

OHIO

SENATE

JOURNAL

WEDNESDAY, NOVEMBER 10, 2021

NINETY-FIFTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, November 10, 2021, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Senator Terry Johnson, 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 Peterson recognized the Fayette County Special Olympics Dragons Flag Football team as the 2021 Ohio Division 1 Champions.

Senator Roegner recognized Alexia Andrachik from Hudson High School who was named Miss Teen Ohio Cosmos United States.

Senator Romanchuk recognized Alejandro Carrizal Ramos on his visit to the Statehouse.

Senator Schaffer recognized Officer Hiroki Barker for his heroism on duty.

**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:

Sub. H. B. No. 3-Representatives Boyd, Carruthers, et al.

To amend sections 109.744, 109.803, 2903.01, 2919.25, 2919.27, 2929.12, 2929.13, 2929.14, 2929.22, 2935.03, 2935.032, 2937.23, and 3113.31; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 2935.033 (2935.034); and to enact new section 2935.033 and section 2919.261 of the Revised Code to make changes to civil and criminal law regarding domestic violence, to address State Highway Patrol arrest authority, to name the act Aisha's Law, and to make an appropriation.

To the Committee on Judiciary.

Sub. H. B. No. 226-Representatives Pavliga, Miller, A., et al.

To amend sections 2921.03 and 2921.04 of the Revised Code to expand intimidation offenses to include guardians ad litem and court appointed

special advocates.

To the Committee on Judiciary.

Sub. H. B. No. 254-Representatives Boggs, Abrams, et al.

To amend sections 121.22, 149.43, 307.629, 307.99, and 4731.22 and to enact sections 307.651, 307.652, 307.653, 307.654, 307.655, 307.656, 307.657, 307.658, 307.659, and 3701.0412 of the Revised Code to provide for the establishment of domestic violence fatality review boards.

To the Committee on Judiciary.

S. C. R. No. 10-Senator Reineke, et al.

To urge that the federal proposal to require financial institutions and other financial service providers to report most customer net account inflows and outflows not be passed or implemented by government officials.

To the Committee on Financial Institutions and Technology.

S. R. No. 204-Senator Hoagland

To urge the President of the United States not to allow members of the United States Armed Forces to be punished or reprimanded in any way for refusing to submit to a COVID-19 vaccine.

To the Committee on General Government Budget Committee.

S. B. No. 257-Senator Hoagland

To amend sections 2744.01 and 5747.98 and to enact section 5747.77 of the Revised Code to authorize a refundable income tax credit for donations of cash, property, or services to townships.

To the Committee on Ways and Means.

S. B. No. 259-Senator Hoagland

To amend section 5902.02 of the Revised Code to add a member of the Paralyzed Veterans of America organization to the Veterans Advisory Committee.

To the Committee on Veterans and Public Safety.

S. B. No. 260-Senator Lang

To amend section 9.48 of the Revised Code to expand political subdivision

joint purchasing authority to expressly include purchases for construction services.

To the Committee on Local Government and Elections.

S. B. No. 261-Senator Huffman, S., et al.

To amend sections 109.572, 3796.01, 3796.02, 3796.03, 3796.032, 3796.05, 3796.06, 3796.061, 3796.08, 3796.10, 3796.11, 3796.12, 3796.13, 3796.14, 3796.15, 3796.16, 3796.17, 3796.18, 3796.19, 3796.20, 3796.21, 3796.22, 3796.23, 3796.27, 3796.30, 4731.30, and 4776.01; to enact sections 3796.35, 4731.303, and 4731.304; and to repeal sections 3796.031 and 3796.04 of the Revised Code to amend the law related to medical marijuana.

To the Committee on Small Business and Economic Opportunity.

S. B. No. 262-Senator Maharath, et al.

To enact section 2307.68 of the Revised Code to permit a person to file a civil action for damages and injunctive relief against another person who causes the person to have an unintended pregnancy, regardless of the circumstances.

To the Committee on Judiciary.

YES - 13: NICKIE J. ANTONIO, ANDREW O. BRENNER,
HEARCEL F. CRAIG, MATT DOLAN, 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 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. 210**-Senator Gavarone having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsor: Manning.

YES - 5: TERESA FEDOR, CECIL THOMAS, NATHAN H.
MANNING, ROB MCCOLLEY, THERESA GAVARONE

NO - 1: NIRAJ ANTANI

Senator Rulli submitted the following report:

The standing committee on Small Business and Economic Opportunity, to which was referred **Am. H. B. No. 215**-Representatives Wilkin, Cross, et. al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Schuring.

YES - 6: VERNON SYKES, GEORGE F. LANG, SANDRA R.
WILLIAMS, KIRK SCHURING, BILL REINEKE,
MICHAEL A. RULLI

NO - 0.

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

The reports of the committee were accepted.

Senator Huffman, M. submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Governor of:

Damschroder, Matthew, from Franklin County, Ohio, as the Director of the Department of Job and Family Services for a term beginning July 5, 2021, and continuing at the pleasure of the Governor.

Gantt, Gregory, Republican, from Dayton, Montgomery County, Ohio, as a Member of the Unemployment Compensation Review Commission for a term beginning April 9, 2021, ending at the close of business February 26, 2027, replacing Gregory M. Gantt, whose term expired.

Madden, Kathleen, from Fayette County, Ohio, as the Director of the Department of Administrative Services for a term beginning July 5, 2021, and continuing at the pleasure of the Governor.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES – 13: NICKIE J. ANTONIO, ANDREW O. BRENNER,
HEARCEL F. CRAIG, MATT DOLAN, 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 Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted – yeas 33, 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	Williams	Wilson	Yuko
			Huffman, M.-33

So the Senate advised and consented to said appointments.

Message from the House of Representatives

Mr. President:

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

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

Cosponsors: Senators Hottinger, Williams, Blessing, Antonio, Brenner, Craig, Dolan, Gavarone, Hackett, Hoagland, Huffman, S., McColley, O'Brien, Peterson, Reineke, Roegner, Rulli, Schuring, Sykes, Thomas, Wilson, Yuko
Representatives Merrin, Carruthers, Click, Cutrona, Edwards, Jones, Lampton, Swearingen

To amend sections 306.322, 319.38, 323.08, 5703.21, 5709.09, 5709.17, 5713.08, 5715.27, 5739.023, and 5741.02 and to enact section 323.18 of the Revised Code to modify the law regarding property taxation and sales and use tax.

As a substitute bill with the following additional amendments, in which the concurrence of the Senate is requested.

In line 228, after "to" insert "a combined question under"

In line 230, delete "unless a higher rate is approved in accordance with" and insert "notwithstanding"

In line 233, after "section" insert "306.40 or"

In line 980, delete "municipal"

In line 981, delete "corporation, and township"

In line 982, after "authority" insert "and each municipal corporation and township with territory included in the regional transit authority"

In line 989, after "section" insert "306.40 or"

In line 990, after "notes" insert ", bonds,"

In line 991, delete "that section" and insert "those sections"

In line 993, after "sales" insert "and use"

In line 994, after "section" insert "and section 5741.022 of the Revised Code"

In line 995, after "notes" insert ", bonds,"

In line 996, delete "The" and insert "After the board begins to levy and collect sales and use tax under this section and section 5741.022 of the Revised Code, the"

In line 997, delete "that"; after "section" insert "306.40 or 306.49 of the Revised Code"

In line 998, after "notes" insert ", bonds,"; after "securities" insert ", notwithstanding division (B) of this section"

Attest:

Bradley J. Young,
Clerk.

Senator Hottinger moved that the amendments of the House of Representatives to **Am. Sub. S. B. No. 19**-Senator Schaffer, be brought up for consideration.

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

The motion was agreed to.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted – yeas 1, nays 32, as follows:

Senator Antani voted in the affirmative-1.

Those who voted in the negative were: Senator

Antonio
Craig
Hackett

Blessing
Dolan
Hoagland

Brenner
Fedor
Hottinger

Cirino
Gavarone
Huffman, S.

Johnson	Kunze	Lang	Maharath
Manning	McColley	O'Brien	Peterson
Reineke	Roegner	Romanchuk	Rulli
Schaffer	Schuring	Sykes	Thomas
Williams	Wilson	Yuko	Huffman, M.-32

So the Senate did not concur in the amendments of the House of Representatives.

Message from the House of Representatives

Mr. President:

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

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

Cosponsors: Senators Antonio, Blessing, Brenner, Craig, Dolan, Gavarone, Hackett, Hoagland, Hottinger, Huffman, M., Johnson, Kunze, Maharath, McColley, O'Brien, Peterson, Reineke, Schuring, Sykes, Thomas, Williams, Wilson, Yuko Representatives Baldridge, Boyd, Brent, Brown, Carruthers, Crossman, Cutrona, Denson, Fraizer, Galonski, Ghanbari, Ginter, Gross, Hicks-Hudson, Hillyer, Howse, Humphrey, Ingram, Jarrells, Johnson, Kelly, Lampton, Lanese, LaRe, Leland, Lepore-Hagan, Lightbody, Liston, Manning, Miller, A., Miller, J., O'Brien, Robinson, Russo, Schmidt, Seitz, Sheehy, Skindell, Smith, K., Smith, M., Sobecki, Upchurch, Weinstein, West, White, Young, T., Speaker Cupp

To amend sections 2743.51, 2743.56, 2743.59, 2743.60, 2743.65, and 2743.71 of the Revised Code to revise the eligibility standards and procedure for awarding reparations to crime victims.

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

Attest:

Bradley J. Young,
Clerk.

Senator Hottinger moved that the amendments of the House of Representatives to **Sub. S. B. No. 36**-Senators Manning, Huffman, S., be brought up for consideration.

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

The motion was agreed to.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

The yeas and nays were taken and resulted – yeas 33, 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	Williams	Wilson	Yuko
			Huffman, M.-33

So the Senate concurred in the amendments of the House of Representatives.

BILLS FOR THIRD CONSIDERATION

H. B. No. 177-Representatives Carfagna, Fraizer.

Cosponsors: Representatives Riedel, McClain, Zeltwanger, Stein, Lanese, Miller, J., Smith, K., Merrin, Bird, Brown, Crossman, Denson, Galonski, Gross, Howse, Jarrells, Koehler, Leland, Lepore-Hagan, Lightbody, Liston, Loychik, Miller, A., O'Brien, Plummer, Roemer, Russo, Smith, M., Sobecki, Upchurch, Weinstein, White, Young, T., Speaker Cupp.

To enact section 9.16 of the Revised Code to allow a governmental entity to utilize distributed ledger technology, including blockchain technology, was considered the third time.

The question being, "Shall the bill, **H. B. No. 177**, pass?"

The yeas and nays were taken and resulted – yeas 33, 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	Williams	Wilson	Yuko
			Huffman, M.-33

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Blessing, Cirino, Craig, Dolan, Fedor, Hackett, Hoagland, Hottinger, Huffman, S., Johnson, Lang, Maharath, Manning, Reineke, Romanchuk, Rulli, 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. 204-Senator Roegner.

Cosponsor: Senator Huffman, S.

To enact sections 4757.50 and 4757.511 of the Revised Code to enter into the Counseling Compact, was considered the third time.

The question being, "Shall the bill, **S. B. No. 204**, pass?"

The yeas and nays were taken and resulted – yeas 33, 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	Williams	Wilson	Yuko
			Huffman, M.-33

So the bill passed.

The title was amended as follows:

Add the names: "Antonio, Blessing, Cirino, Gavarone, Hackett, Johnson, Lang, Maharath, McColley, O'Brien, Peterson, Reineke, Romanchuk, Rulli, Thomas, Wilson."

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

The motion was agreed to and the title so amended.

S. B. No. 231-Senator Hottinger.

Cosponsors: Senators Cirino, Blessing, Schaffer, Antonio.

To amend section 5747.11 of the Revised Code to expressly authorize the issuance of an income tax refund in the name of a deceased taxpayer's fiduciary, was considered the third time.

The question being, "Shall the bill, **S. B. No. 231**, pass?"

The yeas and nays were taken and resulted – yeas 33, 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	Williams	Wilson	Yuko
			Huffman, M.-33

So the bill passed.

The title was amended as follows:

Add the names: "Brenner, Craig, Fedor, Gavarone, Hackett, Johnson, Kunze, Maharath, Manning, Reineke, Romanchuk, Schuring, Sykes, Thomas, Wilson."

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

The motion was agreed to and the title so amended.

OFFERING OF RESOLUTIONS

Senators Gavarone, Yuko offered the following resolution:

S. R. No. 211-Senators Gavarone, Yuko.

To urge the President of the United States to make all efforts to keep Enbridge Line 5 operating.

The question being, "Shall the resolution, **S. R. No. 211**, be adopted?"

On the motion of Senator Hottinger, **S. R. No. 211**, was referred to the Committee on Rules and Reference.

Pursuant to Senate Rule No. 55, the following resolutions were offered:

S. R. No. 212 - Senator Roegner.

Honoring Alexia Andrachik as the 2021 National American Miss Ohio Teen Queen.

S. R. No. 213 - Senator Fedor.

Recognizing Veterans Day, November 11, 2021.

The question being, "Shall the resolutions listed under the President's prerogative be adopted?"

So the resolutions were adopted.

On the motion of Senator Hottinger, the Senate adjourned until Monday, November 15, 2021 at 9:30 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.