

**OHIO**

**SENATE**

**JOURNAL**

WEDNESDAY, FEBRUARY 3, 2021

ELEVENTH DAY  
Senate Chamber, Columbus, Ohio  
**Wednesday, February 3, 2021, 1:30 p.m.**

The Senate met pursuant to adjournment.

Prayer was offered by Senator Hearcel F. Craig, followed by the Pledge of Allegiance to the Flag.

The journal of the last legislative day was read and approved.

The following guests were recognized by the Senate prior to the commencement of business:

Senator Dolan honored the life and service of former State Senator Grace Drake.

Senator Antonio requested a moment of silence for Judge Diane Karpinski.

Senator Craig recognized February as Black History Month.

Senator Roegner recognized Senior Legislative Aide, Joe Baker, for his service to the Senate.

**REPORTS OF REFERENCE AND BILLS FOR SECOND  
CONSIDERATION**

Senator Huffman, M. reports for the standing committee on Rules and Reference, recommending that the following bills and resolutions, standing in order for second consideration, be referred to committee as recommended:

**S. C. R. No. 1** -Senator Schaffer, et al.

To urge the Congress of the United States to enact the Mark Takai Atomic Veterans Healthcare Parity Act.

To the Committee on Veterans and Public Safety.

**S. R. No. 10** -Senator Maharath, et al.

Honoring the lives lost during the COVID-19 pandemic.

To the Committee on Health.

**S. R. No. 3** -Senator Maharath, et al.

To condemn the insurrection at the United States Capitol Building on Wednesday, January 6, 2021, instigated by white nationalists and white supremacists that resulted in the deaths of United States Capitol Police Officer Brian D. Sicknick and four others in an effort to prevent the certification of

Joseph R. Biden and Kamala D. Harris as President-elect and Vice President-elect of the United States.

To the Committee on Veterans and Public Safety.

**S. B. No. 20** -Senator Hackett

To amend section 307.04 of the Revised Code to exempt county utility supply contracts entered into under a joint purchasing program from the 10-year maximum period for such contracts and to declare an emergency.

To the Committee on Local Government and Elections.

**S. B. No. 28** -Senator Hoagland, et al.

To amend section 1533.05 of the Revised Code to authorize the use of owls in the sport of falconry.

To the Committee on Agriculture and Natural Resources.

**S. B. No. 29** -Senator Hoagland, et al.

To amend sections 4928.143, 4928.20, 4928.231, 4928.232, 4929.01, 4929.22, and 4929.29; to enact sections 4928.201 and 4929.271; and to repeal sections 4928.21 and 4929.26 of the Revised Code to eliminate automatic enrollment in governmental electric and natural gas aggregation programs.

To the Committee on Energy and Public Utilities.

**S. B. No. 30** -Senator Dolan, et al.

To amend section 5.2269 of the Revised Code to designate August 31 as "Ohio Overdose Awareness Day."

To the Committee on Health.

**S. B. No. 31** -Senator Craig, et al.

To require the Ohio History Connection to designate Poindexter Village as a state historic site.

To the Committee on Government Oversight and Reform.

**S. B. No. 32** -Senator Rulli

To enact section 5501.92 of the Revised Code to require the Director of Transportation to establish an electric vehicle charging station grant rebate program and to make an appropriation.

To the Committee on Transportation.

**S. B. No. 33** -Senators Hottinger, Brenner, et al.

To amend sections 5747.01, 5747.10, and 5747.70 of the Revised Code to expand the income tax deduction allowed for contributions to Ohio's 529 education savings plans to include contributions to 529 plans established by other states.

To the Committee on Ways and Means.

**S. B. No. 34** -Senator Brenner, et al.

To amend sections 2909.02, 2909.03, 2909.04, 2909.05, 2909.06, and 2909.07 of the Revised Code and to amend Section 231.10 of H.B. 166 of the 133rd General Assembly to increase penalties for arson offenses and related offenses and to make an appropriation.

To the Committee on Judiciary.

**S. B. No. 35** -Senator Maharath, et al.

To enact section 5321.20 of the Revised Code to prohibit a rental agreement from including a mandatory cable television fee.

To the Committee on Financial Institutions and Technology.

**S. B. No. 36** -Senators Manning, Huffman, S.

To amend sections 2743.51, 2743.59, 2743.60, 2743.65, 2743.66, and 2743.71 of the Revised Code to revise the eligibility standards and procedure for awarding reparations to crime victims.

To the Committee on Judiciary.

**S. B. No. 37** -Senators Fedor, Manning, et al.

To amend Section 12 of H.B. 164 of the 133rd General Assembly and Section 17 of H.B. 197 of the 133rd General Assembly, as subsequently amended, to make changes to education law for the 2020-2021 school year in response to implications from COVID-19 and to declare an emergency.

To the Committee on Primary and Secondary Education.

**S. B. No. 38** -Senator Schaffer, et al.

To amend sections 5747.08 and 5747.98 and to enact section 5747.64 of the

Revised Code to allow an income tax credit for law enforcement officials and volunteer firefighters who purchase safety or protective items to be used in the course of official law enforcement or firefighting activities.

To the Committee on Ways and Means.

**S. B. No. 39** -Senator Schaffer, et al.

To amend sections 2901.13, 2903.12, 2921.12, and 2921.13 and to enact sections 149.382, 2305.118, and 2307.68 of the Revised Code to eliminate the 20-year statute of limitation for felonious assault and aggravated assault if the victim is a peace officer, to modify the law regarding records retention schedules developed by counties, municipal corporations, and townships, to modify the penalties for aggravated assault, tampering with evidence, falsification, and falsification in a theft offense, and to name this act Cooper's Law.

To the Committee on Judiciary.

**S. B. No. 40** -Senator Schaffer, et al.

To amend sections 1333.11, 1333.12, 1333.14, and 1333.15 and to enact section 1333.13 of the Revised Code regarding cigarette minimum pricing.

To the Committee on Ways and Means.

**S. B. No. 41** -Senator Schaffer, et al.

To amend sections 2909.05, 2917.01, 2917.02, 2917.03, 2923.01, 2929.18, 2929.28, and 2949.111 and to enact sections 2901.51 and 2929.73 of the Revised Code regarding restitution for vandalism, inciting to violence, aggravated riot, and riot; inclusion of certain vandalism conduct within conspiracy; and reimbursement, by a person convicted of an offense connected to a potential serious threat to public safety, of government costs incurred in a response to the threat.

To the Committee on Judiciary.

**S. B. No. 42** -Senator Schaffer, et al.

To enact section 5.2522 of the Revised Code to designate the second week of November as "Ohio Diabetes Awareness-Heart Connection Week."

To the Committee on Health.

**S. B. No. 43** -Senator Schaffer, et al.

To enact section 5.271 of the Revised Code to designate July as "Sarcoma Awareness Month" and to name the act Hank's Law.

To the Committee on Health.

**S. B. No. 44** -Senators Rulli, Cirino

To amend sections 3706.40, 3706.41, 3706.43, 3706.45, 3706.46, 3706.49, 3706.55, and 3706.59; to enact section 3706.551; and to repeal sections 3706.53, 3706.61, and 5727.231 of the Revised Code to repeal the nuclear resource credit payment provisions, and amend, and rename as solar resource, the renewable resource credit payment provisions of H.B. 6 of the 133rd General Assembly.

To the Committee on Energy and Public Utilities.

**S. B. No. 45** -Senators Peterson, Kunze

To amend sections 122.17, 3735.65, 3735.67, 3735.671, 5709.61, 5709.62, 5709.63, 5709.631, 5709.632, and 5751.01 of the Revised Code to enhance state and local tax inducements for businesses making substantial fixed asset and employment investments and their suppliers.

To the Committee on Ways and Means.

YES - 14: NICKIE J. ANTONIO, ANDREW O. BRENNER, MATT DOLAN, THERESA GAVARONE, BOB D. HACKETT, JAY HOTTINGER, MATT HUFFMAN, STEPHANIE KUNZE, TINA MAHARATH, ROB MCCOLLEY, BOB PETERSON, KIRK SCHURING, CECIL THOMAS, KENNY YUKO

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Said bills and resolutions were considered a second time and referred to committee as recommended.

**REPORTS OF STANDING AND SELECT COMMITTEES**

Senator Manning submitted the following report:

The standing committee on Judiciary, to which was referred **S. B. No. 13**- Senator Lang, et. al., having had the same under consideration, reports it back

and recommends its passage.

Co-Sponsors: Manning, Schuring.

YES - 7: NATHAN H. MANNING, ROB MCCOLLEY, THERESA GAVARONE, KIRK SCHURING, NIRAJ ANTANI, TERESA FEDOR, CECIL THOMAS

NO - 0.

Senator Huffman, S. submitted the following report:

The standing committee on Health, to which was referred **S. B. No. 5-** Senators Roegner, Blessing having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Huffman, S.

YES - 7: STEPHEN A. HUFFMAN, KRISTINA D. ROEGNER, TERRY JOHNSON, NIRAJ ANTANI, NICKIE J. ANTONIO, MARK ROMANCHUK, CECIL THOMAS

NO - 0.

Senator Huffman, S. submitted the following report:

The standing committee on Health, to which was referred **S. B. No. 7-** Senator Roegner having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Huffman, S.

YES - 7: STEPHEN A. HUFFMAN, NICKIE J. ANTONIO, CECIL THOMAS, MARK ROMANCHUK, KRISTINA D. ROEGNER, NIRAJ ANTANI, TERRY JOHNSON

NO - 0.

The question being, "Shall the reports of the committee be accepted?"  
The reports of the committee were accepted.

### **BILLS FOR THIRD CONSIDERATION**

**S. B. No. 5**-Senators Roegner, Blessing.

Cosponsor: Senator Huffman, S.

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

The question being, "Shall the bill, **S. B. No. 5**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	Dolan	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, S.	Johnson	Kunze	Lang
Maharath	Manning	McColley	O'Brien
Peterson	Reineke	Roegner	Romanchuk
Rulli	Schaffer	Schuring	Sykes
Thomas	Wilson	Yuko	Huffman, M.-32

So the bill passed.

Senator Roegner moved to amend the title as follows:

Add the names: "Antonio, Brenner, Cirino, Craig, Gavarone, Hackett, Hoagland, Hottinger, Johnson, Lang, Manning, McColley, O'Brien, Peterson, Reineke, Sykes, Thomas, Wilson, Yuko."

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

The motion was agreed to and the title so amended.

**S. B. No. 7**-Senator Roegner.

Cosponsor: Senator Huffman, S.

To enact sections 4755.14 and 4755.141 of the Revised Code to enter into the Occupational Therapy Licensure Compact, was considered the third time.

The question being, "Shall the bill, **S. B. No. 7**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	Dolan	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, S.	Johnson	Kunze	Lang
Maharath	Manning	McColley	O'Brien
Peterson	Reineke	Roegner	Romanchuk
Rulli	Schaffer	Schuring	Sykes
Thomas	Wilson	Yuko	Huffman, M.-32

So the bill passed.

Senator Roegner moved to amend the title as follows:

Add the names: "Antonio, Blessing, Brenner, Cirino, Craig, Dolan, Gavarone, Hackett, Hoagland, Hottinger, Johnson, Lang, McColley, O'Brien, Peterson, Reineke, Sykes, Thomas, Wilson, Yuko."

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

The motion was agreed to and the title so amended.



**S. B. No. 13-Senator Lang.**

Cosponsors: Senators Cirino, Reineke, Romanchuk, Wilson, Manning, Schuring.

To amend sections 2305.03, 2305.06, 2305.07, and 2305.11 and to enact section 2305.117 of the Revised Code to shorten the period of limitations for actions upon a contract; to make changes to the borrowing statute pertaining to applicable periods of limitations; and to establish a statute of repose for a legal malpractice action, was considered the third time.

The question being, "Shall the bill, **S. B. No. 13**, pass?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	Dolan	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, S.	Johnson	Kunze	Lang
Maharath	Manning	McColley	O'Brien
Peterson	Reineke	Roegner	Romanchuk
Rulli	Schaffer	Schuring	Sykes
Thomas	Wilson	Yuko	Huffman, M.-32

So the bill passed.

Senator Lang moved to amend the title as follows:

Add the names: "Antonio, Blessing, Brenner, Craig, Dolan, Gavarone, Hackett, Hoagland, Hottinger, Huffman, S., Johnson, Kunze, McColley, O'Brien, Peterson, Roegner, Rulli, Schaffer, Sykes, Thomas, Yuko."

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

The motion was agreed to and the title so amended.

**MOTIONS**

Senator Rob McColley moved that Senators absent the week of Sunday, January 31, 2021, be excused, so long as a written explanation is on file with the Clerk pursuant to Senate Rule No. 17.

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

The motion was agreed to.

**INTRODUCTION AND FIRST CONSIDERATION OF BILLS**

The following bills were introduced and considered for the first time:

**S. B. No. 46** - Senators Yuko, Rulli.

To enact sections 107.22, 107.23, and 107.24 of the Revised Code to create

the Commission on Eastern European Affairs and the Office of Eastern European Affairs and to make an appropriation.

**S. B. No. 47** - Senators Brenner, Peterson.

To amend section 4111.03 and to enact section 4111.031 of the Revised Code to except traveling to and from a worksite and performing certain routine tasks from the overtime pay requirement.

**S. B. No. 48** - Senators Maharath, Antonio.

Cosponsors: Senators Craig, Fedor, Thomas.

To amend section 4743.08 of the Revised Code to require certain health care professionals to complete instruction in cultural competency.

### OFFERING OF RESOLUTIONS

Senator Hottinger offered the following resolution:

**S. R. No. 13**-Senator Hottinger.

To adopt the Rules of the Senate for the 134th General Assembly.

The question being, "Shall the resolution, **S. R. No. 13**, be adopted?"

The yeas and nays were taken and resulted – yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Cirino	Craig	Dolan	Fedor
Gavarone	Hackett	Hoagland	Hottinger
Huffman, S.	Johnson	Kunze	Lang
Maharath	Manning	McColley	O'Brien
Peterson	Reineke	Roegner	Romanchuk
Rulli	Schaffer	Schuring	Sykes
Thomas	Wilson	Yuko	Huffman, M.-32

So the resolution was adopted.

The question being, "Shall the title be agreed to?"

Senator Hottinger moved to amend the title as follows:

Add the names: "Blessing, Hackett, Hoagland, Huffman, S., Lang, Schaffer, Wilson."

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

The motion was agreed to and the title so amended.

**MESSAGE FROM THE PRESIDENT**

Pursuant to Section 171.01(A) of the Ohio Revised Code, the President of the Senate appoints the following senators to serve on the Ohio Retirement Study Council:

Senator Kirk Schuring  
Senator Jay Hottinger  
Senator Hearcel Craig

On the motion of Senator Hottinger, the Senate adjourned until Thursday, February 4, 2021 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,  
Clerk.