

Appropriations

H.B. 23

(For details of the act’s fiscal provisions see, the LSC Budget in Brief, As Enacted, Comparison Document, As Enacted, Appropriation Spreadsheets, and Greenbooks, all of which are available on LSC’s website, lsc.ohio.gov, under “Budget Central”)

Primary Sponsor: Rep. Edwards

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PUBLIC UTILITIES COMMISSION

Railroads

Wayside detector systems

- Requires all wayside detector systems installed in Ohio to be within ten to 15 miles from the adjacent system, depending on the natural terrain surrounding the system.
- Requires the Public Utilities Commission (PUCO) and Ohio Department of Transportation (ODOT) to work with each railroad company that does business in Ohio to ensure that wayside detector systems used by those companies are operational, effective, and current.
- In accordance with federal regulations, requires PUCO and ODOT to investigate the safety practices of any railroad company that does not work with them in good faith related to the use of the wayside detector systems.
- Requires PUCO and ODOT to issue a report to the Federal Railroad Administration (FRA) recommending enforcement action against a railroad company if the results of an investigation show that the company does not appear to be in compliance with federal safety standards.
- Requires PUCO and ODOT to issue a copy of that report to the Governor, the Senate President, the Speaker of the House, and the House and Senate Minority Leaders.
- Requires that all wayside detector systems operating in Ohio either directly send their emergency alerts to the operator of the train, rolling stock, or on-track equipment, or

have the person who receives the emergency alert immediately notify the operator of the defect.

Two-person freight train crews

- Requires a train or light engine used in connection with the movement of freight to have at least a two-person crew.
- Specifies that the two-person crew requirement is solely related to safety.
- Permits PUCO to assess a civil penalty against a person who violates the two-person crew requirement.
- Requires the Attorney General to bring a civil action to collect the civil penalty for violating the two-person crew requirement upon request to do so from PUCO.
- Provides that the above provisions no longer apply if the federal government adopts a two-person crew requirement for trains or light engines in Ohio.

Hazardous waste transportation report

- Requires PUCO and the Ohio Environmental Protection Agency to prepare and submit a written report to the General Assembly, by September 28, 2023, pertaining to the transportation of hazardous materials and hazardous waste.

Railroad technology report

- Requires PUCO to compile information regarding best practices and current use of certain railroad safety technologies and submit a report to specified legislative committees by September 28, 2023.

DEPARTMENT OF TRANSPORTATION

Ohio Rail Development Commission

Composition

- Specifies that the ODOT Director or the Director's designee must serve as the chairperson of the Ohio Rail Development Commission beginning October 21, 2025 (or earlier if the current chairperson vacates the position).
- Specifies that when the Director or designee begins serving as chairperson:
 - The Governor will no longer appoint one member to be chairperson; but
 - The number of members appointed by the Governor to represent the general public increases from one to two, thereby maintaining the current number of members.

Passenger rail

- Allows the Commission to utilize a designee to construct and operate an intercity conventional or high speed passenger transportation system.

- Specifies that the system plan must provide for connecting any points in Ohio and nearby states, rather than providing only for connecting Cleveland, Columbus, and Cincinnati and points in between, as in prior law.

Regional Transit Authority (RTA) audits

- Eliminates a requirement that the State Auditor annually conduct an audit of the accounts and transactions of one large and two small RTAs.
- Retains the general requirement that the Auditor audit all RTAs pursuant to the law governing the audit of public agencies.

ODOT expense reports

- Requires ODOT to submit regular expense reports to the Senate President and the Speaker of the House related to the use of the loans and grants that ODOT issues through its transportation programs.

Highway ramps

- Requires ODOT to ensure that limited access exit and entrance ramps to interstate highways exist at least every 4.5 miles in adjacent municipal corporations, provided that:
 - Each municipal corporation has a population above 35,000;
 - The municipal corporations are located in different counties; and
 - At least one of the municipal corporations is in a county with a population above one million.
- Requires ODOT use money appropriated to it for highway purposes to construct the ramps.

ODOT design-build authority

- Expands the type of ODOT projects that may be bid as a design-build contract to include projects pertaining to all transportation facilities, which involve all modes of transportation and related facilities, not just highways or bridges.
- Allows the ODOT Director to reject a best-value bidder for a design-build contract if the Director determines that it is not in the state's best interests.
- After Controlling Board approval, authorizes the Director to accept another bid or to reject all bids and rebid the contract.

ODOT contract performance and payment bonds

- Establishes requirements and procedures regarding performance and payment bonds for ODOT contracts that address the following circumstances:
 - When a contract amount increases or decreases during the term of the contract;
 - When the surety can no longer meets its obligations as a surety; and

- When the contract is of a size larger (\$500 million or more) than can be covered by a single surety.

State Infrastructure Bank

- Requires any loan made to a small municipal corporation by ODOT from the State Infrastructure Bank to be a zero-interest loan.
- Requires a municipal corporation to qualify for ODOT's Small City Program to be eligible for a zero-interest loan.

Oversize/overweight limits and permits

- Authorizes a vehicle powered primarily by electric battery power to exceed the statutory gross vehicle weight and axle load limits by up to 2,000 pounds.
- Requires the ODOT Director and every county to issue an annual permit for both:
 - Vehicles that haul farm machinery, when the machinery otherwise qualifies for the ODOT "Farm Equipment Permit" or a similar county permit for farm machinery and equipment; and
 - Vehicles that haul agricultural produce or agricultural production materials that otherwise could be hauled by farm machinery under the ODOT "Farm Equipment Permit" or a similar county permit for farm machinery and equipment.

Ohio Workforce Mobility Partnership Program

- Creates the two-year Ohio Workforce Mobility Partnership Program administered by ODOT.
- Authorizes the boards of trustees of one or more RTAs, from either urban or rural locations, to singularly or jointly apply for grant funding under the program.
- Requires RTAs to use grant funding for specified purposes related to supporting workforce transit, such as supporting the employment needs of economically significant employers.

Wrong-way driving study

- Requires ODOT to contract with a third party to conduct a wrong-way driving study to determine the reasons for incorrect driving patterns and other factors that lead to wrong-way driving.

Strategic transportation analysis

- Requires ODOT, in collaboration with the Department of Development and the Governor's Office of Workforce Transportation, to conduct a statewide study of the Ohio transportation system by December 31, 2024.
- Specifies that the study analyze various aspects of Ohio's current transportation systems and capacities and forecast future needs and how those needs may be met.

Brent Spence Bridge Corridor Project

- Specifies that all spending related to the Brent Spence Bridge Corridor Project be documented in the Ohio Administrative Knowledge System (OAKS) and visible in the Ohio State and Local Government Expenditure Database.

Commercial vehicle parking

- For FYs 2024 and 2025, permits ODOT to close a rest area only if the parking lot remains available for commercial motor vehicles.

Indefinite delivery indefinite quantity (IDIQ) contracts

- Authorizes the ODOT Director to enter into indefinite delivery indefinite quality (IDIQ) contracts for up to two projects in FYs 2024 and 2025.
- For IDIQ contracts, requires the Director to prepare bidding documents, establish contract forms, determine contract terms and conditions, develop and implement a work order process, and take any other action necessary to fulfill the Director's duties and obligations related to IDIQ contracts.

DEPARTMENT OF PUBLIC SAFETY

Pay ranges for Highway Patrol officers and other employees

- Establishes pay range 19 and step value seven in pay range 17 in salary schedule E-1 for exempt state employees, instead of having the Director of Administrative Services adopt rules to establish them as under recently enacted law.
- Permits only State Highway Patrol captains being assigned to step value seven in pay range 17.
- Beginning July 1, 2023, assigns exempt sergeants in the Highway Patrol, or their equivalents, to pay range 14 in salary schedule E-1.

Noncommercial trailer registration

- Requires the Registrar of Motor Vehicles to authorize an owner or a lessee of a noncommercial trailer to register the trailer permanently.
- Specifies that the one-time cost of a permanent registration is:
 - Eight times the annual registration tax for a noncommercial trailer (which is determined by the weight of the trailer);
 - Eight times the annual \$11 Bureau of Motor Vehicles (BMV) fee;
 - Eight times the amount of any local motor vehicle taxes (if applicable); and
 - Eight times the \$5 deputy registrar/BMV service fee.
- Specifies that a permanent registration is nontransferable and nonrefundable.

Plug-in hybrid vehicle additional registration fee

- Reduces, from \$200 to \$150, the additional motor vehicle registration fee that applies to plug-in hybrid electric motor vehicles, beginning January 1, 2024.

Military license plate documentation

- Requires the Registrar to accept a county issued veteran identification card in lieu of a DD-214 as documentary evidence of service from a person who applies for a military license plate.

Removable windshield placard expiration

- Extends the maximum validity period from five years to ten years for a removable windshield placard issued to a person with a disability that limits or impairs the ability to walk.

Motor vehicle title

- Requires the purchaser of a financed motor vehicle to affirmatively choose between receiving a physical certificate of title or having the title remain electronic upon completion of all payments.
- Requires the lender to have a physical certificate of title delivered to the purchaser, without any additional fee, if the purchaser elects to have a physical certificate.

Enhanced driver's licenses and ID cards

- Requires the Director of Public Safety to enter into an agreement with the U.S. Department of Homeland Security to obtain approval to issue enhanced driver's licenses, enhanced commercial driver's licenses (CDLs), and enhanced identification (ID) cards.
- Requires the Registrar of Motor Vehicles to adopt rules governing the issuance and security of enhanced driver's licenses, CDLs, and ID cards, all of which facilitate land and sea border crossings between the U.S. and Canada, Mexico, and the Caribbean.
- Specifies application requirements for enhanced driver's licenses, CDLs, and ID cards, including providing proof of citizenship and an additional \$25 fee.
- Stipulates that the Ohio laws applying to driver's licenses, CDLs, and ID cards apply to their enhanced versions, unless otherwise specified.

Third-party motor vehicle history reports

- Specifies that a motor vehicle dealer is not liable for the accuracy of the information contained in a third-party motor vehicle history report that was provided by another entity.

LOCAL GOVERNMENT

Cincinnati Southern Railway

- Permits a railway board of trustees created under the Ferguson Act of 1869 to sell a railroad or portion of a railroad upon approval by the electorate, including when and in what amount the proceeds are to be periodically disbursed to the city.
- Provides that any proceedings pending or in progress on the act's June 30, 2023, effective date are deemed to be taken in conformity with the act.
- Provides that a board may submit a question of sale to the voters in a primary or general election in 2023 or 2024, and may submit the question only one time, until otherwise authorized by the General Assembly.
- Permits a board to establish a trust fund to invest the proceeds of the sale of the railway.
- Clarifies that all net earnings and income under a lease of a municipally owned railway must be paid into the city's treasury to the credit of the sinking fund or bond retirement fund.
- Requires the city to spend the proceeds from the trust fund only on the rehabilitation, modernization, or replacement of existing infrastructure improvements, and prohibits the city from using the proceeds to pay for construction of new infrastructure improvements.
- Prohibits the city from using the proceeds of the trust fund to pay debt service, unlike other revenues from a municipally owned railway.
- Requires board members appointed after the act's June 30, 2023, effective date to be residents of the city that owns the railway.
- Requires the board to administer the trust fund according to the prudent investor standard of care, to retain at least one independent financial advisor, and to adopt policies and objectives for the investment of the trust fund, which must be made public.
- Permits the board to hire staff and retain advisors as appropriate, if reasonably related to the assets and purpose of the trust fund, and requires that they, as well as the cost of administering the trust fund, be paid from the investment earnings of the trust fund.
- Prohibits board members from having conflicts of interest, from borrowing funds or deposits from the board, or from being an indorser, surety, or obligor for moneys loaned by or borrowed from the board.
- Requires a board to report to the city annually, and to periodically disburse earnings from the fund to the city, in a frequency and amount to be determined by the board in consultation with the fiscal officer of the city, and which must meet the minimum disbursement criteria as determined by the voters.

- Provides that, if the principal amount of the fund decreases by 25% or more, payments to the city are suspended until the trust fund has fully recouped its losses.

Force accounts

- Increases the statutory force account limits for local authorities as follows:
 - For unchartered municipal corporations, from \$30,000 to \$70,000 for road construction and repair;
 - For counties, from \$30,000 per mile to \$70,000 per mile for highway construction and reconstruction, and from \$100,000 to \$233,000 for bridge construction and reconstruction;
 - For townships, from \$45,000 to \$105,000 per project for road maintenance and repair, and from \$15,000 to \$35,000 per mile for road construction or reconstruction.
- Increases those statutory limits annually, rather than biennially under prior law, based on ODOT's construction cost index, with a 5% cap, rather than the prior 3% cap.
- Requires ODOT to notify the county engineer or other appropriate engineer of the increased amount.

Traffic cameras

- Requires a county or township to use only handheld traffic cameras for civil enforcement of red light or speeding offenses.

Transportation improvement districts

Agreement with an RTA

- Authorizes a transportation improvement district (TID) to enter into an agreement (including a multi-year agreement) with a regional transit authority (RTA) in Hamilton County regarding road and bridge projects in the same manner that counties, municipal corporations, or townships may enter into an agreement with a TID.
- Stipulates that under the agreement:
 - The TID, along with any participating county, municipal corporation, or township, may fund and finance qualifying projects, which are projects involving the construction or maintenance of roads or bridges related to the RTA's service;
 - The TID may issue bonds to assist in its provision of funding and financing; and
 - The RTA may levy, pledge, and assign sales and use taxes to reimburse the TID for the debt service on qualifying bonds issued by the TID.
- Applies the authority, immunity, and responsibilities granted to a TID for other projects to a qualifying project.
- Authorizes a TID to fund and finance projects, in addition to its continuing law authorization to manage projects directly.

- Authorizes a TID to employ, hire, or otherwise retain the services of auditors.
- Authorizes the qualifying RTA to pledge its sales and use tax revenue to pay debt service on county, municipal, and township bonds to fund qualifying projects.

Local government spending

- Authorizes any county, municipal corporation, or township to make appropriations to pay costs incurred by a TID.

County cooperation

- Authorizes a TID to enter into an agreement with the board of county commissioners that created the TID and with the boards of county commissioners of any contiguous group of counties to exercise all powers of the TID with respect to a project that is both:
 - Located partially or wholly within any county that is a party to the agreement; and
 - Partially funded with federal money.

TID board

- Eliminates the authorization for the Senate President to appoint a nonvoting member to a TID's board of trustees.

Aggregate minerals mining zoning

- Requires a county or township to allow aggregate mineral surface mining activities in any zoning district (i.e., residential, commercial, industrial) as either a permitted use or conditional use when those activities are to be added to an existing mineral mining operation authorized by a permit issued by the Department of Natural Resources.

DEPARTMENT OF TAXATION

- Continues the 1% fuel dealer and 0.5% retailer shrinkage allowances in effect biennially since 2008, superseding the 3% and 1% allowances in permanent codified law.

H.B. 31

(For details of the act's fiscal provisions see, the LSC Budget in Brief, As Enacted, Comparison Document, As Enacted, Appropriation Spreadsheet, and Greenbook, all of which are available on LSC's website, lsc.ohio.gov, under "Budget Central")

Primary Sponsor: Rep. Edwards

Effective date: June 30, 2023; certain provisions effective September 29, 2023

- Appropriates funds for BWC for the biennium ending June 30, 2025.
- Enacts a three-day interim budget for the operation of state programs from July 1 to July 3, 2023, and appropriates amounts necessary to pay debt service for FY 2024.

- Eliminates a requirement that the Administrator of Workers' Compensation assess a state fund employer's administrative costs separately from premiums, and requires the Administrator to factor administrative costs into a state fund employer's workers' compensation premium.
- Eliminates two accounts in the State Insurance Fund (SIF) used as holding accounts for the Industrial Commission's, Bureau of Workers' Compensation's (BWC), and the BWC Board of Directors' administrative costs collected under the administrative assessment eliminated by the act.
- Requires the Administrator to transfer BWC's and the Board's administrative costs directly from the SIF to the Workers' Compensation Fund, and to transfer the Commission's administrative costs directly from the SIF to the Industrial Commission Operating Fund.
- Eliminates a requirement that any administrative funds appropriated by the General Assembly but not used remain in the respective administrative accounts to reduce the amount collected for administrative costs in the next biennium.
- Eliminates the Premium Payment Security Fund, which was used to pay uncollectable employer premiums, and requires the Administrator to pay uncollectable premiums directly from the SIF.

H.B. 32

(For details of the act's fiscal provisions see, the LSC Budget in Brief, As Enacted, Comparison Document, As Enacted, Appropriation Spreadsheets, and Greenbooks, all of which are available on LSC's website, lsc.ohio.gov, under "Budget Central")

Primary Sponsor: Rep. Edwards

Effective date: June 30, 2023

- Appropriates funds for the Industrial Commission beginning July 1, 2023, and ending June 30, 2025.

H.B. 33

(For details of the act's fiscal provisions see, the LSC Budget in Brief, As Enacted, Comparison Document, As Enacted, Appropriation Spreadsheets, and Greenbooks, all of which are available on LSC's website, lsc.ohio.gov, under "Budget Central")

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Effective date: Operating appropriations effective July 4, 2023; most other provisions effective October 3, 2023; some provisions effective on other dates; contains item vetoes; one vetoed item overridden.

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ACCOUNTANCY BOARD

CPA Education Assistance Fund

- Eliminates the Certified Public Accountant (CPA) Education Assistance Program.
- Expands the uses of the CPA Education Assistance Fund, requires the Accountancy Board to contract with a private organization to use the fund for specified purposes, and requires the organization to apply to the Education Assistance Committee to receive money from the fund.
- Requires the Board to ensure that, of the money disbursed from the fund in each fiscal year, at least half is spent on workforce development and attraction programs.
- Codifies the \$30 surcharge for permit and registration fees and allows the Board to prorate the surcharge for permits and registrations issued for less than three years.

Residency requirement

- Eliminates the requirement that an applicant for a CPA certificate either be an Ohio resident, have a place of business in Ohio, or be regularly employed in Ohio to receive the certificate.

Electronic register

- Requires the Board to switch its register of licensed accountants from a printed to an electronic format, requires the electronic version to be publicly available and searchable, and modifies the information that must be included in the register.

ADJUTANT GENERAL

- Expressly requires the Adjutant General to manage the recruitment of individuals for service in the Ohio Organized Militia.
- Extends the death benefit entitlement, available to Ohio National Guard member beneficiaries under continuing law, to the beneficiaries of all members of the Ohio Organized Militia.
- Clarifies the Adjutant General's authority with respect to administration of the Ohio Cyber Reserve.

DEPARTMENT OF ADMINISTRATIVE SERVICES

Ban certain applications on state networks and devices (PARTIALLY VETOED)

- Prohibits the download, installation, or use of TikTok, WeChat, or other Chinese-owned applications on state computers, networks, and devices.
- Allows use of these applications for law enforcement or security purposes.
- Would have limited the exception for "security purposes" to "information technology security purposes" (VETOED).
- Would have required the State Chief Information Officer to adopt rules to implement the prohibition (VETOED).

DAS and state agency purchasing

- Modifies Department of Administrative Services (DAS) and state agency purchasing selection criteria and makes other changes and clarifications to state procurement law.
- Requires DAS to open competitive sealed bids and competitive sealed proposals in the standardized system of electronic procurement, rather than publicly in the DAS office, and removes the requirement that a representative of the Auditor of State be present and certify the opening of certain bids and proposals.

- Clarifies DAS authority to award a contract to multiple offerors whose competitive sealed proposals are determined to be most advantageous to the state.
- Clarifies state agency direct purchasing authority.

Electronic procurement system (PARTIALLY VETOED)

- Specifies that a purchase by DAS or a state agency through the DAS electronic procurement system constitutes a competitive selection procedure.
- Would have limited the application of the above to, if the contract for the supplies or services being procured was selected for inclusion in the electronic procurement system using one of the competitive selection methods defined in current law (VETOED).
- Removes an outdated provision requiring DAS to implement electronic procurement recommendations from the “2000 Management Improvement Commission Report.”

Procuring PPE

- Establishes the Ohio-based personal protective equipment (PPE) manufacturers program and requires a state agency to make certain qualifying purchases from an Ohio-based manufacturer.

State job classification plan

- Codifies an administrative rule of the DAS Director related to qualifications in terms of experience, training, specific coursework, or other criteria, rather than in terms of academic degrees.
- Prohibits an appointing authority from requesting a minimum qualification that differs from the Director’s specification if it is stated solely in terms of academic degrees.

Parental leave

- Increases parental leave benefits for certain state employees by eliminating the 14-day unpaid waiting period and tripling the former paid leave period, resulting in a total of 12 weeks of leave paid at the continuing rate of 70% of the employee’s base rate.

Bereavement leave

- Specifies that a permanent employee paid by OBM warrant must begin bereavement leave granted under continuing law not more than five days after the family member’s death, or not more than five days before or after the funeral.
- Allows an employee to take bereavement leave on the basis of a miscarriage or the stillbirth of a child by providing appropriate medical documentation (in the case of a miscarriage) or a fetal death certificate (in the case of a stillbirth).
- Specifies that an employee who takes bereavement leave on the basis of a stillbirth is ineligible to take parental leave or benefits based on the same stillbirth.

DAS reports regarding public works

- Repeals a requirement that the DAS Director make an annual report to the Governor related to public works expenses under the Director's supervision.
- Repeals law requiring the Director make other reports, at the Governor's request, regarding the condition and welfare of public works and related drainage, leaseholds, and water powers.

Professions Licensing System Fund

- Eliminates the Professions Licensing System Fund and deposits transaction fees from the electronic issuance of licenses to the Occupational Licensing and Regulatory Fund instead.

MARCS Steering Committee

- Modifies the membership of the Multi-Agency Radio Communications System (MARCS) Steering Committee.
- Repeals uncodified law that originally created and modified the Committee in the 120th and 121st General Assemblies (1993-1996), clarifying that the most recent uncodified law governs the Committee's membership, name, and responsibilities.

DEPARTMENT OF AGING

Board of Executives of Long-Term Services and Supports

- Expands eligibility for the consumer member of the Board of Executives of a Long-Term Services and Supports (BELTSS) to include the representative of a consumer in a long-term services and supports setting.
- Adds an exception to the prohibition that complaints made to BELTSS are confidential and not subject to discovery in any civil action, permitting BELTSS to use the information in administrative hearings and in court pursuant to the Rules of Evidence.

Nursing home quality initiative projects

- Requires the Department of Aging to provide infection prevention and control services as a quality initiative improvement project.

Residential care facility shared bathrooms (VETOED)

- Would have prohibited the Department from denying certification to a residential care facility seeking to participate in the Assisted Living Program on the basis that the facility permitted two residents to share a bathroom, so long as the shared bathroom arrangement met specified requirements (VETOED).
- Would have required the Department of Medicaid to seek a waiver from the U.S. Centers for Medicare and Medicaid Services to implement this provision (VETOED).

Performance-based PASSPORT reimbursement

- Authorizes the Department to design a payment method for PASSPORT administrative agency operation that includes a pay-for-performance incentive component.

HHA and PCA training

- Prohibits the Department from requiring more hours of pre-service training and annual in-service training than required by federal law for home health aides (HHAs) providing services under the PASSPORT Program.
- Prohibits the Department from requiring more than 30 hours of pre-service training and six hours of annual in-service training for personal care aides (PCAs) providing services under PASSPORT.
- Permits a licensed practical nurse to supervise an HHA or PCA providing services under PASSPORT.

Ombudsman representative training

- Reduces training requirements for nonvolunteer representatives of the Office of the State Long-term Care Ombudsman.

Ohio Advisory Council for the Aging

- Specifies a new purpose for the Ohio Advisory Council for the Aging – to advise the Department as directed by the Governor and on the objectives of the federal Older Americans Act.
- Eliminates obsolete provisions regarding the date by which certain members must have been first appointed.

Golden Buckeye Card

- Expands the formats possible for the Golden Buckeye Card to include physical or electronic cards, as well as endorsements on cards for one or more programs.

DEPARTMENT OF AGRICULTURE

Amusement ride reinspections

- Adds to the reasons why an amusement ride owner must pay a reinspection fee by requiring the owner to pay the fee if rules adopted by the Director of Agriculture require reinspections for the ride's safe operation.
- Allows the Department of Agriculture to charge a fee for a supplemental reinspection of a temporary amusement ride when the inspection is required by rules governing a ride's safe operation.

Agricultural commodity handlers

- Revises several of the circumstances under which claims may be reimbursed at 100% from the Agricultural Commodity Depositors Fund when an agricultural commodity handler fails to pay an agricultural commodity depositor.
- If a commodity depositor's loss involves circumstances other than when 100% payment for the loss is required, reduces the fund's liability to 75% of the loss, rather than 100% of the first \$10,000 and 80% of the remaining dollar value of losses.

Internet sales exemption from auction laws (VETOED)

- Would have revised an exemption from the auction law so that a person who sold any real or personal property via an auction mediation company on the internet was exempt, if the company provided fraud protection or a money-back guarantee to the buyer (VETOED).

Auctioneer continuing education exemption (VETOED)

- Would have stipulated that the continuing education requirements for licensed auctioneers did not apply to a licensed auctioneer who was licensed as an apprentice auctioneer under law repealed on September 13, 2022, and completed the apprenticeship prior to that date (VETOED).

Legume inoculators

- Eliminates the legume inoculator's annual license (\$5 fee), which authorized a person to apply legume inoculants to seed for sale.

AIR QUALITY DEVELOPMENT AUTHORITY

- Authorizes the Ohio Air Quality Development Authority to enter into an arrangement with a municipality, township, or special improvement district to fund commercial or industrial energy or energy efficiency projects (often referred to as a PACE or "property assessed clean energy" project).
- Authorizes the municipality, township, or special improvement district to impose and remit to the Authority special assessments on property benefitting from the PACE.

ARCHITECTS BOARD

- Amends the structure of the Architects Board to include a public member, and reduces from ten to five the years of architect licensure required to serve on the Board.

ATTORNEY GENERAL

State involvement in legal actions

- Specifies that the General Assembly and each chamber may intervene as a matter of right at any time in any civil action or proceeding in state or federal court that involves a

challenge to the validity, applicability, or constitutionality of the Ohio Constitution or the laws of Ohio.

- Creates exceptions to the law that requires the Attorney General to represent a state agency in any legal action.
- Allows the Speaker of the House and the Senate President to retain their own legal counsel to represent the House, the Senate, or the General Assembly.
- Allows the Governor to retain separate legal counsel in any matter, action, or proceeding the Governor deems to be necessary and proper to protect the interests of the Office of the Governor.

Large Settlements and Awards Fund (VETOED)

- Would have created a Large Settlements and Awards Fund and directed the proceeds of any court order, judgment, settlement, or compromise exceeding \$2 million to the fund (VETOED).
- Would have required the Attorney General to send a report to the Senate President and House Speaker if the Attorney General could not cover legal costs from money received from an order, judgment, settlement, or compromise, or from an available appropriation (VETOED).

Parental notification by social media operators

- Beginning January 15, 2024, requires operators of certain online websites, services, and products that target children, or are reasonably anticipated to be accessed by children, to obtain consent from a parent or legal guardian before entering a contract with a person under age 16.
- Describes the methods by which an operator may obtain parental consent and requires the operator to subsequently confirm it with the child's parent or legal guardian.
- Requires an operator to provide the parent or legal guardian with a list of features of the website, service, or product related to censoring and moderating content.
- Gives the Attorney General exclusive authority to enforce the requirements and specifies civil penalties for violations.
- Requires the Attorney General to give operators in "substantial compliance" with the requirements notice of alleged violations and an opportunity to cure such violations before commencing a civil action.
- Prohibits a private cause of action for any violation of the requirements.

Victims of Human Trafficking Fund

- Transfers administration of Ohio's Victims of Human Trafficking Fund from the Department of Job and Family Services to the Attorney General.

Sexual assault examination kits

- Permits a victim from whom a sexual assault examination kit was collected to request certain information to be delivered in writing, by electronic mail, or by telephone, as specified by the victim.
- Requires the appropriate official with custody of the kit to inform the victim when there is any change in the status of the case, including if the case has been closed or reopened.
- Permits a victim to request written notice of the kit's destruction or disposal date and requires delivery of that notice at least 60 days before the intended destruction or disposal.
- Permits a victim to request that the victim's sexual assault examination kit or its probative contents be preserved beyond the intended destruction or disposal date for up to 30 years.
- Requires the appropriate official with custody of the kit to provide the victim with information about the victim's right to apply for a reparations award.
- Requires government evidence-retention entities to submit to the Attorney General annual reports regarding sexual assault examination kit inventory.
- Requires the Attorney General to compile data from the annual reports into a summary report, including a list of all governmental evidence-retention entities that failed to participate in the report's preparation.
- Requires the annual summary report to be made public on the Attorney General's website and to be reported to the Governor, the Speaker of the House, and the Senate President.

AUDITOR OF STATE

Fraud-reporting system and training (PARTIALLY VETOED)

- Requires the Auditor of State to promptly notify the prosecuting attorney or similar chief legal officer of a municipal corporation if a report received under the fraud-reporting system involves probable theft or fraud by a public office or official.
- Requires the Auditor to create training material detailing Ohio's fraud-reporting system and the means of reporting fraud, waste, and abuse.
- Requires the Department of Administrative Services to administer the training material to each state employee, statewide elected official, and General Assembly member in a manner prescribed by the Auditor.
- Requires the Auditor to administer the training material to elected officials and employees of a political subdivision.
- Would have required certain persons to make a timely report on the fraud-reporting system after becoming aware of fraud, theft in office, or misuse or misappropriation of public money (VETOED).

- Would have specified that a prosecuting attorney or similar chief legal officer of a municipal corporation, or employees of the officer, are not required, and do not have an express statutory duty, to report a violation to the Auditor's fraud-reporting system (VETOED).
- Would have exempted a person who serves as legal counsel for a public office from being required to report fraud, theft in office, or misuse or misappropriation of public money if it concerns any communication received from a client in an attorney-client relationship (VETOED).
- Permits the Office of Internal Audit to consult with the Auditor regarding any written report the Office receives regarding those violations and to share those reports with the Auditor upon request.

Audit records

- Permits the Auditor to refer a public records request to an originating public office when the record was provided to the Auditor for purposes of an audit, and the original public office has asserted to the Auditor that the record is not a public record.

Auditor's Innovation Fund

- Replaces the Leverage for Efficiency, Accountability, and Performance (LEAP) Fund with the Auditor's Innovation Fund.
- Authorizes the Auditor's Innovation Fund to be used for innovative audit, accounting, or local government assistance services that improve the quality or increase the range of services offered to local governments and school districts.
- Removes law describing the uses of the LEAP funds, including (1) making loans to state and local entities for performance audits and (2) paying the costs of performance audits and feasibility studies.

Auditor feasibility study

- Permits the Auditor to conduct a feasibility study requested by a state agency or local public office at the Auditor's discretion, rather than as LEAP funds are allowed and available.

Cause of action by Auditor

- Specifies that, when there is a cause of action set forth from a report of the Auditor, the amount payable from that action is a final and certified claim, under the law regarding collecting amounts due to the state, upon submission to the Attorney General.
- Specifies that the amount payable may be satisfied under an existing process that allows a person's tax refund to be applied to a debt to the state or a political subdivision.

Performance audits

- Modifies the timeframe for a state agency or institution to implement the recommendations of a performance audit and the related reporting requirement.
- Modifies the content and submission date of the Auditor's annual report.
- Removes the cost limitations on performance audits of state universities.

Access to public records (VETOED)

- Would have required state agencies and institutions of higher education that are subject to a performance audit to give the Auditor access to its employees, books, accounts, reports, vouchers, correspondence files, contracts, money, property, electronic data, and other records (VETOED).
- Would have required the agency or institution to provide records to the Auditor in the format the Auditor requested (VETOED).
- Would have required the Auditor to maintain the confidential nature of a document, data, or information (VETOED).
- Would have required the Auditor to provide a data sharing agreement to govern the use of restricted data if the Auditor determines it necessary (VETOED).

School district fiscal distress performance audits

- Removes the Office of Budget and Management from the performance audit consultation for school districts under fiscal caution, in a state of fiscal watch, or in fiscal emergency.
- Removes the requirement that the Auditor prioritize performance audits of school districts in fiscal distress.

ODJFS audit (VETOED)

- Would have permitted the Auditor to conduct audits of the Department of Job and Family Services and any program it administers, and to charge the Department for the cost of an audit (VETOED).

Department of Medicaid audit (VETOED)

- Would have required the Auditor to conduct audits of the Department of Medicaid and the programs it administers and to periodically report the results to the Joint Medicaid Oversight Committee (VETOED).
- Would have permitted the Auditor to charge the Department for the cost of an audit (VETOED).

BOARDS AND COMMISSIONS

(Note: This segment is not a comprehensive list of all H.B. 33 changes to state boards and commissions. Additional changes are addressed in other segments.)

Boards abolished

- Abolishes the following:
 - Clean Ohio Council (also abolishes the associated brownfield cleanup remediation program, and requires the Department of Development to assume the Council's obligations);
 - Co-op/internship Advisory Committee;
 - Manufactured Homes Advisory Council;
 - Ohio Board of Regents;
 - State Report Card Review Committee;
 - Third Frontier Governing Board.

Legislative appointment deadline

- Extends the deadline for legislative appointments to ten boards until 45 days after the first regular session of each General Assembly.

Commission on Eastern European Affairs

- Establishes the Commission on Eastern European Affairs and the Office of Eastern European Affairs, which reports to the Commission, and specifies their duties.

New African Immigrants Commission

- Establishes the Office of New African Immigrant Affairs to assist the New African Immigrants Commission in fulfilling its duties.
- Creates the New African Immigrants Grant and Gift Fund in the state treasury.
- Eliminates the requirement that the Speaker of the House and the Senate President recommend individuals for appointment to the Commission.
- Adds four nonvoting members to the Commission to be appointed by the Speaker and the Senate President, two of whom are General Assembly members.

Commission on Minority Health

- Expands the Commission on Minority Health to 22 members by adding the Director of Aging or the Director's designee.

General Assembly appointments

- Removes General Assembly members from the following boards:
 - Broadcast Educational Media Commission;

- Child Support Guideline Advisory Council;
- Chiropractic Loan Repayment Advisory Board;
- Commission on Hispanic-Latino Affairs;
- Dentist Loan Repayment Advisory Board;
- Ohio Coal Development Office Technical Advisory Committee;
- Second Chance Trust Fund Advisory Committee;
- State Report Card Review Committee.
- Transfers to the Governor the authority of the Speaker of the House and the Senate President to appoint members to the Historical Boilers Licensing Board, so that the Governor appoints all seven members.
- Permits public officials or public employees to be appointed to any of the nine seats representing the public on the Broadcast Educational Media Commission.

OWDA member salary increase

- Increases, from \$5,000 to \$7,500, the annual salary of the five members of the Ohio Water Development Authority who are appointed by the Governor.

OFFICE OF BUDGET AND MANAGEMENT

Budget Stabilization Fund (PARTIALLY VETOED)

- Increases, from 8.5% to 10%, the amount of the GRF revenues for the preceding fiscal year intended to be maintained in the Budget Stabilization Fund (BSF).
- Would have required that investment earnings of the BSF be credited to the GRF rather than the BSF itself (VETOED).
- Would have required that the first \$650 million of BSF investment earnings credited to the GRF be used to reduce income tax withholding rates (VETOED).

State appropriation limitation (VETOED)

- Would have modified how the state appropriation limitation (SAL) is calculated by requiring the inclusion of certain non-GRF appropriations in the SAL calculation (VETOED).
- Would have established a standard annual growth rate of 3.0% for SAL and eliminated the alternative growth factor (VETOED).
- Would have eliminated the exemption for appropriations of gifts of money from inclusion in the SAL calculation (VETOED).
- Would have eliminated the General Assembly's authority to exceed the SAL in response to an emergency proclamation by the Governor (VETOED).
- Would have required the Governor to itemize all non-GRF appropriation line items that are subject to the SAL as part of the Governor's biennial budget submissions (VETOED).

Medicaid forecast report

- Requires the OBM Director, in consultation with the Department of Medicaid, to submit a Medicaid Caseload and Expenditure Forecast to the Governor each biennium.
- Requires the Governor to submit the new report to the General Assembly as part of the executive budget proposal each biennium.

Health and Human Services Reserve Fund (VETOED)

- Would have required the OBM Director to transfer \$600 million cash from the Health and Human Services Reserve Fund to the BSF (VETOED).
- Would have permitted the Medicaid Director, if needed to meet Medicaid obligations in FY 2024 or FY 2025, to request the Controlling Board to transfer money from the HHS Fund to GRF item 651525, the main Medicaid appropriation item (VETOED).

Support services for boards and commissions

- Eliminates the Central Service Agency within the Department of Administrative Services, which provided routine support services to various boards and commissions, and transfers its duties to OBM.

Fraud analysis

- Requires OBM to conduct a statewide assessment of financial fraud and financial crimes on state programs.
- Requires OBM and other state agencies to submit a report to the Governor, Senate President, and House Speaker by June 30, 2024.

OBM reporting

- Eliminates various reporting requirements for agencies to submit information to OBM and removes OBM as a recipient of certain reports.
- Eliminates the requirement that the OBM Director furnish to legislative leaders a report, each April and October, of various funds and line items not having a current year appropriation, but having open encumbrances.
- Changes the name of a report the OBM Director and the Ohio Turnpike and Infrastructure Commission must each issue from a “comprehensive annual financial report” to an “annual comprehensive financial report.”

CASINO CONTROL COMMISSION

Sports gaming involuntary exclusion

- Allows the Casino Control Commission to prohibit a person from participating in sports gaming in Ohio if the person has threatened violence or harm against a person who is involved in a sporting event, where that threat was related to sports gaming with respect to that sporting event.

Type C sports gaming license and liquor permits

- Allows a brewery, winery, or distillery that operates a bar or restaurant on-site (A-1-A liquor permit holder) or a micro-brewery (A-1c permit holder) to apply for a type C sports gaming host license.

Child and spousal support withheld from winnings

- Requires a casino operator or sports gaming proprietor to transmit withheld child and spousal support to the Department of Job and Family Services by electronic means.

Study Commission on the Future of Gaming in Ohio

- Expands the membership and duties of the Joint Committee on Sports Gaming and renames it the Study Commission on the Future of Gaming in Ohio.
- Requires the Study Commission to examine the status of the statewide lottery, sports gaming, casino gaming, and horse racing in Ohio and the future of those industries and to make recommendations to the General Assembly.
- Requires the Study Commission to submit a report of its findings and recommendations to the General Assembly by June 30, 2024.
- Specifies that the Study Commission ceases to exist after it submits its report, extending the Joint Committee's previous expiration date of March 23, 2024.

DEPARTMENT OF CHILDREN AND YOUTH

Creation

- Creates the Department of Children and Youth to serve as the state's primary children's services agency and establishes the position of Director of Children and Youth.
- Requires the Department to facilitate and coordinate the delivery of children's services in Ohio.
- Requires the Directors of Children and Youth, Job and Family Services (ODJFS), Education and Workforce, Health, Developmental Disabilities, Medicaid (ODM), Mental Health and Addiction Services (OhioMHAS), and Development to develop a plan to transfer children's services duties, functions, programs, and staff resources to the new department by January 1, 2025.
- Transfers various programs and duties from ODJFS, Education and Workforce, Health, Developmental Disabilities, and OhioMHAS to the Department of Children and Youth on January 1, 2025.
- Accelerates the requirement for transferring agencies to complete their regulatory restriction reductions relating to children and youth to be completed before January 1, 2025, instead of June 30, 2025, which is the deadline for other agencies under continuing law.

Residential infant care center services

- Beginning in FY 2024, requires the Department, in coordination with ODM, to establish a bundle of funding for nonmedical maternal and child health services provided by residential infant care centers to infants born substance-exposed and their families.
- Not later than June 30, 2025, requires the Department and ODM to establish a permanent reimbursement model for services provided by residential infant care centers.

DEPARTMENT OF COMMERCE

Medical marijuana

- Creates the Division of Marijuana Control (DMC) within the Department of Commerce (COM) and requires the State Board of Pharmacy (PRX) and COM to transfer the Medical Marijuana Control Program to DMC by December 31, 2023.
- Establishes the office of Superintendent of Marijuana Control to oversee DMC.
- Specifies that any reference to PRX in any document related to the program's administration is deemed to refer to DMC, the COM Director, or COM, as appropriate.
- Provides for the transfer of certain PRX employees to COM.
- Authorizes COM to contract with private or public entities for staff training and development to facilitate the transfer of staff and duties.
- Specifies that licenses and registrations issued by COM and PRX remain in effect for the remainder of their term and that forms of medical marijuana approved by PRX remain approved unless that approval is later revoked by DMC.
- Specifies that COM and PRX rules related to the program remain in effect until repealed or amended by DMC, but requires DMC to review and propose revisions to existing rules on retail dispensaries by March 1, 2024.
- Requires the Legislative Service Commission (LSC) to renumber the PRX rules involving medical marijuana to reflect the transfer of the program to COM.
- Allows DMC to investigate alleged violations of the Medical Marijuana Law, including by subpoenaing documents and witnesses.
- Requires PRX, upon receipt of a request, to provide DMC with information from the Ohio Automated Rx Reporting System (OARRS) relating to an individual or entity being investigated by DMC.
- Allows holders of a provisional medical marijuana dispensary license that missed their initial operation deadline until December 31, 2023, to demonstrate compliance with dispensary operational requirements and begin operations.
- Specifies that any disciplinary actions levied against these provisional license holders for failure to begin operations in a timely manner are suspended until January 1, 2024.

- Specifies that any such disciplinary actions are to be dismissed if the license holder obtains a certificate of operation on or before the December 31, 2023, deadline.
- Clarifies that, if the license holder does not obtain a certificate of operation by that date, any such disciplinary actions are to be completed by DMC.

Division of Financial Institutions

- Replaces the requirement that the Superintendent of Financial Institutions obtain a criminal records check in relation to a person who controls a bank, or has a substantial interest in or participates in managing a bank, with a requirement that the Superintendent request a criminal records check of a person who exercises “control” of a bank.
- Defines “control” as the power to vote, directly or indirectly, at least 25% of the voting shares or interests or the power to elect or appoint a majority of executive officers or directors.
- Rebuttably presumes a person to exercise control when the person holds the power to vote, directly or indirectly, at least 10% of the voting shares or interests.

State Fire Marshal

- Eliminates the Underground Storage Tank Revolving Loan Program that issued loans to political subdivisions to assist in removing underground storage tank systems that stored petroleum and hazardous substances.
- Repeals the law establishing the Underground Storage Tank Revolving Loan Fund.

Division of Industrial Compliance

Elevator safety

- Aligns the law governing the fee for issuing or renewing a certificate of operation for an elevator with the law governing the intervals for inspection.
- Reduces the minimum required Elevator Safety Review Board meetings from monthly to quarterly.

Out-of-state specialty contractors

- Prevents the December 29, 2023, scheduled elimination of the Ohio Construction Industry Licensing Board’s ability to issue specialty contractor licenses without examination in accordance with reciprocity agreements entered into with other states.
- Exempts a contractor who obtains a license through a reciprocity agreement from the requirement, effective December 29, 2023, that an out-of-state applicant must pass an examination to obtain a license.

Manufacturing and Construction Mentorship Program

- Expands the Manufacturing Mentorship Program to expose minors to construction occupations through temporary employment, in addition to manufacturing occupations as under continuing law.
- Renames the program as the “Manufacturing and Construction Mentorship Program.”
- Requires, to be eligible for employment under the expanded program, a minor who is 16 or 17 years of age to possess a valid driver’s license.
- Allows an employer of a minor under the program to require the minor to take a drug test in accordance with the employer’s drug testing policy.

Real property

Ohio fire and building codes (PARTIALLY VETOED)

- Would have required the State Fire Marshal to exclude an exterior patio that has a means of egress on at least three sides, or within 50 feet of an open side, and that is compliant with the Americans with Disabilities Act, in establishing occupant load for a building (VETOED).
- Would have required the COM Director, the State Fire Marshal, the Board of Building Standards, and a representative of local building departments to develop guidelines for enforcing the Ohio Building Code and Fire Code in a coordinated manner (VETOED).
- Allows a retail establishment to obtain a temporary fire permit lasting 14 days in the event the local fire code official is unavailable to conduct an inspection or issue a permit for longer than five business days.
- Allows a retail establishment to obtain a temporary building permit lasting 14 days in the event the state or local building official is unavailable to conduct an inspection or issue a permit for longer than five business days.

Right-to-list home sale agreements

- Prohibits “right-to-list” home sale agreements that purport to run with the land, bind future owners, or create a lien, encumbrance, or other security interest in residential real estate.
- Specifies that right-to-list home sale agreements entered into, modified, or extended after October 3, 2023 (the act’s effective date) are void and unenforceable.
- Requires county recorders to refuse to record right-to-list home sale agreements.
- Stipulates that a person, other than the property owner, who seeks to enter a right-to-list home sale agreement commits an unfair and deceptive practice under the Consumer Sales Practices Act.

Self-service storage facilities

- Establishes that if a rental agreement limits the value of property that may be stored in a self-service storage facility, that limit is the maximum value of the stored property.
- Prohibits a rental agreement from limiting the value of stored property to less than \$1,000.
- Specifies that an occupant's claim for damages is not limited when those damages are the result of negligence by, or on behalf of, the owner of the storage facility.

Division of Liquor Control

B-1 liquor permit holders and craft beer exhibitions

- Allows a brewery's distributor (B-1 permit holder) to supply the brewery's beer for a craft beer exhibition authorized by an F-11 liquor permit.

Liquor permit premises: outdoor sales area

- Codifies and makes permanent a law that was set to expire December 31, 2023, that allows a qualified liquor permit holder to expand the area in which it may sell alcoholic beverages to the following areas (under certain circumstances):
 - In any area of the permit holder's property that is outdoors and where sales were not previously authorized, including the permit holder's parking area;
 - In any outdoor area of public property that is immediately adjacent to the permit holder's premises and that is owned by a municipal corporation or township, with the public property owner's permission;
 - In any outdoor area of private property that is immediately adjacent to the permit holder's premises, with the private property owner's permission.

Duplicate liquor permits

- Requires all liquor permit holders that may serve alcohol for on-premises consumption, rather than only certain permit holders as in former law, to obtain a duplicate permit in order to serve alcohol from an additional bar at the permit premises beyond the two bars authorized by the original permit; and
- Requires the duplicate permit fee for each added bar to be the higher of \$100 or 20% of the fee for the original permit, rather than specific fee amounts based on the type of permit issued.

Liquor permit cancellations

- Allows, rather than requires, the Liquor Control Commission to cancel liquor permits for certain reasons, including the permit holder's death or bankruptcy.

Sale of spirituous liquor by agency store

- Stipulates that the statute requiring the Division of Liquor Control to procure, upon request of a person, a specific variety or brand of spirituous liquor that is out of stock at

an agency store is subject to the statutes governing the agency store system and the equitable distribution of spirituous liquor brands and varieties that are in high demand.

Division of Real Estate and Professional Licensing

Real estate brokers

- Modifies the prerequisites to take the real estate broker's examination by:
 - Requiring that an applicant have worked as a licensed real estate broker or salesperson for at least two of the five years preceding the application; and
 - Removing the requirement that the applicant have worked as a licensed real estate broker or salesperson for an average of 30 hours per week.
- Requires the Superintendent of Real Estate and Professional Licensing to forward any identifying information to the Attorney General if a person fails to pay a civil penalty for certain unlicensed or unregistered activity.

Disciplinary actions

- Limits to state or federally chartered institutions where a person holding a real estate broker or salespersons license must maintain a special or trust bank account for receiving escrow funds and security deposits, or for depositing and maintaining funds in the course of real property management on the behalf of others.
- Permits the Superintendent to take disciplinary action against a license holder for having been judged incompetent in any capacity, as opposed to simply for the purpose of holding a real estate license.

Administration of funds

- Creates the Cemetery Registration Fund and requires burial permit fees to be deposited into the new fund, instead of to the Division of Real Estate and Professional Licensing generally, but with the same purpose.
- Eliminates the Cemetery Grant Fund and redirects deposits to the new Cemetery Registration Fund, and eliminates a restriction on the total value of grants that may be issued per fiscal year.
- Eliminates the Real Estate Education and Research Fund, Manufactured Homes Regulatory Fund, Home Inspectors Fund, and Real Estate Appraiser Operating Fund, and redirects deposits going to these funds to the Division of Real Estate Operating Fund.
- Expands the purposes for which the Real Estate Operating Fund may be used to include the purposes for which the eliminated funds could be used.
- Allows, instead of requires, the Superintendent to collect a service fee from the Real Estate Recovery Fund to defray the cost of administering the fund.

Confidentiality of investigatory information

- Expands the Division of Real Estate and Professional Licensing's ability to share investigatory information with the Division of Securities, Division of Industrial Compliance, and law enforcement agencies.

Ohio Home Inspector Board

- Requires the Ohio Home Inspector Board to elect a chair and vice chair from among its membership by majority vote annually.
- Requires the Board to meet at least once quarterly.
- Specifies that a quorum consists of a majority of the members and requires a quorum in order for the Board to conduct its business.

Division of Securities

Securities registration (VETOED)

- Would have required all securities registered under the federal Securities Act of 1933 to be registered in Ohio by coordination (VETOED).
- Would have specified that the registration procedures, evaluation standards, and general oversight provisions for a registration by description or registration by qualification do not apply to a registration by coordination (VETOED).
- Would have required business development companies (BDCs) to file a notice with the Division of Securities before conducting business in Ohio, and would have permitted a BDC, after filing the notice, to sell an indefinite amount of securities in Ohio (VETOED).

Division of Unclaimed Funds

- Specifies that only when the holder acts in good faith and in compliance with the Unclaimed Funds Law will the holder be held harmless by the state for any legal claim related to unclaimed funds' transfer to the state, and only to the extent of the value of the funds remitted by the holder to the COM Director.
- Requires that if any legal proceedings are initiated against the holder related to the unclaimed funds, the holder must notify the Director within 14 days of any service of process on the holder.
- Allows, rather than requires, the Director to defend the lawsuit against the holder.
- Provides that if the Director does not assume the defense, and judgment is entered against the holder for any amount paid to the Director, the Director must reimburse the organization for the amount paid, or modify any agreement to reflect satisfaction of the judgment.
- Specifies that no person has a claim against the state, the holder, or a transfer agent, registrar, or other person acting for or on behalf of a holder for any change in the market

value of the unclaimed funds occurring after delivery by the holder to the Director, or after the sale of the property by the Director.

Uniform Commercial Code

- Allows a person that offers or displays online personal property owned by the person for lease-purchase to disclose electronically, rather than affixing the information to property, the price of the property, amount of the lease payment, and the total number of lease payments necessary to acquire ownership.
- Requires mandated disclosures to be made electronically if the property offered for lease-purchase is not owned by the lessor, regardless of whether the property is offered or displayed online.

STATE BOARD OF COSMETOLOGY

- Reduces the required hours of initial instruction that an applicant must satisfy to obtain a hair designer license if the applicant does not hold another license.

COUNSELOR, SOCIAL WORKER, AND MARRIAGE AND FAMILY THERAPIST BOARD

Art therapist and music therapist licensure

- Creates licensing schemes for the practice of art therapy and music therapy, and requires the Counselor, Social Worker, and Marriage and Family Therapist (CSW) Board to license and regulate art therapists and music therapists.
- Beginning October 3, 2024, prohibits unlicensed persons from knowingly providing art therapy or music therapy services or using “art therapist” or “music therapist” or a similar title, and applies existing criminal penalties for violating that prohibition.
- Lists the requirements an applicant must satisfy to be licensed as an art therapist or music therapist.
- Subjects licensed art therapists and music therapists to the same renewal and continuing education requirements, reasons for discipline, and types of disciplinary actions as other professionals licensed by the CSW Board.
- Allows a licensed art therapist or music therapist to provide telehealth services and provide services through a business entity in combination with other licensed professionals.
- Requires the CSW Board to establish fees for an initial or renewed art therapist or music therapist license and a code of ethics for art therapists and music therapists.

CSW Board

- Adds six new members to the CSW Board: two licensed art therapists, two licensed music therapists, and two public members, and requires the Governor to appoint these members by January 1, 2024.
- Creates the Art Therapist Professional Standards Committee and Music Therapist Professional Standards Committee to act on the CSW Board's behalf on all matters concerning art therapists and music therapists, respectively.
- Requires that four CSW Board members be licensed as either independent social workers or social workers, provided that at least one member is a licensed social worker at the time of appointment.

OHIO DEAF AND BLIND EDUCATION SERVICES

- Establishes Ohio Deaf and Blind Education Services and places the State School for the Deaf and the State School for the Blind under it.
- Abolishes the superintendent positions for both schools and creates one superintendent for Ohio Deaf and Blind Education Services appointed by the Department of Education and Workforce.

DEPARTMENT OF DEVELOPMENT

All Ohio Future Fund (PARTIALLY VETOED)

- Renames the Investing in Ohio Fund as the All Ohio Future Fund and expands the fund's economic development purposes.
- Expands the purposes for which money in the fund may be used (PARTIALLY VETOED).
- Requires rules to be adopted, in consultation with JobsOhio, that establish requirements and procedures to provide financial assistance from the fund (PARTIALLY VETOED).
- Would have required the Director of Development (DEV Director) to adopt those rules (VETOED).
- Would have required the Director, when awarding financial assistance from the fund, to give preference to sites that were publicly owned (VETOED).
- Requires Controlling Board approval to release moneys from the fund.
- Would have prohibited an entity that received financial assistance from the fund from:
 - Issuing riders or any other additional charges to their customers for the purposes of the project funded by that assistance;
 - Regarding a water company, using the financial assistance for a new or expanded water treatment facility or waste water treatment facility (VETOED).

Welcome Home Ohio (WHO) Program

- Creates the Welcome Home Ohio (WHO) Program, which:
 - Creates a grant program by which land banks may apply for funds to purchase residential property, for sale to income-eligible owner occupants, and appropriates \$25 million in both FYs 2024 and 2025 to fund the grants.
 - Creates a grant program by which land banks may apply for funds to rehabilitate or construct residential property, up to \$30,000, for income-restricted owner occupancy, and appropriates \$25 million in both FYs 2024 and 2025 to fund the grants.
 - Authorizes up to \$25 million in tax credits in each of FYs 2024 and 2025 for the rehabilitation or construction of income-restricted and owner-occupied residential property.

Brownfield and building revitalization programs

- Revises the Brownfield Remediation Program and the Building and Site Revitalization Program to require a lead entity to submit grant applications for each county to the DEV Director under the programs.
- Requires the lead entity to be either:
 - Selected by the DEV Director from recommendations made by the board of county commissioners of the county, if either:
 - ❖ The county has a population of less than 100,000; or
 - ❖ The county has a population of 100,000 or more and does not have a county land reutilization corporation (land bank);
 - The land bank for the county if the county has a population of 100,000 or more and the county has a land bank.
- Requires a lead entity to include with a grant application any agreement executed between the board and other recipients that will receive grant money through the lead entity.
- Specifies that recipients may include local governments, nonprofit organizations, community development corporations, regional planning commissions, county land banks, and community action agencies.
- Authorizes a lead entity, to amend an application for grant funding under the Brownfield Remediation Program, and allows the DEV Director to approve the amended amount of requested grant funding up to the amount reserved for that county.

TourismOhio

- Expands the mission of TourismOhio to include promoting not just tourism, but also “living, learning, and working” in Ohio.

Microcredential assistance program

- Increases the maximum reimbursement for microcredential training providers participating in Department of Development's (DEV's) Individual Microcredential Assistance Program from \$250,000 to \$500,000 per fiscal year.

Rural Industrial Park Loan Program

- Allows a developer that previously received financial assistance under the Rural Industrial Park Loan Program and, consequently, was previously ineligible to receive additional financial assistance, to apply for and receive additional assistance, provided the developer did not receive any previous assistance in the same fiscal biennium.
- Regarding the program eligibility criterion that prohibits a proposed industrial park from competing with an existing industrial park in the same county, states that the consent of the existing industrial park's owner demonstrates noncompetition.

Distress criteria

- Modifies and standardizes the criteria used to evaluate whether a county or municipality is a distressed area for the purpose of DEV's Urban and Rural Initiative Grant Program and Rural Industrial Park Loan Program.
- Requires DEV to update the counties and municipalities that qualify as distressed areas under each program every ten years, rather than annually.
- Makes the same changes to the distressed area characteristics for several obsolete DEV-administered grant and tax credit programs.

Residential Broadband Expansion Grants

Definition changes

- Adds the definition of "extremely high cost per location threshold area" as an area in which the cost to build high speed internet infrastructure exceeds the extremely high cost per location threshold established by the Broadband Expansion Program Authority.
- Removes wireless broadband from the definitions of "tier one broadband service" and "tier two broadband service" and increases the broadband speed requirements to be:
 - At least 25, but less than 100 megabits per second (Mbps) downstream and at least three, but less than 20 Mbps upstream for tier one service;
 - 100 Mbps or greater downstream and 20 Mbps or greater upstream for tier two service.
- Permits the inclusion of fixed wireless broadband service as tier two service, if located in an extremely high cost per location threshold area.
- Changes the definition of "unserved area" to no longer exclude an area where construction of tier one service is in progress and scheduled to be completed within two years.

- Creates the definition of “eligible addresses” to include residential addresses that are in an unserved area or tier one area and modifies the definitions of “eligible project” and “last mile” to replace references to “residences” with “eligible addresses.”

Other terminology changes

- Changes the requirement for posting program grant application information on the DEV website to list “eligible addresses” instead of “residential addresses.”
- Changes “residences” to “residential addresses” (1) in the notarized letter of intent information required for applications, (2) in the broadband speed verification complaint provision, and (3) in the information required for broadband provider annual progress reports and Authority annual reports.

Extremely high cost threshold

- Requires the Authority to establish the extremely high cost per location threshold for the costs of building high speed internet infrastructure in any specific area, above which wireline broadband service has an extremely high cost in comparison to fixed wireless broadband service.

Gifts and grants

- Requires gifts, grants, and contributions provided to the DEV Director for the Ohio Residential Broadband Expansion Grant (ORBEG) Program to be deposited in the Ohio Residential Broadband Expansion Grant Program Fund.
- Specifies that if the use of these deposits or the appropriation of nonstate funds is contingent upon meeting application, scoring, or other requirements that are different from program requirements, DEV must adopt the different requirements.
- Requires a description of any differences in program requirements adopted by DEV as described above to be made available with the program application on the DEV website at least 30 days before the beginning of the application submission period.

Grant application challenges

- Modifies requirements regarding challenges to program grant applications, including requirements for what evidence a challenge must include and how and to whom copies of a challenge, or copies of a broadband provider’s revised application in response to a challenge, must be sent.
- Requires DEV to reject any challenge regarding a residential address where tier two service is planned if the challenging provider also submitted an application for the same residential address.
- Specifies that if an application is not challenged during an application submission period, the lack of a challenge neither:
 - Creates a presumption that residential addresses included in an application submitted in a subsequent submission period are eligible addresses under the program; nor

- Prohibits a challenging provider from filing a challenge to an application that is being refiled during a subsequent submission period.

Application scoring system

- Replaces the weighted scoring system to prioritize and select grant applications with a specific scoring rubric based on specific criteria for eight factors, including broadband service speed, local support, and broadband providers' years of experience.
- Authorizes provisional scoring of applications to facilitate challenges, and requires DEV to publish the scoring on its website, but prohibits the Authority from voting on applications, or making awards based on, the provisional scoring.

Progress reports

- Removes from the list of information that a broadband provider must include in its annual progress report, the number of commercial and nonresidential addresses that are not funded directly by the ORBEG Program but have access to tier two service as a result of the eligible project.

Broadband Pole Replacement and Undergrounding Program

- Creates the Ohio Broadband Pole Replacement and Undergrounding Program within DEV to reimburse providers of qualifying broadband service for utility pole replacements, mid-span pole installations, and undergrounding that accommodate facilities used to provide qualifying broadband service access.
- Defines "qualifying broadband service" as retail wireline broadband service capable of delivering symmetrical internet access at download and upload speeds of at least 100 megabits per second (Mbps) with a latency level sufficient to permit real-time interactive applications.
- Defines "unserved area" as an area without current access to fixed terrestrial broadband service capable of delivering internet access at download speeds of at least 25 Mbps and upload speeds of at least 3 Mbps.
- Considers as an "unserved area" an area for which a governmental entity has awarded a broadband grant after determining the area to be an eligible unserved area under that program and an area that has not been awarded any broadband grant funding, and the most recent federal mapping information indicates that the area is an unserved area.
- Requires DEV to administer the program and to establish the process to provide reimbursements, including adopting rules and establishing an application for reimbursement.
- Requires the Broadband Expansion Program Authority to review applications and award program reimbursements.
- Requires DEV to publish on its website and regularly update certain information regarding the program.

When reimbursements may not be awarded

- Prohibits the Authority from awarding reimbursements that are federally funded, if the reimbursements are inconsistent with federal requirements and if the applicant fails to commit to compliance with any federally required conditions.
- Also prohibits the Authority from awarding reimbursements if (1) the broadband infrastructure deployed is used only for providing wholesale broadband service and is not used by the applicant to provide qualifying broadband service directly to residences and businesses and (2) a provider (not the applicant) is meeting the terms of a legal commitment to a governmental entity to deploy such service in the unserved area.

Eligibility for reimbursements

- Allows providers (entities, including pole owners or affiliates, that provide qualifying broadband service) to apply for a reimbursement under the program for eligible costs associated with deployed pole replacements, mid-span pole installations, and undergrounding.
- Designates as ineligible for reimbursement an applicant's costs of deploying qualifying broadband service for which the applicant is entitled to obtain full reimbursement from another governmental entity, but allows the applicant to apply for and obtain reimbursement for the portion of costs that were not already reimbursed.
- Allows the Authority to require applicants to maintain accounting records demonstrating that other grant funds do not fully reimburse the same costs reimbursed under the program.
- Requires the Authority to review applications and approve reimbursements based on various requirements and limitations.

Information from pole owner

- Allows a pole owner to require a provider to reimburse the owner for the owner's actual and reasonable administrative expenses related to providing certain information and documentation for a program application, not to exceed 5% of the pole replacement or mid-span pole installation costs, and specifies that these costs are not reimbursable.

Application requirements

- Requires DEV, not later than 60 days after the Pole Replacement Fund (described below) receives funds for reimbursements, to develop and publish an application form and post it on the DEV website.
- Requires the application form to identify and describe any additional federal conditions required in connection with the use of the federal funds, if any federal funds are used for awards under the program.
- Requires applications to include certain information, including the number, cost, and locations of pole replacements, mid-span pole installations, and undergrounding for which reimbursement is requested; the reimbursement amount requested; and

information necessary to demonstrate the applicant's compliance with reimbursement conditions.

- Establishes additional requirements for an application regarding a pole attachment or a mid-span pole installation, if the applicant is the pole owner or affiliate of the pole owner.

Applicant duties prior to reimbursement

- Requires a provider applying for reimbursement to agree to do certain things such as (1) activating qualifying broadband service to end users utilizing the program-reimbursed broadband infrastructure not later than 90 days after receiving a reimbursement, (2) complying with federal requirements associated with funds used for awards under the program, and (3) refunding all or any portion of reimbursements received, if the applicant materially violated any program requirements.

Reimbursement timeline and formula

- Requires the Authority to award reimbursements to an applicant not later than 60 days after it receives an application forwarded by DEV.
- Allows the Authority to award reimbursements equal to the lesser of \$7,500 or 75% of the total amount paid by the applicant for pole replacement or mid-span pole installation costs.
- Allows reimbursement awards for undergrounding costs to be calculated as described above, except that it may not exceed the amount that would be available if the applicant had attached broadband infrastructure to utility poles instead of undergrounding that infrastructure.

Reimbursement refunds

- Requires applicants to refund reimbursement amounts, with interest, if the applicant materially violates any program requirement, and specifies that, at the direction of DEV, refunds are to be deposited into the Broadband Replacement Pole Fund.

Broadband Pole Replacement Fund

- Creates the Broadband Pole Replacement Fund and appropriates \$50 million in FY 2024 to fund reimbursements under the program and for DEV to administer the program.

DEV report on deployments

- Whenever the fund is exhausted, requires the Authority, within one year after, to identify, examine, and report on broadband infrastructure deployment under the program and the technology facilitated by the reimbursements, and requires the report to be published on DEV's website.

Annual audits

- Requires the Auditor of State to audit the Broadband Pole Replacement Fund annually, beginning not later than one year after the first deposits are made to the fund.

Sunset

- Except as provided below, effectively sunsets the program by requiring payments under the Broadband Pole Replacement Fund to cease and the fund to no longer be in force or have further application on October 3, 2029 (six years after the act's 90-day effective date).
- During the six months after October 3, 2029, requires DEV and the Authority to review any applications and award reimbursements (1) if the applications were submitted prior to that date and (2) if the applications were submitted not later than four months after that date for reimbursements of costs incurred prior to that date.
- Requires any Broadband Pole Replacement Fund balance remaining after final applications are processed (after the October 3, 2029, sunset date and as described above) to be returned to the original funding sources as determined by DEV.

Nuclear development in Ohio

Ohio Nuclear Development Authority (PARTIALLY VETOED)

- Establishes the Ohio Nuclear Development Authority within DEV consisting of nine members from certain stakeholder groups.
- Establishes the Authority for the following purposes:
 - To be an information resource for Ohio and certain federal agencies regarding advanced nuclear research reactors, isotopes, and isotope technologies.
 - To make Ohio a leader regarding new-type advanced nuclear research reactors, isotopes, and high-level nuclear waste reduction and storage.
- Grants the Authority, but for the partial veto, extensive power to fulfill its nuclear technology purposes specifically with respect to advanced nuclear reactor commercialization, isotope production, and nuclear waste reduction (PARTIALLY VETOED).
- Requires the Authority to submit an annual report of its activities and post the report on the Authority's website.
- Would have required the Authority to adopt rules for the Ohio State Nuclear Technology Research Program (VETOED).

Nominating council (VETOED)

- Would have established a seven-member nominating council to review and make recommendations to the Governor for potential Authority appointees (VETOED).

Nuclear agreements (PARTIALLY VETOED)

- Permits the Governor, to the same extent as may be done under continuing law with the U.S. Nuclear Regulatory Commission, to enter into agreements with the U.S. Department

of Energy or branches of the military to permit the state to license and exercise regulatory authority regarding certain radioactive materials.

- Would have permitted the Authority to enter into the same agreements on behalf of the Governor, and would have prohibited rules adopted by the Department of Health for radiation control from conflicting with or superseding rules adopted by the Authority (VETOED).

Legislative intent

- States the General Assembly's intent to encourage the use of these provisions promoting nuclear development in Ohio as a model for future legislation to further innovative research and development for any industry in Ohio.

DEPARTMENT OF DEVELOPMENTAL DISABILITIES

County board membership

- Beginning July 1, 2025, requires emphasis to be placed on appointing individuals with developmental disabilities and their family members to county boards of developmental disabilities.
- Beginning July 1, 2025, requires each county board to include at least one individual with developmental disabilities.

County board remote participation

- Permits county boards to establish a policy allowing members to attend board meetings remotely through electronic communication.
- Permits a board member attending a meeting remotely to be considered present, to be counted for purposes of establishing a quorum, and to vote.

Developmental Disabilities Council meetings

- Eliminates requirements that the Developmental Disabilities Council establish geographic limits and record a roll-call vote for each vote, to allow a council member's remote participation.

Interagency workgroup on autism

- Designates the entity contracted to administer programs and services for individuals with autism and low incidence disabilities as the workgroup's coordinating body.
- Requires the workgroup to meet publicly at least twice per year and submit an annual report to the Department of Developmental Disabilities.

State protection and advocacy system

- Requests that the Governor redesignate the entity serving as the state protection and advocacy system and client assistance program (P&A system).

- Specifies that the authority of the entity designated as the P&A system cannot exceed the authority granted to a state P&A system under federal law.
- Requires the designated entity to adopt a policy that acknowledges and supports the right of individuals served by the P&A system to reside in and receive services from intermediate care facilities for individuals with intellectual disabilities (ICFs/IID).
- Permanently establishes a joint committee to examine the state P&A system.

Innovative pilot projects

- Permits the Director of Developmental Disabilities to authorize, in FY 2024 and FY 2025, innovative pilot projects that are likely to assist in promoting the objectives of state law governing the Department and county boards.

County share of nonfederal Medicaid expenditures

- Requires the Director to establish a methodology to estimate in FY 2024 and FY 2025 the quarterly amount each county board is to pay of the nonfederal share of its Medicaid expenditures.

County subsidies used in nonfederal share

- Requires, under certain circumstances, that the Director pay the nonfederal share of a claim for ICF/IID services using subsidies otherwise allocated to county boards.

County board annual fee for HCBS waiver services

- Makes discretionary (rather than mandatory) for the Department to charge county boards an annual fee related to the total value of all Medicaid claims paid for home and community-based services (HCBS) provided to individuals eligible to receive services from the county board.
- Permits the Department to use the fees to provide technical and financial support to county boards with respect to the boards' responsibility to pay the nonfederal share of certain Medicaid services.

Medicaid rates for homemaker/personal care services

- For 12 months, requires the Medicaid rate for each 15 minutes of routine homemaker/personal care services provided to a qualifying enrollee in the Individual Options Medicaid waiver program be 52¢ higher than the rate for services to an enrollee who is not a qualifying enrollee.

Competitive wages for direct care workforce

- Requires that certain funds contained in the act for provider rate increases be used to increase wages and needed workforce supports to ensure workforce stability and greater access to care for Medicaid recipients.

Direct care provider payment rates (PARTIALLY VETOED)

- Appropriates funds for increases in payment rates in FY 2024 beginning January 1, 2024, and during FY 2025.
- Would have used the funds to increase direct care wages to \$17 an hour in FY 2024 beginning January 1, 2024, and to \$18 an hour for all of FY 2025, for certain direct care services provided under the Medicaid HCBS waivers administered by the Department (VETOED).

Direct Support Professional Quarterly Retention Payments (PARTIALLY VETOED)

- Continues the Direct Support Professional Quarterly Retention Payments Program administered by the Department until December 31, 2023.
- Upon the program's conclusion, would have required the Department to use funds to increase the direct care base payment rate for (1) personal care services and (2) adult day services by \$1 per hour over the base payment rates (VETOED).

ICFs/IID

- Increases the intermediate care facility for individuals with intellectual disabilities (ICF/IID) per Medicaid day payment rate by adding to the formula a professional workforce development payment amount.
- For purposes of ICF/IID Medicaid payments, creates a new peer group for youth in need of intensive behavior support services.
- Exempts ICFs/IID that have specified bed capacities in counties with specified populations from the limitation that no more than two residents reside in the same sleeping room.
- Repeals law requiring recoupment of payments made to ICFs/IID under a program that no longer exists.

Obsolete reports

- Repeals law requiring the Department to submit a report to the General Assembly in 2003, 2004, and 2005.

DEPARTMENT OF EDUCATION AND WORKFORCE

TRANSFER OF STATE K-12 GOVERNANCE

Department of Education and Workforce

- Renames the Department of Education as the Department of Education and Workforce.
- Creates the position of the Director of Education and Workforce, who is appointed by the Governor, with the advice and consent of the Senate, and is the head of the Department.

- Establishes within the Department the Division of Primary and Secondary Education and the Division of Career-Technical Education, each headed by a Deputy Director appointed by the Director with the advice and consent of the Senate.

State Board of Education

- Transfers most of the powers and duties of the State Board of Education and the Superintendent of Public Instruction to the Director or the Department.
- Retains the State Board's and state Superintendent's duties regarding educator licensure, disciplining licensees, school district territory transfers, and certain other matters.
- Expands the uses for the State Board Licensure Fund.

Implementation deadline

- Requires the Director, Department, State Board, and state Superintendent to complete any action necessary to implement the transfer of powers by January 1, 2024.

SCHOOL FINANCE

Funding for FYs 2024 and 2025

- Extends the operation of the school financing system established in H.B. 110 of the 134th General Assembly, with changes, to FY 2024 and FY 2025.
- Extends to FY 2024 and FY 2025 the payment of temporary transitional aid to school districts and a formula transition supplement to districts, community schools, and STEM schools.

Student wellness and success fund

- Requires the Department annually to notify each school district, community school, and STEM school of the portion of its state share of the base cost that is attributable to the staffing cost for the student wellness and success component.
- Requires districts and schools to spend student wellness and success funds (SWSF) on the same initiatives required for disadvantaged pupil impact aid (DPIA) funds.
- Requires districts and schools to spend at least 50% of SWSF for either physical or mental health based initiatives, or a combination of both.
- Requires districts and schools to develop a plan to use SWSF in coordination with certain community based mental health treatment providers and other community partners.
- Requires that any SWSF allocated in any of FYs 2020 through 2023 be expended by June 30, 2025, and any unexpended funds be repaid to the Department.
- Beginning in FY 2024, requires all SWSF to be expended by the end of the following fiscal year, and any unexpended funds be repaid to the Department.

- Requires each district and school annually to submit a report to the Department describing the initiative or initiatives on which the district or school's SWSF were spent during the fiscal year.

Disadvantaged pupil impact aid

- Makes changes in initiatives for which schools may spend DPIA.

Gifted funding requirements

- Makes permanent, and in some cases revises, requirements regarding gifted student funding and services, including spending requirements, funding reductions for noncompliant spending, and reporting and auditing requirements.

Jon Peterson Special Needs Scholarship amounts

- Increases the base and category amounts for a Jon Peterson Special Needs Scholarship for FY 2024 and increases the category amounts for FY 2025.
- Increases the maximum scholarship for a Jon Peterson Special Needs Scholarship from \$27,000 to \$30,000 for FY 2024 and to \$32,445 for FY 2025.

Districts with decreases in utility TPP value

- Requires the Department to make a payment, for FY 2024 and FY 2025, to each school district that has at least one power plant within its territory and that experiences a 10% or greater decrease in the taxable value of utility tangible personal property (TPP) and an overall negative change in TPP subject to taxation.

New chartered nonpublic schools – auxiliary services funds

- Permits a newly chartered nonpublic school, within ten days of receiving its charter, to elect to receive auxiliary services funds directly.

Community school equity supplement

- Requires the Department to pay a \$650 per student equity supplement in FY 2024 and FY 2025 to each site-based community school.

Quality community and independent STEM school support

- Extends and revises the Quality Community School Support Program, including by expanding it to cover independent STEM schools.

DOPR community school credential-only programs

- Requires the Department to include students enrolled in a credential-only program at a dropout prevention and recovery (DOPR) community school in the school's category one career-technical ADM and to count those students as full-time students.
- Permits a DOPR community school that offers a credential-only program to provide support services to its graduates to assist them in securing post-secondary placement opportunities.

- Authorizes a DOPR community school to use a portion of its career-technical education funds to provide its recent graduates with short-term, emergency financial assistance related to specified issues.

DOPR e-school funding pilot

- Makes permanent and revises the operation of the pilot program that provides additional funding to DOPR internet- or computer-based community schools (e-schools).

School funding based on updated TY 2021 data

- Requires the Department to compute the state foundation aid for a school district whose property tax information was incorrectly reported in tax year 2021 using updated information for that year.

STUDENT TRANSPORTATION

Transportation dispute resolution

- Requires the Department to resolve any disputes over determinations regarding transportation noncompliance received after December 1, 2023, within 30 days of receiving notice of the dispute, or within 45 days if the Department notifies all affected parties in advance of the delay.

Late drop-off

- Prohibits transportation operators from delivering students late to school.

Determining noncompliance, penalties

- Defines “out of compliance” with regard to student transportation as a period of five consecutive school days or more than ten school days within a school year in which certain conditions apply.
- Requires the Department to notify a district if it is found to be out of compliance and requires the district to submit a corrective action plan to the Department within one week of its first notification of noncompliance.
- Requires the Department to withhold 25% of a district’s daily transportation payments for each day a district is determined to be out of compliance for the next three subsequent determinations of noncompliance in the same school year.
- Requires the Department, for the fifth determination of noncompliance in the same school year, to withhold 100% of a district’s daily state transportation payment.
- Requires the noncompliance count be reset to zero at the beginning of the school year.

Bus Driver Flex Career Path Model

- Requires the Department to develop the Bus Driver Flex Career Path Model to create a pathway for bus drivers to work as educational aides or student monitors at districts and schools.

Nine-passenger vehicles

- Authorizes a school district to use a vehicle designed to carry nine passengers or less (not including the driver) to transport chartered nonpublic and community school students under certain conditions.
- Authorizes a community school to transport its students using a nine-passenger or less vehicle under certain circumstances.
- Adds a new circumstance under which a chartered nonpublic and a community school may transport its students to and from regularly scheduled school sessions using a nine-passenger or less vehicle to include when the school has offered to provide its own student transportation.

Private and community school transportation – children with disabilities

- Requires school districts to provide transportation as a related service to students with disabilities who live in the district but attend a nonpublic school, if the school district is provided with supporting documentation in the student’s individualized education program (IEP) or individual service plan.

Pilot program

- Establishes a pilot program under which two selected educational service centers provide transportation to students enrolled in participating community schools and chartered nonpublic schools in the 2023-2024 school year.

LITERACY INITIATIVES AND DYSLEXIA SCREENING

Third Grade Reading Guarantee

- Exempts a student from retention under the Third Grade Reading Guarantee if the student’s parent or guardian, in consultation with the student’s reading teacher and principal, requests that the student be promoted to fourth grade, regardless of whether the student is reading at grade level.
- Requires districts and schools to continue to provide reading intervention services to promoted students who do not read at grade level until the student reads at grade level.
- Requires that reading intervention and remediation services include high-dosage tutoring opportunities, be aligned to the science of reading, and include a written statement that details the connection between reading proficiency and long-term outcomes of success.
- Permits students retained under the Guarantee in the 2022-2023 school year to be promoted to the fourth grade, unless the student’s parent or guardian requests otherwise.

Dyslexia screening and intervention

Transfer students

- Requires public schools to administer grade-level aligned dyslexia screenings to students in grades K-6 who transfer into the district or school midyear.
- Exempts a district or school from administering a tier one dyslexia screening measure to a transfer student who received a screening in that school year from the student's original school.
- Generally requires a district or school to administer a dyslexia screening within 30 days of transfer student enrollment or request, though a kindergarten transfer student screening may be performed at the regularly scheduled screening for all kindergartners if the student transfers before that assessment has been performed.

Professional development

- Requires teachers hired after April 12, 2021, to complete dyslexia professional development training by the later of two years after the date of hire or prescribed dates, unless the teacher has completed the training while employed by a different district.

Literacy improvement grants

Professional development stipends

- Requires the Department to reimburse public schools for stipends for teachers to complete professional development in the science of reading and evidence-based strategies for effective literacy instruction provided by the Department.
- Requires all teachers and administrators to complete the professional development by June 30, 2025, unless they have previously completed a similar course.
- Requires each district and school to pay teachers who complete the professional development stipends of \$400 or \$1,200, based on subject and grade band.

Subsidies for core curriculum and instructional materials

- Requires the Department to subsidize the cost for public schools to purchase high-quality core curriculum and instructional materials in English language arts and evidence-based reading intervention programs from the lists established by the Department.
- Requires the Department to conduct a survey to collect information on the core curriculum and instructional materials in English language arts in grades pre-K through 5 and the reading intervention programs in grades pre-K through 12 used by public schools.

Literacy supports coaches

- Requires the Department to use funds for coaches to provide literacy supports to public schools with the lowest rates of proficiency in literacy based on their performance on the English language arts assessments.

Early literacy activities

- Requires the Department to use funds to support early literacy activities to align state, local, and federal efforts to bolster all students' reading success.

Literacy instructional materials

- Requires the Department to compile a list of high-quality core curriculum and instructional materials in English language arts and a list of evidence-based reading intervention programs that are aligned with the science of reading and strategies for effective literacy instruction.
- Not later than the 2024-2025 school year, requires each school district, community school, and STEM school to use the core curriculum, instructional materials, and intervention programs from the lists compiled by the Department.
- Prohibits a district or school from using the "three-cueing approach" to teach students to read unless it receives a waiver from the Department, but permits waivers for individual students.
- Requires the Department to identify vendors that provide professional development to educators, including pre-service teachers and faculty employed by educator preparation programs, on the use of high-quality core curriculum, instructional materials, and reading intervention programs.

Reporting literacy instructional materials

- Requires districts and schools to report to the Education Management Information System (EMIS) the English language arts curriculum and instructional materials used in each of grades pre-K through 5 and the reading intervention programs used in each of grades pre-K through 12.

STATE SCHOLARSHIP PROGRAMS

Ed Choice Expansion eligibility and amounts

- Expands eligibility for an Ed Choice Expansion scholarship to any student entering any of grades K-12 in the school year for which a scholarship is sought.
- Establishes in codified law a logarithmic function formula to calculate Ed Choice Expansion scholarship amounts for students who receive a first-time scholarship in and after the 2024-2025 school year, but also prescribes specific, partial scholarship amounts for the 2023-2024 school year only for students with a family income at or above 450% federal poverty level (FPL).
- Bases the income eligibility threshold for an Ed Choice Expansion scholarship on a "family's adjusted gross income" rather than "family income."
- Eliminates the priority order for awarding Ed Choice Expansion scholarships if the number of students who apply for a scholarship exceeds the scholarships available based on the appropriation.

Ed Choice scholarship selection

- Permits a student who qualifies for both a traditional Ed Choice scholarship and an Expansion Ed Choice scholarship to select which scholarship the student would like to receive.

Private scholarships with Ed Choice

- Permits a chartered nonpublic school to accept private scholarships issued by a scholarship granting organization to pay the difference between the amount of an Ed Choice scholarship and the school's regular tuition plus regularly charged fees.

Ed Choice student growth measure

- Requires the Department to develop a student growth measure by July 1, 2025, for Ed Choice scholarship students in grades 4-8.

Family income disclosure

- Prohibits a chartered nonpublic school participating in Ed Choice from requiring a student's parent to disclose, as part of the school's admission procedure, whether the student's family income is at or below 200% FPL.

Autism scholarship

Eligibility

- Expands qualification for the Autism Scholarship Program to a child who receives an autism diagnosis from a physician or psychologist.
- Qualifies a child for a scholarship who meets only one, instead of all, qualifications.
- Requires school districts to develop an education plan for a child who is eligible for the Autism Scholarship Program based on an autism diagnosis, but does not have an individualized education program.

Intervention services providers

- Qualifies certified Ohio behavior analysts as providers who may offer intervention services under the Autism Scholarship Program.
- Qualifies registered behavior technicians as providers who may offer intervention services under the Autism Scholarship Program if the technician works under the supervision and follows the intervention plan of a certified Ohio behavior analyst or a nationally certified behavior analyst.
- Prohibits the State Board from requiring registered behavior technicians and certified Ohio behavior analysts to have an instructional assistant permit to provide services to a child under the Autism Scholarship Program.

Cleveland scholarship location restrictions

- Permits a Cleveland Scholarship recipient to attend any private school, without a restriction on location of that school, using that scholarship.

State scholarships – general

Income verification

- Specifies what documents a student’s parent or guardian may use to certify income eligibility for an Ed Choice Expansion scholarship.
- Prohibits the Department from generally requiring the parent of a student who is applying for, or receiving, a state scholarship, other than an Ed Choice Expansion scholarship, from completing any kind of income verification regarding the student’s family income.
- Creates an exception to this prohibition to qualify low-income Ed Choice or Cleveland scholarship recipients for a waiver of tuition, textbooks, or fees related to attending a private college through the College Credit Plus Program.

Tax return information

- Exempts an individual who is not required to file a state tax return under the tax law from the requirement to certify income eligibility for an Ed Choice Expansion scholarship.
- Prohibits the Department from requiring the parent of a student to submit a complete copy of the parent’s federal or state income tax return to determine the student’s family income for the purposes of the traditional Ed Choice or Cleveland Scholarship Program.
- Permits the Department to require a partial federal or state tax return that only contains the minimum information necessary to determine the student’s family income.

Reporting tuition rates

- Requires certain educational entities that enroll state scholarship students to submit their tuition rates to the Department by September 30, 2023, for the 2023-2024 school year, and by June 30 for each subsequent year.

Application after start of school year

- Delays the application deadline for receiving a full Ed Choice or Cleveland scholarship from July 1 to October 15 of the school year for which the scholarship is sought.
- Requires the Department to prorate the amount of a scholarship for an application submitted on and after October 15 based on how much of the school year remains after the student’s enrollment.

COMMUNITY SCHOOLS

Community school sponsors

- Requires the Department, in deciding whether to approve a request to change sponsors from a community school that primarily serves students with disabilities, to consider the

school's performance against the average performance of all other community schools that primarily serve students with disabilities.

- Permits a community school that primarily serves students with disabilities to enter into a contract with a new qualified sponsor without submitting a request if it satisfies certain state report card rating criteria.

Community school FTE reporting

- Extends through the 2023-2024 and 2024-2025 school years the option of certain community schools to report their student enrollment on a full-time equivalent basis based partially on credits earned.

Dropout prevention and recovery (DOPR) schools

End-of-course exams

- Requires a DOPR community school to administer end-of-course exams in an online or paper format based on the needs of the student.
- Requires the Director to establish extended testing windows of ten weeks in the fall and spring for dropout recovery community schools so that assessments may be administered closer to when students complete related coursework.
- Requires the Director to establish a summer testing window for students participating in summer instruction.

DOPR report card

- Requires the Department to consult with stakeholder groups and use data from prior school years and simulations in establishing benchmarks and performance levels for performance indicators on the DOPR community school report card.

DOPR Advisory Council

- Establishes the Dropout Prevention and Recovery Advisory Council to provide a forum for communication and collaboration between the Department and parties involved with dropout recovery community schools.
- Requires the Council to review, in collaboration with the Director, all existing rules and guidance previously developed or adopted by the Department.

Rules and guidelines

- Requires that the Department adopt any requirement imposed on a DOPR community school as a rule under the Administrative Procedure Act, and prohibits the Department from developing guidelines, rather than rules, that impose requirements on a DOPR community school.
- Requires that any new rule related to DOPR community school requirements be reviewed by the Dropout Prevention and Recovery Advisory Council prior to adoption.

E-school standards

- Changes the source for the standards with which e-schools must comply to the National Standards for Quality Online Learning, instead of standards developed by the International Association for K-12 Online Learning.

Community school closing audit bonds and guarantees

- Removes provisions related to community school closing audit bonds. (For more information, see “**Community school closing audit bonds and guarantees**” in the Treasurer of State segment.)

JCARR review of changes (VETOED)

- Would have subjected to Joint Committee on Agency Rule Review (JCARR) approval any proposed changes to EMIS or the Department’s business rules and policies that may have affected community schools (VETOED).

SCHOOLS

Intradistrict open enrollment

- Requires a school district to report to the Department the number of students who attend a school building other than the one to which they are assigned.
- Requires a district that elects to conduct a lottery to determine intradistrict placement of students to do so by the second Monday of June prior to the school year for which enrollment is sought.

Virtual education during school closure

- Requires a school district, community school, STEM school, or chartered nonpublic school to adopt a plan to provide instruction through a virtual education model during a period of school closure for a calamity.
- Repeals the process under which a district, community school, or chartered nonpublic school could adopt a plan for students to complete lessons posted online, or paper copies of those lessons (“blizzard bags”), during a school closure for a calamity.

Seizure action plans

- Requires public and chartered nonpublic schools to create an individualized seizure action plan for each student who has an active seizure disorder diagnosis.
- Requires that at least one employee at each school be trained on implementing seizure action plans.
- Provides qualified immunity in a civil action for money damages for school districts and schools and their officers and employees for injury, death, or other loss allegedly arising from providing care or performing duties under the act.

Cash payments for school-affiliated events

- Requires public and chartered nonpublic schools to accept cash payments for tickets and concessions at school-affiliated events, unless the event is conducted at a public facility that is leased by a professional sports team or privately owned facility.

School meals

- Provides free breakfast and lunch to students eligible for a reduced-price meal by requiring the Department to reimburse schools and other programs that participate in the National School Breakfast or Lunch Program and requiring schools and programs to provide meals at no cost to qualifying students.

Free feminine hygiene products

- Requires all public and private schools that enroll girls in grades 6-12 to provide free feminine hygiene products for them and permits schools to provide products to students below grade 6.

Auxiliary services personnel

- Prohibits a school district from denying a nonpublic school's request for properly licensed personnel to provide auxiliary services.

Auxiliary services reimbursement – educational service centers

- Specifies that if an ESC contracts with a district to provide auxiliary services, only the ESC may be reimbursed for administrative costs.

Transferred student's records

- Requires public and chartered nonpublic schools to transmit a transferring student's school records within five school days after receiving a request from the school or district the student is attending, unless \$2,500 or more of debt is attributed to the student.

Pecuniary interest of school board members

- Exempts a school board member employed by a private institution of higher education from the prohibition against members having a financial interest in a contract with the district when the contract is with the institution.

Nonchartered nonpublic schools

- Codifies an administrative rule that sets minimum requirements for nonchartered nonpublic schools, including hours of instruction, educational requirements for teachers and administrators, curriculum, promotion, and safety requirements.
- Requires the Director to update rules to conform to the changes and prohibits adoption of any additional rules for nonchartered nonpublic schools.

Home education and school attendance

- Exempts a child from the compulsory school attendance law if the child's parent submits a notice to the superintendent of the child's school district of residence that the child is receiving a home education in specified subject areas.
- Specifies that a child exempt for the purposes of home education may be subject to state truancy law if there is evidence the child is not receiving the required education.

LICENSING AND PERMITS

Teacher Residency Program

- Revises the operation of the Ohio Teacher Residency Program, with respect to mentoring, counseling, and the Resident Educator Summative Assessment.

Alternative resident educator license

- Reduces the alternative resident educator license from four to two years and makes that license renewable.
- Permits the holder of an alternative resident educator license to teach preschool students.
- Permits the holder of an alternative resident educator license to convert that license to a renewable alternative educator license instead of completing the Ohio Teacher Residency Program and other certain requisites for obtaining a professional educator license.

Temporary substitute teacher license

- Permits public schools to hire substitute teachers without a post-secondary degree and establishes a one-year temporary substitute teacher license.

Out-of-state license

- Permits an applicant for a one-year nonrenewable out-of-state teaching license who passes Ohio's Foundations of Reading Exam on the first try to forgo the required completion of coursework in the teaching of reading.

Licensure grade bands

- Expands the grades bands for which an individual may receive a resident educator license, professional educator license, senior professional educator license, or a lead professional educator license to grades pre-K-8 or 6-12.
- Permits a school district or community school to employ an educator to teach not more than two grade levels outside the educator's designated grade band for two school years at a time.

Pre-service teaching for compensation

- Establishes a three-year pre-service teaching permit for student teachers that authorizes them to substitute teach and receive compensation for it.

Alternative military educator license

- Requires the State Board, in consultation with the Chancellor of Higher Education, to establish an alternative military educator license that permits eligible military individuals to receive an educator license on an expedited timeline.

Computer science educator licensure

- Permits industry professionals to teach 40 hours a week in computer science without taking a content examination.
- Requires computer science licenses to carry a grade band designation of K-12, pre-k-5, 4-9, or 7-12.
- Extends through the 2024-2025 school year an exemption that permits a public school to permit a licensed teacher to teach computer science in any of grades K-12, provided the teacher completes a specific professional development course.
- For purposes of that exemption, extends the grade bands for which a license holder must be licensed to teach from any of grades 7-12 to any of grades K-12.

Financial literacy license validation

- Exempts all chartered nonpublic schools from the requirement that teachers who provide high school financial literacy instruction have a financial literacy license validation.
- Disqualifies chartered nonpublic schools from receiving reimbursement for costs associated with financial literacy license validation for teachers.

School counselor licensure

- Requires the State Board to enter into an agreement with a construction trades organization to develop a mandatory training program for school counselors about job opportunities in the construction trades.
- Requires a school counselor serving students in grades 7-12 to complete four hours of training every five years.
- Requires local professional development committees to incorporate the training into professional development programs for counselors serving students in grades 7-12.
- Requires participating building and construction trades to bear all costs associated with the required training.

Community school employee misconduct

- Prohibits a community school from employing a person if the person's educator license was permanently revoked or denied or if the person entered into a consent agreement in which the person agreed not to apply for an educator license in the future.

Private school educator certification

- Makes explicit that the State Board must issue teaching certificates to private school administrators, supervisors, and teachers who hold a master's degree from an accredited college or university.

Training for coaches

- Prohibits an individual from coaching an athletic activity at a public or nonpublic school unless the individual has completed a student mental health training course approved by the Department of Mental Health and Addiction Services.
- For renewal of pupil activity permits, changes the frequency of sudden cardiac arrest training from annually to sometime within the duration of the permit.

RAPBACK and criminal records checks

- Requires the State Board to enroll all nonlicensed school employees and contractors, including bus drivers, in the Retained Applicant Fingerprint Database (RAPBACK).
- Requires any nonlicensed employee or contractor whose most recent criminal records check is older than one year or does not include certain information to complete a new records check by a State Board prescribed date, and every six years thereafter.
- Specifically excludes school volunteers from the requirements related to criminal background checks and RAPBACK.

CAREER-TECHNICAL EDUCATION AND WORKFORCE DEVELOPMENT

Career-technical cooperative education districts

- Permits two or more city, local, or exempted village school districts that are members of a compact career-technical education provider that exists on October 3, 2023, to enter into an agreement to create a career-technical cooperative education district.
- Requires a cooperative district to fund and provide students in grades 7-12 in member districts with a career-technical education adequate to prepare them for an occupation.
- Specifies that a cooperative district is not a joint vocational school district and, instead, requires the cooperative district to:
 - Be considered a career-technical education compact for state education law; and
 - Serve as the lead district of a career-technical planning district composed of the cooperative district's member districts.
- Establishes a board of directors, composed of the superintendents of the cooperative district's member districts, to govern the cooperative district.
- Permits a board of directors to levy a voter-approved property tax of up to three mills and accept gifts, donations, bequests, and other grants of money.

- Requires the Department to compute and make payments to a cooperative district in the same manner as a lead district of a career-technical planning district.

Courses at Ohio technical centers

- Permits school districts, upon approval from the Department, to contract with Ohio technical centers to serve students in grades 7-12 who are enrolled in a career-technical education program at the district but cannot enroll in a course for specified reasons.

DOPR and career-technical programs

- Adds DOPR programs of school districts, community schools, and STEM schools to the approval process for state funding for career-technical education programs.
- Requires the Department to authorize a payment for a DOPR school offering a career-technical program that is in its first year of operation and that submits an application for approval after the May 15 deadline established under continuing law.

Workforce development

- Requires the Department to develop informational materials for seventh and eighth graders about available career opportunities.
- Requires the Department to participate in the process to identify in-demand jobs.
- Requires the Governor to appoint the Deputy Directors to the Governor's Executive Workforce Board.

OTHER

State minimum teacher salary schedule

- Increases the minimum base salary for beginning teachers with a bachelor's degree from \$30,000 to \$35,000 and proportionally increases the minimum salaries for teachers with different levels of education and experience.

English learners

- Eliminates an exemption excusing English learners who have been enrolled in U.S. schools for less than a year from any reading, writing, or English language arts state assessments.
- Eliminates an exemption that excluded, except when required by federal law, English learners who have been enrolled in U.S. schools for less than a year from state report card performance measures.
- Requires English learners to be included in performance measures on the state report card in accordance with the state's federally approved plan to comply with federal law.
- Requires the Director to adopt rules related to educating English learners that conform to the state's federally approved plan.

Student performance data

- Requires the Department to include a modified graduation rate measure on the state report card to account for online high schools and to report the modified graduation rate as data without an assigned performance rating beginning with the state report card for the 2023-2024 school year.
- Requires the Department to make individual student performance data reports available to districts and schools that have an overall value-added progress dimension score calculated on the state report card.
- Requires each public and chartered nonpublic school to provide a student's parent with the student's state assessment scores by June 30 each year by mail, email, or secure online portal on the school's website.

School emergency management plans

- Specifies that all records related to a school's emergency management plan and emergency management tests are security records and are not subject to Ohio's public records laws.
- Extends the annual deadline for a school administrator to submit the school district's or school's emergency management plan to the Director of Public Safety from July 1 to September 1.

School counselor liaison

- Requires the Director to designate at least one employee of the Department to serve as a liaison to school counselors across the state.

Innovative pilot program waivers

- Prohibits waivers of the requirements associated with blended learning or operating an online learning school for school districts of innovation or an online learning school as part of an innovative education pilot program.

Academic distress commissions

- Prohibits the Director from establishing any new academic distress commissions (ADCs) for the 2023-2024 and 2024-2025 school years.
- Dissolves the Lorain City Schools ADC and academic improvement plan, and, upon dissolution of the ADC, requires the chief executive officer to relinquish management and control of the school district to the district's board of education and superintendent.

Five-year forecasts

- Requires the Department and Auditor of State to label the property tax allocation projections in a school district's five-year forecast as the "state share of local property taxes."

Private before and after school care programs

- Authorizes a private before and after school care program that meets certain conditions to seek licensure as a school child program.

State Report Card Review Committee

- Eliminates the State Report Card Review Committee.

Study on services for economically disadvantaged students

- Requires the Department to conduct a study evaluating the needs of economically disadvantaged students.

Competency-based diploma pilot

- Requires the Department to operate a competency-based diploma pilot program in FYs 2024 and 2025 for students who are at least 18 years old, but under 22 years old and issue a report on the pilot program by July 30, 2025.

Adult diploma pilot – minimum age

- Expands eligibility to participate in the Adult Diploma Pilot Program by lowering the minimum age from 20 to 18 years old.

BOARD OF EMBALMERS AND FUNERAL DIRECTORS

- Reestablishes the requirement that an individual obtain a crematory operator permit to perform cremations.
- Corrects an error in the law prohibiting unauthorized removal of items from a body before or after cremation.
- Requires the executive director of the Board of Embalmers and Funeral Directors to notify law enforcement of persons engaged in unlicensed funeral directing.

ENVIRONMENTAL PROTECTION AGENCY

OEPA policies (PARTIALLY VETOED)

- States that:
 - The Ohio Environmental Protection Agency (OEPA) may exercise quasi-legislative, quasi-judicial, permitting, enforcement, or other regulatory functions based only on a statute or valid rule;
 - OEPA is prohibited from applying a policy in a manner that makes it the functional equivalent of, or a substitute for, a statute or rule, or that effectively alters or amends a statute or rule, or that assumes powers not plainly delegated to OEPA by statute;
 - Each policy must be displayed and searchable on OEPA’s website, and proposed policies must be advertised on the website; and

- The first page of each policy must contain a statement that “this policy is not law.”
- Prohibits an OEPA policy from establishing any substantive duty, obligation, prohibition, or regulatory burden not imposed by a statute or rule, or from impairing any right or permitted conduct.
- Revises what constitutes a policy to include any clarification, explanation, or interpretation of a statute or rule that is initiated or used by OEPA for regulatory purposes, but that is not a rule.
- Would have additionally included as a policy an elaboration based on OEPA authority or expectations (VETOED).

E-Check extension

- Continues the motor vehicle inspection and maintenance program (E-Check) in the counties where it is implemented by:
 - Authorizing the OEPA Director to request the Director of Administrative Services (DAS Director) to extend the existing contract with the contractor that conducts the program, beginning July 1, 2023, for a period of up to 24 months; and
 - Requiring the OEPA Director, before the contract extension expires, to request the DAS Director to enter into a contract (with a vendor to operate a decentralized program) through June 30, 2027, with an option to renew the contract for up to 24 months through June 30, 2029.

Solid waste transfer and disposal fees

- Revises and reallocates solid waste transfer and disposal fees (while maintaining the total fees charged at \$4.75 per ton) as follows:
 - Reduces a 90¢ per ton fee to 71¢ per ton and allocates the proceeds as follows:
 - ❖ 11¢ per ton, rather than 20¢ per ton, to the Hazardous Waste Facility Management Fund, which must be used by OEPA to administer the hazardous waste program;
 - ❖ 60¢ per ton, rather than 70¢ per ton, to the Hazardous Waste Clean-Up Fund, which must be used by OEPA to administer hazardous waste clean-up programs.
 - Increases, from 75¢ per ton to 90¢ per ton, the fee that is deposited in the Waste Management Fund, which is used by OEPA to administer and enforce laws governing solid and infectious waste and construction and demolition debris;
 - Reduces, from \$2.85 per ton to \$2.81 per ton, the fee that is deposited in the Environmental Protection Fund, which is used by OEPA to administer and enforce environmental protection laws;
 - Maintains the 25¢ per ton fee that is used to provide assistance to soil and water conservation districts; and

- Imposes a new additional fee on the transfer or disposal of solid waste of 8¢ per ton, through June 30, 2026, which must be deposited in the National Priority List Remedial Support Fund created by the act.
- Extends the sunset on the other four solid waste transfer and disposal fees from June 30, 2024, to June 30, 2026.
- Requires the OEPA Director to use money in the National Priority List Remedial Support Fund for the state’s removal and remedial actions and long term operation and maintenance costs or applicable cost shares for actions taken under the federal “Comprehensive Environmental Response, Compensation, and Liability Act.”
- Authorizes the Director to use money in the new fund to contract with federal, state, or local government agencies, nonprofit organizations, colleges, and universities to carry out the responsibilities specified above.

Construction and demolition debris fees

- Reallocates the 50¢ per cubic yard or \$1 per ton disposal fee charged for construction and demolition debris by:
 - Reducing the portion of the fee (currently 37.5¢ per cubic yard or 75¢ per ton) that is for recycling and litter prevention by 2.5¢ per cubic yard and 5¢ per ton, respectively; and
 - Allocating the reduced amount (2.5¢ per cubic yard and 5¢ per ton) for waste management under the solid, hazardous, and infectious waste and C&DD laws.

Environmental fee sunsets

- Extends all of the following fees, which remain unchanged by the act, for two years:
 - The sunset on the annual emissions fees for synthetic minor facilities;
 - The sunset of the annual discharge fees for holders of National Pollution Discharge Elimination System (NPDES) permits issued under the Water Pollution Control Law;
 - The sunset of the \$200 application fee for an NPDES permit and the decrease of that fee to \$15 at the end of two years;
 - The higher fees, and their reduction after two years, for applications for plan approvals for wastewater treatment works under the Water Pollution Control Law;
 - The annual discharge fees paid by the holder of an NPDES permit and the surcharge paid by holders of NPDES permits that are major dischargers;
 - The sunset of initial and renewal license fees for public water system licenses issued under the Safe Drinking Water Law;
 - The levying of higher fees, and the decrease of those fees at the end of the two years, for plan approvals for public water supply systems under the Safe Drinking Water Law;

- The higher fees, and their reduction after two years, for state certification of laboratories and laboratory personnel for purposes of the Safe Drinking Water Law;
- The higher fees, and their reduction after two years, for applications and examinations for certification as operators of water supply systems or wastewater systems under the Safe Drinking Water Law or the Water Pollution Control Law;
- The higher fees, and their reduction after two years, for applications for permits, variances, and plan approvals under the Water Pollution Control Law and the Safe Drinking Water Law; and
- Fees on the sale of tires.

Scrap tires

- Reduces the financial assurance for registration to transport scrap tires from at least \$20,000 to \$10,000 or less.
- Eliminates the (up to) \$300 fee to register and renew a certificate to transport scrap tires.
- Exempts from scrap tire transporter registration certain nonprofit, governmental, educational, and civil organizations conducting scrap tire clean-up or community tire amnesty collection events that have received written concurrence from OEPA.
- Expands the allowable uses of the Scrap Tire Grant Fund.
- Removes the requirement that a person ordered by the Director to remove scrap tires do so within 120 days, and instead requires that person to comply with each milestone established in the order within the timeframe specified in the order.
- Allows the Director, when performing a scrap tire removal action, to remove, transport, and dispose of any additional solid wastes or construction and demolition debris (C&DD) that was illegally disposed of on the land named in a removal order.
- Allows the Director to recover costs associated with the solid waste and C&DD removal.
- Makes discretionary, instead of mandatory, the Director's recording of scrap tire removal costs at the county recorder.
- Allows the Director to record solid waste and C&DD removal costs at the county recorder of the county where the accumulation of solid wastes and C&DD was located.

Original signatories to environmental covenant

- Authorizes an agency that is party to an environmental covenant to determine that the signature of a person who originally signed the covenant is not necessary to amend or terminate it.
- Eliminates the need to provide notice to an original signatory when an environmental covenant is subject to termination or amendment via an eminent domain proceeding.
- Retains the ability of an original signatory to an environmental covenant who is not a current owner of the property in fee simple to file a civil action to enforce the covenant.

Advanced recycling

- Exempts advanced recycling conducted at an advanced recycling facility from regulation under the Solid Waste Law, rather than solely exempting the process of converting post-use polymers and recoverable feedstocks using gasification and pyrolysis.
- Defines “advanced recycling” generally as a manufacturing process for converting post-use polymers and recovered feedstocks into basic raw materials, feedstocks, chemicals, and other products.
- Expands the processes by which post-use polymers and recovered feedstocks may be converted to include depolymerization, catalytic cracking, reforming, hydrogenation, solvolysis, chemolysis, and other similar technologies.
- Retains pyrolysis and gasification as mechanisms by which post-use polymers and recovered feedstocks may be converted, but revises the meaning of those terms.
- Exempts legitimate recycling from solid waste disposal regulations.
- Exempts depositing of waste at a legitimate or advanced recycling facility from open dumping penalties.
- Subjects disposing of scrap tires in a nonlicensed building, vehicle, or trailer to open dumping penalties.
- Makes additional definitional changes necessary for the expanded exemption established by the act.

Coal combustion residuals

- Requires the OEPA Director to establish a program for regulating coal combustion residuals (CCR) storage and disposal.
- Requires the Director to adopt rules for the program that are no more stringent than federal requirements governing CCR.
- Requires the rules to address siting criteria and ground water monitoring, financial assurance, design and construction, and closure and post-closure requirements governing CCR units, which generally include CCR landfills and CCR surface impoundments.
- Exempts CCR units from laws governing solid, hazardous, and infectious waste.
- Exempts CCR units from specific prohibitions under the Water Pollution Control Law, but allows the Director to require the owner or operator of a CCR unit to obtain a permit to install or an NPDES permit under that law.
- Authorizes the Director to cooperate with other local, state, or federal government entities to carry out the program purposes.

FACILITIES CONSTRUCTION COMMISSION

- Abolishes the Community School Classroom Facilities Loan Guarantee Program and the Community School Classroom Facilities Loan Guarantee Fund.
- Adds three months to the time by which the voters of a school district must approve bond and tax levies related to a state-assisted school facilities project.

GOVERNOR

- Requires the Small Business Advisory Council to meet at the Director of the Common Sense Initiative Office's discretion, instead of at least quarterly.

DEPARTMENT OF HEALTH

Infant mortality scorecard

- Requires the Department of Health (ODH) to automate its infant mortality scorecard to refresh data in real time on a publicly available data dashboard, as opposed to updating the scorecard quarterly.

Newborn safety incubators

- Authorizes remote monitoring of newborn safety incubators under limited circumstances.
- Permits video surveillance of newborn safety incubator locations but provides that the footage can be reviewed only when a crime is suspected to have been committed within view of the surveillance system.

Newborn screening

- Requires the ODH Director to specify in rule Duchenne muscular dystrophy as a disorder for newborn screening.

WIC vendors

- Requires ODH to process and review a WIC vendor contract application within 45 days of receipt under specified circumstances.

Program for Children and Youth with Special Health Care Needs

- Changes the name of ODH's Program for Medically Handicapped Children to the Program for Children and Youth with Special Health Care Needs.
- Raises the Program for Children and Youth with Special Health Care Needs age limit from 23 to 25 by July 1, 2024.

Dentist Loan Repayment Program

- Requires ODH to designate clinics and dental practices that serve a high proportion of individuals with developmental disabilities as dental health resource shortage areas under the Dentist Loan Repayment Program.

- Authorizes dentists who work at those clinics or practices to participate in the program.

Stroke registry database

- Requires ODH to establish a stroke registry database and requires certain hospitals to collect and transmit stroke care data to the database.
- Authorizes ODH to establish an oversight committee to advise and assist in the database's implementation.

Thrombectomy-capable stroke centers

- Establishes state recognition of thrombectomy-capable stroke centers under the same process used for recognition of hospitals as comprehensive stroke centers, primary stroke centers, or acute stroke ready hospitals.

Parkinson's Disease Registry

- Requires the Director to establish and maintain a Parkinson's Disease Registry and requires health care professionals and facilities to report cases of Parkinson's disease and Parkinsonisms to the Registry.
- Creates the Parkinson's Disease Registry Advisory Committee to assist with developing and maintaining the Registry.
- Requires the Director to submit an annual report to the General Assembly regarding the prevalence of Parkinson's disease in Ohio by county.

Plasmapheresis supervision

- Expands the types of health care providers who must attend, supervise, and maintain sterile technique at ODH-certified plasmapheresis centers.

Surgical smoke

- Requires ambulatory surgical facilities and hospitals to adopt and implement policies to prevent human exposure to surgical smoke during planned surgical procedures.

HIV testing

- Eliminates law limiting HIV testing only to cases necessary to provide diagnosis and treatment of an individual.
- Instead, authorizes HIV testing if the individual, or the individual's parent or guardian, has given general consent for care and has been notified that the test is planned.
- Eliminates law requiring that individuals be notified of the right to an anonymous HIV test, but retains the right to anonymous testing.

Admission and supervision of hospital patients

- Cancels the September 30, 2024, repeal of law governing the admission and medical supervision of hospital patients, including admissions initiated by advanced practice registered nurses and physician assistants.

Nursing home change of operator

- Adds additional circumstances that constitute a change of operator of a nursing home.
- Eliminates a requirement that an individual or entity submit documentation to the ODH Director when a nursing home undergoes a change of operator, and instead requires an entering operator to complete a change of operator license application.
- Specifies the information that must be provided to ODH as part of a nursing home change of operator license application and the procedures ODH must follow when granting or denying the application.

Nursing home investigations and penalties

- Eliminates the time frame in which ODH must initiate an investigation after receiving a complaint that a nursing home resident's rights have been violated.
- Modifies the penalties that ODH may impose upon finding that a nursing home has violated a resident's rights.

Long-term care facility discharges and transfers

- Adds to the Residents' Bill of Rights for residents of nursing homes and assisted living facilities additional protections related to transfers and discharges.
- Requires ODH in hearings regarding a notice of transfer or discharge to determine if the proposed transfer or discharge complies with the act's new rights and existing notification requirements.

Certificates of need

- Eliminates laws that (1) prohibited the holder of a certificate of need (CON) from obligating more than 110% of an approved project's cost (without obtaining a new CON) and (2) authorized penalties of up to \$250,000 for violations.
- Specifies that the CON changes apply to currently valid CONs, pending CON applications, and pending actions for imposing sanctions.

Fees for copies of medical records

- Regarding costs that a health care provider may charge for copies of medical records requested by a patient or patient's representative:
 - Generally eliminates dollar caps and instead specifies that costs must be reasonable and cost-based, and can include only costs authorized under federal laws and

- regulations; also specifies the costs cannot exceed limits that apply when records are requested by other individuals;
- Caps the cost at \$50 for requests for electronic access and transmission of records;
 - Adds that an individual authorized to access a patient's medical records through a valid power of attorney is subject to the same cost provisions as the patient and the patient's personal representative.

Second Chance Trust Fund Advisory Committee

- Removes the term limits for members of the Second Chance Trust Fund Advisory Committee (currently limited to two consecutive terms, whether full or partial).
- Removes the requirement that the Committee annually elect its chairperson, leaving the details of the chairperson's term to Committee rules.

Home health licensure

- Exempts from home health licensure individuals providing self-directed services to Medicaid participants and residential facilities licensed by the Department of Mental Health and Addiction Services.

Home health screening pilot (PARTIALLY VETOED)

- Requires the ODH Director to establish a two-year home health screening pilot program in collaboration with CareStar Community Services.
- Would have required the Medicaid Director to enter into a data sharing agreement with the ODH Director regarding the pilot program (VETOED).

Center for Community Health Worker Excellence

- Creates the Center for Community Health Worker Excellence and establishes its duties.
- Provides for a board of directors to oversee the Center and requires the board to issue an annual report on the Center's activities, including any recommendations pertaining to the practice of community health workers.
- Authorizes Health Impact Ohio and Ohio University's OHIO Alliance for Population Health to assist the Center in implementing its duties.

Smoking and tobacco

Minimum age to sell tobacco products

- Prohibits tobacco businesses from allowing an employee under 18 to sell tobacco products.

Shipment of vapor products and electronic smoking devices

- Prohibits shipment of vapor products and electronic smoking devices to persons other than licensed vapor distributors, vapor retailers, operators of customs bonded warehouses, and state and federal government agencies or employees.

- Prohibits shipping vapor products or electronic smoking devices in packaging other than the original container unless the packaging is marked with the words “vapor products” or “electronic smoking devices.”

Delivery services

- Prohibits a delivery service from accepting, transporting, delivering, or allowing pick-up of tobacco products other than cigarettes, alternative nicotine products, or papers used to roll cigarettes to or from a person under 21, as evidenced by proof of age.

Electronic liquids (VETOED)

- Would have specified that only electronic smoking liquids containing nicotine are subject to the law governing the giveaway, sale, and other distribution of tobacco products (VETOED).

Proof of age

- Requires tobacco product vendors to verify proof of age prior to selling or otherwise distributing tobacco products.

Free samples (PARTIALLY VETOED)

- Explicitly prohibits giving away or otherwise distributing free samples of cigarettes, other tobacco products, alternative nicotine products, or coupons redeemable for such products.
- Would have permitted giving away or distributing free samples to persons 21 and over after verifying proof of age, if state and local taxes had been paid, and to the extent permissible under cigarette minimum pricing laws (VETOED).

Retail tobacco stores

- Modifies an existing exemption from the Smoke Free Workplace Law for retail tobacco stores.

Environmental health specialists

- Recodifies R.C. Chapter 4736, the law governing environmental health specialists (EHSs) and environmental health specialists in training (EHSs in training), in new R.C. Chapter 3776.
- Adds that EHSs and EHSs in training may administer and enforce the law governing tattoos and body piercing.
- Clarifies that EHSs and EHSs in training may administer and enforce the law governing hazardous waste.
- Clarifies that all fees collected under the EHS law are deposited into the ODH General Operations Fund.

- Broadens the ODH Director’s rulemaking authority regarding EHSs and EHSs in training, including allowing any rulemaking that is necessary to administer and enforce the EHS law.
- Requires EHSs in training to comply with the same continuing education requirements as are required for EHSs, which includes a requirement to biennially complete a 24-hour continuing education program in specified subjects.
- Requires the Director to provide, at least once annually, to each EHS in training a list of approved courses that satisfy the continuing education program and supply a list of continuing education courses to an EHS in training upon request, in the same manner as the Director does for EHSs under continuing law.
- Clarifies that the Director may renew an EHS or EHS in training registration 60 days prior to expiration, provided the applicant pays the renewal fee and proof of compliance with continuing education requirements.
- Increases the time that an EHS in training has to apply as an EHS to four years (with a two-year possible extension), instead of three years (with a two-year possible extension).
- Prohibits a person who is not a registered EHS in training from using the title “registered environmental health specialist in training” or the abbreviation “E.H.S.I.T.,” or representing themselves as a registered EHS in training.
- Repeals the requirements that the Director assign a serial number to each certificate of registration and include it in EHS and EHS in training registration records.
- Removes the requirement that the Director obtain the advice and consent of the Senate when appointing members of the Environmental Health Specialist Advisory Board.

DEPARTMENT OF HIGHER EDUCATION

Tuition and fee cap

- For the 2023-2024 and 2024-2025 academic years, prohibits state universities and university branch campuses from increasing instructional and general fees more than 3% over the previous academic year.
- For the 2023-2024 and 2024-2025 academic years, permits community colleges, state community colleges, and technical colleges to increase instructional and general fees by up to \$5 per credit hour over the previous academic year.
- Excludes from the caps: student health insurance, auxiliary goods or services fees provided to students at cost, pass-through fees for licensure and certification exams, study abroad fees, elective service charges, fines, and voluntary sales transactions.

Financial aid programs

Ohio College Opportunity Grant Program

- Increases the income eligibility threshold for an Ohio College Opportunity Grant Program (OCOG) award from an expected family contribution (EFC) of \$2,190 or less to \$3,750 or less.
- Prescribes OCOG award amounts in uncodified law for FY 2024 and FY 2025, as follows:

Maximum OCOG Awards, FY 2024 and FY 2025		
Category	FY 2024	FY 2025
Students of state institutions	\$3,200	\$4,000
Students of private, nonprofit colleges and universities	\$4,700	\$5,000
Students of private, for-profit career colleges	\$1,850	\$2,000

- Prohibits an institution of higher education that enrolls OCOG students from making changes to its scholarship or financial aid programs with the goal or net effect of shifting the programs' cost burden to OCOG.
- Requires each institution to provide at least the same level of need-based financial aid to its students as in the immediately prior academic year, either in aggregate aid or on a per student basis, but permits the Chancellor of Higher Education to temporarily waive this requirement for exceptional circumstances.

Second Chance Grant Program

- Increases the award for the Second Chance Grant Program from \$2,000 to \$3,000.
- Designates eight months as the minimum disenrollment period to qualify for a grant for students enrolled in institutions that do not operate on a semester calendar.

Ohio Work Ready Grant Program

- Requires the Chancellor to establish the Ohio Work Ready Grant Program to award grants of up to \$3,000 to students of qualified programs at community, state community, or technical colleges, state university branch campuses, or Ohio technical centers.

Governor's Merit Scholarship

- Establishes the Governor's Merit Scholarship Program to award \$5,000 scholarships in FY 2025 to students in the top 5% of their public or chartered nonpublic high school graduating class, and to qualifying students who were home-schooled, to pay expenses at public and private nonprofit institutions of higher education.

War Orphans and Severely Disabled Veterans' Children Scholarship

- Updates eligibility standards for receiving a War Orphans and Severely Disabled Veterans' Children Scholarship by removing references to children of World War I veterans.

Veterans' tuition waivers

- Updates eligibility standards for tuition waivers at state-supported colleges and universities by replacing references to World War I veterans with references to World War II veterans.

State institution boards of trustees

OSU student trustees (VETOED)

- Would have prohibited student members of the Ohio State University board of trustees from having voting power on the board (VETOED).

Two-year institution boards

- Permits a member of a technical, community, or state community college board of trustees whose term has expired to continue in office until the trustee's successor takes office.
- Establishes the quorum for a technical, community, or state community college board of trustees meeting as a majority of the sitting board members at the time of a meeting.

Technical college trustee appointments

- Transfers appointing power for technical college boards of trustees from school district boards of education and educational service center governing boards to trustee selection committees appointed by the board's executive committee, beginning with trustees appointed after 2023.
- Requires that the selection committee consist of either three or five local business, civic, or nonprofit leaders who are not sitting members of the board of trustees.

College transcripts

- Requires each state institution of higher education, private nonprofit college or university, and private for-profit career college to post on its website:
 - An explanation that students have a right to access transcripts for employment-seeking purposes, regardless of whether the student owes an institutional debt; and
 - A list of resources for students who owe an institutional debt.
- Requires each state institution of higher education to adopt a resolution by December 1, 2023, determining whether to end the practice of transcript withholding.
- Requires the Chancellor to provide a copy of each resolution to the Governor, the Speaker of the House, and the Senate President by January 1, 2024.

Centers and institutes at state universities

- Establishes the Salmon P. Chase Center for Civics, Culture, and Society as an independent academic unit at the Ohio State University.
- Establishes the Institute of American Constitutional Thought and Leadership as an independent academic unit at the University of Toledo.
- Establishes centers for civics, culture, and society as independent academic units at Miami University, Cleveland State University, and the University of Cincinnati.

College student vaccines (VETOED)

- Would have authorized a student – if required by a private or state institution of higher education to receive a vaccine – to decline the vaccine for medical contraindications or reasons of conscience, including religious convictions (VETOED).

Community college housing and dining facilities

- Permits a community college district to acquire, lease, or construct housing and dining facilities if it is located within one-quarter mile of a facility that rented at least 75 rooms to students at the district on January 1, 2023.

Community college programs in Fairfield County

- Establishes a procedure to permit a community, state community, or technical college that is not co-located with an institution of higher education to develop and offer a program, certificate, or degree in Fairfield County, subject to the Chancellor's approval.

Wright State University land lease

- Permits developers desiring to lease land from Wright State University to first submit their plans for development to the University board of trustees (rather than the Department of Administrative Services (DAS)), if the land to be leased is held in trust by the board.
- Permits the board of trustees to direct the developer to submit the plans instead to DAS, if the board desires that DAS lease the land to the developer.
- Permits the board of trustees to lease land it holds in trust if certain conditions are met.

Teacher preparatory programs

- Requires that the metrics for educator preparation programs ensure that specific coursework and preparation in effective literacy instruction and strategies align with instructional materials selected by the Department of Education and Workforce (DEW).
- Establishes a procedure under which the Chancellor must audit the degree to which each institution of higher education offers educator training programs in alignment with the literacy requirements.

Grow Your Own Teacher scholarships

- Establishes the Grow Your Own Teacher College Scholarship program to award four-year scholarships of up to \$7,500 per year to high school seniors and school district employees who commit to teach in a high-need school operated by their school district for four years after becoming a teacher.
- Requires scholarship recipients to sign a promissory note payable to the state if the recipient does not satisfy the four-year teaching commitment within six years of completing the training program or if the scholarship is terminated.
- Requires the Chancellor and DEW to oversee the program, including developing the application process and repayment procedures for failure to meet program requirements.

High school advanced standing programs

College Credit Plus Program

- Permits the Chancellor, in consultation with the DEW Director, to take action as necessary to ensure that public colleges and universities and school districts are fully engaging and participating in the College Credit Plus Program (CCP).
- Requires the Chancellor and Director to work with public high schools and partnering public colleges and universities to encourage the establishment of model pathways that prepare participants to successfully enter the workforce in certain fields.
- Permits the Chancellor to approve a proposal submitted by a public or private college, in collaboration with an industry partner, to establish a statewide innovative waiver pathway to allow students who do not meet traditional college-readiness criteria to participate in CCP and earn an industry-recognized credential or certificate.

International Baccalaureate

- Requires the Ohio Articulation and Transfer Advisory Council, by April 15, 2025, to recommend standards to the Chancellor for awarding college course credit based on scores attained on International Baccalaureate (IB) exams.
- Requires each state institution to comply with standards adopted by the Chancellor in awarding course credit to students who attain a passing score on an IB exam.
- Requires each state institution to make its standards and policies on course credit for IB courses available to the public in an electronic format.

Advanced Placement

- Requires each state institution to make its standards and policies on course credit for Advanced Placement courses available to the public in an electronic format.

FAFSA support team system

- Requires the Chancellor to establish and administer a statewide system of regional FAFSA support teams to support public schools with FAFSA completion and college access programming.

Computer Science Education Promise

- Creates the Ohio Computer Science Promise Program to allow students in grades 7-12 to enroll free of charge in one computer science course per school year that is not offered by their school.
- Requires public and participating nonpublic schools to award high school credit toward graduation and subject area requirements for successful completion of program courses.

“Teach CS” grants

- Requires the Chancellor to administer the “Teach CS” Grant Program to fund coursework, materials, and exams to support those who wish to teach computer science courses.

Eliminate Board of Regents, obsolete programs and reports

- Abolishes the Ohio Board of Regents.
- Repeals law establishing the Ohio Instructional Grant Program, which ceased operating after FY 2009.
- Abolishes the OhioCorps Pilot Program.
- Eliminates a requirement that the Chancellor develop and implement a statewide plan permitting high school students to receive college credit for approved career-technical education courses.
- Eliminates an obsolete requirement that the Ohio Articulation and Transfer Network Oversight Board issue a report to the General Assembly by March 2, 2022, regarding college credit transfer rules for state institutions of higher education.

OHIO HISTORY CONNECTION

- Allows the Ohio History Connection to work with American Indian tribes to select, manage, and use burial sites for the repatriation of American Indian human remains.
- Removes law that allowed fewer than a majority of members of the Ohio Commission for the United States Semiquincentennial to hold hearings or meetings.

OFFICE OF INSPECTOR GENERAL

- Expands the qualifications for appointment as Inspector General or deputy Inspector General to include individuals with at least five years of experience as a deputy Inspector General in Ohio or any other state.

DEPARTMENT OF INSURANCE

Age for dental and vision coverage

- Requires dental and vision health benefit plans, issued, renewed, or amended on or after January 1, 2024, to provide coverage to unmarried, dependent children until age 26.

Consolidation of funds

- Abolishes the Superintendent's Examination Fund and the Captive Insurance Regulation and Supervision Fund and transfers the activities of these funds to the Department of Insurance Operating Fund.

Mine subsidence insurance

- Authorizes a board of county commissioners, in a county where insurers are required to offer mine subsidence insurance on an optional basis, to adopt a resolution requiring insurers to include mine subsidence insurance in each policy of basic homeowners insurance delivered, issued, or renewed in that county.
- Specifies that a mine subsidence insurance requirement applies beginning on the date specified in the resolution, or July 1 of the following year, whichever is later.
- Requires a county that adopts or rescinds a mine subsidence insurance requirement to provide a copy of the resolution to the Superintendent of Insurance and the Director of Natural Resources, for publication on their websites.

Insurance navigator license fees

- Reduces the certification and annual renewal fees for business entities that act as insurance navigators to \$200 and \$100, respectively.
- Requires individual insurance navigators to pay certification and renewal fees specified by the Superintendent of Insurance.
- Specifies that the fee changes are remedial in nature and intended to clarify the law as it existed before October 3, 2023 (the provision's effective date).

DEPARTMENT OF JOB AND FAMILY SERVICES

CHILD WELFARE

Continuous licensure

- Eliminates renewal requirements for Department of Job and Family Services (ODJFS) licenses for institutions, associations, foster caregivers, and private nonprofit therapeutic wilderness camps, resulting in continuous licensure unless revoked.

Background checks

- Adds offenses that the Bureau of Criminal Identification and Investigation (BCII) Superintendent must check for on a request for a criminal records check from:

- An organization that arranges temporary child hosting;
- An administrative director of an agency or an attorney who arranges adoptions;
- An administrative director of a recommending agency that recommends whether ODJFS should issue a certificate to a foster home; or
- The appointing or hiring officer of an out-of-home care entity.

Referrals for prevention services

- Requires a public children services agency (PCSA) to make a referral to an agency providing prevention services if the PCSA determines that the child is a candidate for those services.
- Allows a PCSA to disclose confidential information discovered during an investigation to an agency providing prevention services.
- Requires a PCSA to enter into a contract with an agency providing prevention services.

Reporting child abuse or neglect

Electronic reporting

- Allows an individual to make a report of child abuse or neglect to a PCSA or peace officer electronically, in addition to the options of making a report by telephone or in person under continuing law.

By ODJFS and CDJFS employees

- Clarifies that ODJFS, county departments of job and family services (CDJFSs), and their employees are not prohibited from reporting any known or suspected child abuse or neglect, rather than only abuse or neglect of a child receiving public assistance.

Report disposition, search, and expungement

- Requires a PCSA that investigated a report of child abuse or neglect to give the alleged perpetrator written notification of the investigation's disposition and of the person's right to appeal the disposition.
- Requires, when a person requests ODJFS to search whether that person's name is in the alleged perpetrator registry in the Statewide Automated Child Welfare Information System, that ODJFS send a letter to the person indicating that a "match" exists if a search reveals a "substantiated" disposition.
- Requires ODJFS to work with stakeholders to establish by March 1, 2024, an expungement policy regarding dispositions of abuse or neglect from Ohio's Central Registry on Child Abuse and Neglect.

Child abuse

- Expands the definition of “abused child” by adding a child who is the victim of disseminating, obtaining, or displaying materials or performances that are harmful to juveniles if the activity would constitute a criminal sexual offense.
- Modifies the definition of “abused child” by including a child who because of the acts of the child’s caretaker suffers physical or mental injury that harms or threatens the child’s health or welfare.
- Modifies the definition of “abused child” by stating that if a child exhibits evidence of physical disciplinary measures by a caretaker the child is not an abused child if the measure is not prohibited under the offense of endangering children.

Records of former foster children

- Requires a PCSA to allow an adult who was formerly placed in foster care to inspect records pertaining to the time in foster care upon request.
- Allows the PCSA’s executive director or the director’s designee to redact information that is specific to other individuals if that information does not directly pertain to the adult.

Ohio Child Welfare Training Program

- Eliminates the requirements that PCSA caseworkers and PCSA caseworker supervisors complete a specified number of hours of in-service training during the first year of employment and domestic violence training during the first two years of employment.
- Eliminates the requirements that ODJFS establish eight child welfare training regions in Ohio and that each region contain only one training center, but maintains the requirement that ODJFS designate and review training regions.
- Repeals and recodifies various provisions governing the program.

Family and Children First Cabinet Council

County councils

- Removes enumerated focuses for the indicators and priorities that measure progress towards increasing child well-being in Ohio.
- Expands the types of council contracts that are exempt from competitive bidding.
- Clarifies that a council’s role in service coordination does not override the decisions of a PCSA regarding child placement.

Ohio Automated Service Coordination Information System

- Requires the Cabinet Council state office to establish and maintain the Ohio Automated Service Coordination Information System (OASCIS).

- Requires county councils to enter all information in OASCIS regarding funding sources and families seeking services from the councils, and specifies that failure to do so may result in losing state funding.
- Establishes that all information in OASCIS is confidential, and requires county councils to establish administrative penalties for inappropriate access, disclosure, and use of information.
- Limits OACSIS access to personnel with training in confidentiality requirements and prohibits researchers from directly accessing it.

Repeals

- Repeals the 1999 law that established an office to review rules for licensing substitute care providers to minimize differing licensing requirements across various agencies.
- Repeals the statute establishing the Wellness Block Grant Program, an obsolete program formerly overseen by the Cabinet Council.
- Repeals the requirement that the Cabinet Council develop a comprehensive multi-system youth action plan (the Council submitted the plan to the General Assembly in 2020).

Children's Trust Fund Board

- Specifies that a public board member of the Children's Trust Fund Board may serve two consecutive terms after serving the remainder of a term for which the member was appointed to fill a vacancy.
- Changes the number of Board members required to be present to have a quorum from eight to a majority of the members appointed to the Board.
- Eliminates a requirement that the Board's acceptance of federal or other funds must not require the state to commit funds.
- Eliminates the annual report submitted to the Board by each children's advocacy center that receives funds from the Board.
- Removes a requirement that the Board develop and maintain a list of all state and federal funding that may be available to children's advocacy centers.

Child abuse and neglect regional prevention councils

- Adds parent advocates to the list of county prevention specialists who may be appointed to a child abuse and child neglect regional prevention council.
- Removes from each regional council a nonvoting member who represents the council's regional prevention coordinator.
- Makes various administrative changes to the councils' operations.

Adoption assistance loans

- Repeals law governing adoption assistance loans, which have been replaced by the new Adoption Grant Program, and abolishes the State Adoption Assistance Loan Fund.

Interstate Compact for Placement of Children

- Conforms the current Interstate Compact for the Placement of Children governing interstate placement of abused, neglected, dependent, delinquent, or unmanageable children and children for possible adoption with the proposed new Compact, which makes changes primarily to jurisdiction and placement requirements.

Scholars residential centers

- Establishes and regulates scholars residential centers, defined as centers that are certified by a national organization with a mission to help underserved children in middle and high school.
- Requires the ODJFS Director to adopt rules to implement standards for scholars residential centers and generally requires them to be substantially similar to rules governing other similarly situated providers of residential care for children.
- Requires the Director to certify a center that submits an application indicating to the Director's satisfaction that it meets the standards established in the rules.

Resource caregiver immunity and authority

- Expands to kinship caregivers the general immunity granted to foster caregivers for acts authorized under the public welfare law.
- Specifies that any alleged abused, neglected, or dependent child placed with a resource caregiver (a foster caregiver or a kinship caregiver) is entitled to participate in age-appropriate extracurricular, enrichment, and social activities.
- Requires a resource caregiver to consider certain factors when determining whether to give permission for a child to participate in extracurricular, enrichment, and social activities.
- Clarifies that a resource caregiver who grants permission for a child to participate in those activities is immune from liability in a civil action to recover damages for injury, death or loss to the child when those factors were considered.

CHILD CARE

License exemptions

- Exempts any program caring for children operated by a nonchartered, nontax-supported school from the law requiring certain child care providers to be licensed by ODJFS.
- Modifies an exemption from child care licensure to apply to a program that offers not more than 2½ hours of care each day per child when the child's parent, including an employee, is on the premises and readily accessible.

Administrators and employees – educational attainment

- Prohibits the ODJFS Director from adopting rules that require an administrator or employee of a licensed child day-care center or licensed family day-care home to hold or obtain a bachelor’s, master’s, or doctoral degree.
- Prohibits the tiered ratings developed for the Step Up to Quality Program from taking into consideration whether a child care administrator or employee holds or obtains a bachelor’s, master’s, or doctoral degree.

Publicly funded child care eligibility

- Revises the law governing income eligibility for publicly funded child care, specifying that the maximum family income for initial eligibility cannot exceed 145% of the federal poverty line, or 150% for special needs child care, but only until June 30, 2025.

Step Up to Quality – license capacity exemption (VETOED)

- Would have expanded the exemption from the Step Up to Quality ratings requirement available to a licensed child care program providing publicly funded child care to less than 25% of its license capacity, by increasing that percentage to less than 50% (VETOED).

Child care terminology

- Changes terminology from “day-care” or “child day-care” to “child care.”

PARENTAGE AND CHILD SUPPORT

Paternity acknowledgments

- Allows a child support enforcement agency (CSEA), a local registrar of vital statistics, and hospital staff to electronically file an acknowledgment of paternity as an alternative to filing in person or by mail.
- Allows each signature of a party to an acknowledgment of paternity to be witnessed by two adult witnesses as an alternative to notarizing each signature.
- Requires a CSEA or local registrar to provide witnesses or a notary public for an acknowledgment of paternity if the natural mother and alleged father sign an acknowledgment.
- Requires a contract between a hospital and ODJFS to include a provision requiring the hospital to provide witnesses or a notary public for an acknowledgment of paternity signed by the mother and father, when an unmarried woman gives birth in or en route to the hospital.
- Requires each hospital to provide staff to notarize or witness the signing of an acknowledgment of paternity.

Information required for paternity determination

- Repeals law that required certain information about the alleged father, the mother, and the child to be included in a request for an administrative determination of paternity.

Child support to nonparent caretakers

- Permits child support under existing child support orders to be redirected, and under new child support orders to be issued, to a nonparent caretaker who is a child's primary caregiver.
- Allows a caretaker to apply for Title IV-D services with the CSEA to obtain support for the child's care.
- Requires the CSEA to investigate whether the child is the subject of an existing child support order, and if so, requires an investigation and certain determinations regarding support for the child.
- Establishes requirements for notice, objection, and effective dates of redirection orders or recommendations if a CSEA determines that an existing support order should be redirected.
- Requires the CSEA to determine, if no child support order exists, whether a child support order should be imposed.
- Establishes procedures that a CSEA must follow if it receives notice that a caretaker is no longer the primary caregiver of a child.
- Requires impoundment of any funds received on behalf of a child pursuant to a child support order while the CSEA investigates whether a caretaker is no longer the primary caregiver.
- Authorizes the ODJFS Director to adopt rules to implement the redirection process.
- Adds a statement that appears to attempt to clarify that a parent's duty to support the parent's minor child may be enforced by a child support order.
- Requires the court, if a child who is the subject of a child support order resides with a caretaker and neither parent is the residential parent and legal custodian, to issue a child support order requiring each parent to pay that child's child support obligation.
- Repeals language, in the power of attorney form and caretaker authorization affidavit form regarding grandparents caring for their grandchildren, stipulating that the power of attorney or affidavit does not allow a CSEA to redirect child support payments to the grandparent.
- Adds redirection to a list of notices that must be included in each support order or modification.

- Repeals law providing that when a support order is issued or modified, the court or CSEA may issue an order requiring payment to a third person that is agreed upon by the parents.
- Delays the effective date of these provisions for six months, until April 3, 2024, during which time ODJFS may take action to implement them.

Fatherhood programs

- Codifies the authorization of the Ohio Commission on Fatherhood to recommend the ODJFS Director provide funding to fatherhood programs that meet at least one of the four purposes of the Temporary Assistance for Needy Families (TANF) block grant.

PUBLIC ASSISTANCE

TANF spending plan

- Extends the time that ODJFS has to submit a TANF spending plan to the General Assembly from July 30 to August 29 of even-numbered years.

Ohio Works First

- Expands eligibility for cash assistance under the Ohio Works First program to include any eligible pregnant woman, rather than only those who are at least six months pregnant.
- Corrects a cross-reference to the definition of “fugitive felon” for purposes of the program.
- Clarifies that workers’ compensation premiums for participants in the Ohio Works First Work Experience Program (WEP) only need to be paid for those participating in WEP.

Food assistance

SNAP employment and training program

- Requires ODJFS to redesign its employment and training program under the Supplemental Nutrition Assistance Program (SNAP) in a manner that meets the state’s employers’ needs.
- Requires ODJFS to appear before the House and Senate Finance committees by July 1, 2024, to report on the redesigned employment and training program.

SNAP vendor pre-screening

- Prohibits a third-party vendor from conducting pre-screening activities regarding SNAP eligibility unless the vendor has entered into an agreement with ODJFS.

Self-employment and SNAP eligibility

- Requires ODJFS to use the same income verification criteria for households with income from self-employment when conducting initial eligibility determination, quarterly review, and recertification.

SNAP and WIC benefit trafficking

- Expands the crime of “illegal use of SNAP or WIC program benefits” to include (1) SNAP benefit trafficking, (2) an individual’s solicitation of SNAP or WIC benefits in an unauthorized manner, and (3) an organization’s allowing an employee to take either action.

Lost, stolen, or damaged benefits cards

- Prohibits ODJFS from replacing the SNAP electronic benefit transfer card of a household that requests four or more replacement cards within a 12-month period until certain federally prescribed requirements are met, unless the card’s loss is directly related to an individual’s disability.

Agreement with Ohio Association of Foodbanks

- Requires ODJFS to enter an agreement with the Ohio Association of Foodbanks regarding food distribution, transportation of meals, and capacity building equipment for food pantries and soup kitchens.
- Requires the Association to purchase food, support capacity building, purchase equipment for partner agencies, and submit quarterly and annual reports to ODJFS.

ODJFS disclosure definitions

- Modifies the definition of “law enforcement agency.”

Auditor of State report

- Eliminates a requirement that the Auditor of State prepare an annual report on the outcome of information sharing agreements between law enforcement agencies and ODJFS/CDJFSs.

Public assistance quarterly report

- Requires ODJFS to submit a quarterly report to the General Assembly regarding public assistance programs.

UNEMPLOYMENT COMPENSATION

Identity verification for benefits

- Requires an individual filing an application for determination of benefit rights for unemployment benefits to furnish proof of identity at the time of filing in the manner prescribed by the ODJFS Director.

Benefit reductions based on receiving certain pay

- Reduces unemployment benefits otherwise payable by the full amount of holiday pay paid to a claimant for that week.
- Reduces unemployment benefits otherwise payable to a claimant who receives bonus pay by the amount of the claimant’s weekly benefit in the first and each succeeding week

following separation from employment with the employer paying the bonus, until the total bonus amount is exhausted.

Disclosure of information

- Allows the ODJFS Director under specified circumstances to disclose otherwise confidential information maintained by the Director or the Unemployment Compensation Review Commission if permitted by federal law.
- Allows the ODJFS Director to require recipients of unemployment compensation information to enter into a written agreement to receive the information.
- Prohibits a recipient of unemployment compensation information, other than an individual or employer receiving information about that individual or employer, from re-disclosing the information without approval from the ODJFS Director, and requires the recipient to safeguard the information against unauthorized access or re-disclosure.
- Specifies that failure to comply with these disclosure provisions may result in civil or criminal penalties.

Participation in federal programs

- Specifies that continuing law does not require the ODJFS Director to participate in, nor precludes the Director from ceasing to participate in, any voluntary, optional, special, or emergency program offered by the federal government to address exceptional unemployment conditions.

Collateral from reimbursing employers

- Makes surety bonds the only acceptable form of collateral that a nonprofit employer wishing to be a reimbursing employer under the Unemployment Compensation Law may submit.

Notification to exempt nonprofit employees

- Requires a nonprofit organization with fewer than four employees that is exempt from Ohio's Unemployment Compensation Law to notify its employees upon hiring that the organization and the employee's employment are exempt from the Law.

OTHER PROVISIONS

Workforce report for horizontal well production

- Eliminates the requirement that the Office of Workforce Development prepare an annual workforce report for horizontal well production.

Migrant Agricultural Ombudsperson

- Eliminates the Office of the Migrant Agricultural Ombudsperson established under the authority of the ODJFS Director, and requires reports of violations regarding agricultural labor camps be made instead to the State Monitor Advocate appointed under federal law.

JOINT COMMITTEE ON AGENCY RULE REVIEW

Rule adoption and review

- Tolls the time during which a concurrent resolution invalidating a proposed rule may be adopted when the agency that filed the rule informs the Joint Committee on Agency Rule Review (JCARR) that it intends to file a revised version.
- Eliminates prohibitions against JCARR reviewing an administrative rule when JCARR becomes aware that the rule has an adverse impact on business but has not been analyzed by the Common Sense Initiative Office.

Administration

- Makes the JCARR chairperson and vice-chairperson co-chairs and requires the House-appointed co-chair to conduct meetings during the first regular session of a General Assembly and the Senate-appointed co-chair to do so during the second.
- Allows the JCARR chairperson in charge of calling and conducting meetings to schedule JCARR's public hearing on a proposed rule earlier than 41 days after the rule was filed.

Principles of law or policy

- Increases, from three months to six months the time an agency has after the expiration of a governor's term to transmit to JCARR the agency's report concerning principles of law or policies relied on by the agency that have not been stated in an administrative rule.
- Exempts legislative agencies from this requirement.

JUDICIARY-SUPREME COURT

Appeals of administrative orders

- Modifies the Administrative Procedure Act regarding appeals by a party adversely affected by an order of an agency by doing all of the following:
 - Allowing an adversely affected party to appeal to the common pleas court in the county where a licensee's place of business is located or where the licensee resides, in lieu of appealing to the Franklin County Court of Common Pleas;
 - Requiring, instead of permitting, appeals from orders of the State Fire Marshal be to the common pleas court of the county in which the aggrieved person's building is located;
 - Requiring, instead of permitting, that appeals from specified administrative orders by any party who is not a resident of and has no place of business in Ohio be to the Franklin County Court of Common Pleas;
 - Allowing a party adversely affected by an agency's order to appeal to the common pleas court in the county where the party's business is located or where the party resides, in lieu of appealing to the Franklin County Court of Common Pleas.

- Modifies statutes governing adjudication orders of specified agencies to replace law regarding appeals to the Franklin County Court of Common Pleas, the Environmental Division of the Franklin County Municipal Court, or the court of the county where an appointing authority resides, with the act's venue provisions described above.

Special court procedures

- Provides special court procedures regarding the consideration and determination of:
 - Cases that, prior to October 3, 2023, would have been solely within the jurisdiction on appeal of the 10th District Court of Appeals, and that on that date are pending in a common pleas court and are not pending in the 10th District.
 - Matters that, on or after October 3, 2023, are being considered by a court of appeals other than the 10th District or a common pleas court within the territory of a court of appeals other than the 10th District and that, prior to October 3, 2023, would have been solely within the jurisdiction on appeal of the 10th District.

No claim preclusion in zoning appeals

- Provides that a final judgment on the merits by a court pursuant to its power of review of administrative orders on claims brought under the law regarding county rural zoning or the renewal of slums and blighted areas in a county, the Township Zoning Law, or the law regarding municipal zoning, regional and county planning commissions, or interstate regional planning commissions does not preclude later claims for damages.
- States that the General Assembly intends that these provisions be construed to override the federal Sixth Circuit Court of Appeals decision in the case of *Lavon Moore v. Hiram Twp.*, 988 F.3d 353 (6th Cir. 2021).

Residence qualifications of fiduciaries

- Expands certain types of persons that qualify for appointment as executor or trustee of a will.
- Authorizes the court to require private trust companies to appoint a resident agent.

Local court fees

- Stipulates that the fee for a petition for a certificate of qualification for employment or an application for sealing or expungement of conviction records is \$50, which may be accompanied by a local court fee up to \$50.

Liquefied gas (VETOED)

- Would have exempted a liquefied petroleum gas supplier for damages based on a product liability claim in listed circumstances, unless the claim was caused in whole or in part by intentional misconduct by the supplier (VETOED).
- Would have presumed a user of liquefied petroleum gas is aware of the inherent dangerous characteristics of liquefied petroleum gas (VETOED).

- Would have found, as a matter of public policy, that liquefied petroleum gas, without modification, is not a defective product (VETOED).

Changes related to S.B. 288 of the 134th General Assembly

- Makes a series of changes to the Criminal Code to correct inconsistencies, ambiguities, oversights, and technical issues created by the passage of S.B. 288 of the 134th General Assembly in late 2022, including changes related to the following:
 - Sealing and expungement;
 - Criminal and traffic offense penalties;
 - Crime victims – notice and opportunity to be heard;
 - Adult Parole Authority warrantless search authority;
 - Removal of warrants from the National Crime Information Center;
 - Emergency judicial release;
 - Other technical changes.

Hamilton County Drug Court

- Allows the Hamilton County Municipal Court to refer a case to the Drug Court of the Hamilton County Court of Common Pleas if the case is eligible for admission to the Drug Court under a local rule adopted by the Hamilton County Common Pleas Court.
- Provides that a local rule may not permit referral of a case to the Drug Court if the case involves a first or second degree felony, a sex offense that is a third degree felony, or aggravated murder or murder.

Tiffin-Fostoria Municipal Court

- Transfers Perry Township in Wood County from the territorial jurisdiction of the Tiffin-Fostoria Municipal Court to the territorial jurisdiction of the Bowling Green Municipal Court, effective January 2, 2024.
- Transfers Washington Township in Hancock County from the territorial jurisdiction of the Tiffin-Fostoria Municipal Court to the territorial jurisdiction of the Findlay Municipal Court, effective January 2, 2024.

Sandusky County Court judgeship

- Effective January 2, 2025, replaces the two part-time judges in Sandusky County’s County Court with one full-time judge, to be elected in 2024, term to commence on January 2, 2025.
- Requires that, effective January 2, 2025, the compensation of the full-time judge be the same as the compensation of a full-time municipal court judge.
- Removes all references in relevant statutes to “Sandusky County Municipal Court.”

LOTTERY COMMISSION

Rules and operating procedures

- Allows the State Lottery Commission (LOT) to adopt operating procedures for the conduct of lottery games, instead of adopting administrative rules.
- Requires LOT to publish its operating procedures on its official website by November 2, 2023.
- Requires LOT still to adopt rules under the Administrative Procedure Act concerning specific topics designated in continuing law as matters that must be addressed under the Administrative Procedure Act.
- Provides generally that LOT's existing rules remain in effect unless LOT formally rescinds them.
- Allows LOT to eliminate rules that it replaces with operating procedures on or before November 2, 2023, by notifying LSC to remove them from the Administrative Code, instead of by formally rescinding them.

Withholding child and spousal support

- Eliminates references in the law to an obsolete paper-based process for LOT to withhold past-due child or spousal support from a person's lottery winnings.
- Requires LOT still to withhold those amounts using a computerized database maintained by the Department of Job and Family Services (ODJFS).

DEPARTMENT OF MEDICAID

Medicaid eligibility

Coverage for workers with a disability

- Requires the Medicaid program to cover the optional eligibility group consisting of certain workers with a disability.
- Declares that the General Assembly's intent in requiring the coverage is to provide coverage consistent with Ohio's existing Medicaid Buy-In for Workers with a Disability program for workers with disabilities age 65 or older.

Continuous enrollment for young children

- Requires the Medicaid Director to establish a Medicaid waiver component to provide continuous enrollment for Medicaid-eligible children from birth through age three.

Presumptive eligibility training (PARTIALLY VETOED)

- Requires each entity or provider qualified to make Medicaid presumptive eligibility determinations to submit a corrective action plan to the Department of Medicaid (ODM) and provide training when its error rate exceeds 7.5% in a calendar month.

- Would have disqualified presumptive eligibility determinations for 60 months for any entity or provider that exceeded a presumptive eligibility error rate of 7.5% in six or more months in a 24-month period (VETOED).

Post-COVID Medicaid unwinding

- Requires ODM to use third-party data to conduct an eligibility redetermination of all Ohio Medicaid recipients at the conclusion of the COVID-19 emergency period.
- Requires ODM to conduct an eligibility review of all recipients, based on the recipient's eligibility review date, and to disenroll recipients who are no longer eligible.
- Requires ODM to submit a report containing its findings from the verification to the Joint Medicaid Oversight Committee (JMOC).
- Repeals requirements ODM must follow if it receives federal Medicaid funding contingent on a temporary maintenance-of-effort restriction or otherwise limiting its ability to disenroll ineligible recipients.

Nursing facilities

Special Focus Facility Program

- Aligns statutory language regarding the Special Focus Facility (SFF) Program with federal changes to the program, and prohibits a nursing facility from appealing an ODM order terminating its participation in Medicaid based on the facility's participation in SFF.

Case-mix scores

- Updates the terminology used to calculate nursing facility case-mix scores to correspond to the new federal Patient Driven Payment Model.

Debts

- Regarding determining the actual amount of debt an exiting operator of a nursing facility owes ODM, requires ODM to issue a final debt summary report instead of having an initial or revised debt summary report become the final debt summary report.
- Eliminates various provisions related to debts an exiting operator owes to the federal Centers for Medicare and Medicaid Services (CMS).

Field audits

- Eliminates the requirement that ODM establish a program and manual for field audits of nursing facilities.
- Requires that audits conducted by ODM be conducted by an audit plan developed before the audit begins, and audits conducted by auditors contracted with ODM be conducted by procedures agreed upon by the auditor and ODM.

Alternative purchasing model – ventilator services

- Beginning July 1, 2023, prohibits the Medicaid Director from approving an application for an alternative purchasing model for ventilator services in a discrete unit of a nursing facility if the facility is listed on Table A or Table D of the SFF list or has a one-star overall rating in CMS’s Care Compare database.
- Requires ODM to pay pursuant to the alternative purchasing model for services provided on or after the date the facility is removed from the SFF list or no longer has a one-star overall rating.
- Permits the Director to waive these requirements if the Director determines that the waiver is necessary to ensure access to ventilator services in the geographic area of the unit.

Per Medicaid day payment rate

- Modifies the nursing facility per Medicaid day payment rate calculation by removing a \$1.79 deduction, including a deduction for low occupancy nursing facilities, and increasing the add-on to the initial rate for new nursing facilities.

Ancillary and support costs and direct care costs

- Determines a nursing facility’s direct care costs rates by using the rate at the 70th percentile of the facility’s peer group.
- Beginning January 1, 2024, during the remainder of FY 2024 and all of FY 2025, requires ODM to determine each nursing facility’s direct care costs by multiplying the per case-mix unit determined for the peer group by the case-mix score selected by the facility.
- Removes inflationary adjustments to the calculation for a facility’s ancillary and support and direct care costs.

Low occupancy deduction

- To the per Medicaid day payment rate formula, adds a low occupancy deduction for a nursing facility that has an occupancy rate below 65%.

Private room incentive payment

- Beginning six months after CMS approval or the effective date of applicable ODM rules, but not later than April 1, 2024, adds a private room incentive payment rate to the per Medicaid day payment rate formula for nursing facilities with private rooms.
- Sets the private room incentive payment at \$30 for a Category 1 private room and \$20 for a Category 2 private room during FY 2024 and permits ODM to increase the rate in subsequent fiscal years.
- Requires nursing facilities to apply for approval of their private rooms in the manner prescribed by ODM, and permits ODM to specify evidence an applicant must supply to demonstrate that a room is a private room.

- Limits ODM to considering only private room applications that meet specified criteria.
- Permits ODM to deny an application under certain circumstances.

Quality incentive payments

- Extends nursing facility quality incentive payments indefinitely.
- Adds an occupancy metric to the quality incentive payment rate calculation, beginning in FY 2024, for facilities with specified occupancy thresholds, and adds four new quality incentive metrics beginning in FY 2025.
- Eliminates an exclusion from the quality incentive payment for facilities that have an occupancy percentage lower than 80%, unless certain exceptions are met.
- Requires a facility's quality points to be recalculated in the second half of each fiscal year using updated information, and specifies that a facility receives zero quality points if its number of points is in the bottom 25th percentile of all facilities.
- Adds to the calculation of the total amount to be spent on quality incentive payments an additional component based on 60% of the facility's ancillary and support costs and direct care costs changed as a result of the FY 2024 rebasing.
- Caps the add-on to the total amount to be spent on quality incentive payments at \$125 million in each fiscal year.
- Grants a quality incentive payment to an operator of a new nursing facility or, under certain circumstances, a facility that undergoes a change in operator.

Rebasing

- Beginning in FY 2024, limits rebasing to only the direct care and tax cost centers.
- Specifies that the costs are measured from the calendar year immediately before the start of the fiscal year in which a rebasing is conducted, instead of two calendar years before.
- In calculating a facility's FY 2024 and FY 2025 base rates, caps any increases in the direct care cost and ancillary and support cost centers from the most recent rebasing to only 40% of the increase.

Medicaid provider payment rates

Community behavioral health services

- Permits ODM to establish Medicaid payment rates for community behavioral health services provided during FY 2024 and FY 2025 that exceed the Medicare rates for those services.

Competitive wages for direct care workforce

- Requires certain funds contained in the act for provider rate increases to be used to increase wages and needed workforce supports to ensure workforce stability and greater access to care for Medicaid recipients.

Assisted Living program rates (PARTIALLY VETOED)

- Requires ODM, in consultation with the Department of Aging (ODA), to establish both (1) an assisted living services base payment rate, and (2) an assisted living memory care service payment rate for assisted living facilities participating in the Medicaid-funded component of the Assisted Living program.
- Would have required the rules to be adopted by November 1, 2023, and established the payment rates at certain levels (VETOED).
- Would have required the departments to also establish a critical access payment rate for such facilities and adopt associated rules (VETOED).

Direct care provider rates (PARTIALLY VETOED)

- Increases direct care wages for certain direct care services provided under the Medicaid home and community-based services waivers administered by ODM or ODA.
- Would have increased the base payment rate to \$17 an hour in FY 2024 beginning January 1, 2024, and to \$18 an hour for all of FY 2025 (VETOED).

Medicaid MCO credentialing

- Repeals a requirement that ODM permit Medicaid managed care organizations (MCOs) to create a credentialing process for providers.

Third-party payment of claims

- Decreases from 90 days to 60 days the time in which specified third parties must respond to a request by ODM for payment of a claim.

Rate for neonatal and newborn services

- Specifies that the Medicaid payment rate for certain neonatal and newborn services must be *at least* 75% of the Medicare payment rate for the services, rather than equaling 75% of the rate.

Medicaid providers

Interest on overpayments

- Directs ODM to establish the time frame during which interest is assessed against a Medicaid provider on an overpayment, replacing the law prescribing the time as from the payment date until the repayment date.

Penalties

- Clarifies that when a Medicaid provider agreement is terminated due to a provider engaging in prohibited activities, the provider may not provide Medicaid services on behalf of any other Medicaid provider.

Suspension of provider agreements and payments

- Revises the law governing the suspension of Medicaid provider agreements and payments in cases of credible allegations of fraud or disqualifying indictments against Medicaid providers or their officers, agents, or owners, including by prohibiting a suspension if the provider or owner can demonstrate good cause.

Criminal records checks

- Revises the law governing the availability of criminal records check reports for Medicaid providers, independent providers, and waiver agencies and their employees, including by authorizing reports to be introduced as evidence at certain administrative hearings and requiring them to be admitted only under seal.

HHA and PCA training

- Prohibits ODM from requiring more hours of pre-service training and annual in-service training than required by federal law for home health aides (HHAs) providing services under the Integrated Care Delivery System (MyCare Ohio).
- Prohibits ODM from requiring more than 30 hours of pre-service training and six hours of annual in-service training for personal care aides (PCAs) providing services under MyCare Ohio.
- Permits a licensed practical nurse to supervise an HHA or PCA providing services under MyCare Ohio.

ICF/IID bed conversion to OhioRISE

- Prohibits an ICF/IID from reserving or converting a portion of its beds from beds that provide ICF/IID services to beds that provide services to individuals enrolled in the OhioRISE program, if reserving or converting a bed would require the ICF/IID operator to discharge or terminate services to a resident occupying that bed.

Care Innovation and Community Improvement Program

- Requires the Medicaid Director to continue the Care Innovation and Community Improvement Program for the FY 2024-FY 2025 biennium.

Ohio Invests in Improvements for Priority Populations

- Continues the Ohio Invests in Improvements for Priority Populations Program as a directed payment program for inpatient and outpatient hospital services provided to Medicaid managed care recipients.
- Provides that, under the program, state university-owned hospitals with fewer than 300 beds can directly receive payment for program services.
- Requires participating hospitals to remit to ODM, through intergovernmental transfer, the nonfederal share of payment for those services.

Physician directed payment program

- Permits the Medicaid Director to seek federal approval to establish a physician directed payment program for nonpublic hospitals and related health systems under which hospitals receive payments directly for physician services provided to enrollees.
- Caps directed payments under the programs at the average commercial level paid to participating health systems for physician and other covered professional services that are provided to Medicaid MCO enrollees.
- Requires eligible public entities to transfer, through intergovernmental transfer, the nonfederal share of those services.

Emergency medical transportation supplemental payment

- Requires the Director to submit a state plan amendment seeking to establish a supplemental payment program for specified ground emergency medical transportation service providers.

Hamilton County hospital directed payment program

- Permits ODM to establish a hospital directed payment program for directed payments to hospitals in Hamilton County that meet enumerated criteria.
- Permits eligible public entities to transfer funds to ODM for the directed payments, and limits payment amounts to the average commercial level paid for inpatient and outpatient services under the Care Management System.

Hospital Care Assurance Program; franchise permit fee

- Continues, until October 2025, the Hospital Care Assurance Program and the franchise permit fee imposed on hospitals under Medicaid.

Nursing Home Franchise Permit Fee Fund use

- Expands the permitted uses of the Nursing Home Franchise Permit Fee Fund.

ODM doula program (PARTIALLY VETOED)

- Establishes a program to cover doula services provided by a certified doula with a Medicaid provider agreement.
- Would have required the Medicaid Director to complete an annual report regarding program outcomes (VETOED).
- Repeals this program on October 3, 2028 (PARTIALLY VETOED; the effect of the veto on the five-year sunset is unclear).

Medicaid reforms

- When calculating the per member per month growth rate in the Medicaid program for purposes of required Medicaid reforms, requires the Director to include all Medicaid costs, with the exception of one-time expenses or expenses unrelated to enrollees.

- Requires ODM, by October 1 annually, to submit a report to JMOC detailing Medicaid reforms during the two previous fiscal years.
- In even-numbered years, requires the report to include ODM's historical and projected Medicaid expenditure and utilization trend rates for each year of the next biennium.

Medicaid cost savings report

- Requires ODM to conduct an annual cost savings study of the Medicaid program and submit a report to the Governor recommending measures to reduce Medicaid costs.

HCBS direct care worker wages

- During the fiscal biennium, requires ODM, ODA, and the Department of Developmental Disabilities to jointly submit an annual report outlining the wages paid to direct care staff providing services to enrollees under the Medicaid home and community-based services (HCBS) waivers.

Medicaid work requirements

- Between February 1, 2025, and March 1, 2025, requires the ODM Director to apply to CMS for a new waiver establishing Medicaid work requirements.

Meaningful employment for Medicaid recipients

- Requires ODM, in collaboration with ODJFS, to establish a program to assist individuals enrolled in Medicaid secure meaningful employment.
- Requires each Medicaid MCO to develop a specialized component of their MCO plan to provide referral and support services to identified enrollees to assist in obtaining and maintaining employment.
- Requires ODM and ODJFS to convene a workgroup to assist in the implementation of the program.
- Requires ODM and ODJFS to provide a periodic report to the Governor, Senate Medicaid Committee, and other relevant legislative committees regarding the implementation and operation of the program.

MyCare Ohio expansion

- Requires the Medicaid Director to seek CMS approval to expand MyCare Ohio, or its successor program, to all Ohio counties.
- Requires the Director to select the entities for the expanded program.
- Requires ODM to establish requirements for care management and coordination of waiver services, subject to enumerated requirements.

Services at outpatient health facilities

- Repeals law that required Medicaid to cover comprehensive primary health services provided by outpatient health facilities operated by a city or general health district,

another public agency, or certain types of nonprofit private agencies or organizations that receive at least 75% of their operating funds from public sources.

Remote ultrasounds and fetal nonstress tests

- Requires Medicaid coverage of remote ultrasound procedures and remote fetal nonstress tests under certain circumstances.

Donor breast milk and human milk fortifiers

- Requires Medicaid coverage of medically necessary pasteurized donor human milk and human milk fortifiers for inpatient and home use.

Lockable and tamper-evident containers (PARTIALLY VETOED)

- Requires ODM to reimburse pharmacists for expenses related to dispensing drugs in lockable or tamper-evident containers.
- Would have required that coverage only (1) during FY 2024 and FY 2025 and (2) for drugs used in medication assisted treatment (VETOED).
- Would have required ODM, during FY 2024 and FY 2025, to reimburse prescribers for expenses related to personally furnishing drugs used in medication-assisted treatment in lockable containers or tamper-evident containers (VETOED).

Obsolete waiver

- Repeals the Unified Long-Term Services and Support Medicaid Waiver component, which was never implemented.

STATE MEDICAL BOARD

Practitioner impairment monitoring

- Revises the law governing the State Medical Board's confidential program for treating and monitoring impaired practitioners, including by extending the program to practitioners unable to practice because of mental or physical illness, rather than only those impaired by drugs, alcohol, or other substances.

License holders – retired status

- Establishes a process by which practitioners licensed by the Medical Board who meet certain eligibility conditions may have their licenses placed on retired status.
- Prohibits the holder of a license placed on retired status from practicing under the license, but permits the holder to continue to use any title authorized for the license so long as the title also indicates that the practitioner is retired.
- Establishes a process for the Board to reactivate a license placed on retired status.
- Authorizes the Board to take the same disciplinary action against retired-status license holders and applicants as it may take against any other license holders or applicants.

Criminal records checks – interstate licensure compact

- Clarifies that applicants under the Interstate Medical Licensure Compact are required to comply with Ohio’s procedure for criminal records checks for physicians.

Sonographers – IV ultrasound enhancing agents

- Authorizes a sonographer to administer intravenously ultrasound enhancing agents under physician delegation if certain conditions are met.

Physician assistant prescribing

- Authorizes a physician assistant (PA) to prescribe a schedule II controlled substance at an outpatient behavioral health practice, but only if the PA has entered into a supervisory agreement with a physician employed by the same practice.

Acupuncture and herbal therapy

- Authorizes a licensed acupuncturist with a national certification in Chinese herbology or oriental medicine to practice herbal therapy.
- Eliminates supervisory requirements for newly licensed acupuncturists, including duties and reimbursement allowances for supervising physicians and chiropractors.

Subpoenas for patient record information

- Eliminates requirements that the supervising member of the Medical Board approve the issuance of subpoenas for patient record information and be involved in probable cause determinations related to the subpoenas.

Time limit for adjudicative order

- Lengthens the time the Medical Board has to issue a final adjudicative order related to the summary suspension of a physician assistant’s license from 60 days to 75 days.

Public address information for licensees

- Eliminates a requirement that the Medical Board’s public directory of licensees include a licensee’s contact information, and instead requires it to include the licensee’s business address.

Legacy Pain Management Study Committee

- Establishes the Legacy Pain Management Study Committee to study the care and treatment of patients experiencing chronic or debilitating pain, in particular those who have been prescribed opioids for long periods of time, often referred to as legacy patients.
- Requires the committee, by December 1, 2024, to submit to the General Assembly a report of its recommendations for legislation addressing the care and treatment of legacy patients.

DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES

Certification of services (PARTIALLY VETOED)

- Authorizes the Ohio Department of Mental Health and Addiction Services (OhioMHAS) to specify by rule the mental health services and alcohol and drug addiction services that must be certified, and eliminates a statutory list of specific types of services that must be certified by OhioMHAS.
- Requires providers to hold national accreditation as part of qualifying for certification by OhioMHAS, replacing the option to have their certifiable services and supports accredited by a national organization in lieu of OhioMHAS determining whether its certification standards have been satisfied.
- Creates an exemption from the accreditation requirement for providers of prevention services.
- Establishes, in addition to the accreditation requirement, both of the following as conditions for certification: (1) an applicant must be adequately staffed and equipped to operate and (2) an applicant must not have been subject to adverse action during the three-year period immediately preceding the application date.
- Would have exempted from certification federally qualified health centers and federally qualified health center look-alikes (VETOED).

Statistics supplied by providers

- Eliminates a criminal penalty for failure of a community addiction services provider or community mental health services provider to supply statistics and other information to OhioMHAS; instead, authorizes imposition of fines.

Boards of alcohol, drug addiction, and mental health services (ADAMHS boards)

Notification regarding community service providers

- Permits a board of alcohol, drug addiction, and mental health services (ADAMHS board) to provide input and recommendations to OhioMHAS when an application for initial or renewed certification has been submitted, or when a provider is being investigated, if the board is aware of information beneficial to the matter.
- Requires OhioMHAS to notify the ADAMHS board within 14 days of receiving an initial or renewal application for certification and, at the board's request, to provide a copy of the application.
- Requires OhioMHAS to notify the ADAMHS board within 30 days if it refuses certification, refuses renewal, or revokes a certification.

- Requires OhioMHAS to notify the ADAMHS board within ten business days after initiating an investigation of a provider if the board requests that OhioMHAS investigate the provider.
- Requires OhioMHAS to notify the ADAMHS board within three business days if OhioMHAS begins an investigation for any other reason.
- In either event of an investigation, requires OhioMHAS to inform the ADAMHS board of the status and final disposition of the investigation, upon the board's request.

Contracts for services and supports

- Authorizes an ADAMHS board, when contracting with community addiction and mental health services providers, to contract with providers that are government entities, for-profit entities, or nonprofit entities.
- Authorizes contracts with faith-based entities.

Publishing of opioid treatment programs

- Requires each ADAMHS board to annually update and publish on its website a list of all licensed opioid treatment programs operating within its district.

Withdrawal from a joint-county ADAMHS district

- Requires a board of county commissioners' comprehensive plan for withdrawal from a joint-county alcohol, drug addiction, and mental health service district to include additional information about the new district and its continuation of services.
- Requires the OhioMHAS Director to approve the comprehensive plan within one year from the date the board adopts the resolution to withdraw.

Composition and appointment of ADAMHS boards

- Modifies the composition and appointment of ADAMHS boards as follows:
 - Permits ADAMHS boards to have 18, 15, 14, 12, or 9 members, instead of only 18 or 14.
 - Expands the appointment authority of boards of county commissioners to two-thirds of ADAMHS board seats, and reduces the appointment authority of the OhioMHAS Director to one-third.
- Permits the appointing authority to remove an ADAMHS board member at will, instead of for enumerated causes, and requires that the pre-removal hearing be public.

Executive director

- Clarifies that the authority of an ADAMHS board to remove its executive director for cause applies at any time, contingent on any written contract with the executive director.

Reports

- Eliminates the requirement that ADAMHS boards take certain actions based on data in monthly reports from community addiction services providers, made available to the boards by OhioMHAS, and removes obsolete provisions regarding past reports.

Exchange of Medicaid recipient information (VETOED)

- Would have required OhioMHAS and the Department of Medicaid (ODM) to adopt rules establishing requirements and procedures for exchanging Medicaid recipient data between ADAMHS boards and ODM (VETOED).
- Would have required OhioMHAS and ODM to each submit a report with specified information regarding the data exchange requirements and procedures (VETOED).

Conditions of licensure – hospitals and residential facilities

- Requires a hospital or residential facility applicant, when applying for initial licensure or renewal, to notify OhioMHAS of any adverse action taken against it during the three-year period preceding the application date.
- Establishes, as a condition of hospital and residential facility licensure, that an applicant be adequately staffed and equipped to operate.

Monitoring of recovery housing residences

- Requires OhioMHAS to monitor the operation of recovery housing residences by either establishing a certification process through OhioMHAS or accepting accreditation, or its equivalent, from specified outside organizations.
- Beginning January 1, 2025, prohibits the operation of a recovery housing residence unless the residence is certified or accredited, as applicable, or is actively in the process of obtaining certification or accreditation.
- Requires OhioMHAS to maintain a registry of recovery housing residences.

Terminology regarding alcohol use disorder

- Replaces Revised Code references to “alcoholism” with “alcohol use disorder” and eliminates references to “alcoholic.”
- Repeals an obsolete statute referring to alcohol treatment and control regions, which were abolished in 1990.

Behavioral health drug reimbursement program

- Combines two drug reimbursement programs administered by OhioMHAS into one behavioral health drug reimbursement program.
- Expands the new combined program to provide reimbursement for certain drugs administered or dispensed to individuals confined in community-based correctional facilities, in addition to inmates of county jails.

Substance use disorder treatment in drug courts

- Continues an OhioMHAS program to provide addiction treatment to persons with substance use disorders through drug courts with programs using medication-assisted treatment.
- Requires community addiction services providers to provide specified treatment to the program participants based on each participant's individual needs.

EEG Combined Transcranial Magnetic Stimulation Program (PARTIALLY VETOED)

- Requires OhioMHAS to assume the Electroencephalogram (EEG) Combined Transcranial Magnetic Stimulation Program, which previously has been administered jointly as a pilot program with the Director of Veterans Services.
- Would have expanded the program's eligibility criteria (VETOED).
- Specifies that the program's operation is contingent upon an appropriation by the General Assembly.

Incompetency to stand trial

- Allows a defendant to complete outpatient competency restoration at a jail that employs or contracts with OhioMHAS, a public or community health facility, or a psychiatrist or another mental health professional to provide treatment or continuing evaluation and treatment.
- Allows a defendant whom the court orders to undergo treatment and evaluation to be committed to a jail that employs or contracts with OhioMHAS, a public or community health facility, or a psychiatrist or another mental health professional to provide treatment or continuing evaluation and treatment.

DEPARTMENT OF NATURAL RESOURCES

Oil and gas

Stratigraphic wells

- Establishes the Department of Natural Resource's (ODNR's) regulatory authority over stratigraphic wells, which are boreholes that are drilled on a tract solely to conduct research or testing of the subsurface geology, including porosity and permeability.
- Specifies that the regulatory authority over stratigraphic wells includes the following:
 - The permitting process;
 - Insurance and bonding requirements;
 - Plugging requirements;
 - Setback requirements; and

- Notice and enforcement procedures.
- Generally requires a stratigraphic well to be plugged within one year after the well is spudded (i.e., when drilling commences), unless the well owner does one of the following:
 - Applies for a permit to convert the well to another use (extending the plugging requirement to two years after the well is spudded); or
 - Executes and files with the Division of Oil and Gas Resources Management financial assurance that equals or exceeds the estimated cost to plug the well and reclaim the associated well site (extending the plugging requirement to five years after the well is spudded).
- Allows the Chief of the Division to forfeit by order the total financial assurance executed and filed if the Chief finds that the well owner is not in compliance with the laws governing stratigraphic wells.
- Allows the Chief to use the money to plug the well.
- Allows a stratigraphic well to be assigned or otherwise transferred, provided that notice of the assignment or transfer is given to the Division and signed by both the assignor and assignee or by both the transferor and transferee.
- Allows a stratigraphic well owner to designate certain information as confidential business information not subject to disclosure under any law for five years from the time that stratigraphic well was spudded.
- Allows the Chief to post the surface location of a stratigraphic well on the Division's website.

Enforcement of oil and gas law and notice

- Broadens the ability of the Chief of the Division of Oil and Gas Resources Management to enforce the laws governing oil and gas by allowing the Chief to issue violation orders and take enforcement action against any person who violates the oil and gas laws and who is subject to those laws, instead of only well owners.
- Requires a person to have committed a material and substantial violation before the Chief may issue an order requiring that person (who is causing an imminently dangerous condition) to cease oil and gas operations and suspending or revoking an unused permit.
- Clarifies that the Chief may notify a drilling contractor, transporter, service company, or other similar entity of the compliance status of any person subject to the oil and gas laws, rather than only allowing the Chief to provide the notice regarding the status of a well owner as in prior law.
- Requires the Chief to provide notice under the oil and gas laws in accordance with law, rather than as prescribed by rules adopted by the Chief, as in prior law.
- Eliminates a corresponding requirement that the Chief's rules provide for notice by publication.

Hunting and fishing

Hunting season rules (VETOED)

- Would have required ODNR's Division of Wildlife rules regarding hunting seasons to have stated a full date including month, day, and year, and would have required the Wildlife Council to approve the dates prior to rule adoption (VETOED).

Licenses for college students

- Allows a full-time student who is enrolled in any accredited Ohio public or private college or university to obtain a resident hunting license, fishing license, deer permit, and wild turkey permit, regardless of residency.

Parks and watercraft

Fire extinguishers on watercraft

- Regarding the requirement to have fire extinguishers on board powercraft:
 - Eliminates the exemption for powercraft propelled by an electric motor; and
 - Adds that powercraft of open construction that are not carrying passengers for hire are exempt from fire extinguisher requirements only if the powercraft are not capable of entrapping explosive or flammable gases or vapors.
- With certain exceptions, generally requires 5-B and 20-B portable fire extinguishers on class A, 1, 2, or 3 powercraft, depending on the class, rather than B-1 or B-2 fire extinguishers, depending on the class, as in prior law.
- With certain exceptions, generally requires class 4 powercraft to have the number and type of 20-B portable fire extinguishers specified by gross tonnage as prescribed by federal regulations.
- Requires all portable and semi-portable fire extinguishers for use on a vessel to comply with specified requirements, including being on board the vessel, being readily accessible, and being maintained in good and serviceable condition.

Personal flotation device labeling

- Eliminates a requirement that the label on an approved personal flotation device have a specified designation concerning flotation device type (e.g., type 1, 2, 3, 4, or 5 personal flotation device).

Obtaining a watercraft or outboard motor title

- Increases the time that a purchaser has to obtain a watercraft or outboard motor title from 30 days to 60 days.

Parks and Watercraft Federal Grants Fund

- Creates the Parks and Watercraft Federal Grants Fund consisting of federal funds received by ODNR for parks and watercraft projects approved by the ODNR Director and any other money credited to the fund.
- Requires the Chief of the Division of Parks and Watercraft to use money in the fund for parks and watercraft projects approved by the Director.

Rocky Fork Lake permits

- Requires the Chief to establish a program to issue the following to property owners whose property is adjacent to Rocky Fork State Park in Highland County and abuts Rocky Fork Lake:
 - A permit to construct or acquire and maintain a dock on Rocky Fork State Park property, including permit add-ons (electricity, dock covering, and access path);
 - A permit to mow Rocky Fork State Park land;
 - A permit to remove fallen, hazardous, or dead trees from Rocky Fork State Park land; and
 - A permit to control undergrowth or remove invasive tree or plant species from Rocky Fork State Park property.
- Establishes fees for each type of permit and add-on, except for a permit to remove trees and a permit to remove undergrowth and invasive trees and plants.
- Exempts a property owner who owns a dock prior to October 3, 2023, from the requirements governing dock permits.
- Prohibits an owner of property adjacent to Rocky Fork State Park land from purposely altering, modifying, or destroying land that abuts Rocky Fork Lake, except in accordance with a permit issued under the program.

Other provisions

Approval of ODNR property purchases (VETOED)

- Would have conditioned ODNR real property purchases on Controlling Board approval when the proposed purchase price exceeded 25% of the highest appraised value and was more than \$1 million (VETOED).

Performance Bond Refund Fund

- Creates the Performance Bond Refund Fund, which consists of money received by ODNR from other entities as performance security.
- Disposes of money in the fund as follows:
 - If work for which the performance bond was required is completed, the money is refunded to the pledging entity; or

- If the performance bond is forfeited, the money must be transferred to the appropriate fund within the state treasury.

ODNR administration of capital projects

- Allows ODNR to administer certain capital facility projects commenced within FY 2024 and FY 2025, regardless of estimated cost, without the assistance of the Ohio Facilities Construction Commission (OFCC).
- Requires ODNR to do both of the following:
 - Comply with the procedures and guidelines established in the law governing public improvement contracts; and
 - Track all project information in the Ohio Administrative Knowledge System (OAKS) capital improvements application pursuant to OFCC guidelines as though ODNR is administering the project pursuant to all generally applicable laws.

BOARD OF NURSING

APRN prescribing

- Authorizes certain advanced practice registered nurses (APRNs) to prescribe schedule II controlled substances at outpatient behavioral health practices where they would otherwise not be permitted to prescribe those drugs, but only if they are collaborating with a physician employed by the same practice.

Nurse education grants

- Extends by ten years, through 2033, the expiration date for the Nurse Education Grant Program, which has been operating since 2003.

Doula certification (PARTIALLY VETOED)

- Requires the Board of Nursing to establish a registry of certified doulas.
- Establishes the Doula Advisory Board within the Nursing Board.
- Repeal the doula provisions on October 3, 2028 (PARTIALLY VETOED; the effect of the veto on the five-year sunset is unclear).

OHIO OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD

- Permits physical therapist and physical therapist assistant licenses to be issued to applicants who completed their education in a country that does not issue a license or registration to physical therapy practitioners.
- Requires the Physical Therapy Section of the Occupational Therapy, Physical Therapy, and Athletic Trainers Board to adopt rules pertaining to this new licensure pathway.

- Reduces the minimum number of annual meetings of the Orthotics, Prosthetics, and Pedorthics Council from four to three.
- Extends from 60 days to 90 days the maximum time an outgoing Council member serves after the member's term expires pending a successor's appointment.

OPPORTUNITIES FOR OHIOANS WITH DISABILITIES

- Expands the Opportunities for Ohioans with Disabilities Agency's authorized uses for money in the Services Rehabilitation Fund to allow spending the money for any of the Agency's purposes or programs, rather than only certain purposes specified in prior law.

STATE BOARD OF PHARMACY

- Adds exemptions from terminal distributor licensure related to nitrous oxide, medical oxygen, sterile water, and sterile saline.
- Would have added an exemption from terminal distributor licensure related to dog training in conjunction with law enforcement agencies (VETOED).
- Eliminates the State Board of Pharmacy's licensure of office-based opioid treatment providers.

OFFICE OF PUBLIC DEFENDER

- Caps county reimbursements for indigent defense at an hourly rate to be established by the General Assembly; for FY 2024 and FY 2025, \$75 per hour, or the rate established by the county as of April 1, 2023.
- Eliminates the requirement that funds received by the State Public Defender under a contract with Trumbull County be credited to the Trumbull County: County Share Fund, and requires instead that the money go to the Multicounty: County Share Fund.

DEPARTMENT OF PUBLIC SAFETY

Driver's licenses and ID cards

Limited term licenses and ID cards

- Renames "nonrenewable/nontransferable" driver's licenses and state identification (ID) cards, which are issued to temporary residents, as the "limited term" license and ID card. (Temporary residents are persons who are not U.S. citizens or permanent residents, but have legal presence in the country.)
- Excludes a limited term license as a form of photo identification for voting.
- Requires the words "limited term" to be on any driver's license or ID card issued to a temporary resident, along with other characteristics prescribed by the Registrar of Motor Vehicles.

- Clarifies the law regarding the expiration dates for a limited term driver's license or ID card issued to a temporary resident.
- Authorizes a temporary resident to renew a limited term license or limited term ID card, provided the temporary resident can verify lawful status in the U.S.
- Requires the Registrar to adopt rules governing limited term licenses and ID cards issued to temporary residents.
- Specifies that all REAL ID-compliant driver's licenses and ID cards must be issued in accordance with the federal requirements.

Return of ID cards

- Removes the requirement that a person surrender or return an original ID card to the Bureau of Motor Vehicles (BMV) if the person:
 - Applies for a driver's license or commercial driver's license (CDL) in Ohio or another state;
 - Finds the original lost card, after obtaining a duplicate or reprint card; or
 - Changes his or her name and obtains a replacement ID card.

Color photographs

- Removes the requirement that a driver's license, CDL, or ID card display a color photograph of the licensee.

ID card reimbursements

- Authorizes the Registrar to establish a payment schedule that is more frequent than the monthly schedule established under prior law for reimbursing deputy registrars for their services in issuing free ID cards.
- Authorizes the Department of Public Safety (DPS) Director to certify to the OBM Director, on a quarterly basis, both of the following:
 - The amounts paid by DPS to deputy registrars to reimburse them for their services in issuing and renewing free ID cards and temporary ID cards; and
 - The fees not collected by the Registrar for any free ID cards and temporary ID cards issued or renewed by the Registrar.
- Authorizes the OBM Director to transfer up to \$4 million per fiscal year to BMV from the GRF to reimburse the BMV for the free ID cards and temporary ID cards.

Online driver's license, ID card, and CDL renewal

- Authorizes the online renewal of CDLs in a similar manner as driver's licenses and ID cards under current law.
- Prohibits the renewal or issuance of any of the following via the online process:
 - A CDL temporary instruction permit;

- An initial CDL; and
- A nonrenewable CDL.
- Modifies the eligibility requirement for online renewal of a driver's license to require the applicant's current license to have been issued when the applicant was 21 or older and the applicant to be under age 65, rather than requiring the applicant to be between 21 and 65 as in prior law.
- Extends that eligibility requirement to online renewal of CDLs.
- Modifies the eligibility requirement for the online renewal of an ID card to require the applicant's current ID card to have been issued when the applicant was 21 or older and removes the restriction that the applicant be under 65.
- Authorizes U.S. permanent residents to renew driver's licenses, CDLs, and ID cards online.
- Requires that online CDL applicants must be in compliance with all laws governing CDL issuance, including self-certification and medical certificate, and must not be under any CDL restriction by any federal regulation.

Commercial driver's licenses

CDL temporary instruction permit

- Extends the maximum validity period for a commercial driver's license temporary instruction permit (CDLTIP) from six to 12 months.
- Clarifies that a CDLTIP is a prerequisite for the initial issuance of a CDL only when a skills test is required for the CDL.
- Repeals law that allows the Registrar to renew a CDLTIP only once in a two-year period.

CDL skills test third-party examiners

- Regarding third parties authorized to administer the CDL skills tests:
 - Specifies that the third-party examiners must meet the qualification and training standards that apply to the class of vehicle and endorsements for which an applicant taking the skills test is applying;
 - Decreases the number of individuals to whom a CDL skills test examiner must administer a skills test each calendar year from 32 to 10;
 - Requires the third party to schedule all skills test appointments through a system or method provided by the DPS Director, or if the Director does not provide a system or method, to submit the schedule weekly; and
 - Requires the third party to keep a copy of the third-party agreement entered into with the Director at its principal place of business.

CDL waiver for farm-related service industries

- Increases the validity period from 180 to 210 days per calendar year for the restricted CDL issued for operating commercial motor vehicles for a farm-related service industry.

Fraudulent acts related to CDL testing

- Prohibits knowingly providing false statements or engaging in any fraudulent act related to a CDL test, and designates a violation as a third degree misdemeanor.
- Allows the Registrar to cancel a CDL or an application for a CDL as a result of a violation.

CDL disqualifications: human trafficking

- Prohibits a CDL holder from using a commercial motor vehicle in the commission of a felony human trafficking offense, and designates a violation as a first degree misdemeanor.
- Establishes a lifetime disqualification from operating a commercial motor vehicle for a person who is convicted of violating this prohibition.

Strict liability declaration

- Clarifies that various prohibitions related to operating a commercial motor vehicle are strict liability offenses (meaning a person is guilty of the offense regardless of the person's mental state when the offense was committed).

OVI violation requiring surrender of CDL

- Clarifies that a CDL holder or CDLTIP holder must immediately surrender the holder's CDL or permit to an arresting peace officer if the holder was operating a motor vehicle in violation of the state OVI law's statutory limits for alcohol or a controlled substance.

Specialty license plates

- Renames the "Ohio Oil and Gas Energy Education Program" license plate as the "Ohio Natural Energy Institute" license plate, and designates the \$20 contribution for it to the Ohio Natural Energy Institute for the scholarships authorized by continuing law.
- Requires representatives of the Ohio State Moose Association, instead of the Ohio Chapter of the Loyal Order of the Moose, to select the logo and words for the "Loyal Order of the Moose" license plate design, and designates the proceeds of the \$20 contribution to the Ohio State Moose Association.
- Increases the contribution for a "Recovery is Beautiful" license plate from \$20 to \$21.

Other BMV services

Deputy registrars

- Allows clerks of common pleas courts to serve as deputy registrars in any county, rather than only in counties below certain population thresholds.

- Relieves the Registrar from the responsibility to appoint a deputy registrar in a county under certain circumstances (e.g., when the county auditor or clerk of court is unwilling to serve and no other entities have applied).
- In the case of a county with no deputy registrar, allows the Registrar to reestablish a deputy registrar office in certain circumstances (e.g., the willingness of the county auditor, a clerk of court, or deputy registrar in another county to serve).
- Accordingly, eliminates (1) the requirement that a deputy registrar live within a one-hour commute from the deputy registrar's office and (2) the prohibition against a deputy registrar operating more than one office at any time.

Permanent removable windshield placard

- Creates a permanent removable windshield placard with no expiration date that authorizes use of accessible parking spaces for a person with a permanent disability that limits or impairs the ability to walk.
- Sets the cost for a permanent placard at \$15 (compared to \$5 for a standard or temporary placard), but exempts an armed forces veteran whose disability is service-connected.
- Consolidates and makes conforming changes within the law pertaining to the three types of placards: standard (ten-year renewal), temporary (expires within six months), and the new permanent placard (no expiration).

Titling a motor vehicle from another state

- Clarifies that the Registrar, not DPS, must issue the required physical inspection certificate regarding an application for a certificate of title for a motor vehicle last registered in another state.
- Requires the physical inspection to include verification of the vehicle's mileage, in addition to verification of the make, body type, model, and vehicle identification number as under continuing law.

Reinstatement fees for noncompliance (PARTIALLY VETOED)

- Lowers from \$100 to \$40 the reinstatement fee associated with a suspension for failing to have proof of financial responsibility (i.e., auto insurance) for first-time offenders.
- Would have lowered that same reinstatement fee from \$300 (second time offenders) and \$600 (third time offenders or more) to \$40 (VETOED).
- Lowers the portion of the reinstatement fee distributed to the Indigent Defense Support Fund to \$10 (regardless of the number of prior offenses).

Distracted driving safety course

- Regarding the opportunity to take a distracted driving safety course in lieu of a fine and points for driving while using an electronic wireless communication device (EWCD), does both of the following:

- Requires evidence of course completion to be submitted to the court within 90 days of the offense; and
- Clarifies that successfully completing the course does not result in dismissal of the charges, and the violation constitutes a prior offense if the offender is subsequently convicted of an EWCD violation within two years of the initial offense.
- Regarding the opportunity to take a distracted driving safety course in lieu of a \$100 fine for distracted driving, requires the course to be completed within 90 days of the underlying offense.

Emergency vehicles using flashing lights

- Allows a vehicle being used on a road or highway for emergency preparedness, response, and recovery activities to use flashing amber or flashing red and white lights if the vehicle is being operated by a person from one of the following:
 - The Ohio Emergency Management Agency;
 - A countywide emergency management agency;
 - A regional authority for emergency management; or
 - A program for emergency management.

Peer-to-peer car sharing programs

- Removes requirements that a peer-to-peer (P2P) car sharing program collect certain information, retain certain records, and exclude certain vehicles from its platform and those that use the platform.
- Modifies the automobile and general insurance requirements related to P2P car sharing programs.

Motor vehicle sales, dealers, and manufacturers

Motor vehicle sales

- For the Motor Vehicle Sales Law:
 - Expands the meaning of “persons” to include a variety of business entities.
 - Expands the meaning of “business” to include activities conducted through the internet or other computer networks.
 - Expands the meaning of “retail sale” to include sales that occur through the internet or other computer networks.
 - Modifies the meaning of “motor vehicle leasing dealer” to include a financial institution acting as a lessor and to exclude a new motor vehicle dealer that is not the lessor.

- Defines “established place of business” to mean a permanent building or structure that meets certain conditions, potentially barring individuals whose business does not meet those conditions from licensure.

Manufacturer, dealer, and distributor vehicle registration

- Requires the Registrar to issue a license plate, rather than a placard, to vehicle manufacturers, dealers, distributors, and other similar professionals that require a temporary identification for vehicles in their possession.
- Requires the Registrar to issue corresponding and matching additional certificates of registration and license plates, rather than certified copies of the original certificate and placards, for any additional license plates requested.

Motor Vehicle Dealers Board

- Authorizes the Motor Vehicle Dealers Board to conduct meetings or hearings via teleconference or video conference.

Corrective changes

- Corrects references in law to an annual renewal for specified licenses that are currently biennial.

State Board of Emergency Medical, Fire, and Transportation Services

- Eliminates a requirement that each organization nominating persons to the State Board of Emergency Medical, Fire, and Transportation Services put forth three nominees and, instead, allows each organization to nominate any number of persons.
- Does both of the following regarding the Board member who is certified to teach emergency medical services training and who holds a certificate to practice as an EMT, AEMT, or paramedic:
 - Eliminates the requirement that the Governor appoint the member from among three persons nominated by the Ohio Emergency Medical Technician Instructors Association and the Ohio Instructor/Coordinators’ Society; and
 - Instead, requires the member to be appointed from among EMTs, AEMTs, and paramedics nominated by the Ohio Association of Professional Firefighters and EMTs, AEMTs, and paramedics nominated by the Northern Ohio Fire Fighters.
- Specifies that if any nominating organization ceases to exist or fails to make a nomination within 60 days of a vacancy, the Governor may appoint any person who meets the designated professional qualifications for that member.
- Extends the potential time a member of the Board may continue in office if a successor does not take office from 60 days to three years.

- Eliminates a requirement that each organization nominating persons to the Trauma Committee of the State Board put forth three nominees and, instead, allows each organization to nominate any number of persons.
- Specifies that if any nominating organization ceases to exist or fails to nominate a member for the Trauma Committee within 60 days of a vacancy, the DPS Director may appoint any person who meets the designated professional qualifications for that member.
- Eliminates a restriction preventing the Director from appointing more than one member to the Committee who is employed by or practices in the same health system.
- Further modifies that restriction to allow the Director to appoint persons who practice at the same hospital or with the same emergency medical service (EMS) organization, provided they do not primarily practice at the same hospital or with the same EMS organization.

Emergency vehicle permits and ambulance inspections

- Requires the Board of Emergency Medical, Fire, and Transportation Services to issue or deny a permit for an emergency medical vehicle or aircraft within 45 days of receiving the application.
- Specifies that the Board must deny an application in accordance with the Administrative Procedure Act.
- Adds the national standards for ambulance construction approved by the American National Standards Institute and the standards for ambulance construction approved by the Commission on Accreditation of Ambulance Services as standards by which the Board may determine the sufficiency of an ambulance's interior components.

Assistant EMS and firefighter instructors

- Authorizes any person issued an EMS Assistant Instructor Certificate or Assistant Fire Instructor Certificate prior to April 6, 2023, to continue to hold and renew those certifications until the person allows them to expire or lapse.
- Requires the State Board of Emergency Medical, Fire, and Transportation Services to cease issuing new certifications to work as an assistant EMS or assistant fire instructor.

Ohio Narcotics Intelligence Center

- Codifies the Ohio Narcotics Intelligence Center in DPS, which was originally created by a Governor's Executive Order.
- Requires the Center to perform specified duties, including coordinating law enforcement response to illegal drug activities for state agencies and acting as a liaison between state agencies and local entities to communicate counter-drug policy initiatives.
- Requires the DPS Director to appoint an executive director of the Center, who serves at the Director's discretion.

- Requires the executive director to advise the Governor and the Director on matters pertaining to illegal drug activities.

Security Grants Program

- Expands the eligible uses of grants issued under the Security Grants Program managed by the Emergency Management Agency (EMA).
- Authorizes a nonprofit organization that serves a broad community or geographic area to apply for a security grant to provide antiterrorism services throughout its region, including armed security personnel.
- Authorizes multiple nonprofit organizations that are located at the same address to apply for separate security grants, provided they can explain how they will each use the funding to address a different vulnerability.
- Requires the EMA to post information regarding the security grants and applicants on its website.

PUBLIC UTILITIES COMMISSION

Electric infrastructure development (VETOED)

- Would have permitted an electric distribution utility (EDU), prior to beginning an infrastructure development, to apply to PUCO for approval of an infrastructure development application for an economic development project (a land development of at least ten contiguous acres with the potential for commercial or industrial development but without adequate electric distribution service from an EDU) (VETOED).
- Would have permitted PUCO to approve an application if the infrastructure development were necessary to support or enable a state or local economic development project (VETOED).
- Would have allowed PUCO, for an application, to approve the collection of certain infrastructure development costs using funds from either, but not both,(1) disbursements from the All Ohio Future Fund or (2) a rider or rate mechanism under the public utility ratemaking or competitive retail electric service laws (VETOED).

Natural gas companies

- Expands what is included as “natural gas” for purposes of determining entities that are natural gas companies under public utilities law.
- Expands the property, equipment, or facilities installed or constructed by a natural gas company that may be treated as instrumentalities and facilities for distribution service after PUCO approval.

PUBLIC WORKS COMMISSION

Clean Ohio Conservation Fund grant agreements

- Requires the Ohio Public Works Commission (OPWC) to amend certain Clean Ohio Conservation Fund grant agreements (and related deeds) made with a municipal corporation or nonprofit to acquire land or rights in land in Guernsey and Belmont counties.
- Stipulates that any amendment to a grant agreement must specify:
 - That any use restriction on the land concerning the grant agreement applies only to the surface of the land;
 - That the use restriction does not apply to the mineral rights under the land surface;
 - That the grantee may sell, assign, transfer, lease, exchange, convey, or otherwise encumber the property's mineral rights; and
 - That the holder of the mineral rights may extract the resources subject to them in accordance with law.
- Allows OPWC to pursue remedies specified in deed restrictions or to exercise its legal right to pursue liquidated damages as authorized under Ohio law.

OPWC appointments and vacancies

- Establishes a schedule for appointments to fill vacancies on OPWC, and changes the length of terms for Commission members from three years to four years.

DEPARTMENT OF REHABILITATION AND CORRECTION

Targeted Community Alternatives to Prison (T-CAP)

- Changes the name "Targeting" Community Alternatives to Prison program to "Targeted" Community Alternatives to Prison.
- Requires the Department of Rehabilitation and Correction (DRC) to establish deadlines for a voluntary county to indicate its participation in T-CAP before each fiscal biennium.
- Requires a memorandum of understanding to set forth plans by which the county will use the grant money.

Earned credit

- Effective April 4, 2024, increases the maximum credit a prisoner may earn for participating in a DRC-approved program from 8% to 15% of the prisoner's sentence; and specifies that if a prisoner has met the 8% cap as of October 3, 2023, or reaches the 8% cap between October 3, 2023, and April 3, 2024, the cap is 15% of the prisoner's sentence.

- Stipulates that this change applies only with respect to the time the prisoner is confined between October 3, 2023, and April 4, 2024, and the 15% cap that takes effect April 4, 2024, will apply only with respect to the time a prisoner is confined on or after that date.

Public records – correctional and youth services employee

- Modifies the public records exception for “restricted portions of a body-worn or dashboard camera recording” by adding correctional employees and youth services employees in each place there is a reference to peace officers and law enforcement.

Adult Parole Authority termination of post-release control

- Modifies the Adult Parole Authority’s functions with respect to classifying, as “favorable” or “unfavorable,” the termination of an offender’s post-release control.

Full parole board hearings

- Removes the ability for a parole board hearing officer, a board member, or the Office of Victims’ Services to petition for a full parole board hearing.
- Provides that if a victim of certain offenses, the victim’s representative, or specified other persons request a full board hearing, they must do so through the Office of Victims’ Services.
- Permits certain family members of a victim to request, through the Office of Victims’ Services, for a full board hearing and, if a request is made, the majority of those present at the board meeting must determine whether a full board hearing will be held.
- Requires the parole board to grant a prosecuting attorney’s request for a full board hearing.
- Allows the State Public Defender, when designated by DRC, to appear at a full board hearing and to give testimony or to submit a written statement.

Ohio Penal Industries

- Requires DRC to allow prisoners working toward completion of a high school diploma or equivalent to participate in Ohio Penal Industries.

Victim conference communications

- Provides that communications during a victim conference are confidential and are not public records.

Local jail grants

- Requires DRC to determine, by July 1, 2024, which counties will receive local jail grant assistance, using a funding formula by which the Department of Taxation ranks counties by their property tax and sales tax revenues.
- Requires DRC to adopt application guidelines and conduct a needs assessment before determining which counties receive funding.

- Sets a county's share of the basic project cost as the percentage equal to its percentile ranking under the funding formula, provided the state's share cannot be less than 25%.

STATE RETIREMENT SYSTEMS

SERS contribution based benefit cap

- Requires the School Employees Retirement Board (SERS Board) to establish the "contribution based benefit cap" (CBBC), which is the limit on the retirement allowance a member may receive.
- Requires the SERS Board, beginning August 1, 2024, to calculate a member's CBBC based on the member's contributions converted to an annuity and multiplied by the CBBC factor designated by the Board, and reduce the member's retirement allowance to equal the member's CBBC if the retirement allowance would exceed the CBBC.
- Applies the CBBC to retirement allowances and to survivor benefits that are based on retirement allowances.

PERS combined plan consolidation

- Allows the Public Employees Retirement System (PERS) to consolidate its combined plan with its defined benefit plan, and establishes requirements for how members' accounts and funds are to be treated following the consolidation.
- Specifies the eligibility requirements for age and service retirement of a member participating in the combined plan following consolidation with the defined benefit plan.
- Establishes the formulas to calculate the retirement allowance such a member is eligible to receive based on the funds in the member's account.
- Specifies that the laws governing PERS regarding coordination of benefits, purchases or transfers of service credit, contribution refunds, service as a PERS law enforcement or public safety officer, and long-term care insurance do not apply to a member's individual account if the member participated in the combined plan at the time of consolidation.

Additional PERS service credit purchase

- Allows a PERS member appointed by the Speaker of the House or Senate President to serve full-time as a member of a board, commission, or other public body to purchase additional PERS service credit for the appointment period.

SECRETARY OF STATE

Data Analysis Transparency Archive (DATA) Act

- Enacts the Data Analysis Transparency Archive (DATA) Act to create a new office within the Office of the Secretary of State (SOS) and to modify how boards of elections must retain election data, enter it in the Statewide Voter Registration Database (SWVRD), and make it available to the public.

- Requires the SOS and the boards to implement these changes by January 1, 2025.

Office of Data Analytics and Archives

- Creates the Office of Data Analytics and Archives in the Office of the SOS, which must retain, analyze, and publish election data and business services data.

Statewide Voter Registration Database

- Codifies the data fields that must be included in the SWVRD for each registered elector and institutes uniform requirements for related recordkeeping.
- Provides uniform methods for determining an elector's voter registration date and voting history for inclusion in the SWVRD.
- Requires that the SWVRD include each elector's last activity date, as defined by the SOS by rule, along with any other information required by rule.
- Requires the boards of elections to create daily archives of their voter registration databases and send them to the SOS during the period beginning on the 46th day before an election and ending on the 81st day after an election.

Public access to voter registration records

- Specifies that voter registration forms and the SWVRD are public records subject to disclosure under the Public Records Law in the same manner as records of other public offices, instead of requiring those records to be open to public inspection under a separate provision of law.
- Clarifies which information in a voter registration record is subject to disclosure and prohibits the disclosure of an elector's telephone number or email address.
- Adds to the information that must be available about each elector on the public website version of the SWVRD.
- Requires that website to show an elector's birth date, voter registration date, and last activity date, in addition to other information that is included under continuing law.
- Prohibits any of the information that is exempt from disclosure as a public record from being made available on the website.

Retention of ballots

- Lengthens the time that boards of elections must preserve all used and unused ballots from a nonfederal election from 60 days to at least 81 days after election day.

Public inspection of drop box surveillance

- Removes the requirement that the recordings of video surveillance of secure ballot drop boxes must be available for public inspection immediately upon request, and instead specifies that they be made available upon request under the Public Records Act.

- Changes the deadline that each day's video recordings and video surveillance of secure ballot drop boxes must be made available on the internet for streaming or download to the public from 24 hours to 72 hours after the video ends.

Canvass of election returns

- Allows the boards of elections to begin the canvass of the election returns as early as the fifth day after Election Day, as opposed to the 11th day as under previous law.

Campaign communications regarding county parties

- Adds prohibitions to the Campaign Finance Law to prohibit a political action committee or political contributing entity from impersonating or purporting to speak on behalf of a county political party without the party's permission.

Precinct election official training

- Requires the SOS to make grants to the boards of elections for precinct election official training programs, instead of reimbursing counties for those costs.

Electronic pollbook reimbursement

- Modifies procedures established under H.B. 45 of the 134th General Assembly to reimburse boards of elections for 85% of the cost of electronic pollbooks and ancillary equipment, up to each county's allocated share of a previous appropriation.

Safe at Home fines

- Allows courts to retain for administrative purposes up to 25% of fines collected by the court for the Address Confidentiality Program administered by the SOS, which is also known as Safe at Home.
- Allows a court to assign to the prosecuting attorney as reimbursement up to 25% of fines collected by the court for the program.

Save our Farmland and Protect our National Security Act (PARTIALLY VETOED)

- Requires the SOS to publish a registry of individuals, businesses, organizations, and governments that constitute a threat to the agricultural production of Ohio or the U.S.
- Requires the SOS, in compiling the registry, to consult certain federal government lists of foreign adversaries, terrorist organizations, and sanctioned persons.
- Prohibits all persons listed on the registry ("registered persons") from acquiring agricultural land in Ohio.
- Allows an exception for property acquired by devise or descent or by operation of law in the collection of a debt, but requires the registered person to divest of the acquisitions within two years.
- Allows registered persons to retain land holdings acquired before October 3, 2023.

- Specifies that property acquired in violation of the act escheats to the state and must be sold at public auction.
- Would have required the SOS to include in the registry individuals, businesses, organizations, and governments that constitute a threat to military defense (VETOED).
- Would have prohibited registered persons from acquiring real property located within 25 miles of a military base, camp, airport, or other similar installation under the jurisdiction of the U.S. armed forces (VETOED).
- Names the prohibition the Save our Farmland and Protect our National Security Act.

DEPARTMENT OF TAXATION

Income tax (PARTIALLY VETOED)

- Phases down income tax rates and reduces the number of income tax brackets over two years, beginning with the 2023 taxable year.
- Suspends the annual inflation indexing adjustment of income tax brackets and personal exemption amounts for taxable years beginning in 2023 and 2024.
- Would have further suspended those inflation adjustments after 2024 until taxpayers paid no tax on their first \$26,050 of income (VETOED).
- Would have required the Department of Taxation (TAX), beginning in September 2024, to reduce income tax withholding rates so that the total estimated reduction in withholding collections equaled an amount earmarked from the Budget Stabilization Fund (VETOED).
- Authorizes an income tax deduction for individuals who contribute to a homeownership savings account.
- Authorizes, for homeownership savings account holders, an income tax deduction for interest earned on savings in, and employer contributions to, an account.
- Allows donations to scholarship granting organizations made by the state income tax return filing deadline (typically April 15) to be the basis of an income tax credit claim for the preceding taxable year (the year for which the return is filed).
- Allows taxpayers with income of \$100,000 or more to qualify for the nonrefundable income tax credit for tuition paid to a nonchartered, nonpublic school, and increases the value of that credit.
- Includes certain pass-through entity (PTE) taxes remitted on behalf of an investor in the calculation of the investor's Ohio income tax resident credit.
- Requires a PTE investor to add back certain PTE taxes imposed by another state that the investor deducts from federal adjusted gross income as a business expense.

- Applies the PTE provisions to taxable years ending on or after January 1, 2023, but allows taxpayers to apply, at their option, the provisions to taxable years ending on or after January 1, 2022, with an amended or original return.
- Removes the requirement for employers who withhold and remit employee income taxes on a partial weekly basis to file quarterly reconciliation returns, instead requiring such employers to file an annual return, starting in 2024.

Municipal income taxes

- Exempts the income of minors from municipal income taxation.
- Corrects an erroneous cross-reference governing the deduction of net operating losses and requires municipal corporations to incorporate the change in 2023.
- Allows a business with remote employees to use a modified municipal income tax apportionment formula with respect to those employees.
- Limits the circumstances under which municipal income tax inquiries or notices may be sent by a municipal tax administrator or the Tax Commissioner to a taxpayer subject to a filing extension.
- Limits the penalty for failing to timely file municipal income tax returns from \$25 monthly, up to \$150, to a one-time \$25 penalty, and exempts a taxpayer's first failure to timely file from the penalty.
- Provides an additional, automatic one-month extension for municipal income tax returns where a business entity has received a six-month federal extension.
- Requires TAX to provide municipal corporations with information on any businesses that had municipal taxable income apportioned to the municipal corporation in the preceding five or seven months, as opposed to in any prior year.
- Requires a municipal corporation to notify TAX any time there is a decrease in the municipal corporation's income tax rate.

Sales and use tax (PARTIALLY VETOED)

- Authorizes a sales tax holiday for most items priced under \$500 to be held sometime in August of 2024 (PARTIALLY VETOED).
- Requires the state to hold similar, possibly shorter, sales tax holidays in future years if the surplus revenue in the GRF reaches a certain threshold.
- Uses this mechanism to replace the income tax reduction fund, which had used surplus revenues to temporarily reduce income tax rates.
- Suspends the existing sales tax holiday for clothes and school supplies in any year in which the act's sales tax holiday applies.
- Exempts children's diapers, creams, and wipes and car seats, cribs, and strollers from sales and use tax, beginning October 1, 2023.

- Adds specific references to construction material and services sold or rented to government entities for temporary traffic control or drainage purposes to a sales and use tax exemption for sales and rentals to government entities (PARTIALLY VETOED).

Lodging taxes

- Authorizes Hamilton County to levy an additional 1% lodging tax to fund convention, entertainment, or Major League Soccer facilities, and to repurpose a portion of its existing 3% general and special lodging tax revenue to fund or promote such a facility.
- Authorizes Cincinnati to repurpose a portion of the revenue from its 3% general lodging tax or 1% special convention center lodging tax to fund such facilities.
- Authorizes a county to use a portion of the revenue from its general lodging tax to fund public safety services in a municipality or township designated as a resort area.
- Authorizes a county with a population exceeding 800,000 (Franklin, Cuyahoga, and Hamilton) or a municipality within the county to wholly or partially exempt from lodging taxes a designated hotel associated with a convention center (“headquarters hotel”).
- Authorizes the county or municipality to require payments in lieu of taxes (PILOTs) from the headquarters hotel to finance facilities associated with the hotel or convention center.
- Authorizes the county or municipality, or a port authority, to enter into an agreement with the headquarters hotel operator for the operator to make binding payments to ensure funds for the completion of the associated facilities.
- Authorizes Delaware County or port authorities in that county to issue bonds backed by the county’s existing or renewed special 3% lodging tax to finance permanent improvements at fairground sites.

Commercial activity tax (CAT) (PARTIALLY VETOED)

- Excludes, for tax periods beginning in 2024, taxable gross receipts of \$3 million or less and, for tax periods in 2025 and thereafter, taxable gross receipts of \$6 million or less from the CAT (PARTIALLY VETOED).
- Would have indexed the \$6 million exclusion threshold to increase with inflation in 2026 and thereafter (VETOED).
- Eliminates the CAT minimum tax, only applying the CAT to a business’s gross receipts in excess of the exclusion threshold.
- Eliminates calendar year CAT filing, which was principally available to taxpayers with less than \$1 million in gross receipts, who are excluded from the CAT under the act.
- Excludes from gross receipts taxable under the CAT any federal, state, or local grants received or debt forgiven to provide or expand broadband service in Ohio.

- Modifies the method of allocating CAT revenue for the payment of tangible personal property tax replacement payments.

Financial institutions tax

- Clarifies which entities are included in a taxpayer group subject to the financial institutions tax (FIT).
- Repeals an expired FIT deduction allowed for investments in a qualifying real estate investment trust.

Sports gaming tax

- Increases the sports gaming receipts tax rate from 10% to 20% beginning July 1, 2023.
- Requires nearly all of the sports gaming tax revenue to be used for the general support of K-12 education.

Cigarette, tobacco, and vapor products (PARTIALLY VETOED)

- Would have allowed a wholesaler or distributor to obtain a refund of excise taxes on cigarettes, other tobacco products, and nicotine vapor products remitted on bad debts arising from the sale of those products and charged off on or after January 1, 2024 (VETOED).
- Would have authorized an exemption from the vapor products tax for certain distributors (VETOED).
- Extends the deadline for renewing annual cigarette tax licenses to June 1 instead of the 4th Monday in May.
- Modifies Cuyahoga County's authority to levy cigarette taxes and rescinds its authority to levy a new tax on nicotine vapor products.

Motor fuel taxes

- Authorizes townships to use motor fuel tax revenue to purchase buildings suitable for housing road machinery and equipment, in addition to the already permitted uses of planning, constructing, and maintaining them.
- Imposes personal liability for the fuel use tax on individual owners, employees, officers, and trustees who are responsible for reporting and paying the tax for a taxpayer.

Public utility taxation

- Exempts heating companies from the state's public utilities excise tax, and instead subjects them to the CAT.

Tax incentives

Low-income housing tax credit

- Authorizes a nonrefundable credit against the insurance premiums, financial institution, or income tax for the development of low-income rental housing that is awarded in conjunction with the federal low-income housing tax credit (LIHTC).
- Allows the Ohio Housing Finance Agency (OHFA) to reserve a state tax credit for any project in Ohio that receives a federal LIHTC allocation, as long as the project is located in Ohio and begins renting units after July 1, 2023.
- Prohibits OHFA from reserving any credits after June 30, 2027.
- Limits the amount of state credits that may be reserved in a fiscal year to \$100 million, but allows unreserved credit allocations and recaptured or disallowed credits to be added to the credit cap for the next fiscal year.
- Limits the credit reserved for any single project to an amount necessary, when combined with the federal credit, to ensure financial feasibility.
- Requires OHFA to reserve credits in a manner that ensures projects create additional housing units they would not otherwise create.

Single-family housing development credit

- Authorizes a nonrefundable tax credit against the insurance premiums tax, FIT, or income tax for investment in the development and construction of affordable single-family homes.
- Requires local governments and quasi-public development entities to submit applications for the credit, but allows them to allocate credits to project investors.
- Allows OHFA to reserve a tax credit for any project in Ohio that may qualify for the credit, as long as the project meets affordability qualifications adopted by OHFA.
- Prohibits OHFA from reserving any credits after June 30, 2027.
- Limits the amount of credits that may be reserved in a fiscal year to \$50 million, but allows unreserved credit allocations and recaptured or disallowed credits to be added to the credit cap for the next fiscal year.
- Limits the amount of credit reserved for any single project to the amount by which the project's development costs exceed the fair market value of the project's homes.

Film and theater credits

- Increases the total amount of film and theater production tax credits that may be awarded each fiscal year from \$40 million to \$50 million and requires that \$5 million of the total be reserved for Broadway theatrical productions.

- Authorizes, beginning in FY 2025, a refundable tax credit against the FIT, income tax, and CAT for production companies that complete certain capital improvement projects in Ohio.
- Sets the credit at 25% of the amount a production company spends to construct, acquire, repair, or expand facilities that will be used in a motion picture or theatrical production, up to \$5 million per project.
- Caps the total amount of new credits that may be awarded each fiscal year at \$25 million and caps the credits that may be awarded to projects in a single county at \$5 million per fiscal year.
- Allows the Department of Development to allocate any amount of the otherwise allowable capital improvement credit to the film and theater production credit.

Job creation and retention credits

- Authorizes the Tax Credit Authority to adjust the amount that a noncompliant taxpayer must repay from a job creation or job retention tax credit one time within 90 days after initially certifying a repayment.

Research and development credits

- Modifies the manner in which a taxpayer that consists of multiple individuals or entities may compute and claim a research and development (R&D) tax credit against the FIT or CAT.
- Requires a taxpayer claiming a R&D credit to retain records substantiating the claim for four years.
- Allows TAX to audit a representative sample of a taxpayer's R&D expenses to verify that the taxpayer correctly computed the R&D credit.

Consumer-grade fireworks fee

- Exempts the 4% fee on the sale of consumer-grade fireworks from sales and use tax, so long as the fee is separately stated on the sales receipt.
- Authorizes a CAT exclusion for collections of the separately stated fireworks fees.

East Palestine derailment payments

- Authorizes a personal income tax deduction for government or railroad company payments received by a taxpayer as the result of the February 3, 2023, train derailment in East Palestine.
- Authorizes a CAT exclusion for compensation for business losses resulting from that derailment.

Property tax

Homestead exemption

- Indexes the amount of all homestead exemptions so that each exemption, and the resulting tax savings, increase in proportion to the increase in a broad price inflation index (gross domestic product deflator).

Valuation of subsidized rental housing

- Requires the Tax Commissioner to prescribe a formula for uniformly valuing federally subsidized rental housing that takes into account a property's operating income and expenses and a uniform capitalization rate.
- Sets a minimum total value for such property of 150% of the value of the underlying land or \$5,000 per dwelling unit, whichever is greater.
- Requires the property owner to regularly report the property's operating income and expenses to the county auditor.
- Removes law explicitly authorizing a county auditor to value LIHTC property by employing the income approach, cost approach, or comparable sales approach.
- Requires OHFA to prepare and annually update a list of all Ohio federally subsidized residential rental property and annually certify the list to the Auditor of State, the Board of Tax Appeals, and TAX, who in turn certifies it to all county auditors.

Residential development exemption

- Exempts from property tax the value of unimproved land subdivided for residential development in excess of the last arms-length sales price of the property from which that land was subdivided, apportioned according to the relative value of each subdivided parcel.
- Authorizes the development exemption for up to eight years, or until residential construction begins or the land is sold.
- Does not allow the exemption for development land included in a tax increment financing (TIF) project.

Tax increment financing

- Allows a subdivision to remove a parcel from a TIF and include the parcel in a new TIF under certain circumstances.
- Authorizes an impacted city, i.e., a city that meets certain urbanization or disaster criteria, to reallocate, before July 1, 2024, TIF service payments to certain projects that do not directly benefit the assessed parcels.
- Extends the circumstances under which a county, municipality, or township may extend the maximum term of a parcel TIF by up to 30 years.

- Allows a municipality to extend the life of an existing TIF for up to 15 years if certain conditions are met.

Qualified energy project tax exemptions (PARTIALLY VETOED)

- Extends the sunset date of a property tax exemption for qualified energy projects from 2025 to the later of 2029 or the year the federal government determines there has been a 75% reduction in greenhouse gas levels compared to 2022.
- Reduces the ratio of Ohio-domiciled full-time equivalent (FTE) employees required to be employed, as a condition of receiving that exemption, at a new solar energy project from 80% to 70% of all FTE project employees.
- Requires new large renewable energy projects to comply with prevailing wage and apprenticeship requirements as a condition of obtaining that exemption.
- Allows existing solar energy projects that voluntarily comply with the prevailing wage and apprenticeship requirements that apply to new projects to apply the same reduced 70% ratio for Ohio-domiciled FTE employees.
- Would have included out-of-state workers who reside within 50 miles of Ohio and are members of certain labor organizations as “Ohio-domiciled” employees for purposes of calculating compliance ratios for that exemption (VETOED).
- Changes the calculation of FTE employee hours for the purpose of complying with the terms of that exemption.

Other property tax provisions

- Authorizes a park district to renew, increase, or decrease an existing voted property tax levy.
- Authorizes owners of real property that qualified for a brownfield tax abatement in 2020, but was not subject to the abatement until 2022, to apply for the abatement to apply retroactively for two years and terminate two years earlier than scheduled.
- Authorizes the second and third publication of a notice of an impending property tax foreclosure action to be made online, provided the notice’s first publication continues to be made in a newspaper of general circulation.
- Specifies that existing abbreviated newspaper publication procedures for government notices apply to the publication of a property tax foreclosure notice if the second and third publication of the notice continues to be made in a newspaper.
- Creates a joint legislative committee to make recommendations on reforms to property tax law and hold hearings on pending property tax legislation.

Special improvement districts

- Prohibits park district property from being included in a special improvement district unless the park district consents to its inclusion.

Tax administration

- Authorizes TAX to send any tax notice previously required to be sent by certified mail by ordinary mail or, with the taxpayer's consent, electronically.
- Removes required recordkeeping standards a delivery service must meet before it may be used by TAX to deliver tax notices.
- Requires county auditors to accept real property and manufactured home conveyance forms electronically.
- Eliminates a requirement that taxpayers file amended reports with respect to the defunct corporation franchise tax.
- Streamlines the authority of TAX to share confidential tax information with state agencies.
- Makes conforming changes to a recently enacted law that allows taxpayers to obtain a refund of tax-related penalties and fees.

Local Government and Public Library Funds

- Permanently increases the percentage of state tax revenue that the Local Government Fund (LGF) and Public Library Fund (PLF) each receive per month, from 1.66% to 1.7%.
- Increases the minimum amount that may be distributed from the LGF to each county to \$850,000, beginning in FY 2024.
- Requires the county budget commission of a county that adopts an alternative distribution formula for the county undivided local government fund, using the standard procedure to adopt such a formula, to hold a hearing on the formula every five years.

DEPARTMENT OF TRANSPORTATION

Transportation Review Advisory Council (VETOED)

- Would have altered the membership of the Transportation Review Advisory Council (TRAC) by doing the following:
 - Reducing the number of members appointed by the Governor from six to five;
 - Increasing the number of members appointed by the Senate President from one to two and the number appointed by the Speaker of the House from one to two; and
 - Making the Director of Transportation a nonvoting member.

Connect4Ohio Program

- Establishes the Connect4Ohio Program to be administered by the Ohio Department of Transportation (ODOT), for purposes of making it easier for Ohio workers to commute from their homes to employment centers.
- Requires ODOT and TRAC to work together to prioritize:
 - Completing existing corridor projects, particularly those that benefit rural counties;

- Eliminating traffic impediments along highways, particularly within rural counties;
- Providing funding at 100% of the project cost when appropriate; and
- Providing matching community funds that are required for TRAC approval of a project.
- Requires the ODOT Director to establish any necessary procedures or requirements for purposes of the program.
- Appropriates \$500 million for the program.

Wayside detector system expansion

- Establishes the Ohio Wayside Detector System Expansion Program, administered by the Ohio Rail Commission.
- Allows Class II and Class III railroad companies to apply for competitive grants for wayside detector system projects, including projects related to installation, equipment, power sources, and employee training.
- Requires the railroad company to fund a percentage of the wayside detector system project, based on the company's size.
- Requires the Commission to establish procedures and requirements necessary to administer the program.

FlyOhio tethered drones pilot

- Requires ODOT's Office of Aviation to conduct a pilot program to field test the use of tethered drones over rural campsite areas and urban or suburban areas.
- Requires the Office:
 - To gauge the feasibility and cost-effectiveness of using tethered drones to provide data and information to emergency responders, public safety professionals, and infrastructure security professionals;
 - To examine both mobile and permanent tethered drones, including deployment in all weather and hazard conditions through the purchase and use of tethered drones by the Mandel Jewish Community Center in Cleveland at its main campus and at its Camp Wise in Geauga County; and
 - To issue a report of its findings on July 1, 2024, and July 1, 2025, after which the pilot program is abolished.

TREASURER OF STATE

Pay for Success contracts

- Eliminates the requirement that at least 75% of Pay for Success contracts include performance targets requiring greater improvement in the targeted area as compared to other areas (based on scientifically valid regional or national data).

- Eliminates the requirement that the Treasurer of State adopt rules establishing a process to determine whether the regional or national data used to determine the performance targets is scientifically valid.

State real property

- Transfers, from the Treasurer to the Department of Administrative Services (DAS), the responsibility to develop and maintain a comprehensive and descriptive database of all real property under the custody and control of the state.
- Requires each state agency to collect and maintain information on the agency's land holdings.
- Removes the Treasurer from the Ohio Geographically Referenced Information Program Council.

Authority of the Treasurer of State

- Specifies that custodial funds do not include items held in safekeeping by the Treasurer, such as collateral pledged to a state agency.
- Allows payment out of custodial funds upon any proper order of the officer authorized to make payment, regardless of whether that order is directed to the Treasurer.
- Provides that the term "warrant" includes an order drawn upon the Treasurer by an authorized person at a state entity holding a custodial account.
- Clarifies that warrants may have multiple payees and may be paid through a variety of instruments, including commercial paper, stored value cards, direct deposit, and drawdown by electronic benefit transfer.
- Requires the Treasurer to provide the Director of Budget and Management electronic records of all paid warrants on a daily basis, rather than monthly, and eliminates the requirement that the Director provide the Treasurer with paper receipts.
- Creates the Treasurer's Information Technology Reserve Fund, consisting of amounts transferred from the Securities Lending Program Fund and an account used to service federal student loans, for the purpose of acquiring or maintaining hardware, software, or contract services for the Treasurer's office.
- Changes notice of bid requests for contracts with financial institutions relating to financial transaction devices from newspaper to online publication.
- Authorizes the State Board of Deposit to contract with other financial institutions, in addition to the winning bidders, if it determines the additional contracts are in the state's best interest.
- Repeals authorization for the Treasurer to contract with financial institutions for collection of taxes and fees.

Uniform Depository Act

- Changes the timeline and method for the Treasurer to notify the Board of Deposit about the classification of interim moneys.
- Modifies the classification of state moneys for purposes of deposits with public depositories and investments.
- Modifies eligibility of financial institutions to hold warrant clearance accounts with active deposits (i.e., public funds needed to meet current demands), as well as corresponding reporting requirements.
- Expands the purposes of warrant clearance accounts to include funding electronic benefit transfer cards, issuing stored value cards (i.e., prepaid cards), or otherwise facilitating the settlement of state obligations.
- Modifies the timeline and processes for designating public depositories of state funds.
- Expands the ways in which the Treasurer may invest interim moneys.
- Allows the Treasurer, rather than the State Board of Deposit, to select which interim investments or negotiated deposits are sold or redeemed when active deposits are insufficient to meet anticipated demands.

Linked deposit programs

- Creates the Home Improvement Linked Deposit Program to provide reduced rate loans to homeowners for maintenance of, or improvements to their homes.
- Creates the Homeownership Savings Linked Deposit Program to allow prospective homeowners to save for the down payment and closing costs associated with the purchase of a home in a premium rate savings account.
- Consolidates the administrative requirements in the statutes governing the Adoption, Agricultural, and Small Business linked deposit programs.
- Eliminates the SaveNOW, Business, Housing, Assistive Technology Device, and Short-term Installment Loan linked deposit programs.

Ohio Pooled Collateral Program

- Excludes moneys of metropolitan housing authorities from the Ohio Pooled Collateral Program.

Petroleum Underground Storage Tank Release Compensation Board funds

- Authorizes the Petroleum Underground Storage Tank Release Compensation Board to allow the Treasurer to invest surplus funds.

Social Security for political subdivision employees

- Repeals the authority of certain county-related corporations or cities to opt into Social Security and the Treasurer's involvement paying contributions to the U.S. Treasury.

Board of the Sinking Fund

- Eliminates many of the procedures for payment on bonded debt, but still requires the bonded debt to be paid.

Ohio coupon bonds and unclaimed funds

- Designates certain state bonds issued before 1985, known as "Ohio coupon bonds," as unclaimed funds if the bond's principal and interest is not redeemed for three years following maturity.
- Establishes a procedure whereby these coupon bonds, unlike other property subject to Unclaimed Funds Law, may escheat to the state.
- Allows the Director of Commerce discretion to pay out claims for coupon bonds that have already escheated to the state, minus the state's costs in securing title to the bonds.

Trust companies

- Shifts responsibility for accepting securities from trust companies and family trust companies from the Treasurer to the Superintendent of Financial Institutions.

Insurance companies

- Eliminates the Treasurer's role in accepting securities from certain insurance companies and shifts full responsibility to the Superintendent of Insurance.
- Requires the resident and nonresident surplus lines broker's license renewal fee to be paid to the Superintendent, instead of the Treasurer.

Collateral from certain reimbursing employers

- Eliminates the ability of a nonprofit employer that seeks to be a reimbursing employer under Unemployment Compensation to deposit collateral securities with the Director of Job and Family Services in lieu of a surety bond.

Community school closing audit bonds

- Eliminates all of the following related to community school closing audit bonds:
 - The option for a community school to deposit a \$50,000 cash guarantee with the Auditor of State in lieu of a bond;
 - A community school governing authority's ability to provide a written guarantee of payment in lieu of posting a bond, but retains that option for a school sponsor or operator;
 - The requirement that upon filing a bond, the Auditor deliver it to the Treasurer;

- The Treasurer’s responsibility to hold in trust all surety bonds filed or cash deposited for community schools.
- Requires the Attorney General, instead of the Treasurer, to assess a bond to reimburse the Auditor or public accountant for costs incurred in conducting audits of closed community schools that cannot pay.

Administration of state taxes

- Transfers to the Tax Commissioner the Treasurer’s duty to collect most taxes required to be paid electronically.
- Provides that, when required, the taxes must be paid “electronically,” rather than “by electronic funds transfer.”
- Makes various other changes related to the administration of state taxes.

Motor vehicle and watercraft

- Transfers from the Treasurer to the Registrar of Motor Vehicles the responsibility to receive sales and use taxes from the sale of motor vehicles, off-highway motorcycles, and all-purpose vehicles that are collected by each clerk of courts.
- Transfers from the Treasurer to the Tax Commissioner the responsibility to receive sales and use taxes from the sale of watercraft and outboard motors that are collected by each clerk of courts.
- Transfers from the Treasurer to the Registrar the responsibility for receiving monetary deposits to maintain financial responsibility for a motor vehicle.
- Establishes the Financial Responsibility Custodial Fund in which the money must be deposited.
- Eliminates the option to deposit government bonds to maintain financial responsibility for a motor vehicle.

ODNR surety requirements

- Creates the Performance Cash Bond Refunds Fund that consists of cash received by the Department of Natural Resources (ODNR) from other entities as performance security.
- Makes other changes related to ODNR’s surety requirements, including:
 - Requiring cash sureties collected by ODNR to be credited to the Performance Cash Bond Refunds Fund; and
 - Eliminating the Treasurer’s involvement in safekeeping deposited sureties and instead requiring the ODNR to hold the sureties in trust.

Technical changes

- Replaces “standard rating service” throughout the Revised Code with the more commonly used term, “statistical rating organization.”

- Eliminates references to the federal Office of Thrift Supervision and the Ohio Building Authority, which no longer exist.

BUREAU OF WORKERS COMPENSATION

Workers' compensation coverage for prison laborers

- Eliminates a requirement that inmates participating in the Federal Prison Industries Enhancement Certification Program must be covered by a disability insurance policy to provide benefits for loss of earning capacity due to an injury and for medical treatment of the injury following the inmate's release from prison.
- Allows inmates participating in the program to be covered as employees of the Department of Rehabilitation and Correction (DRC), or a private party participating in the program under certain circumstances, under the Workers' Compensation Law.
- Prohibits a private party from participating in an employer model enterprise under the program unless the private party meets certain requirements and is approved by the DRC Director.
- Requires an inmate to voluntarily consent to participate in the program before participating.
- Suspends an award of compensation or benefits under Workers' Compensation while a claimant is imprisoned, similar to other workers' compensation claims.
- Requires an inmate who is injured or contracts an occupational disease arising out of participation in authorized work activity in the program to receive medical treatment and medical determinations for purposes of Workers' Compensation from DRC's medical providers while in DRC custody.
- Limits medical determinations made by DRC's providers to initial claim allowances and requests for additional conditions.

Employers providing work-based learning programs

- Makes permanent a pilot program originally set to expire March 23, 2024, prohibiting the Administrator from charging an employer's experience for a workers' compensation claim if the employer provides work-based learning experiences for career-technical education program students and the claim is based on a student's injury, occupational disease, or death.
- Exempts the program's rules from review by the Joint Committee on Agency Rule Review, similar to other rules related to ratemaking under continuing law.

LOCAL GOVERNMENT

Municipal notices

- Allows a municipal corporation to publish certain items either via newspaper, the state's public notice website, or the municipal corporation's website and social media account.

Local competitive bidding thresholds

- Increases statutory competitive bidding thresholds to \$75,000 for counties, townships, municipal corporations, libraries, fire and ambulance districts, regional airport authorities, and regional water and sewer districts, and subsequently increases the amount annually by 3%.
- Prohibits subdividing projects or purchases to avoid competitive bidding requirements.

County road and public improvement projects

- Increases from 10% to 20% the allowable difference between a county road improvement project's estimate and the project's contract price.
- Increases from 10% to 20% the allowable difference between a local public improvement project's estimate and the project's contract price.

County credit cards

- Requires each county to adopt a policy regarding the use of its credit cards.
- Requires purchases on a county credit card to be for work-related expenses that serve a public purpose.
- Disallows use of a county credit card for finance charges, late fees, or sales tax unless approved by the board of county commissioners.

County recorder

- Allows a county recorder to extend current approved funding requests for the county recorder's technology fund beyond those formerly allowed, and requires a board of county commissioners to approve the extension.

Jail commissary profits

- Allows a sheriff to use profits from a jail commissary fund to pay for construction or renovation of a jail facility to provide medical or mental health services.

Drainage Assessment Fund

- Abolishes the Drainage Assessment Fund, which was funded by the General Assembly and was used to pay each state agency's share of local drainage assessments.

Township deputy fiscal officer

- Clarifies that a township deputy fiscal officer temporarily acting as a fiscal officer serves until the successor fiscal officer is either appointed or elected, rather than only elected under former law.

Township cemetery deeds

- Allows a township to record cemetery lot/right deeds with the county recorder as an alternative to the township's maintaining a book of the deeds.

Referenda on township zoning plan

- Increases the number of signatures required to place a question of whether to repeal a township zoning plan on the ballot from 8% to 15% of the total vote cast in that township for all candidates for Governor at the most recent general election.

New community authorities (NCAs)

- Allows inclusion of township-owned property in a new community district.
- Allows a board of township trustees to approve creation of a new community authority (NCA) or a change to the territory of an existing new community district, if the district's territory (or the territory added or removed) is entirely within the township and meets certain population criteria.
- Specifies that property subject to an NCA development charge may not also be exempted from taxation by a downtown redevelopment district or transportation finance district.

Assistance dog registration

- Expands the types of assistance dogs that qualify for free dog registration from the county auditor to include those trained by for-profit special agencies.
- Eliminates an ambiguity in the law related to the training of assistance dogs.

Notifying land banks of foreclosure sales

- Requires the levying officer to notify land banks when residential property is to be sold at public auction.

Regional transportation improvement projects (RTIPs)

- Authorizes an existing RTIP to enter into a memorandum of understanding with the Department of Transportation concerning improvements within 2,500 feet of the RTIP's right-of-way.
- Allows such an RTIP to exercise certain powers pursuant to that memorandum related to project funding, economic development, the operations of businesses, public-private partnerships, and the acquisition of property by appropriation or otherwise.
- Makes several changes to the procedures and requirements for the creation of a transportation financing district by an RTIP.

Public meetings of economic development entities

- Authorizes a board of directors of a community improvement corporation, a board of directors of a joint economic development zone, and a joint economic development review council, to hold public meetings by interactive video conference or by teleconference, if certain criteria are met.

Local regulation of tobacco and nicotine products (VETO OVERRIDDEN)

- Prohibits local regulation of tobacco products and alternative nicotine products as well as fees, taxes, assessments, and charges on the products other than those expressly authorized by state law (VETO OVERRIDDEN).

9-1-1 EMERGENCY TELEPHONE SERVICE LAW

9-1-1 Steering Committee

- Renames the “Emergency Services Internet Protocol Network Steering Committee” as the “9-1-1 Steering Committee” and does the following:
 - Requires the Steering Committee to advise and recommend policies or procedures to effectively govern a statewide next generation 9-1-1 (NG 9-1-1) system.
 - Requires each entity operating a public safety answering point (PSAP) to cooperate with the Steering Committee and provide them with certain data.
 - Requires the Steering Committee to meet at least once a quarter.
- Allows for the Steering Committee’s permanent subcommittees to meet either in person or utilize telecommunication-conferencing technology.
- Establishes that a majority of the voting members of a subcommittee constitutes a quorum.
- Adds to the PSAP Operations subcommittee one member representing the Division of Emergency Medical Services of the Department of Public Safety.
- Requires all PSAPs that answer 9-1-1 calls for service to be subject to the PSAP operation rules, with a two-year compliance window for PSAPs not originally subject to the rules.
- Requires the Steering Committee to establish guidelines for the Tax Commissioner regarding disbursing and using funds from the 9-1-1 Government Assistance Fund and to periodically review and adjust those guidelines as well as those for the NG 9-1-1 Fund.
- Requires the Steering Committee to report any adjustments to the Department of Taxation and delays the adjustments from taking effect until six months after the Department has been notified.

Countywide 9-1-1 systems

- Requires a countywide 9-1-1 system to include all territory of the townships and municipal corporations, including any portions of a municipal corporation that extend into an adjacent county.
- Allows a countywide 9-1-1 system to be either an enhanced or NG 9-1-1 system, or some combination of the two, and must be designed to provide access to emergency services from all connected communications sources.

- Allows for a countywide 9-1-1 system to be provided directly by the county, by a regional council of governments, or by connecting directly to the statewide NG 9-1-1 system for call routing and core services.
- Requires each county to appoint a county 9-1-1 coordinator to serve as the administrative coordinator for all PSAPs participating in a countywide 9-1-1 system final plan, and to serve as liaison with other county coordinators and the 9-1-1 Program Office.
- Requires each county to maintain a county 9-1-1 Program Review Committee, and changes provisions governing who may be members of the Review Committee.
- Requires each Review Committee to convene at least once annually for the purposes of maintaining or amending a final plan for implementing and operating a countywide 9-1-1 system, and requires any amendment to the final plan to receive a two-thirds vote of the Committee.
- Requires each Review Committee, annually by March 1, to submit a report to the political subdivisions within the county and to the 9-1-1 Program Office detailing the sources and amounts of revenue expended to support, and all costs incurred to operate, the countywide 9-1-1 system.
- Makes various changes regarding the countywide final plan, including the following changes to what should be specified in it:
 - Specifies how the PSAPs will be connected to a county's preferred NG 9-1-1 system;
 - Requires either enhanced 9-1-1 or NG 9-1-1 service, repealing the ability to allow basic 9-1-1 service to be provided;
 - Details how originating service providers must connect to the core 9-1-1 system identified by the final plan, and what methods will be used by the providers to communicate with the system;
 - Describes the capability of transferring or otherwise relaying information to the entity that directly dispatches emergency services should a PSAP not properly dispatch the needed services;
 - Explains how each emergency service provider (ESP) will respond to a misdirected call or a false caller location, or if the call fails to meet FCC or accepted national standards.
- Requires each county Review Committee, by April 3, 2024, to file a copy of its current final plan with the 9-1-1 Program Office and requires any revisions or amendments to be filed no later than 90 days after adoption.
- Requires an amended final plan whenever there is any upgrade to the countywide 9-1-1 system, and whenever there is a change or removal of a 9-1-1 system service provider as a participant in the countywide 9-1-1 system.
- Repeals the requirement that an entity wishing to be added as a participant in a 9-1-1 system file a letter of intent to the board of county commissioners.

Statewide NG 9-1-1 core services system

- Requires the 9-1-1 Program Office to coordinate and manage a statewide NG 9-1-1 core services system, which must be capable of providing service for the entire state.
- Repeals the requirement that the 9-1-1 Program Office Administrator report directly to the State Chief Information Officer.
- Requires the Program Office, by April 3, 2024, to draft, submit, or update an Ohio 9-1-1 plan to the Steering Committee, which must include the following:
 - A plan to address the act's amendments;
 - Specific details regarding interoperability among counties, the states bordering Ohio, and Canada;
 - A progression plan for the system for sustainability within the funding method provided by the act.
- Requires the Steering Committee to review and permits it to make a determination on approval of the plan within six months after it was submitted.
- Requires any Ohio entity operating a 9-1-1 system, ESINET, or PSAP that seeks a state or federal 9-1-1 grant to present a letter of coordination from the 9-1-1 Program Office.
- Allows the 9-1-1 Program Office to do the following:
 - Spend funds from the 9-1-1 Program Fund for 9-1-1 public education purposes;
 - Ensure an effective statewide interconnected 9-1-1 system through proper coordination, adoption, and communication of all necessary technical and operational standards and requirements;
 - Collect and distribute data from and to PSAPs, service providers, and ESPs regarding both the status and operation of the statewide 9-1-1 system, and certain location information;
 - Ensure that data collection and distribution meets legal privacy and confidentiality requirements;
 - With advice from the 9-1-1 Steering Committee, enter into interlocal, interstate, intrastate, and federal contracts to implement statewide 9-1-1 services.
- Protects all data described above in accordance with relevant Ohio law and grants the Steering Committee jurisdiction over the use of that data for purposes of 9-1-1.
- Allows for data and information that contributes to more effective 9-1-1 services and emergency response to be accessed and shared among 9-1-1 and emergency response functions.
- Requires every telecommunication service provider able to generate 9-1-1 traffic to do the following:

- Register with the 9-1-1 Program Office and provide it a single point of contact who has authority to assist in location-data discrepancies;
- Provide accurate and valid location data for all 9-1-1 traffic to ensure proper routing to the most appropriate PSAP or local NG 9-1-1 system.
- Requires service providers to correct any discrepancy in location data within 72 hours after notification by the Program Office.
- Subjects all the data described above to all applicable privacy laws and exempts it from being a public record under Ohio's Public Record Law.
- Requires each operator of a multiline telephone system (MTS) that was installed or substantially renovated on or after October 3, 2023 to do the following:
 - Provide the end user the same level of 9-1-1 service that is provided to other in-state end users of 9-1-1, which includes the provision of certain services and data;
 - Provide an emergency-response-location identifier as part of the location transmission to the PSAP using certain technologies;
 - Identify the caller's specific location using an emergency response location that includes the public street address of the building from which the call originated and other specific location data.
- Provide locations that are either master-street-address-guide valid or next-generation-9-1-1-location-validation-function valid.
- Exempts from the above requirements MTS in a workplace of less than 7,000 square feet in a single building, on a single level of a structure, and having a single public street address.
- Requires a business service user (BSU) that provides residential or business facilities, owns or controls an MTS or voice over internet protocol (VOIP) system in those facilities, and provides outbound dialing capacity from those facilities, to ensure the following by October 3, 2024:
 - For an MTS that can initiate a 9-1-1 call, that the system is connected so a caller using 9-1-1 is connected to the PSAP without requiring the user to dial any additional digit or code;
 - The system is configured to provide notification of any 9-1-1 call made through it to a centralized location on the same site as the system and the BSU is not required to have a person available at the location to receive a notification.
- Exempts a BSU, until after October 3, 2025, from those requirements if all of the following apply:
 - The requirements would be unduly and unreasonably burdensome;
 - The MTS or VOIP needs to be reprogrammed or replaced;
 - The BSU made a good-faith attempt to reprogram or replace the system;

- The BSU agrees to place an instructional sticker next to the telephones that explains how to access 9-1-1 and other information.
- Requires the BSU to submit an affidavit affirming that the conditions described above apply to the BSU and must include the manufacturer and model number of the system the BSU uses.
- Specifies that the provisions described above regarding MTS and BSU do not to apply if they are preempted by, or in conflict with, federal law.
- Requires the following regarding participation in statewide 9-1-1:
 - Counties must provide a single point of contact to the 9-1-1 Program Office that can assist in location-data discrepancies, 9-1-1 traffic misroutes, and boundary disputes between PSAPs;
 - Not later than five years after operational availability of the statewide NG 9-1-1 core services system to all counties, each county, or regional council of government (RCOG), if applicable, to provide NG 9-1-1 service for all areas to be covered as set forth in the county's final plan or the RCOG's agreement.
- Requires a service provider operating within a county, or an area served by a RCOG, that is participating in the statewide NG 9-1-1 core services system to deliver the 9-1-1 traffic that originates in that geographic area to the NG 9-1-1 core for that area.
- Requires the service providers and counties participating in the statewide NG 9-1-1 core services system to adhere to the standards of the 9-1-1 Program Office, including standards created by the National Emergency Number Association and the Internet Engineering Task Force.

Monthly charges

Wireless 9-1-1 charges

- Terminates, after January 1, 2024, the wireless 9-1-1 charges imposed on both wireless service subscribers and customers for the retail sale of prepaid wireless calling services under prior law.
- Exempts subscribers of wireless lifeline service and providers of such service from these charges prior to termination.

NG 9-1-1 access fee for subscribers

- Replaces the wireless 9-1-1 charge on subscribers (being terminated as described above) with an NG 9-1-1 access fee of 40¢ that is imposed on certain communications services as follows:
 - For wireless telephone service, the fee is imposed on each wireless telephone number assigned to the subscriber for which the subscriber is billed;
 - For VOIP, the subscriber must pay a separate fee for each voice channel provided to the subscriber, up to 100 channels per network;

- For MTS, the fee must be paid with a separate fee per line, with a maximum of 100 separate fees per building for a single subscriber.
- Beginning October 1, 2025, reduces the NG 9-1-1 fee to 25¢, to be imposed in the same manner described immediately above.
- Exempts the following from the NG 9-1-1 access fee for subscribers:
 - A subscriber of wireless lifeline service;
 - Wholesale transactions between telecommunications service providers where the service is a component of a service provided to an end user, as well as network access and interconnection charges paid to a local exchange carrier.
- Specifies that a wireless service that is priced lower than \$5 per month is not subject to the NG 9-1-1 access fee.
- Requires service providers and resellers to collect the NG 9-1-1 access fee as a specific line item on each subscriber's monthly bill or point of sale invoice.
- Requires the Auditor of State, by February 1, 2025, to conduct an audit and deliver a report to the General Assembly detailing any legislative recommendations concerning the collection of the monthly NG 9-1-1 access fees and to make a determination regarding the amount of the monthly NG 9-1-1 access fee.

NG 9-1-1 access fee for prepaid wireless retail sales

- Imposes after January 1, 2024, a separate NG 9-1-1 access fee of 0.005% of the sale price of a prepaid wireless calling service for retail sales that occur in Ohio.
- Requires the seller of the prepaid calling service to collect the NG 9-1-1 access fee from the customer, and disclose the amount of the fee at the time of the retail sale.
- Provides that the NG 9-1-1 access fee generally applies to the entire nonitemized price when a prepaid calling service is sold alongside other products or services for a single, nonitemized price.
- Exempts a prepaid wireless calling service priced below a single fee of \$10.

Tax exemption

- Exempts the NG 9-1-1 access fees for subscribers and for prepaid wireless service from state and local taxation.

Administration of charges or fees

- Instructs each entity required to collect the wireless 9-1-1 charge (being terminated as described above) or NG 9-1-1 access fees to keep complete and accurate records relating to sales with respect to the charges and fees.
- Requires all records kept by entities regarding wireless 9-1-1 charges and NG 9-1-1 access fees be open to inspection by the Tax Commissioner during business hours, and generally retained for four years.

Collection of charges or fees

- Provides that NG 9-1-1 access fees are subject to the same collection processes and are subject to the same procedures as wireless 9-1-1 charges under continuing law.
- Removes the option of filing the required return using the Ohio Telefile system for the wireless 9-1-1 charges (being terminated as described above) or NG 9-1-1 access fees.
- Changes to “Special Judgments for 9-1-1 Charges and Fees” the name of the loose-leaf book in which a court of common pleas clerk may enter judgment following a final assessment against an entity regarding 9-1-1 charges and fees.

9-1-1 funds and distribution of wireless 9-1-1 charges and fees

- Removes “wireless” from the names of three of the four funds established to receive the 9-1-1 charges and fees to be the 9-1-1 Government Assistance Fund, 9-1-1 Administrative Fund, and the 9-1-1 Program Fund.
- Reduces deposits into the 9-1-1 Government Assistance Fund from 97% to 72% of the 9-1-1 charges and fees.
- Changes deposits into the NG 9-1-1 Fund to 25% of the 9-1-1 charges.
- Allows the Department of Administrative Services to move funds between the NG 9-1-1 Fund and the 9-1-1 Government Assistance Fund to ensure funding remains sustainable for both.
- Specifies that disbursements from the 9-1-1 Government Assistance Fund to each county treasurer must be made by the tenth day of the month following the month in which the 9-1-1 charges and fees are remitted.
- Requires the Department of Administrative Services to administer the NG 9-1-1 Fund, to be used exclusively to pay for installing, maintaining, and operating the call routing and core services statewide NG 9-1-1 system.
- Extends existing allowable costs of designing, upgrading, purchasing, leasing, programming, installing, testing, or maintaining the necessary data, hardware, software, and trunking required for PSAPs of the 9-1-1 system to the allowable costs for the provision of NG 9-1-1.
- Adds, as allowable costs, the costs for:
 - Processing 9-1-1 emergency calls from point of origin to include expenses for interoperable bidirectional computer aided dispatch data transfers with other PSAPs or emergency services organizations, exclusive of mobile radio service costs; and
 - Transferring and receiving law enforcement, fire, and emergency medical service data transfers via wireless or internet connections from PSAPs or emergency services organizations to all applicable emergency responders.

- Repeals certain statutory limitations on allowable costs for wireless enhanced 9-1-1, and the requirement that an RCOG operating a PSAP must consider the technical and operational standards before incurring the designing, upgrading, purchasing, leasing, and other costs listed in ongoing law.
- Requires all funds from the NG 9-1-1 access fees to be used only for 9-1-1 related expenses.
- Specifies that after January 1, 2024, sellers of a prepaid wireless access calling service that collect an NG 9-1-1 access fees are subject to the state sales tax, as those provisions apply to the audit, assessment, appeals, enforcement, liability, and penalty provisions of the sales tax law.

Tax Refund Fund

- Includes NG 9-1-1 access fees among the fees and charges that may be refunded from the state's Tax Refund Fund if illegally or erroneously assessed, collected, or overpaid.

Commercial activity tax

- Specifies that receipts from NG 9-1-1 access fees imposed under the 9-1-1 provisions are not included as "gross receipts" subject to the commercial activity tax.

Civil liability

- Extends protection from civil liability, with some exceptions, to 9-1-1 system service providers and their officers, directors, employees, agents, and suppliers for damages resulting from their 9-1-1 systems work, or compliance with emergency-related information requests from state or local government officials.

MTS penalties

- Imposes penalties ranging from \$1,000 to \$5,000 for a violation of, or a failure to meet, certain requirements regarding an MTS, unless preempted or in conflict with federal law.

Repealed laws

- Repeals law that:
 - Allowed a municipal corporation or township having at least 30% of the county's population, or a group of contiguous municipal corporations or townships, to establish a 9-1-1 system and to enter into an agreement with one or more telephone companies;
 - Required wireline service providers designated in a final 9-1-1 plan to install the wireline telephone network within three years after the initial final plan, and provisions regarding the placement, maintenance, and design of county 9-1-1 system highway and road signs;
 - Limited to three the number of PSAPs within a 9-1-1 system that could use disbursements from the Wireless 9-1-1 Government Assistance Fund;

- Required the amounts of the wireless 9-1-1 charges to be prescribed by the General Assembly;
- Established provisions governing emergency service telecommunicators (ESTs) for training, curriculum, certification, and continuing education and certain training for ESTs, who are PSAP employees, handling 9-1-1 calls about an apparent drug overdose.

ADMINISTRATIVE PROCEDURE ACT ADJUDICATIONS

- Allows, unless another law applies, an agency conducting an adjudication under the Administrative Procedure Act (APA) to serve a document on a party to the adjudication through email, facsimile, traceable delivery service, or personal service.
- Requires certain notices and orders that must be served on a party in an APA adjudication to be provided to the party's attorney or other representative rather than requiring the notices be mailed as under former law.
- Specifies that an agency's rejection of an application for registration or renewal of a license is not effective until the 15th day after notice of the rejection is mailed to the licensee.

ELECTRONIC NOTIFICATION AND MEETINGS

Casino Control Commission

- Removes the requirement that an oath be administered to an applicant for casino-related licenses – including for casino operator, management company, holding company, gaming-related vendor, and casino gaming employee – and instead requires the applicant to certify that the information in the application is true.

Department of Commerce

- Removes telegraph facilities as one of the “workshops or factories” that the Board of Building Standards has control over regarding required alternations or repairs.
- Specifies that, if the initial required certified notice of unpaid permit fees to a liquor permit applicant is returned because of failure or refusal of delivery, the Division of Liquor Control must send a second notice by regular mail.
- Eliminates the requirement that copies of process or pleadings served by the Division of Securities on the Secretary of State, acting as agent for the person to be served, be delivered in duplicate, and eliminates the requirement that the Secretary use certified mail to forward the documents.
- Eliminates the requirement that securities sold in violation of the securities law be tendered to the seller either in person or in open court to trigger a refund requirement, instead only requiring a tender without specifying method.
- Changes, in the list of approved methods to deliver notice of credit union board of directors meetings, “any other means of communication authorized by the director” to

whom the notice is sent to any means authorized by the board of directors acting together.

Department of Developmental Disabilities

- Removes obsolete law requiring the Director of Developmental Disabilities to submit a report to the General Assembly with certain data regarding residential facility licenses issued by the Department of Developmental Disabilities.

Department of Education and Workforce

- Eliminates the following laws that became obsolete on June 30, 2008:
 - Requirement that school districts or school buildings in academic emergency or academic watch, under former law, submit required information to the Department of Education before approval of a three-year continuous improvement plan;
 - Requirements for site evaluations conducted for school districts or schools in academic emergency or academic watch.

Environmental Protection Agency

- Authorizes the Director to provide notice of a hearing on the Environmental Protection Agency's website in circumstances where continuing law requires public notice by newspaper publication.
- Authorizes the Director to deliver documents or notice by any method capable of documenting the intended recipient's receipt of it, rather than by certified mail.
- Specifies that the holder of the first mortgage on a regulated facility may contact the mortgagor to determine if the facility is abandoned by any method capable of documenting the intended recipient's receipt of the document or notice, rather than by mail, telegram, telefax, or similar communication only.

Department of Insurance

- Replaces the requirement that individuals seeking access to personal information held by certain insurance organizations be allowed to see and copy that information in person or obtain a copy by mail with a requirement that the individual be able to obtain in a manner agreed upon by the individual and the insurance organization.

Department of Job and Family Services

- Removes references to unemployment compensation warrants drawn by the Director of Job and Family services bearing the Director's facsimile signature (but maintains the authority to have the signatures printed on the warrants).

Department of Public Safety

- Eliminates several procedural requirements regarding the submission of a physician's statement accompanying an application for an unrestricted driver's license.

- Allows driver training schools to use specified electronic formats to convey information about anatomical gifts to driver training students, rather than a video cassette tape, CD-ROM, or interactive videodisc.
- Eliminates a reference to personal delivery of a motor vehicle registration or driver's license if a person is required to surrender the registration or license because of a failure to maintain motor vehicle insurance.
- Eliminates the requirement that an arresting officer remove the license plates on a vehicle seized as part of an arrest for: (1) driving under an OVI suspension or (2) wrongful entrustment of a vehicle, and instead requires the license plates to remain on the vehicle unless ordered by a court.

Public Utilities Commission

- Eliminates items buried or placed below ground or submerged in water for telegraphic communications as a form of "underground utility facility" for purposes of the law regarding protection of such facilities.
- Removes the requirement that an excavator must provide any fax numbers they may have in the excavator's notification to a protection service before an emergency excavation.

Department of Taxation

- Removes a requirement that certain tax-related documents be open for public inspection, and instead requires that they be available on the Department of Taxation's website.

Department of Transportation

- Makes advertising for bids for Ohio Department of Transportation (ODOT) contracts in a newspaper of general circulation optional rather than required.
- Requires, rather than authorizes, the ODOT Director to publish notice for bids in other publications as the Director considers advisable.

Bureau of Workers' Compensation

- Specifies that electronic documents have the same evidentiary effect as originals in a workers' compensation-related proceeding.

Notice and submission requirements

- Makes changes throughout the Revised Code related to:
 - Notice requirements related to certain events or services; and
 - Electronic submission to receive certain public services.

Electronic meetings for public entities

- Makes changes throughout the Revised Code to permit certain public entities to meet via electronic means.

Stenographic records

- Makes changes throughout the Revised Code related to maintenance of stenographic records.

MISCELLANEOUS

JobsOhio contract extension

- Allows the state, upon agreement with JobsOhio, to extend the original transfer agreement regarding spirituous liquor distribution in Ohio for an additional 15 years from the end of the original term by entering into a new agreement.
- Subjects any transfer agreement extension to Controlling Board approval.

OneOhio Recovery Foundation

- Defines “OneOhio Recovery Foundation” to mean a nonprofit corporation receiving payments under the opioid settlement agreement in *State of Ohio v. McKesson Corp.*, Case No. CVH20180055 (C.P. Madison Co., settlement agreement of October 7, 2021) and its constituent regional boards.
- Specifies that OneOhio Recovery Foundation is not a state agency, executive agency, public office, state entity, public employer, or a department, office, or institution, and exempts it from requirements that apply to state agencies, public offices, public employers, or institutions.
- Exempts the Foundation from Ohio’s Open Meetings Law but requires that a meeting of its full board be open to the public unless its directors vote to hold an executive session by a majority of the quorum of the board.
- Requires the Attorney General to provide legal advice to and conduct any case, including bringing an action for equitable relief or recovery of damages, in which the Foundation or its employees, officers, or appointed members are a party to a legal action as a result of acting in its official capacity.

Data codes – children served by publicly funded programs

- Authorizes specified state agency directors – on behalf of programs that are publicly funded – to request and receive data verification codes for children who are younger than compulsory school age and are receiving services from the publicly funded programs.

Observances

- Designates April as the Month of the Military Child.
- Designates October 26 as “Sudden Unexpected Death in Epilepsy Awareness Day.”