

OHIO

SENATE

JOURNAL

WEDNESDAY, FEBRUARY 24, 2021

SEVENTEENTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, February 24, 2021, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Brian Solomon, Capitol Ministries in Columbus, Ohio, 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 Craig recognized Brian and Dominique Brooks who are owners of E. E. Ward which is the oldest United States black business.

Senator Peterson requested a moment of silence for fallen Ohio Department of Natural Resources officer Jason Lagore.

**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 resolution, standing in order for second consideration, be referred to committee as recommended:

H. B. No. 2 -Representatives Carfagna, Stewart, et al.

To amend sections 133.13 and 727.01 and to enact sections 122.40, 122.401, 122.403, 122.404, 122.406, 122.407, 122.408, 122.4010, 122.4013, 122.4015, 122.4016, 122.4017, 122.4018, 122.4019, 122.4020, 122.4021, 122.4023, 122.4024, 122.4025, 122.4030, 122.4031, 122.4033, 122.4034, 122.4035, 122.4036, 122.4037, 122.4040, 122.4041, 122.4043, 122.4044, 122.4045, 122.4046, 122.4050, 122.4051, 122.4053, 122.4055, 122.4060, 122.4061, 122.4063, 122.4070, 122.4071, 122.4073, 122.4075, 122.4076, 122.4077, 188.01, 188.02, 188.05, 188.08, 188.11, 188.14, 188.17, 188.20, 188.23, 188.27, 188.30, 303.251, 505.881, 4926.01, 4926.03, 4926.06, 4926.09, 4926.12, 4926.15, 4926.18, 4926.21, 4926.24, 4926.27, 4926.30, 4926.33, 4926.36, 4926.39, 4926.42, 4926.43, 4926.45, 4926.48, 4926.51, 4926.54, 4926.57, and 4926.60 of the Revised Code regarding broadband expansion, including access to electric cooperative easements and facilities, to make an appropriation, and to declare an emergency.

To the Committee on Financial Institutions and Technology.

S. C. R. No. 4 -Senators Craig, Williams, et al.

To declare racism a public health crisis and to ask the Governor to establish

a working group to promote racial equity in Ohio.

To the Committee on Health.

S. B. No. 61 -Senators Blessing, Antonio

To amend sections 349.01, 5311.05, 5311.08, 5311.081, 5311.091, 5311.16, 5311.18, 5312.02, 5312.03, 5312.06, 5312.07, and 5312.11 and to enact sections 5311.192 and 5312.16 of the Revised Code regarding condominiums and planned community properties and to make changes to the New Community Law.

To the Committee on Local Government and Elections.

S. B. No. 62 -Senator Hackett, et al.

To amend sections 135.77, 135.774, 307.04, 1115.05, 1321.52, 1321.68, 1322.01, 1322.02, 1322.04, 1322.07, 1322.09, 1322.10, 1322.12, 1322.15, 1322.29, 1322.30, 1322.32, 1322.34, 1322.43, 1322.50, 1322.52, 1345.01, 1349.72, 2913.11, and 4712.05; to enact section 1319.17; and to repeal sections 1322.24, 1322.25, and 1349.16 of the Revised Code relating to commerce and taxation.

To the Committee on Financial Institutions and Technology.

S. B. No. 63 -Senator O'Brien, et al.

To amend section 301.28 of the Revised Code to allow a board of county commissioners to authorize a county department of probation to accept payments by credit card.

To the Committee on Local Government and Elections.

S. B. No. 64 -Senators Hottinger, Lang, et al.

To enact sections 4740.20, 4740.21, 4740.22, 4740.23, 4740.24, 4740.25, 4740.251, 4740.252, 4740.253, and 4740.26 of the Revised Code to regulate and require the registration of roofing contractors.

To the Committee on Government Oversight and Reform.

S. B. No. 65 -Senator Rulli

To enact section 5534.921 of the Revised Code to designate a portion of State Route 7 in Mahoning County as the "Clarence "Sonny" Smith, Jr. Highway."

To the Committee on Transportation.

S. B. No. 66 -Senator Williams, et al.

To enact section 3303.08 of the Revised Code to establish a career pathways apprentice program.

To the Committee on Workforce and Higher Education.

S. B. No. 67 -Senator Williams, et al.

To establish a committee to study the progress and challenges of African Americans in Ohio and to make an appropriation.

To the Committee on Finance.

S. B. No. 68 -Senator Williams, et al.

To enact section 4113.13 of the Revised Code to prohibit private employers from including on an employment application any question concerning whether an applicant has been convicted of or pleaded guilty to a felony.

To the Committee on Workforce and Higher Education.

S. B. No. 69 -Senator Williams, et al.

To amend sections 3333.122 and 3333.20 and to enact section 3333.168 of the Revised Code regarding noncredit career-technical programs at community colleges and state community colleges.

To the Committee on Workforce and Higher Education.

S. B. No. 70 -Senator Maharath, et al.

To enact section 4113.12 of the Revised Code to prohibit employers from seeking a prospective employee's wage or salary history.

To the Committee on Small Business and Economic Opportunity.

S. B. No. 71 -Senators Lang, Thomas, et al.

To amend section 1327.70 of the Revised Code to authorize a county to implement a motor fuel quality testing program.

To the Committee on Transportation.

S. B. No. 72 -Senators Williams, Thomas, et al.

To enact section 2903.17 of the Revised Code to prohibit assault by a law enforcement officer.

To the Committee on Judiciary.

S. B. No. 73 -Senator Thomas, et al.

To amend sections 2929.28 and 5122.311 and to enact section 2923.26 of the Revised Code to require a firearm transfer to be made through a dealer, through a law enforcement agency, or pursuant to a specified exception, and to require a background check when a firearm is transferred.

To the Committee on Veterans and Public Safety.

S. B. No. 74 -Senator Thomas, et al.

To amend sections 2151.022, 2152.02, 2152.16, 2923.21, and 2923.211 of the Revised Code to raise the minimum age to purchase a firearm to age 21 and to increase the penalty for improperly furnishing firearms to an underage person.

To the Committee on Veterans and Public Safety.

S. B. No. 75 -Senators Thomas, Williams, et al.

To amend sections 2929.28 and 5122.311 and to enact section 2923.27 of the Revised Code to regulate the transfer of firearms at a gun show.

To the Committee on Veterans and Public Safety.

S. B. No. 76 -Senators Thomas, Craig, et al.

To repeal section 9.68 of the Revised Code to restore local authority to generally regulate firearms-related conduct.

To the Committee on Veterans and Public Safety.

S. B. No. 77 -Senator Thomas, et al.

To amend sections 2923.13 and 2923.14 and to enact section 2923.133 of the Revised Code to prohibit certain conduct regarding trigger cranks, bump-fire devices, and other items that accelerate a semi-automatic firearm's rate of fire but do not convert it into an automatic firearm.

To the Committee on Veterans and Public Safety.

S. B. No. 78 -Senators Craig, Brenner, et al.

To amend sections 1.14, 5.2247, 124.19, 325.19, 511.10, 1345.21, 3313.63, and 3319.087 of the Revised Code to establish the nineteenth of June as Juneteenth, a legal holiday for which government employees receive paid leave.

To the Committee on Government Oversight and Reform.

S. B. No. 79 -Senator Hoagland

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

To the Committee on Transportation.

S. B. No. 80 -Senators Gavarone, Cirino

To amend sections 3501.01, 3505.03, 3505.04, and 3513.257 of the Revised Code to require certain judicial candidates to appear on the ballot with a party designation.

To the Committee on Local Government and Elections.

S. B. No. 81 -Senator Maharath, et al.

To enact section 198.01 of the Revised Code to prohibit the display of the Confederate battle flag inside or on the grounds of the Ohio Statehouse.

To the Committee on Government Oversight and Reform.

S. B. No. 82 -Senator Maharath, et al.

To enact section 4511.80 of the Revised Code to prohibit smoking in a motor vehicle if a child under six years of age is a passenger.

To the Committee on Judiciary.

S. B. No. 83 -Senators Williams, Rulli, et al.

To require the Ohio Environmental Protection Agency to conduct a study to determine where brownfield sites are located in this state and to make an appropriation.

To the Committee on Agriculture and Natural Resources.

S. B. No. 84 -Senators Williams, Rulli, et al.

To amend sections 122.65, 122.658, and 151.40 of the Revised Code to

make changes to the law relating to the Clean Ohio Revitalization Fund.

To the Committee on Agriculture and Natural Resources.

S. B. No. 85 -Senator Williams, et al.

To enact section 4113.66 of the Revised Code to prohibit the use of noncompete provisions in employment contracts in the broadcasting industry.

To the Committee on Workforce and Higher Education.

S. B. No. 86 -Senator Williams, et al.

To enact section 109.021 of the Revised Code regarding the Attorney General's authority relating to deaths caused by peace officers.

To the Committee on Judiciary.

S. B. No. 87 -Senators Antani, Maharath

To amend section 121.30 and to enact sections 121.34 and 121.341 of the Revised Code to create the Ohio Asian-American and Pacific Islander Affairs Commission and the Office of Asian- American and Pacific Islander Affairs and to make an appropriation.

To the Committee on Government Oversight and Reform.

S. B. No. 88 -Senator Brenner

To amend section 4511.46 of the Revised Code to alter the law governing yielding to pedestrians in crosswalks.

To the Committee on Veterans and Public Safety.

YES - 13: 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, 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 resolution were considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Huffman, S. submitted the following report:

The standing committee on Health, to which was referred **S. B. No. 30-** Senator Dolan, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Huffman, S.

YES - 7: STEPHEN A. HUFFMAN, NIRAJ ANTANI, NICKIE J. ANTONIO, TERRY JOHNSON, KRISTINA D. ROEGNER, 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. 42-** Senator Schaffer, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Huffman, S.

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

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. 3-Senator Roegner.

Cosponsor: Senator Huffman, S.

To enact sections 4723.11, 4723.111, 4723.112, 4723.113, 4723.114, and 4723.115 of the Revised Code to enter into the Nurse Licensure Compact, was considered the third time.

The question being, "Shall the bill, **S. B. No. 3**, pass?"

The yeas and nays were taken and resulted – yeas 23, nays 8, as follows:
Those who voted in the affirmative were: Senators

Antani

Blessing

Brenner

Dolan

Gavarone	Hackett	Hoagland	Hottinger
Huffman, S.	Johnson	Kunze	Manning
McColley	O'Brien	Peterson	Reineke
Roegner	Romanchuk	Rulli	Schaffer
Schuring	Wilson		Huffman, M.-23

Senators Antonio, Craig, Fedor, Maharath, Sykes, Thomas, Williams, and Yuko voted in the negative-8.

So the bill passed.

The title was amended as follows:

Add the names: "Hackett, Hoagland, McColley, O'Brien, Peterson, Reineke, Wilson."

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

The motion was agreed to and the title so amended.

Am. S. B. No. 19-Senator Schaffer.

Cosponsors: Senators Hottinger, Williams, Blessing.

To amend section 5709.09 of the Revised Code to establish a property tax exemption for certain property used for wetland mitigation or water quality improvement projects, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 19**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Craig	Dolan	Fedor	Gavarone
Hackett	Hoagland	Hottinger	Huffman, S.
Johnson	Kunze	Maharath	Manning
McColley	O'Brien	Peterson	Reineke
Roegner	Romanchuk	Rulli	Schaffer
Schuring	Sykes	Thomas	Williams
Wilson	Yuko		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Brenner, Craig, Dolan, Gavarone, Hackett, Hoagland, Huffman, S., McColley, O'Brien, Peterson, Reineke, Roegner, Rulli, Schuring, 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. 30-Senator Dolan.

Cosponsors: Senators Cirino, Hottinger, Romanchuk, Kunze, Schaffer, Wilson, Thomas, Reineke, Yuko, Craig, Huffman, S.

To amend section 5.2269 of the Revised Code to designate August 31 as "Ohio Overdose Awareness Day", was considered the third time.

The question being, "Shall the bill, **S. B. No. 30**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Craig	Dolan	Fedor	Gavarone
Hackett	Hoagland	Hottinger	Huffman, S.
Johnson	Kunze	Maharath	Manning
McColley	O'Brien	Peterson	Reineke
Roegner	Romanchuk	Rulli	Schaffer
Schuring	Sykes	Thomas	Williams
Wilson	Yuko		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Blessing, Brenner, Craig, Fedor, Gavarone, Hackett, Hoagland, Huffman, M., Johnson, Maharath, Manning, O'Brien, Peterson, Roegner, Schuring, Sykes, Williams."

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

The motion was agreed to and the title so amended.

S. B. No. 57-Senators Hackett, Antonio.

Cosponsors: Senators Blessing, Craig, Brenner, Fedor, Yuko, Hottinger, Dolan, Williams.

To amend section 5709.121 of the Revised Code to exempt from property taxation qualifying housing for individuals diagnosed with mental illness or substance use disorder, was considered the third time.

The question being, "Shall the bill, **S. B. No. 57**, pass?"

The yeas and nays were taken and resulted – yeas 31, nays 0, as follows:

Those who voted in the affirmative were: Senators

Antani	Antonio	Blessing	Brenner
Craig	Dolan	Fedor	Gavarone
Hackett	Hoagland	Hottinger	Huffman, S.
Johnson	Kunze	Maharath	Manning
McColley	O'Brien	Peterson	Reineke
Roegner	Romanchuk	Rulli	Schaffer
Schuring	Sykes	Thomas	Williams
Wilson	Yuko		Huffman, M.-31

So the bill passed.

The title was amended as follows:

Add the names: "Gavarone, Hoagland, Huffman, M., Huffman, S., Johnson, Kunze, Maharath, Manning, O'Brien, Reineke, Schaffer, Schuring, Sykes, Thomas, Wilson."

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, February 21, 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. 89 - Senator Dolan.

To amend sections 4928.64 and 5727.75 of the Revised Code to extend the renewable portfolio standard, increase solar energy benchmarks, and extend the property tax exemption for qualified energy projects that use renewable energy resources.

S. B. No. 90 - Senators Kunze, Antonio.

To amend sections 2919.25, 2929.13, and 2929.14 of the Revised Code to expand the offense of domestic violence to also prohibit a person from knowingly impeding the normal breathing or circulation of the blood of a family or household member by applying pressure to the family or household member's throat or neck or blocking the family or household member's nose or mouth.

S. B. No. 91 - Senator Antani.

To enact section 5534.923 of the Revised Code to name a portion of State Route 725 in Montgomery County as the "SGT Gary Lee McKiddy Memorial Highway."

S. B. No. 92 - Senator Antani.

To enact section 5534.59 of the Revised Code to designate a portion of State Route 725 in the municipal corporation of Miamisburg as "Mayor Dick Church, Jr. Way."

S. B. No. 93 - Senator Antani.

To amend sections 305.31, 5739.021, 5739.022, and 5739.026 of the Revised Code to require voter approval of any increase in the rate of a county sales tax.

S. B. No. 94 - Senator Wilson.

To amend section 1349.55 and to enact sections 1349.551, 1349.552, 1349.553, 1349.554, and 1349.555 of the Revised Code to amend the law regarding the non-recourse civil litigation advance business.

S. B. No. 95 - Senator Maharath.

Cosponsors: Senators Thomas, Yuko, Craig.

To enact sections 4903.191, 4934.01, 4934.02, 4934.03, 4934.031, 4934.04, 4934.05, 4934.07, 4934.10, 4934.11, 4934.30, 4934.31, 4934.32, and 4934.35 of the Revised Code to require refunds to utility customers who have been improperly charged and to regulate certain resellers of utility service.

S. B. No. 96 - Senator Williams.

Cosponsors: Senators Yuko, Craig, Thomas, Antonio, Maharath, Sykes, Fedor.

To prevent the disruption of utility service during the state of emergency declared regarding COVID-19 and to declare an emergency.

S. B. No. 97 - Senator Roegner.

To repeal Section 29 of H.B. 197 of the 133rd General Assembly to modify municipal income tax employer withholding rules for COVID-19-related work-from-home employees

S. B. No. 98 - Senator Antani.

To amend section 5739.02 of the Revised Code to exempt from sales and use tax things used primarily to move completed manufactured products or general merchandise.

S. B. No. 99 - Senator Rulli.

To amend sections 4723.28, 4730.25, and 4731.22 and to enact sections 3701.25 and 3701.251 of the Revised Code to establish a Parkinson's disease registry.

COMMUNICATIONS FROM THE GOVERNOR

The President handed down the following messages from the Governor which were read by the Clerk:

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, Mike DeWine, Governor of the State of Ohio, do hereby appoint, Judith L. French, from Franklin County, Ohio, as Superintendent of the Department of Insurance for a term beginning February 8, 2021, and continuing at the pleasure of the Governor.

IN WITNESS WHEREOF, I have hereunto subscribed my name and

caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 3rd day of February in the year of our Lord, Two Thousand and Twenty-One.

[Seal]

Mike DeWine,
Governor.

Said appointment was referred to the committee on Rules and Reference.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 101.38(C)(1) of the Ohio Revised Code, the President of the Senate appoints the following senators to serve on the Cystic Fibrosis Legislative Task Force for the 134th General Assembly:

Senator Bob Hackett
Senator Jay Hottinger

Pursuant to Section 101.38(C)(3) of the Ohio Revised Code, the Minority Leader of the Senate appoints the following senator to serve on the Ohio Cystic Fibrosis Task Force for the 134th General Assembly:

Senator Kenny Yuko

On the motion of Senator Hottinger, the Senate adjourned until Tuesday, March 2, 2021 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.