technology-based opportunities when those students' families receive permanent change of station orders out of the state until such time as the students are enrolled in the schools of a new local education agency."

In line 18, delete "section" and insert "sections"; after "3301.60" insert "and 3301.601"

In line 20, after "to" insert "or within"

In line 30, delete "the student begins"

In line 31, delete "attending a" and insert "establishing residence in the"; delete "school"

The motion was agreed to and the bill so amended.

GAYLE MANNING	ADAM C. BIRD
PHILLIP M. ROBINSON, JR.	GARY CLICK
SARAH FOWLER ARTHUR	CATHERINE D. INGRAM
DON JONES	MARY LIGHTBODY
SUSAN MANCHESTER	JOSEPH A. MILLER III
GAIL K. PAVLIGA	TRACY M. RICHARDSON
LISA A. SOBECKI	D. J. SWEARINGEN

The report was agreed to.

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

Representative Russo submitted the following report:

The standing committee on Health to which was referred **H. B. No. 247-** Representatives West, Kelly, having had the same under consideration, reports it back and recommends its passage.

RE: REVISE PLUMBING INSPECTION LAW

Representative Russo moved to amend the title as follows:

Add the name: "Russo"

P. SCOTT LIPPS	ADAM HOLMES
C. ALLISON RUSSO	ADAM C. BIRD
AL CUTRONA	TIMOTHY E. GINTER
JENNIFER GROSS	BETH LISTON
SUSAN MANCHESTER	PHIL PLUMMER
BRIAN STEWART	TERRENCE UPCHURCH
THOMAS WEST	ANDREA WHITE
TOM YOUNG	

The report was agreed to.

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

Representative Crawley submitted the following report:

The standing committee on Finance to which was referred **Sub. H. B. No. 75-** Representative Oelslager, having had the same under consideration, reports it back and recommends its passage.

RE: ENACT FY 2022-2023 WORKERS' COMPENSATION BUDGET

SCOTT OELSLAGER	PHIL PLUMMER
ERICA C. CRAWLEY	CINDY ABRAMS

JAMIE CALLENDER
SARA P. CARRUTHERS
JAY EDWARDS
JAMES M. HOOPS
JEFF LARE
MICHAEL J. O'BRIEN
TRACY M. RICHARDSON
C. ALLISON RUSSO
MICHAEL J. SKINDELL
REGGIE STOLTZFUS
BRIDE ROSE SWEENEY
THOMAS WEST

RICK CARFAGNA
JON CROSS
HARAZ N. GHANBARI
DONTAVIUS L. JARRELLS
P. SCOTT LIPPS
THOMAS F. PATTON
BILL ROEMER
JEAN SCHMIDT
JASON STEPHENS
D. J. SWEARINGEN
DANIEL P. TROY
SHANE WILKIN

The following members voted "NO"

PAULA HICKS-HUDSON

BRIGID KELLY

The report was agreed to.

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

MOTIONS AND RESOLUTIONS

Representative Sykes reported for the Rules and Reference committee recommending that the following House Resolution be read and approved:

H. R. No. 59 - Speaker Cupp, Representatives Sykes, Abrams, Baldridge, Bird, Blackshear, Boggs, Boyd, Brent, Brinkman, Brown, Callender, Carfagna, Carruthers, Click, Crawley, Creech, Cross, Crossman, Cutrona, Dean, Denson, Edwards, Ferguson, Fowler Arthur, Fraizer, Galonski, Ghanbari, Ginter, Grendell, Gross, Hall, Hicks-Hudson, Hillyer, Holmes, Hoops, Householder, Howse, Ingram, Jarrells, John, Johnson, Jones, Jordan, Kelly, Kick, Koehler, Lampton, Lanese, LaRe, Leland, Lepore-Hagan, Lightbody, Lipps, Liston, Loychik, Manchester, Manning, McClain, Merrin, Miller, A., Miller, J., Miranda, O'Brien, Oelslager, Patton, Pavliga, Plummer, Powell, Ray, Richardson, Riedel, Robinson, Roemer, Russo, Schmidt, Seitz, Sheehy, Skindell, Smith, K., Smith, M., Sobecki, Stein, Stephens, Stewart, Stoltzfus, Swearingen, Sweeney, Troy, Upchurch, Vitale, Weinstein, West, White, Wiggam, Wilkin, Young, B., Young, T., Zeltwanger

In memory of the Honorable James Patrick Celebrezze.

/s/ROBERT R. CUPP

Robert R. Cupp, Chair

Representative Ginter moved that the Rules and Reference committee report on resolutions be agreed to and that the resolution contained therein be brought up for immediate adoption, read in full, and spread upon the pages of the journal.

The motion was agreed to without objection.

The question being on the adoption of the resolution, reading as follows:

H. R. No. 59—Speaker Cupp, Representatives Sykes, Abrams, Baldrige, Bird, Blackshear, Boggs, Boyd, Brent, Brinkman, Brown, Callender, Carfagna, Carruthers, Click, Crawley, Creech, Cross, Crossman, Cutrona, Dean, Denson, Edwards, Ferguson, Fowler Arthur, Fraizer, Galonski, Ghanbari, Ginter, Grendell, Gross, Hall, Hicks-Hudson, Hillyer, Holmes, Hoops, Householder, Howse, Ingram, Jarrells, John, Johnson, Jones, Jordan, Kelly, Kick, Koehler, Lampton, Lanese, LaRe, Leland, Lepore-Hagan, Lightbody, Lipps, Liston, Loychik, Manchester, Manning, McClain, Merrin, Miller, A., Miller, J., Miranda, O'Brien, Oelslager, Patton, Pavliga, Plummer, Powell, Ray, Richardson, Riedel, Robinson, Roemer, Russo, Schmidt, Seitz, Sheehy, Skindell, Smith, K., Smith, M., Sobecki, Stein, Stephens, Stewart, Stoltzfus, Swearingen, Sweeney, Troy, Upchurch, Vitale, Weinstein, West, White, Wiggam, Wilkin, Young, B., Young, T., Zeltwanger.

In memory of the Honorable James Patrick Celebrezze.

WHEREAS, The members of the House of Representatives of the 134th General Assembly of Ohio were deeply saddened to learn of the death of the Honorable James Patrick Celebrezze and extend our heartfelt condolences to his family and friends; and

WHEREAS, Jim Celebrezze's zealous love of life and his selfless concern for the welfare of others distinguished him as an outstanding human being and as an exemplary public servant. Among his endeavors, he was a veteran of the U.S. Army, a judge with the U.S. Naval Reserve Judge Advocate General Corps, from which he retired after twenty-four years of service with the rank of commander, and an attorney in private practice with Celebrezze Group, LLC. Committed to his family's tradition of servant leadership, he was elected to the Ohio House of Representatives from 1963 to 1973, and he furthered his legal career as the law director for the cities of Brook Park and Broadview Heights, the 138th justice on the Ohio State Supreme Court, and a judge for the Eighth District Court of Appeals and the Cuyahoga County Court of Common Pleas Domestic Relations Division, from which he retired; and

WHEREAS, Jim Celebrezze will be remembered fondly by all those who knew and loved him, and his absence will leave an irreparable void in

our society. He was admired by friends and family alike for his positive philosophy of life and his dedication to others, and his generosity, talents, and seemingly inexhaustible energy are a pleasure to recall; and

WHEREAS, Jim Celebrezze made the world much fuller, especially for the individuals who had a treasured relationship with him, including his wife, Daria, his children, James, Leslie, and Nicholas, and his grandchildren, Halle, Nina, Jimmy, Ian, Camille, William, and Luka. It is our hope that those he left behind can find strength in the love of family, warmth in the embrace of friends, and solace in the happy memories of this truly unique man. Clearly, the State of Ohio is a richer place for his having been in it, and the vitality and commitment of this exceptional human being has left an enduring legacy; therefore be it

RESOLVED, That we, the members of the House of Representatives of the 134th General Assembly of Ohio, in adopting this Resolution, express a profound sense of loss and sincere regret at the death of the Honorable James Patrick Celebrezze and, in so doing, pay tribute to the memory of a truly unique individual; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit a duly authenticated copy of this Resolution to the family of the Honorable James Patrick Celebrezze.

The resolution was adopted.

Representative Sykes reported for the Rules and Reference committee recommending that the following House Resolution be read and approved:

H. R. No. 60 - Speaker Cupp, Representatives Sykes, Click, Abrams, Baldridge, Bird, Blackshear, Boggs, Boyd, Brent, Brinkman, Brown, Callender, Carfagna, Carruthers, Crawley, Creech, Cross, Crossman, Cutrona, Dean, Denson, Edwards, Ferguson, Fowler Arthur, Fraizer, Galonski, Ghanbari, Ginter, Grendell, Gross, Hall, Hicks-Hudson, Hillyer, Holmes, Hoops, Householder, Howse, Ingram, Jarrells, John, Johnson, Jones, Jordan, Kelly, Kick, Koehler, Lampton, Lanese, LaRe, Leland, Lepore-Hagan, Lightbody, Lipps, Liston, Loychik, Manchester, Manning, McClain, Merrin, Miller, A., Miller, J., Miranda, O'Brien, Oelslager, Patton, Pavliga, Plummer, Powell, Ray, Richardson, Riedel, Robinson, Roemer, Russo, Schmidt, Seitz, Sheehy, Skindell, Smith, K., Smith, M., Sobecki, Stein, Stephens, Stewart, Stoltzfus, Swearingen, Sweeney, Troy, Upchurch, Vitale, Weinstein, West, White, Wiggam, Wilkin, Young, B., Young, T., Zeltwanger

In memory of Dwight Wise.

/s/ROBERT R. CUPP

Robert R. Cupp, Chair

Representative Ginter moved that the Rules and Reference committee report on resolutions be agreed to and that the resolution contained therein be brought up for immediate adoption, read in full, and spread upon the pages of the journal.

The motion was agreed to without objection.

The question being on the adoption of the resolution, reading as follows:

H. R. No. 60—Speaker Cupp, Representatives Sykes, Click, Abrams, Baldridge, Bird, Blackshear, Boggs, Boyd, Brent, Brinkman, Brown, Callender, Carfagna, Carruthers, Crawley, Creech, Cross, Crossman, Cutrona, Dean, Denson, Edwards, Ferguson, Fowler Arthur, Fraizer, Galonski, Ghanbari, Ginter, Grendell, Gross, Hall, Hicks-Hudson, Hillyer, Holmes, Hoops, Householder, Howse, Ingram, Jarrells, John, Johnson, Jones, Jordan, Kelly, Kick, Koehler, Lampton, Lanese, LaRe, Leland, Lepore-Hagan, Lightbody, Lipps, Liston, Loychik, Manchester, Manning, McClain, Merrin, Miller, A., Miller, J., Miranda, O'Brien, Oelslager, Patton, Pavliga, Plummer, Powell, Ray, Richardson, Riedel, Robinson, Roemer, Russo, Schmidt, Seitz, Sheehy, Skindell, Smith, K., Smith, M., Sobecki, Stein, Stephens, Stewart, Stoltzfus, Swearingen, Sweeney, Troy, Upchurch, Vitale, Weinstein, West, White, Wiggam, Wilkin, Young, B., Young, T., Zeltwanger.

In memory of Dwight Wise.

WHEREAS, The members of the House of Representatives of the 134th General Assembly of Ohio were deeply saddened to learn of the death of Dwight Wise and extend our heartfelt condolences to his family and friends; and

WHEREAS, Dwight Wise left an indelible impression on the people whose lives he touched, and he will be remembered as an extensive listener and a spiritual individual who contributed immeasurably to the world around him. Following his father's example of public service, which included working with the United States Department of Agriculture under the Roosevelt administration and serving as chair of the Agricultural Stabilization and Conservation Service under the Kennedy and Johnson administrations, he served the 85th House District for twelve years in the Ohio General Assembly, where he advanced to become chairman of the House Agriculture and Natural Resources Committee. During his political career, he promoted collective bargaining and mandatory arbitration for teachers, and he was instrumental in the success of such projects as securing funds for the Water Quality Lab at Heidelberg College and the expansion of Capital Aluminum, increasing business activity through the construction of the Fifth Street exit on the bypass in Sandusky County, expanding State

Route 18 in Seneca County, and preserving the Pickerel Creek Wildlife Area near Vickery. Indeed, his love for Ohio and his sincere desire to serve its people to the best of his ability showed him to be a truly concerned and responsible public servant; and

WHEREAS, A third-generation livestock, dairy, and grain farmer, Dwight Wise actively improved the quality of life in our society by serving as a member of numerous organizations, including First United Church of Christ, the Fremont Kiwanis, the Lakota Board of Education, the Terra Technical College Board of Trustees, the Vanguard Vocational Board, and the Ohio Farmers Union, for which he authored its educational policy, and his regard for his family, friends, and community was clearly evident in his personal sacrifices of time and effort. Giving generously of his energy and abilities in all of his endeavors, he displayed exceptional concern and insight, and his absence will be keenly felt; and

WHEREAS, A loving husband to his wife, the late Darlene, a devoted father to his three children, Sandy, Geary, and Gail, and a doting grandfather to his seven grandchildren, Dan, Abby,Carolynn, Andrea, Jackie, Ryan, and Logan, and eight great-grandchildren, Nolan, Raya, Graham, Mabel, Silas, Gavyn, Evelyn, and Emryn, Dwight Wise always used his talents to the benefit of others, and the laurels of his life stand as a tribute not only to him but also to those he left behind. Although the void his death has created can never be filled, the legacy of care and commitment he established will surely live on. The world is a richer place for his having been in it, and he will be sorely missed; therefore be it

RESOLVED, That we, the members of the House of Representatives of the 134th General Assembly of Ohio, in adopting this Resolution, express a profound sense of loss and sincere regret at the death of Dwight Wise and, in so doing, pay tribute to the memory of a truly unique individual; and be it further

RESOLVED, That the Clerk of the House of Representatives transmit a duly authenticated copy of this Resolution to the family of Dwight Wise.

The resolution was adopted.

Representative Jones moved that majority party members asking leave to be absent or absent the week of Wednesday, May 12, 2021, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Brown moved that minority party members asking leave to be absent or absent the week of Wednesday, May 12, 2021, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

BILLS FOR THIRD CONSIDERATION**Sub. H. B. No. 75**-Representative Oelslager.

To amend sections 4121.43, 4123.57, 4123.58, and 4123.85 of the Revised Code to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2021, and ending June 30, 2023, to provide authorization and conditions for the operation of the Bureau's programs, and to make changes to the Workers' Compensation Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Boggs moved to amend, amendment 1223, as follows:

In line 1 of the title, after "4121.43," insert "4123.01, 4123.026, 4123.46,"

In line 2 of the title, after "4123.85" insert "; to enact sections 145.364, 742.391, 3309.402, 4123.87, and 5505.182; and to repeal section 126.65"; after "Code" insert "; and to repeal Section 2 of H.B. 308 of the 133rd General Assembly"

After line 611, insert:

"Section 9. That sections 4123.01, 4123.026, and 4123.46 be amended and sections 145.364, 742.391, 3309.402, 4123.87, and 5505.182 of the Revised Code be enacted to read as follows:

Sec. 145.364. Upon determining that a member's post-traumatic stress disorder, without an accompanying physical injury, qualifies that member for a disability benefit under section 145.36 or 145.361 of the Revised Code, the public employees retirement board, notwithstanding the exceptions to public inspection in division (A)(2) of section 145.27 of the Revised Code or the privileges contained in division (B) of that section, shall notify the administrator of workers' compensation of all of the following:

(A) The name of the member;

(B) That the member's post-traumatic stress disorder, without an accompanying physical injury, qualifies that member for a disability benefit under section 145.36 or 145.361 of the Revised Code;

(C) The effective date of the member's disability benefit;

(D) The date that payments for the member's disability benefit commence.

Sec. 742.391. Upon determining that a member's post-traumatic stress disorder, without an accompanying physical injury, qualifies that member for a disability benefit under section 742.38 or 742.39 of the Revised Code, the board of trustees of the Ohio police and fire pension fund, notwithstanding

the exceptions to public inspection in division (B) of section 742.41 of the Revised Code or the privileges contained in division (C) of that section, shall notify the administrator of workers' compensation of all of the following:

(A) The name of the member;

(B) That the member's post-traumatic stress disorder, without an accompanying physical injury, qualifies that member for a disability benefit under section 742.38 or 742.39 of the Revised Code;

(C) The effective date of the member's disability benefit;

(D) The date that payments for the member's disability benefit commence.

Sec. 3309.402. Upon determining that a member's post-traumatic stress disorder, without an accompanying physical injury, qualifies that member for a disability benefit under section 3309.35, 3309.40, or 3309.401 of the Revised Code, the school employees retirement board, notwithstanding the exceptions to public inspection in division (A)(2) of section 3309.22 of the Revised Code or the privileges contained in division (B) of that section, shall notify the administrator of workers' compensation of all of the following:

(A) The name of the member;

(B) That the member's post-traumatic stress disorder, without an accompanying physical injury, qualifies that member for a disability benefit under section 3309.35, 3309.40, or 3309.401 of the Revised Code;

(C) The effective date of the member's disability benefit;

(D) The date that payments for the member's disability benefit commence.

Sec. 4123.01. As used in this chapter:

(A)(1) "Employee" means:

(a) Every person in the service of the state, or of any county, municipal corporation, township, or school district therein, including regular members of lawfully constituted police and fire departments of municipal corporations and townships, whether paid or volunteer, and wherever serving within the state or on temporary assignment outside thereof, and executive officers of boards of education, under any appointment or contract of hire, express or implied, oral or written, including any elected official of the state, or of any county, municipal corporation, or township, or members of boards of education.

As used in division (A)(1)(a) of this section, the term "employee" includes the following persons when responding to an inherently dangerous situation that calls for an immediate response on the part of the person, regardless of whether the person is within the limits of the jurisdiction of the

person's regular employment or voluntary service when responding, on the condition that the person responds to the situation as the person otherwise would if the person were on duty in the person's jurisdiction:

~~(i) Off-duty peace officers. As used in division (A)(1)(a)(i) of this section, "peace officer" has the same meaning as in section 2935.01 of the Revised Code.;~~

~~(ii) Off-duty firefighters, whether paid or volunteer, of a lawfully constituted fire department.;~~

~~(iii) Off-duty first responders, emergency medical technicians-basic, emergency medical technicians-intermediate, or emergency medical technicians-paramedic, whether paid or volunteer, emergency medical workers of an ambulance service organization or emergency medical service organization pursuant to Chapter 4765. of the Revised Code.~~

(b) Every person in the service of any person, firm, or private corporation, including any public service corporation, that (i) employs one or more persons regularly in the same business or in or about the same establishment under any contract of hire, express or implied, oral or written, including aliens and minors, household workers who earn one hundred sixty dollars or more in cash in any calendar quarter from a single household and casual workers who earn one hundred sixty dollars or more in cash in any calendar quarter from a single employer, or (ii) is bound by any such contract of hire or by any other written contract, to pay into the state insurance fund the premiums provided by this chapter.

(c) Every person who performs labor or provides services pursuant to a construction contract, as defined in section 4123.79 of the Revised Code, if at least ten of the following criteria apply:

(i) The person is required to comply with instructions from the other contracting party regarding the manner or method of performing services;

(ii) The person is required by the other contracting party to have particular training;

(iii) The person's services are integrated into the regular functioning of the other contracting party;

(iv) The person is required to perform the work personally;

(v) The person is hired, supervised, or paid by the other contracting party;

(vi) A continuing relationship exists between the person and the other contracting party that contemplates continuing or recurring work even if the work is not full time;

(vii) The person's hours of work are established by the other contracting party;

(viii) The person is required to devote full time to the business of the other contracting party;

(ix) The person is required to perform the work on the premises of the other contracting party;

(x) The person is required to follow the order of work set by the other contracting party;

(xi) The person is required to make oral or written reports of progress to the other contracting party;

(xii) The person is paid for services on a regular basis such as hourly, weekly, or monthly;

(xiii) The person's expenses are paid for by the other contracting party;

(xiv) The person's tools and materials are furnished by the other contracting party;

(xv) The person is provided with the facilities used to perform services;

(xvi) The person does not realize a profit or suffer a loss as a result of the services provided;

(xvii) The person is not performing services for a number of employers at the same time;

(xviii) The person does not make the same services available to the general public;

(xix) The other contracting party has a right to discharge the person;

(xx) The person has the right to end the relationship with the other contracting party without incurring liability pursuant to an employment contract or agreement.

Every person in the service of any independent contractor or subcontractor who has failed to pay into the state insurance fund the amount of premium determined and fixed by the administrator of workers' compensation for the person's employment or occupation or who is a self-insuring employer and who has failed to pay compensation and benefits directly to the employer's injured and to the dependents of the employer's killed employees as required by section 4123.35 of the Revised Code, shall be considered as the employee of the person who has entered into a contract, whether written or verbal, with such independent contractor unless such employees or their legal representatives or beneficiaries elect, after injury or death, to regard such independent contractor as the employer.

(d) Every person who operates a vehicle or vessel in the performance of services for or on behalf of a motor carrier transporting property, unless all of the following factors apply to the person:

(i) The person owns the vehicle or vessel that is used in performing the services for or on behalf of the carrier, or the person leases the vehicle or vessel under a bona fide lease agreement that is not a temporary replacement lease agreement. For purposes of this division, a bona fide lease agreement does not include an agreement between the person and the motor carrier transporting property for which, or on whose behalf, the person provides services.

(ii) The person is responsible for supplying the necessary personal services to operate the vehicle or vessel used to provide the service.

(iii) The compensation paid to the person is based on factors related to work performed, including on a mileage-based rate or a percentage of any schedule of rates, and not solely on the basis of the hours or time expended.

(iv) The person substantially controls the means and manner of performing the services, in conformance with regulatory requirements and specifications of the shipper.

(v) The person enters into a written contract with the carrier for whom the person is performing the services that describes the relationship between the person and the carrier to be that of an independent contractor and not that of an employee.

(vi) The person is responsible for substantially all of the principal operating costs of the vehicle or vessel and equipment used to provide the services, including maintenance, fuel, repairs, supplies, vehicle or vessel insurance, and personal expenses, except that the person may be paid by the carrier the carrier's fuel surcharge and incidental costs, including tolls, permits, and lumper fees.

(vii) The person is responsible for any economic loss or economic gain from the arrangement with the carrier.

(2) "Employee" does not mean any of the following:

(a) A duly ordained, commissioned, or licensed minister or assistant or associate minister of a church in the exercise of ministry;

(b) Any officer of a family farm corporation;

(c) An individual incorporated as a corporation;

(d) An officer of a nonprofit corporation, as defined in section 1702.01 of the Revised Code, who volunteers the person's services as an officer;

(e) An individual who otherwise is an employee of an employer but who signs the waiver and affidavit specified in section 4123.15 of the Revised Code on the condition that the administrator has granted a waiver and exception to the individual's employer under section 4123.15 of the Revised Code;

(f)(i) A qualifying employee described in division (A)(14)(a) of section 5703.94 of the Revised Code when the qualifying employee is performing disaster work in this state during a disaster response period pursuant to a qualifying solicitation received by the employee's employer;

(ii) A qualifying employee described in division (A)(14)(b) of section 5703.94 of the Revised Code when the qualifying employee is performing disaster work in this state during a disaster response period on critical infrastructure owned or used by the employee's employer;

(iii) As used in division (A)(2)(f) of this section, "critical infrastructure," "disaster response period," "disaster work," and "qualifying employee" have the same meanings as in section 5703.94 of the Revised Code.

Any employer may elect to include as an "employee" within this chapter, any person excluded from the definition of "employee" pursuant to division (A)(1)(d) or (A)(2)(a), (b), (c), or (e) of this section in accordance with rules adopted by the administrator, with the advice and consent of the bureau of workers' compensation board of directors. If an employer is a partnership, sole proprietorship, individual incorporated as a corporation, or family farm corporation, such employer may elect to include as an "employee" within this chapter, any member of such partnership, the owner of the sole proprietorship, the individual incorporated as a corporation, or the officers of the family farm corporation. Nothing in this section shall prohibit a partner, sole proprietor, or any person excluded from the definition of "employee" pursuant to division (A)(2)(a), (b), (c), or (e) of this section from electing to be included as an "employee" under this chapter in accordance with rules adopted by the administrator, with the advice and consent of the board.

In the event of an election, the employer or person electing coverage shall serve upon the bureau of workers' compensation written notice naming the person to be covered and include the person's remuneration for premium purposes in all future payroll reports. No partner, sole proprietor, or person excluded from the definition of "employee" pursuant to division (A)(1)(d) or (A)(2)(a), (b), (c), or (e) of this section, shall receive benefits or compensation under this chapter until the bureau receives written notice of the election permitted by this section.

For informational purposes only, the bureau shall prescribe such language as it considers appropriate, on such of its forms as it considers appropriate, to advise employers of their right to elect to include as an "employee" within this chapter a sole proprietor, any member of a partnership, or a person excluded from the definition of "employee" under division (A)(1)(d) or (A)(2)(a), (b), (c), or (e) of this section, that they should check any health and disability insurance policy, or other form of health and

disability plan or contract, presently covering them, or the purchase of which they may be considering, to determine whether such policy, plan, or contract excludes benefits for illness or injury that they might have elected to have covered by workers' compensation.

(B)(1) "Employer" means:

(a) The state, including state hospitals, each county, municipal corporation, township, school district, and hospital owned by a political subdivision or subdivisions other than the state;

(b) Every person, firm, professional employer organization, alternate employer organization, and private corporation, including any public service corporation, that (i) has in service one or more employees or shared employees regularly in the same business or in or about the same establishment under any contract of hire, express or implied, oral or written, or (ii) is bound by any such contract of hire or by any other written contract, to pay into the insurance fund the premiums provided by this chapter.

All such employers are subject to this chapter. Any member of a firm or association, who regularly performs manual labor in or about a mine, factory, or other establishment, including a household establishment, shall be considered an employee in determining whether such person, firm, or private corporation, or public service corporation, has in its service, one or more employees and the employer shall report the income derived from such labor to the bureau as part of the payroll of such employer, and such member shall thereupon be entitled to all the benefits of an employee.

(2) "Employer" does not include a franchisor with respect to the franchisor's relationship with a franchisee or an employee of a franchisee, unless the franchisor agrees to assume that role in writing or a court of competent jurisdiction determines that the franchisor exercises a type or degree of control over the franchisee or the franchisee's employees that is not customarily exercised by a franchisor for the purpose of protecting the franchisor's trademark, brand, or both. For purposes of this division, "franchisor" and "franchisee" have the same meanings as in 16 C.F.R. 436.1.

(C) "Injury" includes any injury, whether caused by external accidental means or accidental in character and result, received in the course of, and arising out of, the injured employee's employment. "Injury" does not include:

(1) Psychiatric conditions except where as follows:

(a) Where the claimant's psychiatric conditions have arisen from an injury or occupational disease sustained by that claimant ~~or where~~;

(b) Where the claimant's psychiatric conditions have arisen from sexual conduct in which the claimant was forced by threat of physical harm to engage or participate;

(c) Where the claimant is a peace officer, firefighter, or emergency medical worker and is diagnosed with post-traumatic stress disorder that has been received in the course of, and has arisen out of, the claimant's employment as a peace officer, firefighter, or emergency medical worker.

(2) Injury or disability caused primarily by the natural deterioration of tissue, an organ, or part of the body;

(3) Injury or disability incurred in voluntary participation in an employer-sponsored recreation or fitness activity if the employee signs a waiver of the employee's right to compensation or benefits under this chapter prior to engaging in the recreation or fitness activity;

(4) A condition that pre-existed an injury unless that pre-existing condition is substantially aggravated by the injury. Such a substantial aggravation must be documented by objective diagnostic findings, objective clinical findings, or objective test results. Subjective complaints may be evidence of such a substantial aggravation. However, subjective complaints without objective diagnostic findings, objective clinical findings, or objective test results are insufficient to substantiate a substantial aggravation.

(D) "Child" includes a posthumous child and a child legally adopted prior to the injury.

(E) "Family farm corporation" means a corporation founded for the purpose of farming agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are persons or the spouse of persons related to each other within the fourth degree of kinship, according to the rules of the civil law, and at least one of the related persons is residing on or actively operating the farm, and none of whose stockholders are a corporation. A family farm corporation does not cease to qualify under this division where, by reason of any devise, bequest, or the operation of the laws of descent or distribution, the ownership of shares of voting stock is transferred to another person, as long as that person is within the degree of kinship stipulated in this division.

(F) "Occupational disease" means a disease contracted in the course of employment, which by its causes and the characteristics of its manifestation or the condition of the employment results in a hazard which distinguishes the employment in character from employment generally, and the employment creates a risk of contracting the disease in greater degree and in a different manner from the public in general.

(G) "Self-insuring employer" means an employer who is granted the privilege of paying compensation and benefits directly under section 4123.35 of the Revised Code, including a board of county commissioners for the sole purpose of constructing a sports facility as defined in section 307.696 of the Revised Code, provided that the electors of the county in which the sports facility is to be built have approved construction of a sports facility by ballot

election no later than November 6, 1997.

(H) "Private employer" means an employer as defined in division (B) (1)(b) of this section.

(I) "Professional employer organization" has the same meaning as in section 4125.01 of the Revised Code.

(J) "Public employer" means an employer as defined in division (B) (1)(a) of this section.

(K) "Sexual conduct" means vaginal intercourse between a male and female; anal intercourse, fellatio, and cunnilingus between persons regardless of gender; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal cavity of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.

(L) "Other-states' insurer" means an insurance company that is authorized to provide workers' compensation insurance coverage in any of the states that permit employers to obtain insurance for workers' compensation claims through insurance companies.

(M) "Other-states' coverage" means both of the following:

(1) Insurance coverage secured by an eligible employer for workers' compensation claims of employees who are in employment relationships localized in a state other than this state or those employees' dependents;

(2) Insurance coverage secured by an eligible employer for workers' compensation claims that arise in a state other than this state where an employer elects to obtain coverage through either the administrator or an other-states' insurer.

(N) "Limited other-states coverage" means insurance coverage provided by the administrator to an eligible employer for workers' compensation claims of employees who are in an employment relationship localized in this state but are temporarily working in a state other than this state, or those employees' dependents.

(O) "Motor carrier" has the same meaning as in section 4923.01 of the Revised Code.

(P) "Alternate employer organization" has the same meaning as in section 4133.01 of the Revised Code.

(Q) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.

(R) "Firefighter" means a firefighter, whether paid or volunteer, of a lawfully constituted fire department.

(S) "Emergency medical worker" means a first responder, emergency medical technician-basic, emergency medical technician-intermediate, or

emergency medical technician-paramedic, certified under Chapter 4765. of the Revised Code, whether paid or volunteer.

Sec. 4123.026. (A) The administrator of workers' compensation, a self-insuring public employer for the peace officers, firefighters, and emergency medical workers employed by or volunteering for that self-insuring public employer, or a detention facility that is a self-insuring employer for the facility's employees, including corrections officers, shall pay the costs of conducting post-exposure medical diagnostic services, consistent with the standards of medical care existing at the time of the exposure, to investigate whether an injury or occupational disease was sustained by a peace officer, firefighter, emergency medical worker, or detention facility employee, including a corrections officer, when coming into contact with the blood or other body fluid of another person in the course of and arising out of the peace officer's, firefighter's, emergency medical worker's, or detention facility employee's employment, or when responding to an inherently dangerous situation in the manner described in, and in accordance with the conditions specified under, division (A)(1)(a) of section 4123.01 of the Revised Code, through any of the following means:

(1) Splash or spatter in the eye or mouth, including when received in the course of conducting mouth-to-mouth resuscitation;

(2) A puncture in the skin;

(3) A cut in the skin or another opening in the skin such as an open sore, wound, lesion, abrasion, or ulcer.

(B) The administrator, a self-insuring public employer, or a detention facility that is a self-insuring employer shall pay the costs of conducting post-exposure medical diagnostic services to investigate whether an employee described in division (A) of this section sustained an injury or occupational disease if both of the following apply:

(1) In the course of employment the employee is exposed to a drug or other chemical substance.

(2) The post-exposure medical diagnostic service is consistent with the standards of medical care existing at the time of exposure.

(C) As used in this section:

(1) ~~"Peace officer" has the same meaning as in section 2935.01 of the Revised Code.~~

(2) ~~"Firefighter" means a firefighter, whether paid or volunteer, of a lawfully constituted fire department.~~

(3) ~~"Emergency medical worker" means a first responder, emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic, certified under Chapter 4765. of the Revised Code, whether paid or volunteer.~~

(4) "Corrections officer" means a person employed by a detention facility as a corrections officer.

(5)(2) "Detention facility" means any public or private place used for the confinement of a person charged with or convicted of any crime in this state or another state or under the laws of the United States or alleged or found to be a delinquent child or unruly child in this state or another state or under the laws of the United States.

Sec. 4123.46. (A)(1) Except as provided in division (A)(2) of this section, the bureau of workers' compensation shall disburse the state insurance fund to employees of employers who have paid into the fund the premiums applicable to the classes to which they belong when the employees have been injured in the course of their employment, wherever the injuries have occurred, and provided the injuries have not been purposely self-inflicted, or to the dependents of the employees in case death has ensued.

(2) As long as injuries have not been purposely self-inflicted, the bureau shall disburse the surplus fund created under section 4123.34 of the Revised Code to off-duty peace officers, firefighters, and emergency medical technicians, and first responders workers, or to their dependents if death ensues, who are injured while responding to inherently dangerous situations that call for an immediate response on the part of the person, regardless of whether the person was within the limits of the person's jurisdiction when responding, on the condition that the person responds to the situation as the person otherwise would if the person were on duty in the person's jurisdiction.

~~As used in division (A)(2) of this section, "peace officer," "firefighter," "emergency medical technician," "first responder," and "jurisdiction" have the same meanings as in section 4123.01 of the Revised Code.~~

(B) All self-insuring employers, in compliance with this chapter, shall pay the compensation to injured employees, or to the dependents of employees who have been killed in the course of their employment, unless the injury or death of the employee was purposely self-inflicted, and shall furnish the medical, surgical, nurse, and hospital care and attention or funeral expenses as would have been paid and furnished by virtue of this chapter under a similar state of facts by the bureau out of the state insurance fund if the employer had paid the premium into the fund.

If any rule or regulation of a self-insuring employer provides for or authorizes the payment of greater compensation or more complete or extended medical care, nursing, surgical, and hospital attention, or funeral expenses to the injured employees, or to the dependents of the employees as may be killed, the employer shall pay to the employees, or to the dependents of employees killed, the amount of compensation and furnish the medical

care, nursing, surgical, and hospital attention or funeral expenses provided by the self-insuring employer's rules and regulations.

(C) Payment to injured employees, or to their dependents in case death has ensued, is in lieu of any and all rights of action against the employer of the injured or killed employees.

Sec. 4123.87. (A) No claimant shall be entitled to compensation or benefits under this chapter for an injury described in division (C)(1)(c) of section 4123.01 of the Revised Code for any period of time during which the claimant received a disability benefit or disability retirement from the public employees retirement system, the Ohio police and fire pension fund, the school employees retirement system, or the state highway patrol retirement system.

(B) If a claimant receives an award of compensation or benefits under this chapter or Chapter 4121., 4127., or 4131. of the Revised Code for an injury described in division (C)(1)(c) of section 4123.01 of the Revised Code for the same time period for which the claimant received a disability benefit or disability retirement from the public employees retirement system, the Ohio police and fire pension fund, the school employees retirement system, or the state highway patrol retirement system, the administrator or any self-insuring employer, by any lawful means, may collect from the employee or the employee's dependents any of the following:

(1) The amount of compensation or benefits paid to the claimant by the administrator or a self-insuring employer pursuant to this chapter or Chapter 4121., 4127., or 4131. of the Revised Code for that time period;

(2) Any interest, attorney's fees, and costs the administrator or the self-insuring employer incurs in collecting that payment.

Sec. 5505.182. Upon determining that a member's post-traumatic stress disorder, without an accompanying physical injury, qualifies that member for disability retirement under section 5505.18 of the Revised Code, the state highway patrol retirement board, notwithstanding the exceptions to public inspection in division (C)(2) of section 5505.04 of the Revised Code or the privileges contained in division (D) of that section, shall notify the administrator of workers' compensation of all of the following:

(A) The name of the member;

(B) That the member's post-traumatic stress disorder, without an accompanying physical injury, qualifies that member for disability retirement under section 5505.18 of the Revised Code;

(C) The effective date of the member's disability retirement;

(D) The date that payments for the member's disability retirement commence.

Section 10. That existing sections 4123.01, 4123.026, and 4123.46 of

the Revised Code are hereby repealed.

Section 11. That section 126.65 of the Revised Code is hereby repealed.

Section 12. That Section 2 of H.B. 308 of the 133rd General Assembly is hereby repealed."

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 41, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Bird	Brinkman	Callender
Carfagna	Carruthers	Creech	Cross
Cutrona	Dean	Edwards	Fowler Arthur
Fraizer	Ginter	Grendell	Gross
Hall	Hillyer	Holmes	Hoops
John	Johnson	Jones	Jordan
Kick	Koehler	Lampton	LaRe
Lipps	Manchester	McClain	Merrin
Oelslager	Pavliga	Plummer	Powell
Ray	Richardson	Riedel	Roemer
Schmidt	Seitz	Stein	Stephens
Stewart	Stoltzfus	Swearingen	White
Wiggam	Wilkin	Young, B.	Young, T.
			Cupp-53

Those who voted in the negative were: Representatives

Baldrige	Blackshear	Boggs	Brent
Brown	Click	Crossman	Denson
Ferguson	Galonski	Ghanbari	Hicks-Hudson
Householder	Howse	Ingram	Jarrells
Kelly	Lanese	Leland	Lepore-Hagan
Lightbody	Liston	Loychik	Manning
Miller, J.	Miranda	O'Brien	Patton
Robinson	Russo	Sheehy	Skindell
Smith, K.	Smith, M.	Sobecki	Sweeney
Sykes	Troy	Upchurch	Weinstein
			West-41

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Upchurch moved to amend, amendment 1218, as follows:

In line 2 of the title, after "4123.85" insert "and to enact section 4113.13"

In line 139, after "4123.85" insert "be amended and section 4113.13"; delete "amended" and insert "enacted"

After line 139, insert:

"Sec. 4113.13. If an employer, after using a status verification system such as the federal e-verify program to verify an employee's identity and authorization to work, knows or should know that the employee is not authorized to work by the United States department of homeland security or its successor, the employer assumes any risks associated with the employment relationship, including any potential injuries incurred by the employee."

Representative Jones 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 60, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldridge	Bird	Brinkman
Callender	Carfagna	Carruthers	Click
Creech	Cross	Cutrona	Dean
Edwards	Fowler Arthur	Fraizer	Ghanbari
Ginter	Grendell	Gross	Hall
Hillyer	Holmes	Hoops	Householder
John	Johnson	Jones	Jordan
Kick	Koehler	Lampton	Lanese
LaRe	Lipps	Loychik	Manchester
Manning	McClain	Merrin	Oelslager
Pavliga	Plummer	Powell	Ray
Richardson	Riedel	Roemer	Schmidt
Seitz	Stein	Stephens	Stewart
Stoltzfus	Swearingen	White	Wiggam
Wilkin	Young, B.	Young, T.	Cupp-60

Those who voted in the negative were: Representatives

Blackshear	Boggs	Brent	Brown
Crossman	Denson	Ferguson	Galonski
Hicks-Hudson	Howse	Ingram	Jarrells
Kelly	Leland	Lepore-Hagan	Lightbody
Liston	Miller, J.	Miranda	O'Brien
Patton	Robinson	Russo	Sheehy
Skindell	Smith, K.	Smith, M.	Sobecki
Sweeney	Sykes	Troy	Upchurch
Weinstein			West-34

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Jarrells moved to amend, amendment 1219, as follows:

In line 1 of the title, after "4123.58" insert ", 4123.68"

In line 7 of the title, delete "and"

In line 8 of the title, after "Law" insert ", and to declare an emergency"

After line 611, insert:

"Section 9. That section 4123.68 of the Revised Code be amended to read as follows:

Sec. 4123.68. Every employee who is disabled because of the contraction of an occupational disease or the dependent of an employee whose death is caused by an occupational disease, is entitled to the compensation provided by sections 4123.55 to 4123.59 and 4123.66 of the Revised Code subject to the modifications relating to occupational diseases contained in this chapter. An order of the administrator issued under this section is appealable pursuant to sections 4123.511 and 4123.512 of the Revised Code.

The following diseases are occupational diseases and compensable as such when contracted by an employee in the course of the employment in which such employee was engaged and due to the nature of any process described in this section. A disease which meets the definition of an occupational disease is compensable pursuant to this chapter though it is not specifically listed in this section.

SCHEDULE

Description of disease or injury and description of process:

(A) Anthrax: Handling of wool, hair, bristles, hides, and skins.

(B) Glanders: Care of any equine animal suffering from glanders; handling carcass of such animal.

(C) Lead poisoning: Any industrial process involving the use of lead or its preparations or compounds.

(D) Mercury poisoning: Any industrial process involving the use of mercury or its preparations or compounds.

(E) Phosphorous poisoning: Any industrial process involving the use of phosphorous or its preparations or compounds.

(F) Arsenic poisoning: Any industrial process involving the use of arsenic or its preparations or compounds.

(G) Poisoning by benzol or by nitro-derivatives and amido-derivatives of benzol (dinitro-benzol, anilin, and others): Any industrial process involving the use of benzol or nitro-derivatives or amido-derivatives of benzol or its preparations or compounds.

(H) Poisoning by gasoline, benzine, naphtha, or other volatile petroleum products: Any industrial process involving the use of gasoline, benzine, naphtha, or other volatile petroleum products.

(I) Poisoning by carbon bisulphide: Any industrial process involving the use of carbon bisulphide or its preparations or compounds.

(J) Poisoning by wood alcohol: Any industrial process involving the use of wood alcohol or its preparations.

(K) Infection or inflammation of the skin on contact surfaces due to oils, cutting compounds or lubricants, dust, liquids, fumes, gases, or vapors: Any industrial process involving the handling or use of oils, cutting compounds or lubricants, or involving contact with dust, liquids, fumes, gases, or vapors.

(L) Epithelion cancer or ulceration of the skin or of the corneal surface of the eye due to carbon, pitch, tar, or tarry compounds: Handling or industrial use of carbon, pitch, or tarry compounds.

(M) Compressed air illness: Any industrial process carried on in compressed air.

(N) Carbon dioxide poisoning: Any process involving the evolution or resulting in the escape of carbon dioxide.

(O) Brass or zinc poisoning: Any process involving the manufacture, founding, or refining of brass or the melting or smelting of zinc.

(P) Manganese dioxide poisoning: Any process involving the grinding or milling of manganese dioxide or the escape of manganese dioxide dust.

(Q) Radium poisoning: Any industrial process involving the use of radium and other radioactive substances in luminous paint.

(R) Tenosynovitis and prepatellar bursitis: Primary tenosynovitis characterized by a passive effusion or crepitus into the tendon sheath of the flexor or extensor muscles of the hand, due to frequently repetitive motions or vibrations, or prepatellar bursitis due to continued pressure.

(S) Chrome ulceration of the skin or nasal passages: Any industrial process involving the use of or direct contact with chromic acid or bichromates of ammonium, potassium, or sodium or their preparations.

(T) Potassium cyanide poisoning: Any industrial process involving the use of or direct contact with potassium cyanide.

(U) Sulphur dioxide poisoning: Any industrial process in which sulphur dioxide gas is evolved by the expansion of liquid sulphur dioxide.

(V) Berylliosis: Berylliosis means a disease of the lungs caused by breathing beryllium in the form of dust or fumes, producing characteristic changes in the lungs and demonstrated by x-ray examination, by biopsy or by autopsy.

This chapter does not entitle an employee or the employee's dependents to compensation, medical treatment, or payment of funeral expenses for disability or death from berylliosis unless the employee has been subjected to injurious exposure to beryllium dust or fumes in the employee's employment in this state preceding the employee's disablement and only in the event of such disability or death resulting within eight years

after the last injurious exposure; provided that such eight-year limitation does not apply to disability or death from exposure occurring after January 1, 1976. In the event of death following continuous total disability commencing within eight years after the last injurious exposure, the requirement of death within eight years after the last injurious exposure does not apply.

Before awarding compensation for partial or total disability or death due to berylliosis, the administrator of workers' compensation shall refer the claim to a qualified medical specialist for examination and recommendation with regard to the diagnosis, the extent of the disability, the nature of the disability, whether permanent or temporary, the cause of death, and other medical questions connected with the claim. An employee shall submit to such examinations, including clinical and x-ray examinations, as the administrator requires. In the event that an employee refuses to submit to examinations, including clinical and x-ray examinations, after notice from the administrator, or in the event that a claimant for compensation for death due to berylliosis fails to produce necessary consents and permits, after notice from the administrator, so that such autopsy examination and tests may be performed, then all rights for compensation are forfeited. The reasonable compensation of such specialist and the expenses of examinations and tests shall be paid, if the claim is allowed, as part of the expenses of the claim, otherwise they shall be paid from the surplus fund.

(W) Cardiovascular, pulmonary, or respiratory diseases incurred by firefighters or police officers following exposure to heat, smoke, toxic gases, chemical fumes and other toxic substances: Any cardiovascular, pulmonary, or respiratory disease of a firefighter or police officer caused or induced by the cumulative effect of exposure to heat, the inhalation of smoke, toxic gases, chemical fumes and other toxic substances in the performance of the firefighter's or police officer's duty constitutes a presumption, which may be refuted by affirmative evidence, that such occurred in the course of and arising out of the firefighter's or police officer's employment. For the purpose of this section, "firefighter" means any regular member of a lawfully constituted fire department of a municipal corporation or township, whether paid or volunteer, and "police officer" means any regular member of a lawfully constituted police department of a municipal corporation, township or county, whether paid or volunteer.

This chapter does not entitle a firefighter, or police officer, or the firefighter's or police officer's dependents to compensation, medical treatment, or payment of funeral expenses for disability or death from a cardiovascular, pulmonary, or respiratory disease, unless the firefighter or police officer has been subject to injurious exposure to heat, smoke, toxic gases, chemical fumes, and other toxic substances in the firefighter's or police officer's employment in this state preceding the firefighter's or police officer's disablement, some portion of which has been after January 1, 1967,

except as provided in division (E) of section 4123.57 of the Revised Code.

Compensation on account of cardiovascular, pulmonary, or respiratory diseases of firefighters and police officers is payable only in the event of temporary total disability, permanent total disability, or death, in accordance with section 4123.56, 4123.58, or 4123.59 of the Revised Code. Medical, hospital, and nursing expenses are payable in accordance with this chapter. Compensation, medical, hospital, and nursing expenses are payable only in the event of such disability or death resulting within eight years after the last injurious exposure; provided that such eight-year limitation does not apply to disability or death from exposure occurring after January 1, 1976. In the event of death following continuous total disability commencing within eight years after the last injurious exposure, the requirement of death within eight years after the last injurious exposure does not apply.

This chapter does not entitle a firefighter or police officer, or the firefighter's or police officer's dependents, to compensation, medical, hospital, and nursing expenses, or payment of funeral expenses for disability or death due to a cardiovascular, pulmonary, or respiratory disease in the event of failure or omission on the part of the firefighter or police officer truthfully to state, when seeking employment, the place, duration, and nature of previous employment in answer to an inquiry made by the employer.

Before awarding compensation for disability or death under this division, the administrator shall refer the claim to a qualified medical specialist for examination and recommendation with regard to the diagnosis, the extent of disability, the cause of death, and other medical questions connected with the claim. A firefighter or police officer shall submit to such examinations, including clinical and x-ray examinations, as the administrator requires. In the event that a firefighter or police officer refuses to submit to examinations, including clinical and x-ray examinations, after notice from the administrator, or in the event that a claimant for compensation for death under this division fails to produce necessary consents and permits, after notice from the administrator, so that such autopsy examination and tests may be performed, then all rights for compensation are forfeited. The reasonable compensation of such specialists and the expenses of examination and tests shall be paid, if the claim is allowed, as part of the expenses of the claim, otherwise they shall be paid from the surplus fund.

(X)(1) Cancer contracted by a firefighter: Cancer contracted by a firefighter who has been assigned to at least six years of hazardous duty as a firefighter constitutes a presumption that the cancer was contracted in the course of and arising out of the firefighter's employment if the firefighter was exposed to an agent classified by the international agency for research on cancer or its successor organization as a group 1 or 2A carcinogen.

(2) The presumption described in division (X)(1) of this section is

rebuttable in any of the following situations:

(a) There is evidence that the firefighter's exposure, outside the scope of the firefighter's official duties, to cigarettes, tobacco products, or other conditions presenting an extremely high risk for the development of the cancer alleged, was probably a significant factor in the cause or progression of the cancer.

(b) There is evidence that shows, by a preponderance of competent scientific evidence, that exposure to the type of carcinogen alleged did not or could not have caused the cancer being alleged.

(c) There is evidence that the firefighter was not exposed to an agent classified by the international agency for research on cancer as a group 1 or 2A carcinogen.

(d) There is evidence that the firefighter incurred the type of cancer alleged before becoming a member of the fire department.

(e) The firefighter is seventy years of age or older.

(3) The presumption described in division (X)(1) of this section does not apply if it has been more than fifteen years since the firefighter was last assigned to hazardous duty as a firefighter.

(4) Compensation for cancer contracted by a firefighter in the course of hazardous duty under division (X) of this section is payable only in the event of temporary total disability, working wage loss, permanent total disability, or death, in accordance with division (A) or (B)(1) of section 4123.56 and sections 4123.58 and 4123.59 of the Revised Code.

(5) As used in division (X) of this section, "hazardous duty" has the same meaning as in 5 C.F.R. 550.902, as amended.

(Y) Silicosis: Silicosis means a disease of the lungs caused by breathing silica dust (silicon dioxide) producing fibrous nodules distributed through the lungs and demonstrated by x-ray examination, by biopsy or by autopsy.

(Z) Coal miners' pneumoconiosis: Coal miners' pneumoconiosis, commonly referred to as "black lung disease," resulting from working in the coal mine industry and due to exposure to the breathing of coal dust, and demonstrated by x-ray examination, biopsy, autopsy or other medical or clinical tests.

This chapter does not entitle an employee or the employee's dependents to compensation, medical treatment, or payment of funeral expenses for disability or death from silicosis, asbestosis, or coal miners' pneumoconiosis unless the employee has been subject to injurious exposure to silica dust (silicon dioxide), asbestos, or coal dust in the employee's employment in this state preceding the employee's disablement, some portion of which has been after October 12, 1945, except as provided in division (E)

of section 4123.57 of the Revised Code.

Compensation on account of silicosis, asbestosis, or coal miners' pneumoconiosis are payable only in the event of temporary total disability, permanent total disability, or death, in accordance with sections 4123.56, 4123.58, and 4123.59 of the Revised Code. Medical, hospital, and nursing expenses are payable in accordance with this chapter. Compensation, medical, hospital, and nursing expenses are payable only in the event of such disability or death resulting within eight years after the last injurious exposure; provided that such eight-year limitation does not apply to disability or death occurring after January 1, 1976, and further provided that such eight-year limitation does not apply to any asbestosis cases. In the event of death following continuous total disability commencing within eight years after the last injurious exposure, the requirement of death within eight years after the last injurious exposure does not apply.

This chapter does not entitle an employee or the employee's dependents to compensation, medical, hospital and nursing expenses, or payment of funeral expenses for disability or death due to silicosis, asbestosis, or coal miners' pneumoconiosis in the event of the failure or omission on the part of the employee truthfully to state, when seeking employment, the place, duration, and nature of previous employment in answer to an inquiry made by the employer.

Before awarding compensation for disability or death due to silicosis, asbestosis, or coal miners' pneumoconiosis, the administrator shall refer the claim to a qualified medical specialist for examination and recommendation with regard to the diagnosis, the extent of disability, the cause of death, and other medical questions connected with the claim. An employee shall submit to such examinations, including clinical and x-ray examinations, as the administrator requires. In the event that an employee refuses to submit to examinations, including clinical and x-ray examinations, after notice from the administrator, or in the event that a claimant for compensation for death due to silicosis, asbestosis, or coal miners' pneumoconiosis fails to produce necessary consents and permits, after notice from the commission, so that such autopsy examination and tests may be performed, then all rights for compensation are forfeited. The reasonable compensation of such specialist and the expenses of examinations and tests shall be paid, if the claim is allowed, as a part of the expenses of the claim, otherwise they shall be paid from the surplus fund.

(AA) Radiation illness: Any industrial process involving the use of radioactive materials.

Claims for compensation and benefits due to radiation illness are payable only in the event death or disability occurred within eight years after the last injurious exposure provided that such eight-year limitation does not

apply to disability or death from exposure occurring after January 1, 1976. In the event of death following continuous disability which commenced within eight years of the last injurious exposure the requirement of death within eight years after the last injurious exposure does not apply.

(BB) Asbestosis: Asbestosis means a disease caused by inhalation or ingestion of asbestos, demonstrated by x-ray examination, biopsy, autopsy, or other objective medical or clinical tests.

(CC)(1) COVID-19: COVID-19 contracted by an employee described in division (CC)(2) of this section during the emergency declared by Executive Order 2020-01D, issued March 9, 2020, constitutes a presumption, which may be refuted by affirmative evidence, that COVID-19 was contracted in the course of and arising out of the employee's employment. This division applies only to claims arising during the period that begins with the issuance of Executive Order 2020-01D, issued on March 9, 2020, and ending December 31, 2021.

(2) Division (CC)(1) of this section applies to all of the following:

(a) An employee of a retail food establishment as defined in section 3717.01 of the Revised Code;

(b) An employee of a food processing establishment as defined in section 3715.021 of the Revised Code;

(c) A peace officer, firefighter, or emergency medical worker as those terms are defined in section 4123.026 of the Revised Code;

(d) A person employed as a corrections officer by any public or private place used for the confinement of a person charged with or convicted of any crime in this state or another state or under the laws of the United States or alleged or found to be a delinquent child or unruly child in this state or another state or under the laws of the United States.

All conditions, restrictions, limitations, and other provisions of this section, with reference to the payment of compensation or benefits on account of silicosis or coal miners' pneumoconiosis apply to the payment of compensation or benefits on account of any other occupational disease of the respiratory tract resulting from injurious exposures to dust.

The refusal to produce the necessary consents and permits for autopsy examination and testing shall not result in forfeiture of compensation provided the administrator finds that such refusal was the result of bona fide religious convictions or teachings to which the claimant for compensation adhered prior to the death of the decedent.

Section 10. That existing section 4123.68 of the Revised Code is hereby repealed.

Section 11. Sections 9 and 10 of this act are 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 address urgent needs of the state arising from a COVID-19 outbreak. Therefore, Sections 9 and 10 of this act shall go into immediate effect."

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 59, nays 33, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldridge	Bird	Brinkman
Callender	Carfagna	Carruthers	Creech
Cross	Cutrona	Edwards	Ferguson
Fowler Arthur	Fraizer	Ghanbari	Ginter
Grendell	Gross	Hall	Hillyer
Holmes	Hoops	Householder	John
Johnson	Jones	Jordan	Kick
Koehler	Lampton	Lanese	LaRe
Lipps	Loychik	Manchester	Manning
McClain	Merrin	Oelslager	Patton
Pavliga	Plummer	Powell	Ray
Richardson	Riedel	Roemer	Schmidt
Stein	Stephens	Stewart	Stoltzfus
Swearingen	White	Wiggam	Wilkin
Young, B.	Young, T.		Cupp-59

Those who voted in the negative were: Representatives

Blackshear	Boggs	Brent	Brown
Click	Crossman	Denson	Galonski
Hicks-Hudson	Howse	Ingram	Jarrells
Kelly	Leland	Lepore-Hagan	Lightbody
Liston	Miller, J.	Miranda	O'Brien
Robinson	Russo	Sheehy	Skindell
Smith, K.	Smith, M.	Sobecki	Sweeney
Sykes	Troy	Upchurch	Weinstein
			West-33

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Ginter moved that **Sub. H. B. No. 75**-Representative Oelslager, be informally passed and retain its place on the calendar.

The motion was agreed to without objection.

H. B. No. 24-Representatives Sobecki, Sheehy.

Cosponsors: Representatives Galonski, West, Riedel, Fowler Arthur, Crossman, Miller, J., Hoops, Click, Gross, Wiggam, Kelly, Russo.

To enact section 5.294 of the Revised Code to designate August 17 as "Eugene 'Gene' F. Kranz Day", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Blackshear
Boggs	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Cutrona
Dean	Denson	Edwards	Ferguson
Fowler Arthur	Fraizer	Galonski	Ghanbari
Ginter	Grendell	Gross	Hall
Hicks-Hudson	Hillyer	Holmes	Hoops
Householder	Howse	Ingram	Jarrells
John	Johnson	Jones	Jordan
Kelly	Kick	Koehler	Lampton
Lanese	LaRe	Leland	Lepore-Hagan
Lightbody	Lipps	Liston	Loychik
Manchester	Manning	McClain	Merrin
Miller, J.	Miranda	O'Brien	Oelslager
Patton	Pavliga	Plummer	Powell
Ray	Richardson	Riedel	Robinson
Roemer	Russo	Schmidt	Seitz
Sheehy	Skindell	Smith, K.	Smith, M.
Sobecki	Stein	Stephens	Stewart
Stoltzfus	Swearingen	Sweeney	Sykes
Troy	Upchurch	Weinstein	West
White	Wiggam	Wilkin	Young, B.
Young, T.			Cupp-94

The bill passed.

Representative Sobecki moved to amend the title as follows:

Add the names: "Abrams, Baldrige, Bird, Blackshear, Carfagna, Carruthers, Fraizer, Ghanbari, Ginter, Grendell, Hall, Hicks-Hudson, Hillyer, Holmes, Householder, Ingram, Jarrells, John, Johnson, Jones, Kick, Lampton, Lanese, LaRe, Leland, Lepore-Hagan, Lightbody, Liston, Loychik, Manning, McClain, O'Brien, Patton, Plummer, Ray, Schmidt, Seitz, Skindell, Smith, K., Stewart, Upchurch, White, Young, B., Speaker Cupp."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 136-Representative Lipps.

Cosponsors: Representatives Russo, Cutrona, Lepore-Hagan.

To amend section 5162.06 and to enact sections 5164.061 and 5167.15 of the Revised Code regarding Medicaid coverage of chiropractic services, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 91, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldridge	Bird	Blackshear
Boggs	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Cutrona
Dean	Denson	Edwards	Ferguson
Fowler Arthur	Fraizer	Galonski	Ghanbari
Ginter	Grendell	Gross	Hall
Hicks-Hudson	Hillyer	Holmes	Hoops
Householder	Howse	Jarrells	John
Johnson	Jones	Jordan	Kelly
Kick	Koehler	Lampton	Lanese
LaRe	Leland	Lepore-Hagan	Lightbody
Lipps	Liston	Loychik	Manchester
Manning	McClain	Merrin	Miller, J.
Miranda	O'Brien	Oelslager	Patton
Pavliga	Plummer	Ray	Richardson
Riedel	Robinson	Roemer	Russo
Schmidt	Seitz	Sheehy	Skindell
Smith, K.	Smith, M.	Sobecki	Stein
Stephens	Stewart	Stoltzfus	Swearingen
Sweeney	Sykes	Troy	Upchurch
Weinstein	West	White	Wilkin
Young, B.	Young, T.		Cupp-91

Representatives Ingram, Powell, and Wiggam voted in the negative-3.

The bill passed.

Representative Lipps moved to amend the title as follows:

Add the names: "Carfagna, Carruthers, Crossman, Edwards, Fraizer, Galonski, Ghanbari, Ginter, Hillyer, Koehler, Leland, Miller, J., O'Brien, Oelslager, Pavliga, Riedel, Roemer, Sheehy, Troy, Weinstein, West, White, Young, T., Speaker Cupp."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 137-Representatives Upchurch, Blackshear.

Cosponsors: Representatives Boyd, Boggs, Brent, Click, Cutrona, Crawley, Denson, Ferguson, Galonski, Ghanbari, Lepore-Hagan, Hall, Holmes, Hicks-Hudson, Ingram, Jarrells, Kelly, Kick, Leland, Lightbody, Liston, McClain, Miller, A., Miranda, Patton, Plummer, Riedel, Robinson, Russo, Sheehy, Smith, M., Smith, K., Skindell, Sobecki, Stoltzfus, Weinstein, West, White, Wiggam, Ginter.

To enact section 5.246 of the Revised Code to designate March 29 as "Ohio Tuskegee Airmen Day", was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Blackshear
Boggs	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Cutrona
Dean	Denson	Edwards	Ferguson
Fowler Arthur	Fraizer	Galonski	Ghanbari
Ginter	Grendell	Gross	Hall
Hicks-Hudson	Hillyer	Holmes	Hoops
Householder	Howse	Ingram	Jarrells
John	Johnson	Jones	Jordan
Kelly	Kick	Koehler	Lampton
Lanese	LaRe	Leland	Lepore-Hagan
Lightbody	Lipps	Liston	Loychik
Manchester	Manning	McClain	Merrin
Miller, J.	Miranda	O'Brien	Oelslager
Patton	Pavliga	Plummer	Powell
Ray	Richardson	Riedel	Robinson
Roemer	Russo	Schmidt	Seitz
Sheehy	Skindell	Smith, K.	Smith, M.
Sobecki	Stein	Stephens	Stewart
Stoltzfus	Swearingen	Sweeney	Sykes
Troy	Upchurch	Weinstein	West
White	Wiggam	Wilkin	Young, B.
Young, T.			Cupp-94

The bill passed.

Representative Upchurch moved to amend the title as follows:

Add the names: "Abrams, Baldrige, Bird, Brown, Callender, Carfagna, Carruthers, Creech, Cross, Crossman, Dean, Edwards, Grendell, Gross, Hillyer, Hoops, Householder, Howse, John, Johnson, Jones, Lanese, LaRe, Loychik, Miller, J., O'Brien, Oelslager, Pavliga, Richardson, Schmidt, Seitz, Stein, Stephens, Stewart, Swearingen, Sykes, Wilkin, Young, T., Speaker Cupp."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 206—Representatives Ghanbari, O'Brien.

Cosponsors: Representatives LaRe, Stein, Plummer, Hoops, Stephens, Abrams, Riedel, Seitz, Kick, Baldrige, Ginter, Click, Swearingen, Carfagna, Weinstein, Cutrona, White, Creech, Hall, Young, T., Jones, Brent, Johnson, Kelly, Miranda, Miller, A., Miller, J., Sheehy, John, Richardson, McClain, Carruthers, Stoltzfus, Gross, Fowler Arthur, Lampton, Ray, Loychik, Pavliga, Bird, Fraizer, Lanese, Sobecki, Upchurch, Robinson, Lightbody, Cross, Denson.

To amend sections 4513.35 and 4513.39 of the Revised Code to permit a township police officer who serves a population between 5,000 and 50,000 to enforce specified traffic offenses on interstate highways within the township if authorized by that township's board of trustees, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 83, nays 10, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldridge	Bird	Blackshear
Boggs	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Cutrona
Denson	Edwards	Fowler Arthur	Fraizer
Galonski	Ghanbari	Ginter	Grendell
Hall	Hicks-Hudson	Hillyer	Holmes
Hoops	Householder	Howse	Jarrells
John	Johnson	Jones	Kelly
Kick	Koehler	Lampton	Lanese
LaRe	Leland	Lepore-Hagan	Lightbody
Liston	Loychik	Manchester	Manning
McClain	Merrin	Miller, J.	Miranda
O'Brien	Oelslager	Patton	Pavliga
Plummer	Ray	Richardson	Riedel
Robinson	Roemer	Russo	Schmidt
Seitz	Sheehy	Skindell	Smith, K.
Smith, M.	Sobecki	Stein	Stephens
Stoltzfus	Swearingen	Sweeney	Sykes
Upchurch	Weinstein	West	White
Young, B.	Young, T.		Cupp-83

Those who voted in the negative were: Representatives

Dean	Ferguson	Gross	Ingram
Jordan	Lipps	Powell	Stewart
Troy			Wilkin-10

The bill passed.

Representative Ghanbari moved to amend the title as follows:

Add the names: "Dean, Lepore-Hagan, Russo."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 229-Representatives Wilkin, Swearingen.

Cosponsors: Representatives Carfagna, Cross, Edwards, Johnson, Jones, Jordan, Kick, LaRe, Lipps, Merrin, Pavliga, Richardson, Riedel, Seitz, Stoltzfus, Hillyer.

To amend section 3729.05 and to enact section 3729.15 of the Revised Code to provide a qualified immunity to camp operators for harm arising from a risk inherent to camping and to exempt sites that host historical reenactor camps from the recreational and camping operation license requirements, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 65, nays 29, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Brinkman
Callender	Carfagna	Carruthers	Click
Creech	Cross	Cutrona	Dean
Denson	Edwards	Ferguson	Fowler Arthur
Fraizer	Galonski	Ghanbari	Ginter
Grendell	Gross	Hall	Hillyer
Holmes	Hoops	Householder	Ingram
John	Johnson	Jones	Jordan
Kick	Koehler	Lampton	Lanese
LaRe	Lipps	Loychik	Manchester
Manning	McClain	Merrin	Oelslager
Patton	Pavliga	Plummer	Powell
Ray	Richardson	Riedel	Roemer
Schmidt	Seitz	Stein	Stephens
Stewart	Stoltzfus	Swearingen	White
Wiggam	Wilkin	Young, B.	Young, T.
			Cupp-65

Those who voted in the negative were: Representatives

Blackshear	Boggs	Brent	Brown
Crossman	Hicks-Hudson	Howse	Jarrells
Kelly	Leland	Lepore-Hagan	Lightbody
Liston	Miller, J.	Miranda	O'Brien
Robinson	Russo	Sheehy	Skindell
Smith, K.	Smith, M.	Sobecki	Sweeney
Sykes	Troy	Upchurch	Weinstein
			West-29

The bill passed.

Representative Wilkin moved to amend the title as follows:

Add the names: "Baldrige, Bird, Carruthers, Click, Creech, Cutrona, Ghanbari, Ginter, Gross, Householder, John, McClain, Schmidt, Wiggam, Young, T."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 4-Senator Roegner.

Cosponsors: Senators Manning, Antonio, Blessing, Brenner, Cirino, Craig, Dolan, Fedor, Gavarone, Hackett, Hoagland, Huffman, S., Johnson, Kunze, Maharath, O'Brien, Peterson, Reineke, Schaffer, Schuring, Sykes, Thomas,

Williams, Wilson, Yuko Representative Galonski.

To amend sections 149.43 and 5913.01 of the Revised Code to include emergency service telecommunicators, protective services workers, certain Ohio National Guard members, and certain mental health care providers as individuals whose residential and familial information is exempt from disclosure under the Public Records Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Seitz moved to amend, amendment 1220, as follows:

In line 1 of the title, after "149.43" insert ", 4123.88,"

In line 8 of the title, after "Law" insert ", and to make changes to the Workers' Compensation Law regarding information disclosures"

In line 9, after "149.43" insert ", 4123.88,"

After line 944, insert:

"Sec. 4123.88. (A) No person shall orally or in writing, directly or indirectly, or through any agent or other person fraudulently hold the person's self out or represent the person's self or any of the person's partners or associates as authorized by a claimant or employer to take charge of, or represent the claimant or employer in respect of, any claim or matter in connection therewith before the bureau of workers' compensation or the industrial commission or its district or staff hearing officers. No person shall directly or indirectly solicit authority, or pay or give anything of value to another person to solicit authority, or accept or receive pay or anything of value from another person for soliciting authority, from a claimant or employer to take charge of, or represent the claimant or employer in respect of, any claim or appeal which is or may be filed with the bureau or commission. No person shall, without prior authority from the bureau, a member of the commission, the claimant, or the employer, examine or directly or indirectly cause or employ another person to examine any claim file or any other file pertaining thereto. No person shall forge an authorization for the purpose of examining or cause another person to examine any such file. No district or staff hearing officer or other employee of the bureau or commission, notwithstanding the provisions of section 4123.27 of the Revised Code, shall divulge any information in respect of any claim or appeal which is or may be filed with a district or staff hearing officer, the bureau, or commission to any person other than members of the commission or to the superior of the employee except upon authorization of the administrator of workers' compensation or a member of the commission or upon authorization of the claimant or employer.

(B) The records described or referred to in division (A) of this section are not public records as defined in division (A)(1) of section 149.43 of the

Revised Code. Any information directly or indirectly identifying the address or telephone number of a claimant, regardless of whether the claimant's claim is active or closed, is not a public record. No person shall solicit or obtain any such information from any such employee without first having obtained an authorization therefor as provided in this section.

(C) Except as otherwise specified in division (D) of this section, information kept by the commission or the bureau pursuant to this section is for the exclusive use and information of the commission and the bureau in the discharge of their official duties, and shall not be open to the public nor be used in any court in any action or proceeding pending therein, unless the commission or the bureau is a party to the action or proceeding. The information, however, may be tabulated and published by the commission or the bureau in statistical form for the use and information of other state agencies and the public.

(D)(1) Upon receiving a written request made and signed by an individual whose primary occupation is as a journalist, the commission or the bureau shall disclose to the individual the name or names, address or addresses, and telephone number or numbers of claimants, regardless of whether their claims are active or closed, ~~and the dependents of those claimants.~~

(2) An individual described in division (D)(1) of this section is permitted to request the information described in that division for multiple ~~workers or dependents~~ claimants in one written request.

(3) An individual described in division (D)(1) of this section shall include all of the following in the written request:

(a) The individual's name, title, and signature;

(b) The name and title of the individual's employer;

(c) A statement that the disclosure of the information sought is in the public interest.

(4) Neither the commission nor the bureau may inquire as to the specific public interest served by the disclosure of information requested by an individual under division (D) of this section.

(E) As used in this section, "journalist" has the same meaning as in division (B)(9) of section 149.43 of the Revised Code."

In line 1017, after "149.43" insert ", 4123.88,"

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 10, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Blackshear
Brinkman	Callender	Carfagna	Carruthers
Click	Creech	Cross	Crossman
Cutrona	Dean	Denson	Edwards
Ferguson	Fowler Arthur	Fraizer	Galonski
Ghanbari	Ginter	Grendell	Gross
Hall	Hillyer	Holmes	Hoops
Householder	Jarrells	John	Johnson
Jones	Jordan	Kick	Koehler
Lampton	LANESE	LaRe	Lightbody
Lipps	Liston	Loychik	Manchester
Manning	McClain	Merrin	Miller, J.
Miranda	O'Brien	Oelslager	Patton
Pavliga	Plummer	Powell	Ray
Richardson	Riedel	Robinson	Roemer
Russo	Schmidt	Seitz	Sheehy
Skindell	Smith, K.	Smith, M.	Sobecki
Stein	Stephens	Stewart	Stoltzfus
Swearingen	Sweeney	Troy	Weinstein
West	White	Wiggam	Wilkin
Young, B.	Young, T.		Cupp-83

Those who voted in the negative were: Representatives

Boggs	Brent	Hicks-Hudson	Howse
Ingram	Kelly	Leland	Lepore-Hagan
Sykes			Upchurch-10

The bill passed.

Representative Lanese moved to amend the title as follows:

Add the names: "Carruthers, Click, Gross, John, Lanese, Liston, Miller, J., O'Brien, Patton, Richardson, Riedel, Seitz, Young, T."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate concurred in the passage of the following bill:

Sub. H. B. No. 6 - Representative Roemer

Cosponsors: Representatives Cross, Riedel, Seitz, Young, T., Wiggam, John, Callender, Creech, Dean, Fowler Arthur, Grendell, Russo, Abrams, Brent, Carruthers, Click, Crossman, Fraizer, Galonski, Gross, Hillyer, Hoops, Householder, Jarrells, Jones, Lanese, Lightbody, Lipps, Miller, A., O'Brien,

Plummer, Ray, Schmidt, Sheehy, Sobecki, Stephens, Weinstein, White, Young, B., Speaker Cupp Senators Roegner, Schaffer, Antonio, Blessing, Brenner, Cirino, Craig, Fedor, Gavarone, Hackett, Huffman, S., Kunze, Lang, Maharath, O'Brien, Peterson, Reineke, Rulli, Sykes, Thomas, Wilson, Yuko

To amend sections 3319.221, 4729.41, 4729.92, 4729.921, 4731.512, and 4928.66 and to enact sections 3792.03, 4729.42, and 4928.661 of the Revised Code and to amend Section 30 of H.B. 197 of the 133rd General Assembly to modify the laws governing certain health professionals and educator preparation programs due to COVID-19 and other circumstances and to modify the electric utility laws regarding energy efficiency programs; to amend the version of section 4729.92 of the Revised Code that is scheduled to take effect on October 9, 2021, to continue the changes to that section on and after that date; and to declare an emergency.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,
Clerk.

Representative Ginter moved that the Senate amendments to **Sub. H. B. No. 6**-Representative Roemer, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 6**-Representative Roemer, et al., were taken up for consideration.

Sub. H. B. No. 6 - Representative Roemer.

Cosponsors: Representatives Cross, Riedel, Seitz, Young, T., Wiggam, John, Callender, Creech, Dean, Fowler Arthur, Grendell, Russo, Abrams, Brent, Carruthers, Click, Crossman, Fraizer, Galonski, Gross, Hillyer, Hoops, Householder, Jarrells, Jones, Lanese, Lightbody, Lipps, Miller, A., O'Brien, Plummer, Ray, Schmidt, Sheehy, Sobecki, Stephens, Weinstein, White, Young, B., Speaker Cupp Senators Roegner, Schaffer, Antonio, Blessing, Brenner, Cirino, Craig, Fedor, Gavarone, Hackett, Huffman, S., Kunze, Lang, Maharath, O'Brien, Peterson, Reineke, Rulli, Sykes, Thomas, Wilson, Yuko.

To amend sections 3319.221, 4729.41, 4729.92, 4729.921, 4731.512, and 4928.66 and to enact sections 3792.03, 4729.42, and 4928.661 of the Revised Code and to amend Section 30 of H.B. 197 of the 133rd General Assembly to modify the laws governing certain health professionals and educator preparation programs due to COVID-19 and other circumstances and to modify the electric utility laws regarding energy efficiency programs; to amend the version of section 4729.92 of the Revised Code that is scheduled to take effect on October 9, 2021, to continue the changes to that section on and after that date; and to declare an emergency.

The question being, “Shall the emergency clause stand as part of the bill?”

The yeas and nays were taken and resulted – yeas 91, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Blackshear
Boggs	Brent	Brown	Callender
Carfagna	Carruthers	Click	Creech
Cross	Crossman	Dean	Denson
Edwards	Ferguson	Fowler Arthur	Fraizer
Galonski	Ghanbari	Ginter	Grendell
Gross	Hall	Hicks-Hudson	Hillyer
Holmes	Hoops	Householder	Howse
Ingram	Jarrells	John	Johnson
Jones	Jordan	Kelly	Kick
Koehler	Lampton	Lanese	LaRe
Leland	Lepore-Hagan	Lightbody	Lipps
Liston	Loychik	Manchester	Manning
McClain	Merrin	Miller, J.	Miranda
O'Brien	Oelslager	Patton	Pavliga
Plummer	Powell	Ray	Richardson
Riedel	Robinson	Roemer	Russo
Schmidt	Seitz	Sheehy	Smith, K.
Smith, M.	Sobecki	Stein	Stephens
Stewart	Stoltzfus	Swearingen	Sweeney
Sykes	Troy	Upchurch	Weinstein
West	White	Wiggam	Wilkin
Young, B.	Young, T.		Cupp-91

Representatives Brinkman and Skindell 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 Senate amendments be concurred in?”

The yeas and nays were taken and resulted – yeas 93, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Blackshear
Boggs	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Cutrona
Denson	Edwards	Ferguson	Fowler Arthur
Fraizer	Galonski	Ghanbari	Ginter
Grendell	Gross	Hall	Hicks-Hudson
Hillyer	Holmes	Hoops	Householder
Howse	Ingram	Jarrells	John
Johnson	Jones	Jordan	Kelly
Kick	Koehler	Lampton	Lanese
LaRe	Leland	Lepore-Hagan	Lightbody
Lipps	Liston	Loychik	Manchester
Manning	McClain	Merrin	Miller, J.
Miranda	O'Brien	Oelslager	Patton
Pavliga	Plummer	Powell	Ray
Richardson	Riedel	Robinson	Roemer

Russo	Schmidt	Seitz	Sheehy
Skindell	Smith, K.	Smith, M.	Sobecki
Stein	Stephens	Stewart	Stoltzfus
Swearingen	Sweeney	Sykes	Troy
Upchurch	Weinstein	West	White
Wiggam	Wilkin	Young, B.	Young, T.
			Cupp-93

The Senate amendments were concurred in.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 8 - Representatives West, Plummer

Cosponsors: Representatives Fraizer, Riedel, Crossman, Miller, A., Leland, Smith, K., Miller, J., Miranda, Sheehy, Pavliga, Stewart, LaRe, Sweeney, Schmidt, Swearingen, Denson, Galonski, Seitz, Abrams, Baldrige, Blackshear, Brent, Brown, Callender, Carruthers, Click, Creech, Dean, Ghanbari, Ginter, Gross, Hillyer, Holmes, Householder, Howse, Ingram, John, Johnson, Jones, Kelly, Lanese, Lepore-Hagan, Lightbody, Liston, Loychik, McClain, Ray, Robinson, Russo, Skindell, Smith, M., Sobecki, Stein, Sykes, Weinstein, White, Young, T., Speaker Cupp Senators Manning, Antonio, Blessing, Brenner, Cirino, Craig, Dolan, Fedor, Gavarone, Hackett, Hoagland, Huffman, S., Johnson, Kunze, Maharath, McColley, Peterson, Rulli, Schaffer, Sykes, Thomas, Wilson, Yuko

To amend sections 2152.75, 2901.10, 2921.45, and 2933.81 of the Revised Code to revise the law governing the electronic recording of custodial interrogations, to revise the prohibition against certain types of restraint or confinement of a pregnant woman or child who is charged with or has been convicted of an offense, and to declare an emergency.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,
Clerk.

Representative Ginter moved that the Senate amendments to **Sub. H. B. No. 8**-Representatives West, Plummer, et al., be taken up for immediate consideration.

The motion was agreed to without objection.

The Senate amendments to **Sub. H. B. No. 8**-Representatives West, Plummer, et al., were taken up for consideration.

Sub. H. B. No. 8 - Representatives West, Plummer.

Cosponsors: Representatives Fraizer, Riedel, Crossman, Miller, A., Leland, Smith, K., Miller, J., Miranda, Sheehy, Pavliga, Stewart, LaRe, Sweeney, Schmidt, Swearingen, Denson, Galonski, Seitz, Abrams, Baldridge, Blackshear, Brent, Brown, Callender, Carruthers, Click, Creech, Dean, Ghanbari, Ginter, Gross, Hillyer, Holmes, Householder, Howse, Ingram, John, Johnson, Jones, Kelly, Lanese, Lepore-Hagan, Lightbody, Liston, Loychik, McClain, Ray, Robinson, Russo, Skindell, Smith, M., Sobecki, Stein, Sykes, Weinstein, White, Young, T., Speaker Cupp Senators Manning, Antonio, Blessing, Brenner, Cirino, Craig, Dolan, Fedor, Gavarone, Hackett, Hoagland, Huffman, S., Johnson, Kunze, Maharath, McColley, Peterson, Rulli, Schaffer, Sykes, Thomas, Wilson, Yuko.

To amend sections 2152.75, 2901.10, 2921.45, and 2933.81 of the Revised Code to revise the law governing the electronic recording of custodial interrogations, to revise the prohibition against certain types of restraint or confinement of a pregnant woman or child who is charged with or has been convicted of an offense, and to declare an emergency.

The question being, “Shall the emergency clause stand as part of the bill?”

The yeas and nays were taken and resulted – yeas 93, nays 1, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldridge	Bird	Blackshear
Boggs	Brent	Brown	Callender
Carfagna	Carruthers	Click	Creech
Cross	Crossman	Cutrona	Dean
Denson	Edwards	Ferguson	Fowler Arthur
Fraizer	Galonski	Ghanbari	Ginter
Grendell	Gross	Hall	Hicks-Hudson
Hillyer	Holmes	Hoops	Householder
Howse	Ingram	Jarrells	John
Johnson	Jones	Jordan	Kelly
Kick	Koehler	Lampton	Lanese
LaRe	Leland	Lepore-Hagan	Lightbody
Lipps	Liston	Loychik	Manchester
Manning	McClain	Merrin	Miller, J.
Miranda	O'Brien	Oelslager	Patton
Pavliga	Plummer	Powell	Ray
Richardson	Riedel	Robinson	Roemer
Russo	Schmidt	Seitz	Sheehy
Skindell	Smith, K.	Smith, M.	Sobecki
Stein	Stephens	Stewart	Stoltzfus
Swearingen	Sweeney	Sykes	Troy
Upchurch	Weinstein	West	White
Wiggam	Wilkin	Young, B.	Young, T.
			Cupp-93

Representative Brinkman voted in the negative-1.

Having received the required Constitutional majority, the emergency clause

stood as part of the bill.

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

The yeas and nays were taken and resulted – yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Blackshear
Boggs	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Cutrona
Dean	Denson	Edwards	Ferguson
Fowler Arthur	Fraizer	Galonski	Ghanbari
Ginter	Grendell	Gross	Hall
Hicks-Hudson	Hillyer	Holmes	Hoops
Householder	Howse	Ingram	Jarrells
John	Johnson	Jones	Jordan
Kelly	Kick	Koehler	Lampton
Lanese	LaRe	Leland	Lepore-Hagan
Lightbody	Lipps	Liston	Loychik
Manchester	Manning	McClain	Merrin
Miller, J.	Miranda	O'Brien	Oelslager
Patton	Pavliga	Plummer	Powell
Ray	Richardson	Riedel	Robinson
Roemer	Russo	Schmidt	Seitz
Sheehy	Skindell	Smith, K.	Smith, M.
Sobecki	Stein	Stephens	Stewart
Stoltzfus	Swearingen	Sweeney	Sykes
Troy	Upchurch	Weinstein	West
White	Wiggam	Wilkin	Young, B.
Young, T.			Cupp-94

The Senate amendments were concurred in.

Sub. H. B. No. 75-Representative Oelslager.

To amend sections 4121.43, 4123.57, 4123.58, and 4123.85 of the Revised Code to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2021, and ending June 30, 2023, to provide authorization and conditions for the operation of the Bureau's programs, and to make changes to the Workers' Compensation Law, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 92, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Bird	Blackshear
Boggs	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Cutrona
Denson	Edwards	Ferguson	Fowler Arthur
Fraizer	Galonski	Ghanbari	Ginter
Grendell	Gross	Hall	Hicks-Hudson

Hillyer	Holmes	Hoops	Householder
Howse	Ingram	Jarrells	John
Johnson	Jones	Jordan	Kick
Koehler	Lampton	Lanese	LaRe
Leland	Lepore-Hagan	Lightbody	Lipps
Liston	Loychik	Manchester	Manning
McClain	Merrin	Miller, J.	Miranda
O'Brien	Oelslager	Patton	Pavliga
Plummer	Powell	Ray	Richardson
Riedel	Robinson	Roemer	Russo
Schmidt	Seitz	Sheehy	Skindell
Smith, K.	Smith, M.	Sobecki	Stein
Stephens	Stewart	Stoltzfus	Swearingen
Sweeney	Sykes	Troy	Upchurch
Weinstein	West	White	Wiggam
Wilkin	Young, B.	Young, T.	Cupp-92

Representatives Dean and Kelly voted in the negative-2.

The bill passed.

Representative Oelslager moved to amend the title as follows:

Add the names: "Baldridge, Callender, Carruthers, Edwards, Fraizer, Galonski, Holmes, Householder, John, Jones, Lanese, Lepore-Hagan, Miller, J., O'Brien, Plummer, Richardson, Riedel, Russo, White, Young, T."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the House standing committee on Rules and Reference:

Remove Representatives Crawley and Russo; appoint Representatives Sykes (Ranking Member) and Hicks-Hudson.

On motion of Representative Ginter, the House recessed.

The House met pursuant to recess.

Representative Jones moved that the House revert to the fifth order of business, being reports of standing and select committees and bills for second consideration.

The motion was agreed to.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS
FOR SECOND CONSIDERATION**

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

H. B. No. 288 - Representative Koehler

TO ESTABLISH REQUIREMENTS FOR ELECTRONIC BENEFIT TRANSFER CARDS ISSUED UNDER THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

To the committee on State and Local Government

H. B. No. 296 - Representatives Lepore-Hagan and Liston

TO MODIFY THE LAW GOVERNING VOTER REGISTRATION AND THE METHOD OF CONDUCTING ELECTIONS.

To the committee on Government Oversight

H. B. No. 297 - Representative Wiggam

TO ESTABLISH THE FIREARMS INDUSTRY NONDISCRIMINATION ACT.

To the committee on Government Oversight

H. B. No. 298 - Representatives Bird and Miller, J.

TO CHANGE THE VOTING MEMBERSHIP OF THE STATE BOARD OF EDUCATION TO CONSIST OF ONLY ELECTED MEMBERS.

To the committee on Government Oversight

H. B. No. 299 - Representative Skindell

TO ENACT "THE CONSUMER UTILITY BILLING TRANSPARENCY ACT" REQUIRING THE ITEMIZATION OF ALL RIDERS, CHARGES, TAXES, AND OTHER COSTS ON CERTAIN UTILITY BILLS.

To the committee on Public Utilities

H. B. No. 300 - Representative Skindell

TO BAN THE TAKING OR REMOVAL OF OIL OR NATURAL GAS FROM AND UNDER THE BED OF LAKE ERIE.

To the committee on Energy and Natural Resources

H. B. No. 301 - Representatives Skindell and Ingram

TO DESIGNATE THE LAST SATURDAY OF SEPTEMBER AS "OHIO PUBLIC LANDS DAY."

To the committee on Agriculture and Conservation

H. B. No. 302 - Representatives Skindell and Smith, K.

TO ALTER THE MINIMUM SETBACK REQUIREMENT FOR WIND FARMS OF FIVE OR MORE MEGAWATTS.

To the committee on Public Utilities

H. B. No. 303 - Representative Swearingen
WITH REGARD TO CAREER-TECHNICAL EDUCATION AND THE
COMPENSATION OF JOINT VOCATIONAL SCHOOL DISTRICTS
LOCATED IN COMMUNITY REINVESTMENT AREAS.

To the committee on Economic and Workforce Development

H. B. No. 304 - Representative Baldrige
TO AMEND THE LAW REGARDING SMOKE ALARMS IN
RESIDENTIAL PREMISES.

To the committee on Commerce and Labor

H. B. No. 305 - Representatives Liston and Manning
TO CAP COST SHARING FOR PRESCRIPTION INSULIN DRUGS.

To the committee on Health

H. B. No. 306 - Representatives Sweeney and Russo
TO MODIFY THE CAMPAIGN FINANCE LAW, AND TO NAME THIS
ACT THE OHIO ANTI-CORRUPTION ACT.

To the committee on Government Oversight

ROBERT R. CUPP
EMILIA STRONG SYKES
KRISTIN BOGGS
PAULA HICKS-HUDSON
SCOTT OELSLAGER
BILL SEITZ

TIMOTHY E. GINTER
CINDY ABRAMS
RICK CARFAGNA
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 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 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 resolution be read by title only and
approved:

H. R. No. 62 - Representative Sobecki

Honoring Savannah Isaac as a 2021 National High School Coaches
Association Wrestling Tournament Champion.

/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 Tuesday, May 18, 2021 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.