

**DIGEST OF ENACTMENTS 2019
133rd General Assembly (2019-2020)**

**Ohio Legislative Service Commission
Columbus, Ohio**

April 2020



DIGEST OF ENACTMENTS 2019

133rd General Assembly (2019-2020)

Ohio Legislative Service Commission

Director

Wendy Zhan

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INTRODUCTION

The *Digest of Enactments 2019* summarizes legislation passed by the General Assembly during 2019, including 12 Senate bills and 12 House bills.

The summaries in this publication are condensed versions of the final analyses prepared by the Legislative Service Commission (LSC) for the General Assembly. Readers may obtain the full final analyses using the General Assembly's website at <https://www.legislature.ohio.gov/legislation/search-legislation>. The final analysis is indicated by the heading, "As Enrolled."

The *Digest of Enactments 2019* may be accessed via the Web at www.lsc.ohio.gov, under General Reference.

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Disclaimer

Because of Ohio Supreme Court interpretations, effective dates published in the *Digest of Enactments* are not authoritative and users of the *Digest* rely on them at their own risk. The effective dates have been unofficially and undefinitively determined by the LSC staff solely for the convenience of users.

Agriculture

H.B. 189

Primary Sponsors: Reps. Patterson and Blessing

Effective date: Emergency: November 6, 2019

Amusement ride safety standards

- Requires the Director of Agriculture to adopt rules that both:
 - Alter the amusement ride classification system to identify those rides that need more comprehensive inspection; and
 - Establish requirements governing the minimum number of inspectors assigned to an amusement ride and the minimum number of inspections to be conducted on each ride.
- Requires the Director, when adopting rules, to adopt, by reference, relevant chapters of the American Society for Testing and Materials (ASTM) and any other equivalent national standards regarding amusement ride safety.
- Requires the Director, when employing a new Chief Inspector or additional inspectors, to give preference to individuals who hold or intend to hold (within a year of being hired) a level one or higher inspector certification from certain national organizations.

Amusement ride owner duties

Manuals and records

- Generally requires an amusement ride owner to keep a manual for each of the owner's amusement rides and to make it available to an inspector when requested.
- Requires an amusement ride owner to take photographs of major ride repairs, prepare a written description of each major repair, and include the photographs and the description in the repair record.

Temporary amusement rides

- Requires a temporary amusement ride owner to submit to the Department of Agriculture (ODA) a list of locations and dates that the temporary ride was either stored for longer than 30 days or operated outside Ohio.
- Authorizes ODA to require additional inspections based on a review of the list.
- Requires the Director to adopt rules establishing timetables and procedures for providing and updating the list.

Written order to replace or repair a ride

- Requires an amusement ride owner to respond in writing to a written repair order from an inspector, within the time specified in the order, indicating that the required repairs have been made.
- Requires the Director to determine whether the amusement ride or components of the ride may continue to operate if the repairs have not been completed within the time specified in the order.

Safety communications

- Requires certain persons or entities that receive information regarding safety issues pertaining to an amusement ride to forward the information to ODA's Chief Inspector and the Director.
- Requires the Chief Inspector to reinspect an amusement ride after receiving the information if the Chief Inspector determines that reinspection is necessary.

Other provisions

- Adds a registered professional engineer to the Advisory Council on Amusement Ride Safety as a nonvoting member.
- Names the act "Tyler's Law."

S.B. 57

Primary Sponsors: Sens. Hill and S. Huffman

Effective date: Emergency: July 30, 2019; conforming amendments to future-version statutes effective September 20, 2019, and March 22, 2020

- Decriminalizes hemp and hemp products, thereby allowing anyone to (1) buy, sell, or possess hemp or a hemp product, and (2) cultivate and process hemp, if properly licensed.
- Requires the Director of Agriculture to submit a plan to regulate hemp cultivation to the U.S. Secretary of Agriculture for approval.
- If the plan is approved, requires the Director to establish a Hemp Cultivation and Processing Program to monitor and regulate hemp cultivation and, though not specifically required under federal law, hemp processing.
- Requires the Director to adopt rules that establish federally compliant standards and procedures for the program.
- Requires a person who intends to cultivate hemp to obtain a hemp cultivation license from the Director.

- Requires a person who intends to process hemp into any hemp product to obtain a hemp processing license from the Director.
- Requires the Director, in consultation with the Governor and the Attorney General, to adopt rules establishing standards and procedures for the program that comply with federal law.
- Establishes prohibitions, procedures (including corrective action plan requirements), and criminal penalties to enforce the program.
- Authorizes the Director, when the Director determines that certain emergency conditions exist, to issue an order requiring those conditions to be mitigated.
- Establishes the Hemp Program Fund in the state treasury for the Department of Agriculture to use to administer and enforce the program.
- Establishes a Hemp Marketing Program.
- Specifically allows land used for hemp farming to be valued according to its current agricultural use value (CAUV).
- Authorizes, under certain circumstances, the release of hemp and hemp products seized prior to the act's effective date.

Appropriations

H.B. 62

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

Primary Sponsor: Rep. Oelslager

Effective date: July 3, 2019; appropriations for current expenses effective April 3, 2019, but first apply July 1, 2019; other provisions effective April 3, 2019; fuel tax changes effective July 1, 2019; single license plate requirement effective July 1, 2020

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DEPARTMENT OF TAXATION

Motor fuel excise tax

- Increases the per-gallon rates of the motor fuel excise and use taxes from 28¢ to 38.5¢ for gasoline and to 47¢ for diesel and other fuels, effective July 1, 2019.
- Extends the taxes, over a five-year phase-in, to compressed natural gas (CNG) that is used to propel vehicles on public roads.
- Maintains current revenue distribution proportions and amounts for revenue derived from the first 28¢ per gallon.
- Allocates 55% of the revenue from the rate increases to the state Highway Operating Fund (HOF) and 45% to local governments (Gasoline Excise Tax Fund), with the local shares being divided among counties, townships, and municipalities in the same proportions as current law; however, the HOF share is increased by 2% of new revenue in the FY 2021-FY 2022 biennium.
- 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.
- Increases the refund for fuel used in transit, school, and county developmental disabilities board buses by the same amount implied by the increase in the tax rate.

- Extends the motor fuel tax refunds for transit systems, school districts, and county developmental disabilities boards to persons contracting with them to provide services on their behalf.

Motor fuel tax notices

- Requires certain information related to federal and state motor fuel tax rates to be displayed at retail gas stations.
- Requires the Director of Agriculture to design and produce official notices displaying that information in accordance with the act's specifications, which are to be affixed on fuel pumps by local sealers who are responsible for inspecting the pumps, or otherwise displayed by the pump operator.

Use of motor fuel tax revenue

- States that motor fuel tax revenue "shall be used for construction, maintenance, and repair of roads and bridges, the operational costs of applicable state agencies, or used to match other revenue for these purposes."
- Requires that the amount deposited to the Motor Fuel Tax Administration Fund be determined by appropriation rather than as a percentage of motor fuel tax receipts.

Sales tax exemption for nonroad use fuel

- Exempts from the sales tax any motor fuel used solely for cargo refrigeration.

Transit authority levy to fund infrastructure

- Authorizes a regional transit authority in a county with population between 750,000 and 900,000 (Hamilton County) to levy a tax specifically to fund road and bridge infrastructure projects.
- Requires that, after levying such a tax, a regional transit authority must enter into agreements with local governments to fund the projects.
- Requires the agreements to be approved by the appropriate public works district integrating committee by at least six affirmative votes to take effect.

Earned income tax credit (EITC)

- Removes a mechanism limiting the state EITC to not more than 50% of the taxpayer's income tax liability if the taxpayer's taxable income exceeds \$20,000.
- Increases the state EITC credit amount from 10% to 30% of the taxpayer's federal EITC.

Joint ambulance district funds

- Specifically authorizes a joint ambulance district to construct, or enter into a lease-purchase agreement to acquire, buildings or equipment necessary for the district.

DEPARTMENT OF TRANSPORTATION

Speed limits

- Expands the Director of Transportation's authority to establish variable speed limits to two additional highways (continuing law allows variable speed limits on three specific interstate highways).
- Before establishing a variable speed limit on the additional highways, requires the Director to adopt rules establishing the criteria for and the parameters of any necessary engineering study concerning the variable speed limits.
- Requires changes to a statutory speed limit (because it is either too high or too low for a particular location) to be based on criteria established by an engineering study, as defined by the Director, rather than by specific types of studies as required under prior law.
- Makes clarifying changes to the statutory speed limits, including consolidating a repetitive speed limit and creating consistency in the language and terminology.

Overweight vehicles

- Removes the 150-mile radius restriction for travel under a special regional heavy hauling permit, thus allowing vehicles under the permit to travel further distances while exceeding standard size and weight restrictions.
- Allows a vehicle fueled solely by compressed natural gas or liquid natural gas to exceed the gross vehicle weight and axle load limits by up to 2,000 pounds on an interstate highway.
- Exempts certain towing vehicles from statutory vehicle size and weight limits while traveling to or returning from removing a motor vehicle from an emergency on a public highway.
- Requires the Director to study the fees associated with overweight vehicle permits and the general impact of overweight vehicles on Ohio's infrastructure and submit findings and recommendations for fee structure changes to the Governor, Speaker of the House, and Senate President by March 1, 2020.

Ohio's Road to Our Future study committee

- Creates the Ohio's Road to Our Future Joint Legislative Study Committee, composed of three majority members and two minority members each from the House and Senate.
- Requires the committee to review the Department of Transportation's (ODOT's) revenue sources, expense mitigation, technology, finance techniques, asset leverage and conditions, and employee demographics.
- Requires the committee to conduct a variety of studies and analyses to assist in the overall review.

- Requires the committee to submit and present a report to the Senate President and Speaker of the House by December 1, 2020.

ODOT study of Ohio River's impact

- Requires the Director to conduct a study of the Ohio River's economic impact on Ohio, including determining the amount of steel, fertilizer, and coal delivered by barges, and submit findings to the Governor, Speaker of the House, and Senate President by December 30, 2019.

Eastern Bypass update report

- Requires the Director to submit a report by December 31, 2019, to the Senate President and Speaker of the House that provides an update on Kentucky's Eastern Bypass Study, details pertaining to coordination between Ohio and Kentucky, and the next steps necessary for planning and constructing the Eastern Bypass.

Highway maintenance and snow removal

- Requires ODOT to install devices in construction areas that intentionally slow down traffic, such as arrow boards, channelizing devices, and rumble strips.
- Permits the Director to provide road salt (at the Director's purchase price) to a political subdivision under specified emergency circumstances.
- Permits the Director to remove snow and ice from, and to maintain, repair, improve, or provide lighting on, interstate highways located within a municipal corporation or to reimburse a municipal corporation for the improvements.
- Creates the Catastrophic Snowfall Program to provide monetary aid for snow removal costs for municipal corporations, counties, and townships that receive 18 or more inches of snow in a 24-hour period.
- Authorizes money in the Roadwork Development Fund to be used by the Development Services Agency for construction and maintenance of public roads that provide or improve access to tourism attractions.
- Requires ODOT, during FYs 2020 and 2021, to keep a rest area's parking lot open for use by commercial motor vehicles if it closes the rest area.

Audits

- Requires the State Auditor to provide for the completion of a performance audit of ODOT by January 1, 2020.
- Requires the State Auditor to annually audit one large and two small regional transit authorities and submit audit reports to the Governor, Speaker of the House, Senate President, and Director of Budget and Management 90 days after completing the audits.

Court proceedings

- Specifies that the Director need not produce, for evidence in a court, an original electronic record, plan, drawing, or other document.
- Eliminates the presumed authorization to depose the Director in all pending lawsuits.

IDIQ contracts

- Authorizes the Director to enter into indefinite delivery indefinite quantity (IDIQ) contracts for up to two projects in FYs 2020 and 2021.

DEPARTMENT OF PUBLIC SAFETY

Registration taxes and fees

- Beginning January 1, 2020, imposes an additional \$200 registration fee on a plug-in electric motor vehicle and an additional \$100 registration fee on a hybrid motor vehicle.
- Requires the registration fees for plug-in electric and hybrid motor vehicles to be credited 55% to the Highway Operating Fund, and 45% divided among municipal corporations, counties, and townships.
- Authorizes municipal corporations and townships to levy an additional \$5 motor vehicle registration tax.
- Requires the Registrar of Motor Vehicles to adopt rules, by October 1, 2019, establishing a deputy registrar service fee between \$3.50 and \$5.25.

Lamination, document authentication fees

- Removes all references to laminating a driver's license, commercial driver's license, motorcycle operator's license, motorized bicycle license, temporary instruction permit, probationary license, or identification card.
- Replaces the \$1.50 lamination fee with a \$1.50 document authentication fee, to be charged for each application to issue, renew, or replace the various licenses and the identification card.

Financial responsibility random verification

- Eliminates the Financial Responsibility Random Verification Program managed by the Bureau of Motor Vehicles (BMV).

Online driver's license renewal for military personnel

- Requires the Registrar to allow a person on active duty in the military (while stationed outside of Ohio), that person's spouse, and that person's dependents (while living outside of Ohio) to renew their driver's licenses or motorcycle operator's endorsements online.

Disabled veteran license plates

- Specifies that a disabled veteran may obtain “Disabled Veteran” license plates for all vehicles owned by that veteran, rather than for only one vehicle.
- Requires a disabled veteran to pay for all registration-related taxes and fees for each vehicle after the first registration.

Single license plate

- Effective July 1, 2020, requires a motor vehicle to display only one license plate, generally on the rear of the vehicle, rather than two license plates.

Skateboards

- Prohibits a person riding on a skateboard from attaching the skateboard or himself or herself to a moving vehicle.

Traffic cameras

- Grants municipal and county courts original and exclusive jurisdiction over every civil action concerning a traffic law violation within the court’s territory, including those civil actions involving a traffic law photo-monitoring device (“traffic camera”).
- Eliminates the administrative hearing process for a civil traffic law violation involving a traffic camera, which was presided over by a hearing officer.
- Requires all filings, affidavits, and forms concerning a civil traffic law violation involving a traffic camera to be handled by the municipal or county court with jurisdiction over the civil action.
- Specifies that the court with jurisdiction must require a local authority bringing a civil action concerning a traffic law violation involving a traffic camera to make an advance deposit of all filing fees and court costs, except for violations in a school zone.
- Requires the court to retain the advance deposit regardless of which party prevails in the civil action.
- Requires local authorities that operate traffic cameras to report information on traffic fines annually with the Tax Commissioner.
- Requires the reports to detail only the traffic fines collected, rather than all of the traffic fines billed, and to specify the amount of traffic camera fines collected on violations in school zones.
- Reduces Local Government Fund (LGF) payments to all local authorities that collect fines from operating traffic cameras, regardless of whether a local authority is complying with the state’s traffic camera laws.
- Ceases LGF payments to local authorities that fail to comply with the act’s reporting requirements for the term of noncompliance.

- Reimburses local authorities for the portion of LGF reductions attributed to traffic camera fines collected on violations in school zones.
- Requires LGF money withheld from a local authority to be earmarked for use by ODOT “to enhance public safety” on roads and highways within the same transportation district.
- Prohibits townships from using traffic cameras on interstate highways.

Other provisions

- Authorizes a person who has a physical impairment and is exempt from the requirement to wear a seatbelt to register to have the physical impairment noted in the Law Enforcement Automated Data System.
- Clarifies that a commercial driver’s license (CDL) holder, who (1) is operating **any** motor vehicle (commercial or not), (2) is arrested for a violation of the law governing operating a vehicle while impaired (OVI), and (3) refuses an officer’s request to submit to a drug or alcohol test, will be disqualified from driving a commercial motor vehicle.
- Increases the maximum cap (from \$85 to \$115) that an entity may charge for administering a commercial driver’s license skills test (including the appointment fee).

LOCAL GOVERNMENT

- Exempts from competitive bidding any county purchase of used supplies made at a public auction, including equipment, materials, and other tangible assets.
- Authorizes a county that has a population between 350,000 and 375,000 (Butler County only) to contract – with the county sheriff or a fire department chief that has countywide authority – to implement a countywide emergency management program as an alternative to implementing a program under the countywide emergency management agency’s authority.
- Authorizes an officer or employee of a county, township, or municipal corporation to simultaneously serve as a member or officer of the board of a transportation improvement district, and specifies that holding those positions simultaneously does not constitute the holding of incompatible offices or employment.
- Authorizes a port authority to take certain actions regarding the towing of motor vehicles.
- Eliminates the requirement that contracts between a port authority and a contractor be executed in triplicate.
- Requires the Director of Mental Health and Addiction Services and the board of county commissioners to make initial appointments to a newly formed Alcohol, Drug Addiction, and Mental Health Services Board from members jointly recommended by the county’s community mental health board and the alcohol and drug addiction services board.

OTHER PROVISIONS

- Requires the Governor to submit the biennial transportation budget to the General Assembly four weeks after the General Assembly's organization.
- Requires an entity that receives funding from the motor fuel tax, and either spends the funds on a project that takes more than seven days to complete, or spends \$500,000 or more of those funds, to post annual updates on its website regarding the funding's use.
- Exempts an individual who provides services for or on behalf of a motor carrier transporting property from coverage under Ohio's Workers' Compensation Law, Unemployment Compensation Law, Overtime Law, and Minimum Wage Law, if specified conditions apply to the individual.
- Allows the motor carrier to elect coverage under those laws for an individual who satisfies certain conditions.
- Requires a person who erects or replaces a sign containing the International Symbol of Access to do so with a logo that depicts a dynamic character leaning forward with a sense of movement.
- Eliminates the exemption that allowed a person to possess an open container of alcohol in or on a stationary vehicle that was not being operated in a traffic lane and was in an outdoor refreshment area.
- Allows the governing authority of a chartered nonpublic school to charge a child's parents or guardians a fee to transport the child to and from school-sponsored activities, including extracurricular activities, if the governing authority did not purchase the vehicle with state or federal funds.
- Allows a chartered nonpublic school to own and operate, or contract with a vendor that supplies, a vehicle designed for up to nine passengers, to transport students to and from school under certain circumstances.
- Starting in FY 2022, changes from 2% to 6% the financial assistance the Public Works Commission may allocate to local subdivisions for capital improvements related to public emergencies.
- When a board of county commissioners expends appropriate funds for social services in the county, authorizes the county to use those funds as local matching funds for county transit systems.

H.B. 79

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

Primary Sponsor: Rep. Oelslager

Effective date: June 27, 2019

- Appropriates funds for the Industrial Commission beginning July 1, 2019, and ending June 30, 2021.

H.B. 80

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

Primary Sponsor: Rep. Oelslager

Effective date: Appropriations effective July 22, 2019; other provisions effective October 21, 2019

- Authorizes the Director of Natural Resources to annually request the Administrator of Workers' Compensation to transfer a portion of the net position of the Coal-Workers Pneumoconiosis Fund to the Mining Regulation and Safety Fund.
- Allows the Administrator, on receiving a request from the Director, to transfer up to \$1 million by July 1 or as soon as possible after July 1.
- Requires the Administrator, with the advice and consent of the Bureau of Workers' Compensation Board of Directors, to adopt rules governing the transfer to ensure the solvency of the Coal-Workers Pneumoconiosis Fund.
- Appropriates funds for the Bureau of Workers' Compensation for the biennium ending June 30, 2021.

H.B. 166

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

Primary Sponsor: Rep. Oelslager

Effective date: July 18, 2019; most provisions effective October 17, 2019; contains item vetoes

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ACCOUNTANCY BOARD

- Provides that public accountants are not subject to professional discipline solely because they provide accounting services to marijuana licensees.

DEPARTMENT OF ADMINISTRATIVE SERVICES

State agency efficiency review

- Requires designees from the Department of Administrative Services (DAS) and the Office of Budget and Management (OBM) jointly to review functions and programs of state agencies to identify areas for consolidation.
- Not later than January 1, 2020, requires the designees to identify agency functions and programs to be consolidated.
- Allows the DAS Director to transfer employees, equipment, and assets of a consolidated program.
- Allows the OBM Director to cancel and re-establish encumbrances and make other necessary budget changes to reflect the consolidated programs.

Prescription drug advisory council

- Establishes within DAS the Prescription Drug Transparency and Affordability Advisory Council.
- Requires the Council to submit a written report to the Governor, the General Assembly, and the chairperson of the Joint Medicaid Oversight Committee not later than six months after initial appointments are made.
- Requires the Council to meet at least quarterly after submitting the report to provide assistance and guidance relating to the report's recommendations.
- Requires state agencies, boards, and commissions to cooperate with the Council as necessary for it to carry out its duties.

State workforce diversity surveys

- Requires the DAS Director annually to conduct a survey on diversity within each state agency's workforce and report the results to the Governor and the General Assembly not later than December 31, beginning in 2020.

Office of Information Technology funds

- Creates the Enterprise Applications Fund within the state treasury.
- Adds certain fees and rates charged by DAS to the list of operating appropriation items for which the Information Technology Chief Information Officer must compute the amount of revenue attributable to amortization.
- Allows the OBM Director, on request from the DAS Director, to transfer cash from the MARCS Administration Fund, the Enterprise Applications Fund, or the Professions Licensing System Fund to the Major Information Technology Purchases Fund.

Coordinated vendor debarment

- Requires state agencies to exclude from participation in state contracts, any vendors who have been debarred under any Revised Code provisions.
- Specifies that eligibility for participation in state contracts is restored only when the vendor is not otherwise debarred from state contracts.

Surplus property

- Codifies a law that allows DAS to use the Investment Recovery Fund to pay the operating expenses of the Federal Surplus Property Program, in addition to the State Surplus Property Program.

Death Benefit Fund recipient participation in state health plan

- Requires a Death Benefit Fund recipient who elects to participate in a health benefit offered to state employees to file an election form with the Ohio Police and Fire Pension Fund Board of Trustees, rather than DAS as under former law.
- Requires the Board to forward the election form to DAS after approving the recipient's application for death benefits.
- Requires DAS to notify the Board of the cost of a recipient's health benefits that the Board must withhold from the death benefit payments and forward to DAS.
- Requires the Board to pay DAS the remaining costs of the benefits, including any administrative costs, from appropriations made for that purpose.
- Specifies that receiving a health benefit does not make the recipient a state employee, and that a recipient who is a state employee is not eligible for a health benefit through the fund.
- Requires the DAS Director to provide the Board with election forms and notify the Board when a recipient enrolls, disenrolls, or re-enrolls in benefits or when DAS terminates a recipient's health benefits.

State employees

- Specifically includes vision benefits in the types of benefits DAS contracts for or otherwise provides to state employees.
- Authorizes an appointing authority to approve leave with pay for a state employee, who is a verified Team Rubicon volunteer, to participate in disaster relief services with Team Rubicon.

State invoices

- Removes alternate options for inclusion in a state purchasing invoice; requires, instead that all items listed be on the invoice.

Public safety answering point staffing

- Specifies that a public safety answering point may be deemed compliant with minimum staffing standard rules adopted by the Statewide Emergency Services Internet Protocol Network Steering Committee if it complies with all other operational standard rules.

ADJUTANT GENERAL

- Removes the exemption for repayment liability of an Ohio National Guard scholarship recipient who fails to complete the term of enlistment due to the recipient's enlistment, warrant, commission, or appointment to the National Guard or an active duty component of the U.S. armed forces.
- Exempts from repayment liability a scholarship recipient who became liable due to enlistment, warrant, commission, or appointment to the National Guard or a service or component of the U.S. armed forces between April 1, 2012, and October 17, 2019.

DEPARTMENT OF AGING

Background checks

- Requires the Director of Aging or other hiring entity to request a criminal records check before (rather than up to five days after) conditionally employing a person in certain positions involving community-based long-term care or ombudsman services.
- Requires the Department of Aging's procedures to be used for conducting criminal records checks of applicants for certain direct-care positions, even if a community-based long-term care provider is also a service provider under a Department of Medicaid-administered program for home and community-based care.

Dementia training materials and program support

- Extends to dementia in general (rather than only Alzheimer's disease) requirements that the Department disseminate training materials on its website and administer respite care programs and other supportive services.

Community-based long-term care

- Requires the Department to notify a provider of community-based long-term care services of a decision that was reached without a hearing (1) not to certify the provider or (2) to take disciplinary action.
- Exempts from hearing requirements certain Department actions regarding certification of a community-based long-term care provider if the provider's Medicaid provider agreement has been suspended.

Assisted Living and PASSPORT payment rates (VETOED)

- Would have required that the rates for each tier of assisted living services provided under the Assisted Living Program during FY 2020 and FY 2021 be at least 5.1% higher than the rates in effect on June 30, 2019.
- Would have required that the base and unit rates for home care attendant, personal care, and waiver nursing services provided under the PASSPORT program during FY 2020 and FY 2021 be at least 5.1% higher than the rates in effect on June 30, 2019.
- Would have established the payment rates for home-delivered meals provided under the PASSPORT program during FYs 2020 and 2021.

Board of Executives of Long-Term Services and Supports

Health services executive license

- Provides for the Board of Executives of Long-Term Services and Supports to issue health services executive licenses and establishes requirements for the license.
- Prohibits a person from knowingly using words or letters that tend to indicate or imply that the person holds that license unless the person holds the license.
- Provides that such a license is not needed to practice nursing home administration, serve in a leadership position at a long-term services and supports setting, or direct the practices of others in such a setting.

Administrator licenses

- Revises the requirements for a standard nursing home administrator license, including raising the minimum age to 21 (from 18) and requiring a criminal records check.
- Revises the requirements that a nursing home administrator licensed in another state must meet to obtain a nursing home administrator license in Ohio.
- Revises the requirements for a temporary nursing home administrator license, including establishing age, character, and criminal records check requirements.
- Provides that a temporary license is valid for a period the Board is to specify, not to exceed 180 days.

- Permits a temporary licensee, if the temporary license is valid for less than 180 days, to apply for a one-time renewal for the remainder of the 180-day period.

Other licensing changes

Criminal records checks

- Requires individuals applying for a nursing home administrator license (whether standard, out-of-state, or temporary) or a health services executive license to use the same criminal records check process that applies to individuals applying for various occupational licenses.

Renewals and reinstatements

- Provides that a health services executive license is valid for one year and may be renewed in accordance with procedures the act establishes.
- Eliminates annual certificates of registration for nursing home administrators and instead makes standard and out-of-state licenses valid for one year.
- Establishes renewal processes for those licenses.
- Requires the Board to reinstate an expired license if a health services executive or nursing home administrator satisfies certain requirements within one year after expiration.
- Requires the Board to approve continuing education courses for licensed health services executives.
- Revises the Board's authority to reissue a license that has been revoked for at least one year, or for a felon who has been pardoned or received final release, by expressly applying the authority to the three types of nursing home administrator licenses (standard, out-of-state, and temporary) and health services executive licenses.

Child support enforcement

- Clarifies that the Board's duty to deny, not renew, or suspend a license if the individual who seeks or holds the license is in default under a child support order also applies to a temporary license.

Changes of address

- Applies to licensed health services executives a requirement to report to the Board changes in the licensee's residence mailing address and names and addresses of the places in which the licensee practices.

Display of licenses

- Revises requirements regarding the display of licenses by requiring nursing home administrators and health services executives to display their licenses in the places where they practice.

Verification of licensure status

- Permits a nursing home administrator and a health services executive to request that the Board provide to a licensing agency of another state verification of license status and other related information in the Board's possession.
- Requires the Board to provide the licensing agency the requested verification or related information if the licensee pays a fee to the Board.

DEPARTMENT OF AGRICULTURE

Amusement rides

- Increases the permit fee for an amusement ride by \$75 (from \$150 to \$225).
- Requires the Advisory Council on Amusement Ride Safety, prior to submitting findings or recommendations to the Director of Agriculture, to vote on whether to submit the findings or recommendations.
- Specifies that the Advisory Council may submit only findings or recommendations that receive a majority vote.
- Requires the Director, annually by November 1, to submit a detailed financial report to the Speaker of the House and the Senate President regarding the amusement ride safety program.

Qualifications for pet stores

- Revises which retail stores qualify as a pet store and require licensure by:
 - Specifying that a store must sell 40 or more puppies or adult dogs in any calendar year to the public;
 - Clarifying that a high-volume dog breeder is not a pet store; and
 - Clarifying that a dog breeder that maintains and sells dogs from the same premises where the dogs are bred and reared is not a pet store.
- Authorizes the Director to reimburse the license application fee that a person pays for a pet store license if the person:
 - Holds a valid pet store license on October 17, 2019; and
 - No longer qualifies as a pet store owner or operator as a result of the above changes.

High-volume dog breeder – standards of care

- Revises certain standards of care for dogs that a high-volume dog breeder must maintain, including:

- Clarifies that the primary enclosure requirements for housing dogs that will take effect December 31, 2021, apply to dogs that are 12 weeks or older; and
- Regarding the flooring requirements for dog enclosures that will take effect December 31, 2021, requires coated metal wire used for flooring to measure six gauge or thicker.

Defense for nuisances

- Adds the following as complete defenses in civil nuisance actions that involve agricultural activities:
 - Agricultural activities that are conducted on land devoted exclusively to agriculture that is taxed in accordance with the land's current agricultural use value; and
 - Agricultural activities conducted by a person pursuant to a lease agreement.

Voluntary nutrient management plans – soil test results

- Increases, from three years to four years, the time that soil test results are valid for inclusion in a Director-approved voluntary nutrient management plan.

Urban sediment and storm water runoff pollution

- Revises the law governing soil and water conservation districts and urban sediment and storm water runoff pollution, as follows:
 - Requires the Director to support development and implementation of cooperative programs and working agreements between districts and the Ohio Department of Natural Resources and the Ohio Environmental Protection Agency;
 - Expands a soil and water conservation district's contracting authority by allowing contracts or agreements that address storm water runoff pollution, instead of addressing only urban sediment pollution as in former law;
 - Clarifies that Ohio Soil and Water Conservation Commission recommendations are to encourage proper soil, water, and other natural resource management for farm, rural, suburban, and urban land.

Tree syrup exemption

- Exempts a processor of any kind of tree syrup, rather than only maple syrup as in former law, from specified laws governing retail food establishments and food processing establishments.

Small wineries exemption

- Exempts small wineries from retail food establishment licensure requirements if the winery:
 - Serves commercially prepackaged food and sales of that food do not exceed more than 5% of the total gross receipts of the establishment; and
 - Annually produces 10,000 gallons or less of wine.

- Requires the winery owner to:
 - Notify the Director that it is exempt from licensure because it qualifies under the above conditions; and
 - Disclose to customers that the winery is exempt from licensure.

Wine tax diversion to Ohio Grape Industries Fund

- Extends – through June 30, 2021 – the extra 2¢ per-gallon earmark of wine tax revenue that is credited to the Ohio Grape Industries Fund.

Promotion of Ohio goods in alcohol

- Authorizes the Department of Agriculture, through voluntary promotional programs, to promote the use of Ohio-produced agricultural goods grown for inclusion in beer, cider, or spirituous liquor.

Agricultural society facilities grants

- Creates the Agricultural Society Facilities Grant Program to provide grants in FY 2020 to county and independent agricultural societies to support capital projects that enhance the use and enjoyment of agricultural society facilities.
- Generally requires each agricultural society that applies for assistance to receive an equal amount appropriated for those purposes and to provide a matching amount.
- Requires the Director or the Director’s designee to establish requirements and procedures for the program.
- Requires the Director or designee, after reviewing a grant application and matching grant documentation, to approve the application unless:
 - The project or facility is not a bondable capital improvement project; or
 - The agricultural society does not provide a matching grant.

Ohio Expositions Commission

- Adds the Ohio State University’s Dean of the College of Food, Agricultural, and Environmental Sciences as a nonvoting member of the existing Ohio Expositions Commission.

Propane Marketing Program

- Establishes the Propane Marketing Program.
- Requires the Director to establish a Propane Council and appoint its members, including propane retailers and wholesale distributors.
- Requires the Council to adopt procedures by which Ohio propane retailers may propose, develop, and operate a marketing program.

- Establishes an assessment on the volume of odorized propane purchased by a retailer from a wholesale distributor that is not more than 0.005 mills per gallon of odorized propane purchased.
- Requires the Director to perform certain duties and responsibilities, including monitoring the Council's actions to ensure that the program is self-supporting.
- Establishes procedures for propane retailers to apply for and receive refunds for assessments levied for the program.

OHIO AIR QUALITY DEVELOPMENT AUTHORITY

- Abolishes the obsolete Advanced Energy Research and Development Fund, which was used to provide grants for advanced energy projects.
- Abolishes the obsolete Advanced Energy Research and Development Taxable Fund, which was used to provide loans for the projects.

ATTORNEY GENERAL

Peer-to-peer car sharing

- Authorizes a licensed driver to rent a vehicle owner's personal motor vehicle through a peer-to-peer car sharing program and peer-to-peer car sharing agreements.
- Establishes requirements for a peer-to-peer car sharing program, including that the program collect, verify, and maintain certain records pertaining to the use of each shared vehicle, and make certain disclosures to participants.
- Specifies that peer-to-peer car sharing and a peer-to-peer car sharing program agreement are consumer transactions for purposes of the Consumer Sales Practices Law.
- When the transaction is primarily for personal, family, or household purposes, specifies that any agreement between a motor vehicle leasing dealer and a lessee, or a motor vehicle renting dealer and a renter, is a consumer transaction for purposes of the Consumer Sales Practices Law.
- Authorizes the operator of a public-use airport to adopt reasonable standards, regulations, procedures, and fees related to a peer-to-peer car sharing program, and requires the relevant parties to comply with them.
- Makes a general statement that the General Assembly does not intend to limit or restrict an insurer's ability to exclude coverage or underwrite any insurance policy related to peer-to-peer car sharing.

- Establishes insurance requirements that apply to peer-to-peer car sharing, such as minimum coverage limits, and makes the peer-to-peer car sharing program ultimately responsible for ensuring that insurance requirements are met.

Organized Crime Investigations Commission

- Allows the Organized Crime Investigations Commission to reimburse political subdivisions for employment related costs, other than workers' compensation, of political subdivision employees who serve as directors and investigatory staff for an organized crime task force under the Commission.

Contacting persons after accident or crime

- Prohibits health care practitioners and persons paid money or anything of value to solicit employment on behalf of another from directly contacting any party to a motor vehicle accident, any victim of a crime, or any witness to a motor vehicle accident or crime, until 30 days after the accident or crime.
- Requires the Attorney General, if the Attorney General believes a person violated this prohibition, to issue a notice, conduct a hearing, and impose a fine of \$5,000 if a violation actually occurred.
- Increases the fine to \$25,000 if there is a subsequent violation.
- If there are three separate violations and the person holds a license issued by an agency, requires the Attorney General to notify that agency of the three violations and the agency to suspend the person's license without a prior hearing and afford a hearing on request.

Internet Crimes Against Children Task Force

- Requires the Ohio Internet Crimes Against Children Task Force to coordinate a state network of law enforcement agencies to support investigations into internet crimes against children.
- Requires the Task Force to support the state network of law enforcement agencies by funding positions, providing investigative training and digital forensic support, and conducting community outreach.
- Authorizes the Attorney General to disburse funds appropriated for the Task Force to local agencies affiliated with the Task Force, and to the Attorney General's Crimes Against Children Initiative.
- Requires the Task Force and the Attorney General's office to provide a yearly progress report and summary of expenditures

AUDITOR OF STATE

Medicaid auditing (VETOED)

- Would have provided that, until June 30, 2023, the Auditor of State is not responsible for the costs the Auditor incurs when auditing medical assistance recipients (VETOED).
- Would have required the Auditor, until June 30, 2023, to audit Medicaid managed care organizations (VETOED).

Independent auditors

- Removes the Auditor's authority to contract with a public accountant to audit a public office as an independent auditor; the Auditor has continuing authority to contract with a *certified* public accountant.
- Instead of ensuring independent auditors comply with Generally Accepted Auditing Standards, requires the Auditor to ensure independent auditors comply with Generally Accepted *Government* Auditing Standards.

Costs of audits

- Allows the Auditor to determine which costs of an audit of a state agency or local public office will be charged to the agency or office.
- Specifies that costs of an audit include both direct and indirect costs.
- Allows the Auditor to offset charges billed to a local public office using resources from the Local Government Audit Support Fund, the General Revenue Fund, or other state sources the Auditor has for this purpose.

Local Government Audit Support Fund

- Creates the Local Government Audit Support Fund to offset the cost of audits of local public offices.
- Requires the OBM Director to credit monthly a portion of total tax revenue credited to the General Revenue Fund equal to $\frac{1}{12}$ of the annual fiscal appropriation from the Local Government Audit Support Fund, and to develop a schedule identifying the specific tax revenue sources to be used to make the monthly transfers.
- Prohibits the Controlling Board from authorizing additional spending from the Local Government Audit Support Fund.

Audit of Auditor of State's Office

- Allows the Governor and the House and Senate Finance Committee chairpersons to select designees to recommend an accountant for appointment, rather than requiring the Governor and chairpersons to evaluate accountants themselves.

- Requires OBM to provide staff services to the Governor and Finance chairpersons or to their designees.

OFFICE OF BUDGET AND MANAGEMENT

- Provides that records or documents received by OBM's Office of Internal Audit for the purpose of conducting internal audits of state agencies and that are otherwise exempt from disclosure under state or federal law are not public records.
- Clarifies that infrastructure records that are an internal audit report or work paper of OBM are exempt from disclosure as a public record.
- Changes terminology in the Controlling Board law governing the expenditure of excess money from certain state funds.

CAPITAL SQUARE REVIEW AND ADVISORY BOARD

- Exempts buildings that are under the management and control of the Capitol Square Review and Advisory Board from the Ohio Facilities Construction Commission's authority.

DEPARTMENT OF COMMERCE

Financial institutions multistate licensing

- Authorizes the Superintendent of Financial Institutions to participate in a multistate licensing system for all license or registration types overseen by the Superintendent.

Real estate licenses

- Increases several fees related to licensing real estate brokers and salespersons.
- Replaces the annual renewal fee for real estate brokers and real estate salespersons with a three-year renewal fee.
- Requires a person seeking a real estate broker or salesperson license to submit to a criminal records check, in addition to other continuing licensure requirements.
- Provides that licensed real estate brokers and salespersons are not subject to professional discipline solely because they provide real estate services to medical marijuana licensees.
- Expands the civil enforcement authority of the Superintendent of Real Estate and Professional Licensing relative to oil and gas land professionals.

Real Estate Recovery, Appraiser Recovery Funds

- Replaces the current tiered assessments, to fund the Real Estate Recovery Fund, that the Real Estate Commission imposes on real estate broker and salesperson license renewals with a required assessment, up to \$10, if the fund falls below \$250,000.
- Authorizes the OBM Director, on request from the Director of Commerce, to transfer funds, with Controlling Board approval, from the Real Estate Recovery Fund to the Division of Real Estate Operating Fund to reduce the former fund's balance to at least \$250,000.
- Reduces from \$500,000 to \$200,000 the threshold balance in the Real Estate Recovery Fund that triggers the Director's authority to request money be moved from the Real Estate Appraiser Operating Fund to the Real Estate Appraiser Recovery Fund, and requires Controlling Board approval for such transfers.
- Authorizes the OBM Director, on request from the Director, to transfer funds, with Controlling Board approval, from the Real Estate Appraiser Recovery Fund to the Real Estate Appraiser Operating Fund to reduce the former fund's balance to at least \$200,000.

Appraisers' removal from panels

- Requires an appraisal management company that wishes to remove an appraiser from its appraiser panel to provide the appraiser with a written explanation and an opportunity to respond in all cases.

D-5l liquor permit

- Authorizes the Division of Liquor Control to issue the D-5l liquor permit (for sales of beer and intoxicating liquor in a revitalization district) to a premises that is located in a municipal corporation with less than 10,000 people, provided the municipal corporation is located in a county with more than 1 million people.

Unclaimed funds

- Explicitly authorizes a notice of unclaimed funds to be published electronically.

Manufacturing Mentorship Program

- Creates the Manufacturing Mentorship Program to expose 16- and 17-year-old minors to manufacturing occupations through temporary employment.
- Requires an employer employing a minor under the program to assign the minor a mentor, provide the minor with required training, and take other specified actions.
- Requires the Director to specify a list of tools that a minor employed under the program may operate.
- Prohibits an employer from (1) permitting a minor to operate a tool described above unless the minor is employed under the Mentorship Program, and (2) permitting a

minor who is employed under the program to operate a tool prohibited for use by minors of that age under federal and state law.

- Establishes a civil penalty for whoever violates the above prohibitions.
- Prohibits the Director from adopting any rule to prohibit a 16- or 17-year-old minor employed under the program from being employed in a manufacturing occupation if federal law permits the minor's employment in the occupation.

Building code

- Authorizes the Superintendent of the Division of Industrial Compliance to administer and enforce the building code on behalf of political subdivisions, pursuant to contract.

Structural steel welding and inspection

- Requires a contractor, subcontractor, or project manager who is responsible for the structural steel welding on a construction project to ensure that standards related to welding and welding inspections be met in construction projects.
- Exempts from the act's structural steel welding requirements certain buildings and any welding that is required by the American Society of Mechanical Engineers to have its own certification.

Fireworks license moratorium

- Extends the moratorium on issuing a fireworks manufacturer or wholesaler license and approving the geographic transfer of those licenses to December 31, 2020.

Mesh crib liners (VETOED)

- Would have removed a prohibition on the manufacture, sale, delivery, or possession of mesh crib liners in the absence of safety standards promulgated by the U.S. Consumer Product Safety Commission (VETOED).

COSMETOLOGY AND BARBER BOARD

- Allows an individual to practice a branch of cosmetology without a license or registration if the individual does so for free for the purpose of researching or developing a cosmetic.

COUNSELOR, SOCIAL WORKER, AND MARRIAGE AND FAMILY THERAPIST BOARD

- Permits an applicant for a professional clinical counselor's license or a professional counselor's license to have a degree from any counseling program accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP), rather than from specified CACREP programs as under former law.

- Requires an applicant for a professional clinical counselor’s license or a professional counselor’s license to participate in a clinical counseling internship, rather than a counseling internship as required under former law.
- Allows the Counselors Professional Standards Committee of the Counselor, Social Worker, and Marriage and Family Therapist Board to issue a license by endorsement to a person who does not have a graduate degree in counseling if the person is authorized to practice in another state and meets specified requirements.
- Requires the Board to establish a schedule of deadlines for biennially renewing a license or certificate of registration.
- Eliminates a requirement that a counselor, social worker, or marriage and family therapist prominently display the person’s license in a particular location and manner.

DEVELOPMENT SERVICES AGENCY

Opportunity zones and business investment credits

- Authorizes a nonrefundable tax credit equal to 10% of a taxpayer’s investment in an Ohio Opportunity Zone fund.
- Limits individual credits to \$1 million per fiscal biennium and total credits to \$50 million per biennium.
- Reduces the total biennial cap on the existing small business investment credit from \$100 million to \$50 million and otherwise modifies that credit.

Motion picture tax credit

- Extends eligibility for the motion picture tax credit to certain live theater productions and production contractors.
- Requires that production companies and production contractors be registered with the Secretary of State as a condition of receiving the credit.
- Adds post-production, advertising, and promotional expenses to the expenditures for which the credit may be claimed.
- Disqualifies productions that do not begin within a specified period after being certified as eligible for the credit.
- Stipulates that tax credit certificates are to be awarded in two rounds – in July and January – each fiscal year.
- Requires each round’s applications to be ranked based on the production’s economic and workforce development impact and granted tax credits in the order of the ranking.
- Terminates a tax credit recipient’s authority to transfer its right to claim the credit to a third party.

Community reinvestment areas

- Specifies that an amendment that adds affordable housing requirements to the terms of a community reinvestment area (CRA) in existence on July 21, 1994, will not subject the CRA to state law requirements that subsequently became effective.

Rural Industrial Park Loan Fund

- Reinstates the Rural Industrial Park Loan Fund, which was repealed in 2015 and has not received appropriations since FY 2010-2011, and requires the fund to support the Rural Industrial Park Loan Program.
- Appropriates \$25 million to the fund.

Sports event grant program

- Authorizes the Development Services Agency to award a sports event grant on the basis of an Ohio sporting event that had been held in Ohio within the two preceding years.

DEPARTMENT OF DEVELOPMENTAL DISABILITIES

County projections and plans

- Requires each county board of developmental disabilities (county DD board) to annually submit to the Department of Developmental Disabilities a five-year projection of revenues and expenditures.
- Authorizes the Department to conduct additional reviews to assess a county DD board's fiscal condition.
- Requires each county DD board to develop an annual plan, instead of a three-year plan, and generally limits the information in the plan to information regarding waiting lists and home and community-based services.

Quality assurance reviews

- Eliminates a requirement that county DD board service and support administrators perform quality assurance reviews as a distinct function of service and support administration.

Information about residential services

- Requires the Director of Developmental Disabilities (DD Director) to establish and maintain on the Department's website a searchable database of vacancies in licensed residential facilities.
- Requires a county DD board, when contacted about residential services, to provide information about the different types of residential services that are offered, including ICF/IID and home and community-based services.

- Requires a county DD board to inform an individual of the option to receive ICF/IID services before placing the individual on a waiting list for home and community-based services.

Right to receive ICF/IID services

- Codifies in state law a federal requirement that individuals with developmental disabilities who are eligible to receive ICF/IID services have the right to receive the services from any willing and qualified provider.
- Permits individuals with developmental disabilities who are eligible for both ICF/IID and home and community-based services to choose which services to receive.
- Requires the Department to determine whether county DD boards violate these rights.

County waiting lists

- Provides that a county DD board's duty to establish a waiting list for home and community-based services applies if it determines that available resources are insufficient to enroll all individuals who have been assessed as needing the services *and have requested the services*.

Criminal records checks, conditionally employed

- Requires the Department, or other hiring entity, to request a criminal records check before conditionally employing an applicant.

STABLE account advisory board

- Changes the name of Ohio's ABLE Account Program Advisory Board to the STABLE Account Program Advisory Board.

Disciplinary actions against supportive living certificates

- Permits the DD Director, for good cause, to suspend a supported living certificate holder's authority to expand or add supported living services.
- Authorizes the DD Director to issue a summary order suspending a supported living certificate holder's authority to provide supported living to one or more identified individuals when there is an immediate danger of causing serious injury or death.

Medicaid rates for ICF/IID services

- Provides that the mean FY 2020 and FY 2021 Medicaid rates for all ICFs/IID in peer groups 1-B and 2-B as determined under an older formula after certain modifications are made cannot exceed \$290.10.
- Requires the Department to reduce the FY 2020 and FY 2021 Medicaid rates for ICFs/IID in peer groups 1-B and 2-B as determined under an older formula if the federal government requires that the ICF/IID franchise permit fee be reduced or eliminated.

- Delays the addition of the quality incentive payment to the Medicaid rates for ICFs/IID from July 1, 2020, to July 1, 2021.
- Requires the DD Director to establish a workgroup to recommend new quality indicators to be used to determine ICF/IIDs' quality incentive payments.
- Eliminates the current quality indicators and instead requires that new quality indicators be created based on the workgroup's recommendations.
- Modifies the formula to be used to determine the relative weight point value used in determining an ICF/IID's quality incentive payment.
- Reduces ICFs/IID direct support personnel payments once they begin to receive quality incentive payments.
- Permits the Department to pay an ICF/IID a rate add-on for outlier services.
- Requires that to be eligible to receive outlier ICF/IID services, an individual must be a Medicaid recipient, be determined to need intensive behavioral support services, and meet any other requirements specified by the Department.
- Requires the Department to negotiate the amount of the rate add-on with the Department of Medicaid.

ICF/IID franchise permit fee

- Increases the rate of the franchise permit fee imposed on ICFs/IID from \$18.02 to \$23.95 for FY 2020 and to \$24.89 for each fiscal year thereafter.
- Provides for the franchise permit fee to be assessed quarterly instead of annually.
- Provides that an ICF/IID's franchise permit fee for a quarter is to equal the franchise permit fee rate multiplied by the number of the ICF/IID's inpatient days for the quarter.

County share of nonfederal Medicaid expenditures

- Requires the DD Director to establish a methodology to estimate in FY 2020 and FY 2021 the quarterly amount each county DD board is to pay of the nonfederal share of the Medicaid expenditures for which the board is responsible.
- Requires, under certain circumstances, that the DD Director pay the nonfederal share of a claim for ICF/IID services using subsidies otherwise allocated to county boards.

Medicaid rates for homemaker/personal care

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

Direct support professional rate increase (VETOED)

- Would have required that the Medicaid rate for homemaker/personal care services provided by direct support professionals under a Medicaid waiver administered by the

Department be \$12.82 per hour for calendar year 2020 and \$13.23 per hour for the first half of calendar year 2021 (VETOED).

Specialized treatment units for minors

- Permits the managing officer of an institution, with the concurrence of the chief program director, to admit into a specialized treatment unit children ages 10 to 17 who are in behavior crisis and have serious behavioral challenges.
- Requires a child's parent or legal guardian to enter into a memorandum of understanding with the county DD board and the Department specifying each party's responsibilities and the duration of admission.
- Limits the initial duration of admission to 180 days, but permits the child's parent or guardian to petition the Department to extend admission to a maximum of one year.

Citizen's advisory councils

- Reduces to seven (from 13) the number of citizen's advisory council members to be appointed for an institution under the Department's control.
- Increases the term of advisory council officers and permits a member to serve as an officer until no longer a council member.
- Designates an institution's managing director as the individual responsible for nominating persons to fill council vacancies.

Other provisions

- Permits a developmental center to provide services to persons with developmental disabilities living in the community or to providers of services to those persons.
- Permits the DD Director to authorize, in FY 2020 and FY 2021, innovative pilot projects that are likely to assist in promoting the objectives of state law governing the Department and county DD boards.
- Excludes services provided under Part C of the federal Individuals with Disabilities Education Act from the central intake and referral system used to refer families to those services as well as home visiting programs.
- Requires, rather than permits, the DD Director to establish an employment first task force, and removes the sunset provision that would have terminated the task force on January 1, 2020.
- Permits the DD Director to provide reimbursement for travel expenses for a workgroup's official members who represent families or are advocates of individuals with developmental disabilities, if certain conditions are met, within limits.
- Requires, rather than permits, the DD Director to establish an interagency workgroup on autism.

DEPARTMENT OF EDUCATION

School Financing

Funding for FY 2020 and FY 2021

- Requires the Department of Education to pay each city, local, exempted village, and joint vocational school district an amount equal to the district's payments for FY 2019.
- Requires the Department to make an additional payment to each city, local, or exempted village school district, with at least 50 enrolled students, that experienced an average annual percentage increase in its enrollment between FY 2016 and FY 2019.
- Requires the Department, for each student enrolled in a community school or STEM school, to deduct from the payment computed for the student's resident district and pay to the school the amount prescribed by continuing law.
- Specifies that, when computing other payments for FY 2020 and FY 2021 for which a district's "state share index" or "state share percentage" is a factor, the Department must use the district's index or percentage computed for FY 2019.
- Specifies that, for open enrollment, College Credit Plus, and any other payments in which the "formula amount" is used, the formula amount for FY 2020 and FY 2021 equals the \$6,020 formula amount for FY 2019.

Student wellness and success funding

- Provides student wellness and success funds on a per pupil basis to city, local, and exempted village school districts based on quintiles of the percentages of children with family incomes below 185% of the federal poverty guidelines.
- Provides student wellness and success funds, on a full-time equivalency basis, to joint vocational school districts, community schools that are not internet- or computer-based community schools (e-schools), and STEM schools based on the per-pupil amount of this funding paid to each student's district of residence.
- Specifies that each school district, community school that is not an e-school, and STEM school must receive a minimum payment of student wellness and success funds of \$25,000 for FY 2020, and \$36,000 for FY 2021.
- Provides each e-school with student wellness and success funds of \$25,000 for FY 2020, and \$36,000 for FY 2021.
- Provides student wellness and success enhancement funds on a per-pupil basis to city, local, and exempted village school districts that received supplemental targeted assistance funding for FY 2019.
- Provides student wellness and success enhancement funds, on a full-time equivalency basis, to joint vocational school districts, community schools that are not e-schools, and

STEM schools based on the per-pupil amount of enhancement funding paid to each student's district of residence.

- Requires each district and school to spend wellness and success funds and enhancement funds for specified purposes and to develop a plan for utilizing the funding in coordination with one or more specified organizations.
- Requires each district and school to submit a report to the Department after the end of each fiscal year describing the initiatives on which the district's or school's student wellness and success funds were spent.

Funding adjustments for TPP value changes

- Eliminates the requirement that the Department deduct funds from a school district with more than a 10% increase in the taxable value of utility tangible personal property (TPP) subject to taxation in the preceding tax year when compared to the second preceding tax year.
- Requires the Department to credit districts for funds deducted due to such valuation increases between tax years 2017 and 2018.

Per-pupil guarantee (VETOED)

- Beginning with FY 2022, would have guaranteed each city, local, and exempted village school district at least as much funding per pupil as the statewide per pupil amount paid for chartered nonpublic schools in Auxiliary Services funds and for administrative cost reimbursement (VETOED).

Career-technical education

- Requires the Department to adjust the amounts paid to certain school districts for FY 2020 and FY 2021 to account for the decrease in career-technical education students served by a city, local, or exempted village school district and the corresponding increase in students served by a joint vocational school district beginning in FY 2020.

School bus purchase assistance

- Requires the Department of Education, in partnership with the Department of Public Safety, to develop a program to provide school bus purchase assistance, and to report to the General Assembly by January 31, 2020, how the program will operate.

School climate grants

- Creates school climate grants for FY 2020 and FY 2021 for school districts, community schools, or STEM schools to implement positive behavior intervention and support frameworks or social and emotional learning initiatives.

Other community school payments

- Requires the Department of Education to pay each community school that operates a preschool program using the Montessori method as its primary method of instruction \$6,020 (the formula amount for FY 2019) for each student younger than age four.
- Establishes the Quality Community School Support Program, under which certain “community schools of quality” may receive additional per pupil payments.

Funding for groups of STEM schools

- Requires the Department to pay all funds for each STEM school that operates within a group directly to the group’s governing body, and requires the governing body to distribute to each STEM school within the group the full amount determined by the Department for that school.
- Requires the Department to assign a separate internal retrieval number to each STEM school within a group.

Studies and reports

- Requires the Department to study and make recommendations on the feasibility of new funding models for internet- or computer-based community schools (e-schools) by December 31, 2019.
- Requires the Department to submit annual reports to the General Assembly describing the manner in which the Department partnered with educational service centers in the delivery of certain services during previous fiscal year.
- Requires the Department to conduct separate studies of economically disadvantaged students and preschool education by December 31, 2020.

High School Graduation and Testing

Graduation requirements

- Beginning with the class of 2023, requires students of public and chartered nonpublic schools to attain a competency score on the English language arts II and Algebra I end-of-course exams and earn two state diploma seals to qualify for a high school diploma.
- Permits students who do not attain a competency score on the English language arts II or Algebra I end-of-course exams to qualify for a high school diploma using an alternative demonstration of competency.
- Requires the Department, in consultation with the Chancellor of Higher Education and the Governor’s Office of the Workforce Transformation, to determine a competency score on the English language arts II and Algebra I end-of-course exams by March 1, 2020.

- Requires the State Board of Education to develop the system of state diploma seals.

At-risk students

- Requires each public school and chartered nonpublic school, by June 30, 2020, to adopt a policy regarding students who are at risk of not qualifying for a high school diploma.
- Specifies that a policy must include criteria and procedures for identifying at-risk students and a process for providing written notification to their parent or guardian.
- Requires each district or school to assist at-risk students with additional instructional and support services.

Graduation plans

- Stipulates that each district or school must develop, and subsequently update, a graduation plan for every student enrolled in grades 9-12 and that the plan must be used to help identify at-risk students.

Recommendations, students retaking grade 12

- Requires the Superintendent of Public Instruction, in collaboration with the Chancellor and the Office of Workforce Transformation, to establish a committee to develop policy recommendations regarding students who completed grade 12, but did not qualify for a high school diploma.
- Requires the committee to report its recommendations to the State Board and the General Assembly by October 1, 2020.

End-of-course exams

- Eliminates the end-of-course exams for English language arts I and, if a federal waiver is received, geometry.
- Specifies students must complete the English language arts II, Algebra I, science, American history, and American government end-of-course exams, but only the English language arts II and Algebra I end-of-course exams are required for graduation.
- Requires the state Superintendent or designee, after the State Board determines the ranges of scores for the end-of-course exams, to conduct a public presentation before the House and Senate committees that consider primary and secondary education legislation.
- Prohibits the State Board from setting a new minimum cumulative performance score for the end-of-course exams after October 17, 2019.
- Prohibits requiring a student to retake the English language arts II and Algebra I end-of-course exams in grades 9-12 if the student received a proficient score or higher, or achieved a competency score, prior to grade 9.

State Report Cards

Value-added progress

- Changes the grading scale used to determine letter grades assigned for the value-added progress dimensions on the report card.
- Permits the State Board to award a district or building an overall value-added progress dimension grade of “A” if the grades for its subgroup value-added dimension score is a “C” or higher, instead of a “B” or higher as under prior law.

Preliminary data and community schools at risk of closure

- Requires the Department to annually submit preliminary data for state report cards and community schools at risk of closure.

Study committee

- Establishes a study committee to evaluate how performance measures, components, and the overall grade on the state report card are calculated and to report its findings to the General Assembly by December 15, 2019.

Dropout recovery schools

- Specifies that the state test passage rate measure on the dropout recovery report card must include the percentage of 12th grade students who have attained the “designated” passing score on all high school assessments or the “cumulative” performance score on the end-of-course exams, whichever applies.
- Requires the Department to reissue 2017-2018 and 2018-2019 overall ratings for each dropout recovery community school using the new state test passage rate measure and provides a limited exemption from closure based upon the reissued ratings.
- Requires the State Board to coordinate a committee to study the classification, authorization, and report card ratings of community schools that primarily serve students enrolled in dropout prevention and recovery programs that offer two or more of the following models: blended learning, portfolio learning, or credit flexibility.
- Requires the State Board to submit the committee’s recommendations to the General Assembly by April 17, 2020.

Amendment to 2018-2019 report card data

- Requires the Department to accept an amendment to data submitted by a school district for the calculation of the 2018-2019 report card, if there are extenuating circumstances and the district provides adequate information to explain and support the amended data by August 10, 2019.

Community Schools

Community school mergers

- Establishes a procedure by which two or more community schools may merge, which includes adopting a resolution, notifying the Department, and entering into a new contract with the surviving community school's sponsor.
- Clarifies that participating in a merger does not exempt a community school from the issuance of report card ratings or the laws regarding permanent closure.
- Makes a community school ineligible to participate in a merger if it (1) has received certain failing grades on one of two most recent report cards or (2) has been notified of the sponsor's intent to terminate or not renew the school's sponsorship contract.

Sponsor evaluations

- Decreases the frequency of the evaluation of any community school sponsor rated "effective" or "exemplary" for three or more consecutive years to once in each three-year period.
- Requires the Department to recalculate the rating for the 2017-2018 school year for the sponsor of a dropout recovery community school that itself receives a recalculated rating for that school year based on the act's revised test passage report card measure.
- Permits a community school sponsor to review the information used to determine the "academic performance" component of its evaluation at the same time it reviews information used to determine "adherence to quality practices" and "compliance with laws and rules" under continuing law.

Lists of community school closures and "challenged" districts (PARTIALLY VETOED)

- Requires the Department annually to publish separate lists regarding community school closures, community schools at risk of closure, and "challenged" school districts.
- Would have required the lists be published by August 31 (VETOED).

Other provisions

- Limits a community school sponsor's duty to annually verify that the Auditor of State has not issued findings for recovery against specified persons to only those who have responsibility for fiscal operations or the authorization to spend money on behalf of a school.
- Reduces the filing frequency for sponsor opening assurances from once each year to once prior to the opening of a school's first year of operation and, for brick-and-mortar schools, once more prior to the opening of operations from any new building.

- Reclassifies as a “start-up” community school a “conversion” community school that later enters into a sponsorship contract with an entity that is not a school district or educational service center.
- Changes the number of years of specified underperformance necessary for closure of community schools (including dropout recovery schools) from two of the three most recent school years to three consecutive school years.
- Requires each internet- or computer-based community school (e-school) to prepare and submit an annual report to the Department on classroom size, teacher – student ratios, and in-person meetings with a student.
- Requires the Department to submit to the State Board a report regarding the information received by e-schools.

Scholarship Programs

Educational Choice (Ed Choice) scholarships

- Specifies that if the number of applicants for an Ed Choice scholarship for a school year exceeds 90% of the maximum number prescribed by statute, the Department must increase the limit by 5%.
- Expands high school eligibility for Ed Choice scholarships.
- Accelerates the phased in eligibility for income-based Ed Choice scholarships to cover all grade levels, K-12, beginning with the 2020-2021 school year.
- Revises the method for computing a student’s Ed Choice scholarship by permitting the Department to subtract only tuition discounts for which all students attending the student’s nonpublic school may be eligible.
- Beginning with the 2020-2021 school year, requires the Department to conduct an annual priority application period for Ed Choice scholarships that begins on February 1 and runs for at least 75 days.
- Requires the Department to continue awarding scholarships after the priority application period ends, prorating the amount if the student receives a scholarship after the school year begins, and in the case of income-based scholarships, award them only if appropriated funds remain available.

Cleveland scholarships

- Requires the Department, beginning with the 2020-2021 school year, to conduct two application periods for the Cleveland Scholarship Program.
- Specifies that the Department need not conduct a second application period if the scholarships awarded in the first period used the entire amount appropriated for a school year.

Other Provisions

Academic distress commissions – moratorium

- Prohibits the state Superintendent from establishing any new academic distress commissions until October 1, 2020.

Assessment requirements, chartered nonpublic schools

- Permits chartered nonpublic schools that participate in state scholarship programs to administer an alternative assessment rather than the state achievement assessments for grades 3-8.
- Permits a chartered nonpublic school to develop a written plan to excuse a student with a disability from taking state assessments if certain conditions apply.

Nonpublic school administrative reimbursement

- Permits up to \$446 per student to reimburse chartered nonpublic schools for administrative costs for FY 2020 and FY 2021.

Accredited nonpublic schools (VETOED)

- Would have established a category of nonpublic schools called “accredited nonpublic schools” for private schools that are accredited by the Independent Schools Association of the Central States (VETOED).

Educational service centers

- Explicitly permits an educational service center (ESC) to apply for state or federal grants on behalf of school districts and community schools with which it has voluntary service agreements.
- Permits an ESC to enter into a contract to purchase supplies, materials, equipment, and services on behalf of a school district or political subdivision.
- Permits ESCs to participate in the school component of the Medicaid Program.

School breakfast

- Requires the Department to establish a program under which qualifying higher-poverty public schools must offer breakfast to all students before or during the school day, but permits a district or school to choose not to establish a school breakfast program for financial reasons or if it already has a successful breakfast program or partnership in place.
- Requires the Department to submit a report on the breakfast program to the General Assembly and the Governor annually by December 31.

Student transportation

- Prohibits a school district board from reducing, after the first day of the school year, the transportation it provides to students the district is not required to transport.

- Specifies that the annual medical examination for school bus drivers required under rules adopted by the State Board may be performed by the same individuals who may perform medical examinations for school bus drivers who are subject to State Highway Patrol rules.

Lease or sale of district property

- Requires a school district to offer to lease or sell to community schools, STEM schools, and college-preparatory boarding schools located in the district real property that the district has not used for school operations for one year (rather than two years as under prior law).

Transfer of district territory

- Permits electors residing in school district territory located within a township that is split between two or more school districts to petition for the transfer of territory to an adjacent school district.
- Requires an election on the proposed transfer if the petition is signed by at least 10% of electors within the territory voting in the last general election.
- Requires the district boards affected by the territory transfer and the board of township trustees to execute an equitable division of funds and indebtedness between the districts and specifies that legal title to school property is transferred to the district gaining territory.

State minimum teacher salary schedule

- Increases the minimum base salary for beginning teachers with a bachelor's degree from \$20,000 to \$30,000 and proportionally increases the minimum salaries for teachers with different levels of education and experience.

Alternative resident educator licenses

- Requires applicants for an alternative resident educator license to have either a cumulative undergraduate grade point average (GPA) of 2.5 out of 4.0 or a cumulative graduate school GPA of 3.0 out of 4.0.
- Replaces the option to satisfy the training prerequisite for alternative resident educator licensure by completing a summer training institute offered by a nonprofit organization with the option to complete preservice training approved by the Chancellor of Higher Education.

“Properly certified or licensed” teachers, paraprofessionals (PARTIALLY VETOED)

- Would have repealed the prohibition against school districts and STEM schools employing teachers to provide instruction in a core subject area who are not “properly certified or licensed” teachers (VETOED).

- Would have repealed the prohibition against school districts and STEM schools employing paraprofessionals to provide support in a core subject area in a program supported by federal Title I funds who are not “properly certified” paraprofessionals (VETOED).
- Exempts community schools from the prohibition against employing teachers of a core subject area unless they are “properly certified or licensed teachers,” or hiring paraprofessionals to provide support in a core subject area unless they are “properly certified paraprofessionals.”

Computer science

- Permits a school district, community school, or STEM school, for the 2019-2020 and 2020-2021 school years, to allow an individual with a valid educator license in any of grades 7-12 to teach a computer science course if the individual first completes an approved professional development program.
- Requires a district superintendent or school principal to approve any professional development program endorsed by the College Board, the organization that creates and administers the national Advanced Placement examinations, as appropriate for the course the individual will teach.
- Requires a public school or chartered nonpublic school that requires a foreign language for high school graduation to accept one unit of computer coding instruction toward satisfying that requirement.
- Specifies that, if a student applies more than one course of computer coding toward the requirement, they must be sequential and progressively more difficult.

Bright New Leaders for Ohio Schools

- Eliminates the law that established the nonprofit corporation that initially created and implemented the Bright New Leaders for Ohio Schools Program and, instead, designates the Ohio State University Fisher College of Business and College of Education and Human Ecology as the program’s administrators.
- Requires the State Board to issue a professional administrator license for grades pre-K through 12 to individuals who complete the program.

Other provisions

- Requires the Department to establish a program that awards grants to school districts and ESCs to organize activities that encourage and assist high school seniors to complete the Free Application for Federal Student Aid (FAFSA).
- Clarifies that child day-care centers that serve preschool children and child day-care centers that serve school-age children must meet or exceed the standards adopted by the Director of Job and Family Services.

- Requires public schools to annually report to the Department on the types of behavioral prevention initiatives being used to promote healthy behavior and decision-making by students, and permits the Department to use the reports as a factor in distributing funding for prevention-focused behavioral initiatives.
- Specifies that when determining whether a student is “excessively absent” a school district or school must consider only nonmedical excused absences and unexcused absences, rather than *all* excused and unexcused absences as under prior law.
- Permits a school district board or chartered nonpublic school to substitute two full seasons of show choir to fulfill high school physical education requirements.
- Requires a school district, interscholastic conference, or organization that regulates interscholastic athletics to have uniform transfer rules for public and nonpublic schools.
- Permits any international student attending an Ohio elementary or secondary school and who holds an F-1 U.S. visa to participate in interscholastic athletics, regardless of whether the student’s school began operating a dormitory prior to 2014 (as stipulated under prior law).
- Eliminates (1) training on crisis prevention and intervention and (2) establishment of a wellness committee from the consolidated school mandate report that each district annually must file with the Department to denote compliance or noncompliance with the items contained in the report.
- Requires the Auditor of State to conduct a performance audit of selected offices or programs within the Department by October 1, 2020.
- Changes references of “limited English proficient student” to “English learner” to align with federal law.

JOINT EDUCATION OVERSIGHT COMMITTEE

- Abolishes the Joint Education Oversight Committee (JEOC) on October 1, 2019.
- Assigns the responsibility to complete any unfinished JEOC business, as well as its records and materials, to the Legislative Service Commission.

BOARD OF EMBALMERS AND FUNERAL DIRECTORS

- Increases all license and permit fees by \$50.
- Replaces embalmer and funeral director registration with certification of apprenticeship subject to a \$35 fee.

ENVIRONMENTAL PROTECTION AGENCY

Extension of E-Check

- Extends the motor vehicle inspection and maintenance program (E-Check) through June 30, 2025, where federally mandated.

Local air pollution control authority

- Removes the Mahoning-Trumbull Air Pollution Control Authority (City of Youngstown), which ceased operations in 2018, as a local air pollution control authority.

Post-use polymers and recoverable feedstocks

- Excludes, under certain circumstances, post-use polymers (plastics) and recoverable feedstocks from the laws governing solid waste disposal.

Asbestos abatement

- Makes the following changes to the law governing asbestos abatement:
 - Expands the scope of activities that are subject to regulation by applying the law to activities involving more than three linear or square feet of asbestos-containing material, rather than more than 50 linear or square feet as in prior law;
 - Authorizes the Ohio Environmental Protection Agency (OEPA) to take certain enforcement actions against a contractor licensee or certificate holder if either violates or threatens to violate specified federal regulations; and
 - Eliminates the OEPA Director's authority to approve alternatives to the worker protection requirements for a project conducted by a public entity.

Extension of various fees

- Extends the sunset of the following fees for two years:
 - Annual emissions fees for synthetic minor facilities;
 - Annual discharge fees for National Pollutant Discharge Elimination System (NPDES) permit holders;
 - License fees for public water system licenses;
 - Fees levied on the transfer or disposal of solid wastes; and
 - Fees levied on tire sales.
- Extends the levying of higher fees for the following, and the decrease of those fees at the end of two years:
 - Applications for plan approvals for wastewater treatment works;
 - State certification of laboratories and laboratory personnel (for purposes of the Safe Drinking Water Law);

- Applications to take examinations for certification as water supply system or waste water system operators; and
- Applications for permits, variances, and plan approvals under the Water Pollution Control and Safe Drinking Water Laws.

OHIO FACILITIES CONSTRUCTION COMMISSION

Executive Director powers

- Eliminates the law stating that the Executive Director of the Ohio Facilities Construction Commission must exercise all powers that the Commission possesses.

School maintenance set-aside

- Specifies that the maintenance funds set aside for a state-funded classroom facilities project may be used for “upgrades,” subject to Commission approval.

Expedited Local Partnership Program (ELPP)

- Permits a school district that has already received assistance under Classroom Facilities Assistance Program (CFAP) and has divided its CFAP project into segments to participate in Expedited Local Partnership Program (ELPP) for a discrete portion of one or more of its future segments.

Priority funding under CFAP

- Requires the Commission to give first priority for CFAP projects to a city, local, or exempted village school district that intends to build a new school building on land originally owned by a state community college with the intention of collaboratively working with that institution on workforce development programs and curriculum.
- Permits the Commission to reduce the district’s portion of the project cost by up to 25 percentage points and up to an additional ten percentage points, provided the district’s portion is at least 5%.

CFAP for ELPP districts

- Specifies that an ELPP district that did not construct facilities under its ELPP agreement retains its percentile ranking determined at the time of its initial agreement under ELPP if the district intends to build new classroom facilities on land originally owned by a state community college and satisfies other conditions.
- Requires the Commission to give districts that satisfy these conditions first priority for CFAP funding, as the funds become available.
- Specifies that those districts’ share of CFAP project costs must be the same percentage as under their initial ELPP agreements.

School storm shelters

- Extends from September 15, 2019, to September 15, 2020, the moratorium on constructing storm shelters in private and public school buildings.
- Requires the Commission to study storm shelter requirements for school buildings and make recommendations to the General Assembly by December 31, 2019.

OHIO GENERAL ASSEMBLY

Legislative Committee on Public Health Futures

- Re-establishes the Legislative Committee on Public Health Futures.
- Requires the Committee to review the effectiveness of recommendations of previous reports and to make legislative and fiscal policy recommendations that it believes would improve local public health services in Ohio.
- Requires the Committee to produce its report by December 31, 2020, and dissolves the Committee once it issues the report.

Broadcast committee meetings

- Authorizes the Ohio Government Telecommunications Service to broadcast and record any committee meeting in the Senate or House, as directed by the presiding officer.

Cystic Fibrosis Legislative Task Force

- Specifies when members of the Cystic Fibrosis Legislative Task Force must be appointed and how long they serve, including as chairperson.

OFFICE OF THE GOVERNOR

- Repeals state laws that established duties for the Office of Health Transformation.
- Repeals state law regarding the exchange of protected health information between certain state agencies.

H2OHIO FUND

- Creates the H2Ohio Fund in the state treasury.
- Directs a portion of FY 2019 GRF surplus revenue and 50% of FY 2021 surplus revenue to the fund.
- Requires fund money to be used for water quality purposes, including awarding grants, issuing loans, funding cooperative research, and encouraging cooperation with governmental and private entities.

- Requires the Ohio Lake Erie Commission, in coordination with state agencies or boards responsible for water protection and water management, to submit an annual report to the General Assembly and the Governor, beginning August 31, 2020.

DEPARTMENT OF HEALTH

Fetal-infant mortality review boards

- Authorizes local boards of health to establish fetal-infant mortality review boards to review fetal and infant deaths within the board's jurisdiction.
- Specifies a review board's membership, purposes, and responsibilities.
- Specifies that investigatory materials that a review board possesses are confidential and not public records, and that board meetings are not subject to Ohio's Open Meetings Law.
- Specifies that entities that submit investigatory materials to a review board, as well as board members, are immune from civil liability in connection with their responsibilities.
- Requires the Director of Health (ODH Director) to adopt rules for the establishment and operation of fetal-infant mortality review boards.

Pregnancy-associated Mortality Review Board

- Establishes in the Ohio Department of Health (ODH) a Pregnancy-associated Mortality Review (PAMR) Board to identify and review all pregnancy-associated deaths for the purpose of reducing their incidence.
- Prohibits the Board from reviewing deaths under investigation or prosecution unless the prosecuting attorney agrees.
- Requires the ODH Director to adopt rules concerning how the Board conducts reviews.
- Specifies that information the Board possesses is confidential and not a public record and that Board meetings are exempt from the Open Meetings Law.
- Specifies that those who submit information to the Board, as well as Board members, are immune from civil liability in connection with their responsibilities.

Home visiting services

- Authorizes the central intake and referral system to include referrals to home visiting programs that use home visiting contractors who provide services within a community HUB that fully or substantially complies with the Pathways Community HUB Institute's certification standards.
- Includes as members of the Ohio Home Visiting Consortium (1) a home visiting contractor who provides services within one or more community HUBs through a

contract, grant, or agreement with the Commission on Minority Health and (2) an individual who receives home visiting services through such a contractor.

Substance use disorder professionals

- Authorizes ODH to establish a loan repayment program for professionals who provide treatment and other related services to individuals with substance use disorders.
- Authorizes ODH to establish a program in which a physician who provides medication-assisted treatment in a health resource shortage area may be eligible for financial assistance.

Radiation technology professionals

- Authorizes nuclear medicine technologists and radiation therapy technologists who are certified in computed tomography (CT) to perform CT procedures.
- Makes other changes to the regulation of radiation technology professionals.

Lead abatement

- Adds four new members to and updates two member associations' names represented on the Child Lead Poisoning Advisory Council.
- If an owner or manager of a residential unit, child-care facility, or school is out of compliance with a lead hazard control order, requires the ODH Director or a board of health to issue an order to vacate, which prohibits the owner or manager from using that property for any purpose.
- Authorizes the Director or a board of health to request a prosecuting attorney, city law director, village solicitor, or similar legal officer to commence a civil action for injunctive and other equitable relief against any person who violates an order to vacate.

Lead-Safe Home pilot

- Requires the ODH Director to establish a Lead-Safe Home Fund Pilot Program to improve housing conditions for children by providing grants to eligible property owners for lead-safe remediation actions.
- Requires the Director to coordinate the program with the Lead Safe Cleveland Coalition.
- Requires the Director to submit a report of the program's findings and outcomes to the Governor and the General Assembly by June 30, 2021.
- Requires the Coalition to provide ODH with documentation of the amount of private sector money collected, and requires ODH to distribute an equal amount, but not exceeding \$1 million, in each fiscal year.

Ambulatory surgical facilities

- Modifies the criteria for determining whether a facility must be licensed as an ambulatory surgical facility.

- Extends the licensing requirement to any facility located within an inpatient care building if the facility is operated by a separate entity.

Newborn safety incubators (VETOED)

- Would have exempted a law enforcement agency, hospital, or emergency medical service organization that installs a newborn safety incubator from the requirement to have staff on site under specified circumstances (VETOED).

Breast and Cervical Cancer Project

- Adds certain providers to those eligible to receive payments for services from the Breast and Cervical Cancer Project Income Tax Contribution Fund.
- Expands eligibility for screening and diagnostic services provided through ODH's Ohio Breast and Cervical Cancer Project.

Public Health Priorities Fund

- Renames Ohio's Public Health Priorities Trust Fund as Ohio's Public Health Priorities Fund, eliminates the purposes for money in the fund, and instead requires the ODH Director to use the money for pressing public health needs and innovative programs and prevention strategies.
- Eliminates the prohibition on transferring money from GRF to the fund.

Utility Radiological Safety Board

- Specifies that the Utility Radiological Safety Board (URSB), based on the utilities' decommissioning budgets, may make assessments for URSB operations against Ohio nuclear electric utilities that have stopped producing electricity.
- Expands the definition of "nuclear electric utility" under URSB law to include persons within Ohio engaged in the storage of spent nuclear fuel arising from the production of electricity using nuclear energy.

Certificates of need

- Requires the ODH Director to determine within 180 days whether a certificate of need (CON) application is complete.
- Modifies the time periods used by the Director in determining each county's bed need and in reviewing CON applications.
- Eliminates the second phase of the four-year CON review period during which certain beds resulting from a reduction could have been made available for redistribution.
- Establishes specific conditions for accepting CON applications in January 2020, with particular criteria to be used in granting an increase in beds in Delaware, Greene, Lake, Licking, and Medina counties.

- Creates an interim period for review of CON applications that begins October 17, 2019, and ends July 1, 2021.
- Eliminates the authority to appeal a decision by the ODH Director regarding a CON, unless the person is the CON applicant or the person who requested a reviewability ruling.
- Eliminates provisions regarding the award of attorney's fees relative to CON appeals.

Transfer of nursing home ownership

- Imposes disclosure requirements on an individual who is assigned or transferred operation of a nursing home.
- Requires that before the ODH Director can issue a license authorizing the person to operate the nursing home, the person must submit documentation including the individual's financial solvency, experience, insurance coverage, and prior nursing home ownership interest.

Freestanding emergency departments

- Requires a freestanding emergency department that is separate and distinct from a hospital to provide notice that identifies the facility as a freestanding emergency department.
- Requires a freestanding emergency department to use its national provider identifier on all claims for payment for health care services or goods.

Commission on Infant Mortality

- Requires the Governor or the Governor's designee to serve on the Commission on Infant Mortality, instead of the Executive Director of the Office of Health Transformation or the Executive Director's designee.
- Requires the Speaker of the House and the Senate President to each appoint an individual who represents children's interests to the Commission.

Solemn Covenant of the States, prizes for curing diseases

- Enacts into law the Solemn Covenant of the States to Award Prizes for Curing Diseases ("Compact"), an interstate compact.
- Provides that the Compact becomes effective and binding upon enactment into law by two states.
- Provides that upon enactment by six states, the governing Solemn Covenant of States Commission ("Commission") is established and the Compact becomes binding and effective as to any other state that enacts it into law.
- Grants the Commission various powers, including the power to review treatments for the cure of diseases specified by the Commission, to award prizes for successful cures, and to make treatments widely available for use.

- Specifies how the Commission is organized, its membership, and administrative, recordkeeping, financial, and reporting requirements.
- Specifies how the Compact is to be enforced.
- Requires the prize amount for each cure to be equal to (1) the most recent estimated total five-year savings in public health expenses for the disease in all compacting states, (2) money donated by others intended for the prize, and (3) any other factors the Commission finds appropriate.
- Allows a compacting state to withdraw from the Compact by: (1) repealing the Compact law, and (2) notifying the Commission in writing of the intent to withdraw on a date that is (a) at least three years after the date the notice is sent, and (b) after the repeal takes effect.
- Provides that the Compact dissolves when the Compact membership is reduced to one state or the Commission votes to dissolve it.

Other provisions

- Eliminates the Dental Hygiene Resource Shortage Area Fund and requires that donations for the Dental Hygienist Loan Repayment Program instead be paid to the Dental Hygienist Loan Repayment Fund.
- Requires ODH to post on its website the fee amounts for examinations administered by other entities on its behalf.
- Expresses the General Assembly's intent to not have licensure requirements or exemptions affect any third-party payments that may be available for certain health care facilities.
- Repeals the law that limits newborn screening for Krabbe disease to a process known as "first tier testing."
- Eliminates the requirement that physicians report suspected occupational diseases and ailments to the ODH Director.
- Lengthens to three years (from two) the reporting cycle for the ODH Director to submit to the General Assembly a report detailing the prevalence of diabetes.
- Requires ODH's Office of Vital Statistics to make available to the Department of Medicaid, for the purpose of medical assistance eligibility determinations, Social Security numbers that accompany birth certificates or death certificates.
- Repeals the law requiring the ODH Director to establish and supervise centers for training nursing home employees and to contract with other entities to operate them.
- Abolishes the Ohio Cancer Incidence Surveillance System Advisory Board.
- Prohibits the ODH Director from requiring a licensed radon mitigation specialist to be physically present when radon mitigation is performed, but allows the Director to

require such a specialist to be physically present immediately before and after radon mitigation is performed.

- Adds to the bill of rights for a resident of a nursing home or residential care facility the right to choose a licensed hospice care program that best meets the resident's needs.

DEPARTMENT OF HIGHER EDUCATION

Instructional fee increases

- For the 2019-2020 and 2020-2021 academic years, permits state universities, the Northeast Ohio Medical University, and university branch campuses to increase instructional and general fees by not more than 2% over the previous academic year.
- For the 2019-2020 and 2020-2021 academic years, permits community colleges, state community colleges, and technical colleges to increase instructional and general fees by not more than \$5 per credit hour over the previous academic year.
- Excludes from the fee restrictions: room and board, 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, voluntary sales transactions, and fees to offset the cost of providing textbooks to students.

Tuition guarantee programs

- Requires each state university to establish a tuition guarantee program.
- Stipulates that a state university must use a three-year average rate of inflation in calculating an increase in the rate of instructional and general fees for cohorts subsequent to the first one.

Choose Ohio First scholarships

- Qualifies students enrolled in a certificate program in the fields of science, technology, engineering, math, medicine, and dentistry for the Choose Ohio First Scholarship.
- Permits students who receive multiple scholarships to exceed the maximum award amount.
- Prohibits the Chancellor of Higher Education from holding institutions of higher education responsible for repayment of an award under the program under certain circumstances.

Project-based learning models

- Specifies the Chancellor must work with state institutions of higher education, Ohio Technical Centers, and industry partners in developing program models that include project-based learning.

STEM innovation, college scholarship and retention

- Establishes for FY 2020 and FY 2021 the High School STEM Innovation and Ohio College Scholarship and Retention Program to continue development and implementation of recommendations for an innovation pathway between K-12 education and higher education and career-technical education.

STEM public-private pilot

- Establishes for FY 2020 and FY 2021 the STEM Public-Private Partnership Pilot Program to encourage public-private partnerships between high schools, colleges, and the community to provide students with education and training in a targeted industry.

Career-technical post-secondary credit

- Requires the Chancellor, in consultation with the Superintendent of Public Instruction and specified stakeholders, to develop and, if determined appropriate, implement a statewide plan permitting high school students in a career-technical planning district to receive post-secondary credit on a college transcript.
- Requires the Chancellor to submit the completed plan to the Governor, the President and the Minority Leader of the Senate, and the Speaker and the Minority Leader of the House by June 30, 2020.

Community college acceleration

- Requires the Chancellor, with the assistance of the Department of Job and Family Services, to establish the Community College Acceleration Program to enhance support services to students from local social service agencies.

War Orphans Scholarship

- Changes the name of the Ohio War Orphans Scholarship to the Ohio War Orphans and Severely Disabled Veterans' Children Scholarship.

Leave donation program

- Changes the procedure under which rules for administering a state institution of higher education's leave donation program must be adopted.

DEPARTMENT OF INSURANCE

Telemedicine services

- Requires a health benefit plan to provide coverage for telemedicine services on the same basis and to the same extent as in-person services, but specifies that a health plan issuer is not required to reimburse for telemedicine services at the same rate as in-person services.

- Prohibits a health benefit plan from excluding telemedicine services from coverage solely because they are telemedicine services.
- Prohibits a provider from charging a health plan issuer any facility, origination, or equipment fees for a covered telemedicine service.
- Applies to all health benefit plans issued, offered, or renewed on or after January 1, 2021.

Minimum charges for health services

- Declares void any provision in a contract that requires health care providers to charge minimum amounts for health care services or that prohibits providers from advertising their rates.

Pharmacy copayments

- Prohibits health plan issuers and third-party administrators from (1) requiring or directing pharmacies to collect cost-sharing beyond a certain amount from individuals purchasing prescription drugs, (2) retroactively adjusting pharmacy claims other than as a result of a technical billing error or a pharmacy audit, and (3) charging claim-related fees unless those fees can be determined at the time of claim adjudication.
- Requires pharmacists, pharmacy interns, and terminal distributors of dangerous drugs to inform patients if the cost-sharing required by the patient's plan exceeds the amount that may otherwise be charged and prohibits those persons from charging patients the higher amount.
- Provides for license or certificate of authority suspension or revocation and monetary penalties for failure to comply with the pharmacy copayment provisions.
- Requires the Department of Insurance to create a web form for consumers to submit complaints relating to violations of the pharmacy copayment provisions.

Direct primary care agreements

- Provides that certain agreements to provide health care do not constitute insurance.

Assigned Risk Insurance Plan

- Allows the Ohio Assigned Risk Insurance Plan (OARP) to directly issue automobile insurance policies to persons unable to meet the financial responsibility requirements through ordinary methods.
- Requires OARP to file its policies and related items with the Superintendent of Insurance as if it were any other insurer.
- Requires policies issued by OARP to be treated like any policy issued by any other insurer.
- Requires OARP to provide audited reports and its books and records to the Superintendent of Insurance.

Reimbursement for out-of-network care (VETOED)

- Would have required an insurer to reimburse an out-of-network provider for unanticipated out-of-network care provided at an in-network facility and for emergency care provided at any facility (VETOED).
- Would have prohibited a provider from balance billing a patient (1) for unanticipated or emergency out-of-network care provided at the above facilities and (2) for any other out-of-network care unless certain conditions were met (VETOED).
- Would have established alternative dispute resolution procedures for disputes between providers and insurers regarding unanticipated or emergency out-of-network care (VETOED).

Health care price transparency (VETOED)

- Would have required that certain health care providers, health plan issuers, and Medicaid to provide to patients or their representatives, within specified time limits, a cost estimate for nonemergency products, services, or procedures before each is provided (VETOED).
- Would have required the Department of Insurance to create or procure a connector portal that health care providers may use to transmit information to health plan issuers for their use in generating cost estimates (VETOED).
- Would have authorized any member of the General Assembly to intervene in litigation challenging either the preexisting or additional health care price transparency provisions (VETOED).

DEPARTMENT OF JOB AND FAMILY SERVICES

Child Support

- Modifies the quadrennial review of the basic child support schedule by the Child Support Guideline Advisory Council, including enacting new economic factors that must be considered, requiring online publication of Council information, and permitting public input.
- Prohibits a court or child support enforcement agency (CSEA) from determining voluntary unemployment or underemployment of, or imputing income to, an incarcerated parent.
- Increases the amount the Ohio Department of Job and Family Services (ODJFS) must claim from the processing charge imposed for Title IV-D child support cases to \$35 (from \$25), if it collects at least \$550 (up from \$500) of child support for an obligee who never received Title IV-A assistance.

- Makes various changes to the provisions of law on health care coverage for a child who is the subject of a child support order.
- Requires ODJFS to adopt rules to align support order establishment and modification requirements with federal law and to establish criteria for CSEAs to initiate contempt of court actions in Title IV-D cases.

Child Care

Background checks

- Revises existing child care background check requirements by requiring the ODJFS Director (rather than other persons) to request criminal records checks before licensure, certification, approval, or employment, and every five years after, for various providers.
- Requires the Director to search the uniform statewide automated child welfare information system (SACWIS) for reports of abuse or neglect regarding those providers.
- Requires the Director to inspect the state and national registries of sex offenders for those providers.
- Repeals the authority of a licensed child care provider to conditionally employ an individual while awaiting the results of a criminal records check.

Provider licensing

- Separates homeless child care from protective child care.
- Authorizes the provision of special needs child care until age 18.
- Specifies that a license may be suspended without prior hearing if ODJFS determines that the owner or licensee does not meet criminal records check requirements.
- Authorizes a child day-care center or family day care home whose license was suspended without prior hearing to request an adjudicatory hearing before ODJFS, rather than appeal the suspension to a county court of common pleas.
- Eliminates the requirement that, when ODJFS initiates revocation of a license suspended without prior hearing, the suspension must continue until the revocation process is complete.
- Adds family day-care homes, approved day camps, and employees to the law prohibiting discrimination in the enrollment of children in child care on the basis of race, color, religion, sex, or national origin and prohibits discrimination on the basis of disability.

Publicly funded child care

- Requires that a child day camp both meet ODJFS standards and be certified by the American Camp Association to be approved to provide publicly funded child care.
- Increases to two years (from one year) the time that a certificate to provide publicly funded child care as an in-home aide remains valid.

- Prohibits certification of the following as an in-home aide: (1) the owner of child day-care center or family day care home whose ODJFS license was revoked within the prior five years and (2) an in-home aide whose certificate was revoked within the prior five years.
- Eliminates the requirement that the ODJFS Director establish hourly reimbursement ceilings for certified in-home aides.
- Removes the requirement that ODJFS contract with a third party to conduct a market rate survey for establishing child care provider reimbursement ceilings and payments.
- Eliminates from statute eligibility requirements for child care administrators and staff members, and instead requires the Director to establish the qualifications in rule.
- Exempts certain providers, including certified in-home aides and approved child day camps, from the requirement that, beginning July 1, 2020, publicly funded child care be provided only by a provider rated through the Step Up to Quality Program.
- Specifies that the percentages of early learning and development programs that must be rated at the third-highest tier or above in the Step Up to Quality Program do not apply to specified licensed child care programs, including those operating only during summer breaks or evening and weekend hours.

Child Welfare

Criminal records checks, out-of-home care

- Requires that criminal records checks for entities that employ persons responsible for a child's care in out-of-home care include FBI fingerprint checks.
- Removes such an entity's authority to employ an applicant conditionally while the criminal records check is pending.

Background checks, child welfare employment

- Requires a search or report, or request for a search, of prospective specified officers and administrators in the following databases: SACWIS, the System for Award Management, the Findings for Recovery, and the U.S. Department of Justice National Sex Offender (NSO) website.
- Requires a search of prospective foster and adoptive parents, and all persons age 18 or older residing with the prospective foster and adoptive parents, to be conducted in the NSO website.
- Requires a search of prospective staff to be conducted in the NSO website and SACWIS.
- Grants the ODJFS Director authority to adopt rules to implement and execute the background check expansion.

- Prohibits ODJFS from compensating a recommending agency for a foster caregiver's foster home certification training that the private child placing agency or a private noncustodial agency requires, if it is in addition to the minimum continuing training required by ODJFS rules.

Kinship navigator program

- Modifies the Statewide Program of Kinship Care Navigators, as follows:
 - Changes its name to the Statewide Kinship Care Navigator Program and requires ODJFS to establish it through rules adopted by October 19, 2020;
 - Requires ODJFS to create 5 to 12 program regions to help kinship caregivers by providing information and referral services and assistance obtaining support services;
 - Expands the list of individuals who may be kinship caregivers to include any nonrelative adult having a familiar and long-standing relationship or bond with the child or family, which will ensure the child's social ties;
 - Requires the program to be funded to the extent of GRF appropriations and requires the ODJFS Director to seek Title IV-E funds for the program;
 - Requires ODJFS to pay the program's nonfederal share and provides that county departments of job and family services and public children services agencies (PCSAs) are not responsible for the program's cost.

Foster caregivers as mandatory reporters

- Designates foster caregivers as mandatory reporters of child abuse or neglect.

Preteen placement in crisis care facility

- Eliminates the 72-hour placement limit and 14-consecutive-day waiver in favor of a 14-consecutive-day limit for a PCSA or private child placing agency (PCPA) to place a preteen in a children's crisis care facility.

Juvenile court hearings

- Applies the law governing juvenile court hearings and reviews to a kinship caregiver with custody or with whom a child has been placed, instead of a nonparent relative with custody.
- Specifies that foster caregivers, kinship caregivers, and prospective adoptive parents have the right to be heard, instead of the right to present evidence, at juvenile court hearings and reviews.

Adoption and foster care assistance

- Makes various changes to the eligibility requirements for Title IV-E adoption assistance for a child who is adopted and then turns 18, including:
 - Requires the agreement to be effective/entered into after the child's 16th birthday;

- Designates a child who meets the changed eligibility requirements as “adopted young adult” (AYA);
- Prohibits AYAs from being eligible for Title IV-E foster care payments.
- Makes various changes to the eligibility requirements for Title IV-E foster care assistance regarding a child who reaches 18 while in custody or care, including:
 - Permits the child to be in either a planned permanent living arrangement (PPLA) or in the Title-IV-E-eligible care and placement responsibility of a juvenile court or other governmental agency providing Title IV-E reimbursable placement services;
 - Provides that the PPLA or care and placement by the juvenile court terminate on or after the child’s 18th birthday;
 - Designates a child who meets the changed eligibility requirements an “emancipated young adult” (EYA).
- Provides that a person eligible for a dispositional order for temporary or permanent custody until age 21 (1) is not eligible for foster care assistance as an EYA and (2) certain adoption assistance requirements for an AYA do not apply.
- Makes changes to the terminating events and juvenile court oversight of the voluntary participation agreement an EYA must sign to be eligible for Title IV-E foster care assistance.
- Establishes juvenile court jurisdiction and procedures determining an EYA’s best interests regarding his or her care and placement and whether reasonable efforts are being made regarding preparation for independence.
- Applies scope of practice and training requirements under adoption and foster care assistance established by ODJFS rules under the Ohio Child Welfare Training Program to case managers and supervisors (instead of foster care workers and their supervisors as under former law).

Temporary child hosting

- Permits a child to be hosted by a host family only when:
 - Hosting is done on a temporary basis, under a host family agreement entered into with a “qualified organization’s” assistance;
 - Either of the child’s parents, or the guardian or legal custodian, is incarcerated, incapacitated, receiving medical, psychiatric, or psychological treatment, on active military service, or subject to other circumstances under which hosting is appropriate; and
 - The host family provides care only to that child or only to a single-family group, in addition to the host family’s own child or children.
- Defines “host family” as any individual who provides care in the individual’s private residence for a child or single-family group at the request of the child’s custodial parent,

guardian, or legal custodian, under a host family agreement, in addition to the host family's own child or children.

Qualified organizations

- Restricts a qualified organization from authorizing hosting with a host family if any adult residing with the prospective host family has been convicted of or pleaded guilty to specified crimes.
- Requires a qualified organization to implement written policies and procedures for employees, and for host family training.
- Amends the definitions of "association" and "institution" to expressly exclude "qualified organizations," which has the effect of exempting the organizations from regulation under ODJFS requirements imposed on associations and institutions.
- Exempts host families from ODJFS certification requirements or supervision.

Host family background check

- Requires, before a qualified organization provides for hosting of a child, and every four years after, a prospective host family and all other persons age 18 or older residing in the host family's home to request, and provide to the qualified organization the results of:
 - A criminal records check and information from the FBI, including fingerprint-based checks of the national crime information databases; and
 - A background check in Ohio's central registry of abuse and neglect.
- Prohibits an organization from authorizing hosting with a host family if a person subject to the checks fails to provide the results of the checks and the required information.

Child abuse, neglect, and dependency

- Designates employees of qualified organizations and each host family as mandatory reporters of child abuse and neglect.
- Requires a host family to immediately report knowledge or suspicion of abuse or neglect of a hosted child to a qualified organization.
- Prohibits a PCSA from filing a complaint that a hosted child is an unruly, abused, neglected, or dependent child if the child is hosted in compliance with the act, unless the agency determines that other factors warrant filing the complaint.
- Provides that a presumption that a hosted child is abandoned may be rebutted if the child is hosted in compliance with the act.

Multi-system youth action plan

- States that it is the intent of Ohio and the General Assembly that custody relinquishment for the sole purpose of gaining access to child-specific services for multi-system children and youth must cease.

- Requires the Ohio Family and Children First Cabinet Council to develop a multi-system youth action plan that implements the full final recommendations of the Joint Legislative Committee for Multi-System Youth and addresses strategies, processes, responsibilities, and spending for multi-system children.
- Requires the Cabinet Council to submit its final action plan to the General Assembly by the end of 2019.

Public Assistance

- Requires the ODJFS Director to seek federal approval to operate a two-year demonstration project under which an Ohio Works First participant satisfies federal work requirements through on-the-job training, education directly related to employment, or a course of study leading to a certificate of general equivalence.

Workforce Development

- Prohibits an assistance group from participating in the Comprehensive Case Management and Employment Program until fraudulent assistance is repaid.

Unemployment Compensation

- Limits the “normal weekly hours of work” considered for purposes of the SharedWork Ohio program to those hours of work in employment covered under Ohio’s Unemployment Compensation Law.
- Exempts unemployment compensation debts resulting from benefit overpayments collected by the Attorney General from a requirement that collected overpayments first be proportionately credited to improperly charged employers’ accounts and then to the mutualized account within the Unemployment Compensation Fund.

JUDICIARY/SUPREME COURT

Paying retired assigned judges

- Requires the Ohio Supreme Court to pay any compensation that is owed as specified under Ohio law to a retired assigned judge in a municipal or county court, and provides for the procedure to pay that compensation.

Judicial salary – Montgomery County

- Removes an obsolete requirement that Montgomery County pay the salaries of the part-time county court judges in excess of a specified amount during the, now-completed, transition from a part-time county court to a municipal court.

Court action by nature or ecosystem

- Provides that nature or any ecosystem does not have standing to participate in or bring an action in a common pleas court.
- Prohibits any person, on behalf of nature or an ecosystem, from bringing, or intervening in, an action in such court.
- Prohibits any person from bringing an action against a person who is acting on behalf of nature or an ecosystem.

Child custody, child support

- Regarding the jurisdiction of juvenile courts over child support and custody matters, modifies certain provisions relating to the Summit County and Richland County Domestic Relations Divisions.
- Modifies provisions regarding juvenile court and domestic relations court jurisdiction over certain child support and custody matters.
- Clarifies, in provisions that take away juvenile court jurisdiction, the meaning of references to the parents not being married and to the subject child's sibling, that the matter at issue could be ancillary to a prior marriage termination action, and that the domestic relations court has jurisdiction when the juvenile court's is taken away.
- Specifies that the provisions in the preceding dot point apply to all cases initiated after March 22, 2019, and do not affect a juvenile court's authority to issue a support order related to another type of juvenile court proceeding.
- Modifies the transfer mechanism in provisions regarding a juvenile court's transfer of an action or order to a domestic relations court and specifies that the provisions apply to all orders in effect prior to, and all cases initiated on or after, March 22, 2019.
- Specifies that, when a child support enforcement agency is required to review a court-issued child support order after a juvenile court has granted custody of the child to an individual or entity other than as set forth in the court's order, the agency must take appropriate action, and any objections must be filed in the domestic relations court.
- Clarifies that a domestic relations court's jurisdiction over "domestic relations matters" includes actions transferred or removed from a juvenile court under the provisions described above and over complaints for child support and custody.

JOINT LEGISLATIVE ETHICS COMMITTEE

- Eliminates the \$10 filing fee for certain former state officials and employees who are required to file periodic financial disclosure statements for two years after leaving their positions.

STATE LIBRARY BOARD

- Reduces from 100 to 50 the number of copies of printed state government publications that must be delivered to the State Library.
- Requires a state government body to notify the State Library of documents or other publications that are made available electronically on its website, and requires the State Library to retain those publications and provide permanent access and records to each depository library.
- Clarifies that certain print and electronic publications provided to the State Library must be considered already prepared and available for inspection and reproduction at the State Library and each depository library.

DEPARTMENT OF MEDICAID

Suspension of provider agreements and payments

- Generally conforms the terms and procedures for suspending a Medicaid provider agreement because of a disqualifying indictment to those for suspending a provider agreement because of a credible allegation of fraud.
- Requires, with certain exceptions, that the provider agreement of a hospital, nursing facility, or intermediate care facility for individuals with intellectual disabilities (ICF/IID) be suspended when a disqualifying indictment is issued against the provider or the provider's officer, authorized agent, associate, manager, or employee.
- Requires, with certain exceptions, that the provider agreement of an independent provider be suspended when an indictment charges the provider with a felony or misdemeanor regarding furnishing or billing for Medicaid services or performing related management or administrative services.
- Requires that all Medicaid payments for services rendered be suspended, regardless of the date of service, when the provider agreement is suspended because of a credible allegation of fraud or disqualifying indictment.
- Permits the Department of Medicaid to suspend, without prior notice, a provider agreement and all Medicaid payments to the provider if there is evidence that the provider presents a danger of immediate and serious harm to the health, safety, or welfare of Medicaid recipients.

Rates for nursing facility services (PARTIALLY VETOED)

- Provides for a nursing facility's Medicaid rate to be \$115 per day for services provided to low resource utilization residents, regardless of whether the facility cooperates with the Long-Term Care Ombudsman Program.

- Revises the law governing the quality payments that nursing facilities earn under Medicaid for satisfying quality indicators.
- Provides for nursing facilities to earn a quality incentive payment under Medicaid beginning with the second half of FY 2020.
- Repeals a provision that would have adjusted nursing facilities' rates for tax costs and a \$16.44 add-on by an amount equal to the difference between the Medicare skilled nursing facility market basket index and a budget reduction adjustment factor.
- Would have delayed the repeal until July 1, 2021 (VETOED).
- Provides for the budget reduction adjustment factor to be, for the second half of FY 2020, 2.4%.
- Provides for the FY 2021 budget reduction adjustment factor to equal the Medicare skilled nursing facility market basket for federal FY 2020.

Vetoed Medicaid rate provisions

- Would have required that an urban hospital's Medicaid base rate for inpatient services provided during FY 2020 be at least the average of the base rates for hospitals in the same peer group region if the urban hospital's FY 2019 base rate was less than \$4,000 (VETOED).
- Would have required that the Medicaid rate for vagus nerve stimulation during FYs 2020 and 2021 equal 75% of the Medicare rate for the service (VETOED).
- Would have required that the Medicaid rates for personal care waiver services increase annually, beginning with FY 2022, by the difference between the Medicare skilled nursing facility market basket index and a budget reduction adjustment factor (VETOED).

Rates for aide and nursing services

- Repeals a law that required the Department to (1) reduce the Medicaid rates for aide and nursing services on October 1, 2011, and (2) adjust the Medicaid rates for those services not sooner than July 1, 2012.

Rates for community behavioral health services

- Permits the Department to establish Medicaid rates for community behavioral health services during FYs 2020 and 2021 that exceed the Medicare rates.

Home-delivered meals (VETOED)

- Would have required each home and community-based services Medicaid waiver program that covers home-delivered meals to provide for (1) the meals to be delivered in a format and frequency consistent with individuals' needs and (2) the delivery person to meet face-to-face with the meal recipients (VETOED).

- Would have established the payment rates for home-delivered meals provided under the MyCare Ohio and Ohio Home Care waiver programs during FYs 2020 and 2021 (VETOED).

Medicaid managed care

Monitoring behavioral health services

- Repeals on July 1, 2020, the requirement that the Joint Medicaid Oversight Committee periodically monitor the Department's inclusion of behavioral health services in the Medicaid managed care system.

Recoupment of payments

- Requires a Medicaid managed care organization (MCO) to give a provider all of the details of a recoupment of an overpayment.
- Requires the Department to assess the efforts of Medicaid MCOs to recoup overpayments and to include in contracts with Medicaid MCOs reasonable terms establishing limits on the recoupments.

Medicaid prompt payment waiver

- Repeals a requirement that the Medicaid Director apply for a waiver from the federal Medicaid prompt payment requirements to instead require health insuring corporations to submit claims in accordance with requirements established by the Department of Insurance.

Area agencies on aging

- Requires the Department, if it adds to Medicaid managed care during FYs 2020 and 2021 more Medicaid recipients who are aged, blind, disabled, or also enrolled in Medicare, to take certain actions regarding the duties of area agencies on aging relative to home and community-based waiver services.

MyCare Ohio (PARTIALLY VETOED)

- Requires the Medicaid Director to develop a standardized claim form to be used under the Integrated Care Delivery System (MyCare Ohio) and standardized claim codes to be used on the form.
- Would have required the Department to pay a clean claim within 30 days and would have imposed 1% interest per month on that claim if not paid within 35 days (VETOED).
- For FYs 2020 and 2021, requires the Department to continue to (1) make performance payments to Medicaid MCOs that provide care to participants of MyCare Ohio and (2) withhold a percentage of their premium payments for the purpose of providing the performance payments.

Performance metrics

- Requires the Department to establish performance metrics to evaluate Medicaid MCOs' performance, post the metrics on its website, and update them quarterly with any changes.

Employment program measure

- Requires the Department, as part of the re-procurement process for new Medicaid MCO contracts, to include in the measures that determine which MCOs will be awarded contracts measures related to MCOs' abilities and commitment to operate employment programs for Medicaid recipients.

Prescribed drugs

- Permits, instead of requiring, the Department to include prescribed drugs in the Medicaid managed care system.

State pharmacy benefit manager (PARTIALLY VETOED)

- Requires the Director to select and contract with a state pharmacy benefit manager (PBM) to administer prescribed drug benefits under the care management system and to be responsible for processing all pharmacy claims under the system.
- Requires entities seeking to become the state PBM to disclose specified information.
- Would have required the Department to review the contract every six months and make recommended changes and to reprocure the master state PBM contract every four years (VETOED).
- Would have permitted the affiliated companies of the state PBM to conduct state PBM business in their own names with Medicaid MCOs (VETOED).

Provisional state PBM

- Requires the Director to select a provisional state PBM by July 1, 2020.
- Specifies that the provisional state PBM will be fully implemented as the state PBM upon its demonstrated ability to fulfill the state PBM's duties, as evidenced through a readiness review process established by the Director.
- Requires the Director to notify the Joint Medicaid Oversight Committee if selection of the provisional state PBM cannot occur by the required date.

Medicaid MCOs and the state PBM

- Requires Medicaid MCOs to use the state PBM pursuant to the master contract between the Department and the state PBM.
- Would have tasked the contracted state PBM with serving as the single PBM used by Medicaid MCOs under the care management system (VETOED).

- Would have required the master contract to specify that all pharmacy claims information shared between the parties is confidential and proprietary (VETOED).
- Would have clarified that, despite the act's PBM provisions, a Medicaid MCO can contract directly with a pharmacy regarding the practice of pharmacy (VETOED).

State PBM compensation

- Requires all payments between the Department, Medicaid MCOs, and the state PBM to comply with state and federal law and any other agreement reached between the Department and the federal government.
- Would have required the Director to determine the payment to the state PBM, with payments for claims adjudication being made to the state PBM from a Medicaid MCO and payments for other administrative services being made to the state PBM directly from the Department (VETOED).
- Would have required the Director to establish a dispensing fee to be paid for the state PBM for each prescribed drug dispensed under the care management system (VETOED).

Prescribed drug formulary

- Would have required the state PBM, in consultation with the Director, to establish a Medicaid prescribed drug formulary, and would have specified that the formulary was not effective until approved by the Director (VETOED).
- Would have prohibited the state PBM from making a payment for a prescribed drug exceeding the drug's formulary per-unit prize (VETOED).

State PBM quarterly reports

- Requires the state PBM to report specified information to the Director quarterly.
- Permits the Director to ask for additional information as necessary.

Medicaid Director quarterly reports

- Would have required the Director to make findings based on the state PBM quarterly reports and submit a report to the General Assembly within 60 days after receiving the quarterly report (VETOED).
- Would have required the Director to be available to testify, on request, before either chamber of the General Assembly or the Joint Medicaid Oversight Committee (VETOED).

Civil penalty

- Prohibits a person from violating the terms of the master PBM contract or the act's requirements pertaining to the state PBM, and subjects violations to a civil penalty in an amount to be determined by the Director.

Pharmacy appeals process

- Requires the Director to establish a process for pharmacies to appeal to the Department any disputes relating to the maximum allowable cost for a prescribed drug set by the state PBM.
- Requires all pharmacies participating in the care management system to use the pharmacy appeals process.

Rulemaking

- Would have required the Director to adopt rules as necessary to implement the act's state PBM provisions, including specifically enumerated provisions (VETOED).

Payment and cost disclosures

- Requires the state PBM to disclose to the Department upon request all of the PBM's prescription drugs payment sources.
- Requires Medicaid MCOs to disclose to the Department their administrative costs associated with providing pharmacy services under the care management system.

Prescribed drug claims processing pilot

- Requires the Department to administer a pilot program for the pre-audit processing of prescribed drug claims made by qualifying pharmacies in 16 southeastern Ohio counties to Medicaid MCOs and their pharmacy benefit managers.
- Requires the Department to submit a report by September 1, 2021, to the Governor, the Senate President, the Speaker of the House, and the chairperson of the Joint Medicaid Oversight Committee.

Vetoed Medicaid managed care provisions

- Would have permitted a Medicaid MCO to submit a request to the State Board of Pharmacy for information in its drug database about all Medicaid recipients enrolled in a plan offered by the MCO, and would have required the Board to provide the information in a single electronic file or format (VETOED).
- Would have required the Department to establish a waiver under which Medicaid MCO plans could cover any service or product that would have a beneficial effect on enrollees' health and would likely reduce the plan's costs (VETOED).
- Would have required the Department to establish the Shared Savings Bonus Program, under which a Medicaid MCO would earn a bonus if its three-year average per recipient capitated payment rate was less than the three-year average per recipient cost of certain other states' Medicaid programs (VETOED).
- Would have required the Department to establish the Quality Incentive Program, under which it would randomly assign certain Medicaid recipients to Medicaid MCOs based on points earned for meeting health and quality metrics (VETOED).

- Would have permitted regional hospital networks to become Medicaid MCOs if they accepted a capitated payment that did not exceed 90% of the lowest capitated payment made to a Medicaid MCO that is a health insuring corporation (VETOED).
- Would have required each Medicaid MCO to establish a program to incentivize enrollees to obtain covered health care from high quality and efficient providers (VETOED).
- Would have required a Medicaid MCO, if it established a rate for a service that exceeded the fee-for-service rate, to require providers of the service to enter value-based contracts as a condition of joining the MCO's provider panel (VETOED).
- Would have prohibited a Medicaid MCO from permitting a provider to be part of the MCO's provider panel unless the provider assured the MCO that it would comply with a requirement regarding cost estimates (VETOED).
- Would have required a hospital, with certain exceptions, to accept as payment in full from a Medicaid MCO 90% of the fee-for-service rate for a nonemergency service provided to a Medicaid recipient, if the hospital did not have a contract with the MCO and the MCO referred the recipient to the hospital (VETOED).
- Would have required the Department to evaluate and benchmark the financial health of Medicaid MCOs (VETOED).
- Would have required the Department to obtain approval from the Joint Medicaid Oversight Committee and the Controlling Board before adjusting the capitation rates paid to Medicaid MCOs under certain circumstances (VETOED).
- Would have required the Department to complete a procurement process for Medicaid MCOs by July 1, 2020 (VETOED).

Prescribed drug spending growth

- Requires the Director, by July 1, 2020, to establish an annual benchmark for prescribed drug spending growth under Medicaid.
- Requires the Director, for each year that the Director projects that Medicaid drug spending will exceed the benchmark, to identify specific drugs that significantly contribute to exceeding the benchmark and publish a list of them.
- Requires the Director to enter into a supplemental rebate agreement or renegotiate an existing supplemental rebate agreement for identified drugs, if appropriate, and establishes criteria for these renegotiations.
- Permits the Director to consider removing an identified drug from the Medicaid preferred drug list and imposing a prior authorization requirement on the drug if a supplemental rebate agreement is not established or renegotiated.
- Requires the Department, before January 1, 2021, to conduct a review of all savings to the state from the act's prescribed drug reforms.

- Requires the Department to complete a report outlining its findings within 60 days after its review and to submit it to the Governor and the General Assembly.
- Requires the Department to testify about its findings before the Joint Medicaid Oversight Committee and, on request, before the General Assembly.

Pharmacy supplemental dispensing fee (PARTIALLY VETOED)

- Requires the Department to adopt rules to provide to retail pharmacies a supplemental dispensing fee that includes at least three payment levels.
- Would have required the Department to adopt the rules by January 1, 2020 (VETOED).
- Would have prohibited the supplemental dispensing fee from causing a reduction in other payments made to the pharmacy (VETOED).
- Requires the Director to adjust the supplemental dispensing fee if federal Medicaid law reduces the amount of federal funds the Department receives for the fee.

Evaluations of expansion group's employment success

- Requires the Department to periodically evaluate the success that the expansion eligibility group has with (1) obtaining employer-sponsored health insurance, (2) improving health conditions that would otherwise prevent or inhibit stable employment, and (3) improving the conditions of employment.
- Requires the Department to complete a report for each evaluation.

Automatic designation of representative (VETOED)

- Would have automatically designated a facility participating in the Assisted Living Program as the primary authorized representative for a Medicaid applicant who resides in the facility, for purposes of allowing disclosure of information by a county department of job and family services (VETOED).

Rural healthcare workforce (VETOED)

- Would have required the Medicaid Director to create the Rural Healthcare Workforce Training and Retention Program for FYs 2020 and 2021, under which nonprofit hospital agencies and public hospital agencies could have earned supplemental Medicaid payments for graduate medical education costs (VETOED).

Other provisions

- Requires the Medicaid Director to implement strategies within the Medicaid program that affect social determinants of health.
- Requires the Medicaid Director to continue the Care Innovation and Community Improvement Program for the FY 2020-FY 2021 biennium.
- Requires the Department to establish a committee to study and develop performance indicators for children's hospitals.

- Continues, for two additional years, the Hospital Care Assurance Program and the franchise permit fee imposed on hospitals under Medicaid.
- Eliminates all provisions regarding approved health information exchanges in statutes governing protected health information, including provisions that required the Medicaid Director to adopt rules regarding the exchanges.
- Requires that money credited to the Health Care/Medicaid Support and Recoveries Fund additionally be used for (1) programs that serve youth involved with multiple government agencies and (2) innovative programs that promote access to health care or help achieve long-term cost savings.
- Abolishes the Integrated Care Delivery Systems Fund.
- Abolishes the Managed Care Performance Payment Fund.
- Abolishes the Medicaid Administrative Reimbursement Fund.
- Abolishes the Medicaid School Program Administrative Fund.
- Extends through July 1, 2021, the Medicaid Director's authority to establish, change, and abolish positions for the Department and to assign, reassign, classify, reclassify, transfer, reduce, promote, or demote employees who are not subject to collective bargaining.
- Updates references to the former U.S. Health Care Financing Administration with references to the U.S. Centers for Medicare and Medicaid Services.

STATE MEDICAL BOARD

Licenses

- Eliminates statutory references to certificates to practice issued by the State Medical Board and, instead, refers to licenses for massage therapists, cosmetic therapists, anesthesiologist assistants, acupuncturists, Oriental medicine practitioners, and radiologist assistants.
- Eliminates a requirement that an affirmative vote of at least six Board members is necessary to determine whether various license types may be issued.
- Modifies eligibility for a physician seeking an expedited license by endorsement, by specifying that the applicant must not have been the subject of more than two malpractice claims resulting in a finding of liability in the preceding ten years.
- Modifies eligibility for a person seeking a license to practice a limited branch of medicine based on holding a license in another state, by specifying that the applicant must have held a license to practice massage therapy or cosmetic therapy during the preceding five-year period.

- Eliminates dates established in statute for the Board's renewal of licenses and, instead, provides that each license is valid for a two-year period, expires two years after the date of issuance, and may be renewed for additional two-year periods.
- Authorizes the Board to impose terms and conditions regarding an applicant's fitness to practice, as follows: (1) when seeking issuance of a license without having engaged in practice or participating in a training or educational program for more than two years and (2) when seeking restoration of a license suspended for more than two years.

Continuing education

- Reduces to 50 (from 100) the continuing education hours that a physician or podiatrist must complete every two years for license renewal.
- Reduces the continuing education hours that a physician or podiatrist may earn by providing health care services as a volunteer.
- Eliminates the requirement that a physician assistant complete 100 hours of continuing education every two years and, instead, requires the physician assistant to complete the continuing education necessary to maintain certification from the National Commission on Certification of Physician Assistants.
- Authorizes the Board to impose on a cosmetic therapist, massage therapist, dietitian, or respiratory care professional a civil penalty of up to \$5,000 if the practitioner fails to complete the required continuing education.

Eliminated certificates

- Eliminates telemedicine certificates and requires the Board to convert previously issued certificates into standard physician licenses.
- Eliminates limited certificates, which authorized the practice of medicine in state-operated hospitals by individuals who are not U.S. citizens.

Training certificates

- Allows an individual in an internship, residency, or clinical fellowship program seeking to renew a training certificate to apply for renewal up to 30 days after the certificate's expiration date, with a \$150 reinstatement fee.

Clinical fellowship programs

- Specifies that an accredited clinical fellowship program constitutes (1) graduate medical education recognized by the Board and (2) a program that an individual may participate in by obtaining a training certificate.

Physician assistants

- Limits a physician assistant's authority to personally furnish samples of drugs and therapeutic devices to the drugs and devices included in the physician assistant's physician-delegated prescriptive authority.

- Requires that medical care provided by an out-of-state physician assistant at a charitable event in Ohio be supervised by the event's medical director or another physician authorized to practice in Ohio.
- Requires a physician assistant to retain a copy of the supervision agreement with a physician in the records maintained by the physician assistant.
- Authorizes the Board, if it finds that a supervision agreement has not been maintained in a physician's or physician assistant's records, to permit the violator to correct the violation and pay a civil penalty.
- Reduces to \$400 (from \$500) the application fee for an initial physician assistant's license.

DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES

Stabilization centers

- Requires alcohol, drug addiction, and mental health services (ADAMHS) boards to establish and administer six mental health crisis stabilization centers.
- Requires the establishment and administration of acute substance use disorder stabilization centers.

Substance use treatment in drug courts

- Creates a medication-assisted drug court program to provide addiction treatment to persons with substance use disorders.
- Requires community addiction services providers to provide specified treatment to program participants based on their individual needs.

Psychotropic drug reimbursement

- Clarifies that the psychotropic drugs for which counties may receive reimbursement under the Psychotropic Drug Reimbursement Program include those administered or dispensed in a long-acting injectable form.
- Requires counties to ensure that inmates have access to all psychotropic drugs covered by Medicaid's fee-for-service system.

MAT drug reimbursement (VETOED)

- Would have created a program to reimburse counties for the costs of medication-assisted treatment (MAT) for substance use disorders among inmates of county jails (VETOED).

Other provisions

- Maintains responsibilities regarding recovery services that were given to the Department of Mental Health and Addiction Services (MHAS) when the Bureau of Recovery Services in the Department of Rehabilitation and Correction was abolished in 2015.
- Permits a county family and children first council to create a flexible funding pool to assure access to services by families, children, and seniors in need of protective services.
- Expands the program that recruits physicians to provide services at MHAS-operated institutions to also recruit physician assistants and advanced practice registered nurses.
- Requires that criminal records checks for residential facility staff be conducted under the BCII criminal records check procedures.
- Requires MHAS to reserve a portion of its appropriations to cover court costs for mental health adjudications in counties that did not receive an allocation for adjudication-related expenses.
- Requires MHAS and the Department of Veteran Services to jointly conduct a study on the rates of suicide in the state.
- Consolidates and coordinates provisions of recent enactments involving opioid treatment programs.

DEPARTMENT OF NATURAL RESOURCES

Water withdrawal permits

- Revises the law governing permits for withdrawal and consumptive use of state waters, particularly with respect to groundwater.
- Designates the Chief of the Division of Water Resources in the Department of Natural Resources (DNR) as the supervising authority for the statewide withdrawal and consumptive use permit program.
- Requires additional scientific data and information to be included in an application for a groundwater withdrawal permit, and requires the Chief, after receiving the information, to establish the geographic area of the projected cone of depression.
- Adds to the reasons for which the Chief may deny an application for a permit for withdrawal of groundwater.
- Requires certain groundwater withdrawal permittees to submit an annual report and certify compliance every five years.
- Authorizes the Chief to require aquifer monitoring and a decrease of groundwater withdrawals when water supply diminution occurs.

- Allows a permittee to request the Chief to amend a withdrawal permit when another groundwater user affects or has the potential to affect the projected cone of depression.
- Establishes two separate complaint procedures, one for property owners in the geographic area defined by the cone of depression and one for owners outside that area.
- Alters the reasons for which a permit may be suspended or revoked and streamlines the suspension and revocation procedures.
- Requires the Chief to provide written notice to the Ohio Environmental Protection Agency's (OEPA) Director when the Chief requires a permittee that is a public water system to decrease its withdrawal, or prior to revoking, suspending, or amending the system's withdrawal permit.
- Authorizes the OEPA Director to require a public water system to decrease its pumping rates under specified circumstances.
- Prohibits a person from installing a public water system well without an approved well siting application issued by the OEPA Director and specifies the information that an applicant must include in an application.
- Eliminates the law that exempted a person who provided specified information to OEPA under the Safe Drinking Water Law from the requirement to register with DNR a facility with the capacity to withdraw water in excess of 100,000 gallons per day.
- Prohibits a person from filing a false registration.

Hunting and fishing license fees

- Increases certain recreational hunting and fishing license and permit fees, but decreases nonresident youth deer permit and wild turkey permit fees.

Transfers from Waterways Safety and Wildlife funds

- Authorizes the Controlling Board, at the request of the DNR Director, to approve the expenditure of the federal revenue received in the Waterways Safety Fund or Wildlife Fund for purposes for which the federal revenue was granted.
- Eliminates the Controlling Board's authority to make transfers of nonfederal revenue received into those funds.

Scenic Rivers Protection Fund

- Authorizes DNR to collect donations for protection and enhancement of Ohio's scenic rivers and deposit them into the Scenic Rivers Protection Fund.

Eliminated funds

- Eliminates the “Ohio Geology” License Plate Fund, which consisted of contributions for “Ohio Geology” license plates, and transfers the money to the Geological Mapping Fund.
- Retains law requiring that the contributions be used primarily for grants to state college and university geology departments, and secondarily for providing geological kits to state elementary and secondary schools.
- Eliminates the defunct Mine Safety Fund.

Stream flow monitoring pilot

- Requires the DNR Director to establish a pilot program to study the environmental impact of oil and gas production operations on stream flow using continuous stream flow monitoring technology.

Oil and gas

- Prohibits a person from operating an oil and gas well without first registering with and obtaining an identification number from the Chief of the Division of Oil and Gas Resources Management.
- Requires an assignee or transferee of an oil and gas lease that includes a well to notify the Division of that assignment or transfer under certain circumstances.
- Specifies that when the assignee or transferee provides the notice, the assignee or transferee must attest to ownership of the lease and is not required to pay a notice fee.
- Eliminates the \$100 nonrefundable fees that had to be paid by the assignor or transferor of an oil and gas lease when notifying the Division and when submitting an application for the assignment or transfer of a well.
- Includes an owner’s entire interest in a tract of land in the proposed unit area, including any divided, undivided, partial, fee, or other interest, when calculating the percentage of land overlying a pool that is necessary to form a drilling unit.
- Alters the manner by which the quarterly oil and gas regulatory cost recovery assessment is calculated for well owners.
- Clarifies when an appeal of a Chief’s order must be made to the Oil and Gas Commission by specifying that a person to whom the order is issued must make the appeal within 30 days after receiving the order.
- Eliminates the requirement that the Chief’s order be sent via certified mail.
- Authorizes the Geological Mapping Fund to be used for the administration of the Oil and Gas Leasing Commission.

BOARD OF NURSING

- Eliminates obsolete references to certificates of authority held by advanced practice registered nurses.
- Corrects a reference to the Board's Substance Use Disorder Monitoring Program.

OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD

- Permits an individual to engage in 3-D printing of open-source prosthetic kits without having to obtain a license from the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board.
- Requires the Board to grant the 3-D printing authority to an individual who applies for the authority and meets the Board's requirements specified in rules.

STATE BOARD OF PHARMACY

- Would have authorized the State Board of Pharmacy to provide information from its Ohio Automated Rx Reporting System (OARRS) to a prescriber or pharmacist from, or participating with, a prescription monitoring program operated by a federal agency, but only under certain conditions (VETOED).
- Specifies that churches and other places of worship are included among the service entities that may procure naloxone, without having to obtain a license from the Board, for use in emergency situations involving opioid-related overdoses.
- Creates in the state treasury the Board of Pharmacy Federal Equitable Sharing Justice Fund and the Board of Pharmacy Federal Equitable Sharing Treasury Fund for depositing moneys derived from forfeitures of property pursuant to federal law.

STATE PUBLIC DEFENDER

- Authorizes the State Public Defender to enter into agreements to license, lease, sell, or market for sale intellectual property it owns, and use the payments for operations of the Public Defender's office and indigent defense programs.
- Changes how much a county is required to pay the State Public Defender for legal representation of an indigent defendant, such that the county must pay 100% of the legal fees and expenses but may submit the combined cost to the State Public Defender for up to full reimbursement.
- Requires the State Public Defender to reimburse county governments the cost they incur in providing indigent defense in cases, including capital cases, subject to a

proportional reduction if the General Assembly's appropriation to the State Public Defender is insufficient to cover the counties' costs.

- Changes the name of the Ohio Legal Assistance Foundation to the Ohio Access to Justice Foundation.
- Requires the State Public Defender to make certain determinations with regards to county reimbursements for indigent defense in each fiscal year, and report those findings and determinations the following fiscal year to the Governor and specified members of the General Assembly.

DEPARTMENT OF PUBLIC SAFETY

Vision screenings

- Permits a person renewing a driver's license to have the required vision screening conducted at a licensed optometrist's or ophthalmologist's office within 90 days prior to license renewal, instead of at the deputy registrar office.
- Permits a person who fails the vision screening at the driver examiner's office (after failing it at a deputy registrar office) to have a vision screening at a licensed optometrist's or ophthalmologist's office.

Disabled veteran vehicle registration

- Requires the Registrar of Motor Vehicles to allow a disabled veteran to receive a license plate that recognizes military service or valor without paying any registration taxes or fees, for up to two motor vehicles.

Deputy registrar service fee

- Requires the Registrar to adopt rules to set the deputy registrar service fee at \$5 (instead of a fee between \$3.50 and \$5.25, as in recently enacted prior law).

State Fire Marshal CDL exemption

- Exempts a qualified person, who operates fire equipment for the State Fire Marshal, from the requirement to hold a commercial driver's license (the same exemption applies to a qualified person who operates fire equipment for a local fire department).

Salvage certificate of title, notary exemption

- Exempts a power of attorney (or other appropriate document) from notarization and verification requirements when an insurance company, under certain circumstances, applies for a salvage certificate of title.

Abolished funds

- Eliminates the Multi-Agency Radio Communications System Fund, which the Department of Public Safety (DPS) used prior to 2011 for MARCS-related equipment

maintenance. (Those functions are now conducted by the Department of Administrative Services.)

- Eliminates the Public Safety Investigative Unit Salvage and Exchange Fund and redirects money received by the DPS Investigative Unit (from the sale of excess motor vehicles and other equipment) to the Ohio Investigative Unit Fund.

Infrastructure Protection Fund

- Permits DPS to use the funds deposited into the Infrastructure Protection Fund for the Department's operating expenses.

Reinstatement fees program

- Extends the "Driver's License Reinstatement Fee Debt Reduction and Amnesty Program" from July 31, 2019, to December 31, 2019.

PUBLIC UTILITIES COMMISSION

- Adds that where the law requires the Public Utilities Commission (PUCO) to determine whether an electric distribution utility had or is likely to have significantly excessive earnings, for affiliated utilities that operate under a joint electric security plan, the total of their earned return on common equity must be used.
- Permits PUCO, in making its determination of whether a utility had significantly excessive earnings, to consider the revenue, expenses, or earnings of any affiliate that is an Ohio electric distribution utility.
- Adds to the competitive retail electric service policy of the state certain rights and responsibilities regarding a customer's electric usage data, including sharing rights and standardization of customer data, in order to promote customer choice and grid modernization, spur economic investment, and improve energy options.
- Permits a natural gas company's property, equipment, or facilities that enable either of the following to be considered instrumentalities and facilities for distribution service if PUCO determines that treatment is just and reasonable:
 - Interconnection with or receipt from any property, equipment, or facilities used to generate, collect, gather, or transport biologically derived methane gas;
 - The supply of biologically derived methane gas to consumers within Ohio.
- Requires, if PUCO makes that treatment determination, the property, equipment, or facilities to be considered used and useful in rendering public utility service for purposes of fixing utility rates.

STATE RACING COMMISSION

- Allows a person to own more than two horse racing facilities or more than two casino facilities, provided that the person is not the operator of any additional facility and is not a management company for the operator.

DEPARTMENT OF REHABILITATION AND CORRECTION

Supervision of offenders serving community control sanctions

- Modifies the requirement that a court, in a county not served by a probation department, that sentences a felon to a community control sanction must place the offender under supervision of the Adult Parole Authority (APA), so that the requirement applies unless the court has entered into an agreement with the APA for its services.
- Modifies the requirement that violations by a felony offender sentenced to a community control sanction in a county not served by a probation department be reported to the APA, so that the requirement applies unless the court has entered into an agreement of a specified nature with the APA for its services.
- Allows the APA to offer a county funding for probation services if the county does not contract with the APA for specified types of those services under continuing law and as long as the General Assembly has appropriated sufficient funds for that purpose.
- Specifies that if a county accepts probation service funds from the APA, the APA is relieved of its duties to supervise offenders placed on community control by that county's courts under the supervision provisions described in the second and third preceding dot points.

Targeted community alternatives to prison

- Removes references in the targeted community alternatives to prison program to "target counties," continuing the program only for counties that elect to participate.

F4 and F5 presumption against prison sentence

- In the Felony Sentencing Law mechanism that establishes a presumption in favor of a community control sanction, instead of a prison term, for most F4s and F5s, repeals a criterion for the presumption to apply that pertains to the Department of Rehabilitation and Correction (DRC) providing the court with a list of available community control sanctions.

Minimum standards for jails

- Modifies an action by the Director of DRC to enjoin compliance with the minimum standards and minimum renovation, modification, and construction criteria for

minimum security jails by expanding the applicable standards and criteria to those for jails instead of only for minimum security jails.

DRC authority to provide laboratory services

- Repeals DRC's authority to provide laboratory services.

Community-based correctional facility awards

- Modifies the length of financial award agreements between DRC and a community-based correctional facility from one year to not longer than the state fiscal biennium in which the assistance is to be awarded.

Ohio Penal Industries

- Requires the Office of Enterprise Development Advisory Board to solicit business proposals offering job training, apprenticeship, education programs, and employment opportunities for Ohio Penal Industries.

SECRETARY OF STATE

- Moves the date of a presidential primary from the second Tuesday after the first Monday in March to the third Tuesday after the first Monday in March.
- Specifies that moving the date for the presidential primary does not invalidate a declaration of candidacy, nominating petition, or other petition that has been filed and identified the primary election date as March 10, 2020, instead of March 17, 2020.
- Delays the deadline for major political parties to certify presidential and vice-presidential candidates to the Secretary of State for the 2020 general election from the 90th day before the day of the general election to the 60th day before the day of the general election.
- Reduces from four to two the minimum number of precinct election officials per precinct in a multi-precinct voting location in which electronic pollbooks are used.
- Requires a board of elections that chooses to make that reduction to approve the change by a vote of at least three of its members.
- Eliminates the Election Reform/Health and Human Services Fund.

DEPARTMENT OF TAXATION

Income taxes

- Reduces income tax rates by 4%.
- Eliminates the lowest two income tax brackets, thereby reducing the number of brackets from seven to five.

- Disallows the business income tax deduction and 3% flat rate on business income greater than \$250,000 if the income arises from the practice of law or from lobbying.
- Requires that income excluded under the business income deduction be “added back” when determining a taxpayer’s eligibility for means-tested tax benefits.
- Suspends the annual inflation indexing adjustment of income tax brackets and personal exemption amounts for taxable years beginning in 2019; indexing resumes in 2020.
- Extends, from 60 to 90 days, the time in which an individual must file an amended state return after an adjustment is made to the individual’s federal tax return.
- Establishes reporting and payment procedures for pass-through entity owners whose state tax liability is affected by an IRS partnership-level audit.
- Repeals the income tax credit for contributions to campaigns for state offices.
- Repeals the income tax credit for a pass-through entity investor’s share of the financial institutions tax (FIT).
- Authorizes the Director of Health to award nonrefundable income tax credits for up to \$10,000 in costs incurred to abate lead in an Ohio residence constructed before 1978 and limits the amount of credits to \$5 million per fiscal year.
- Eliminates the Ohio political party fund income tax checkoff.
- Prohibits tax return preparers from engaging in certain conduct and prescribes penalties for preparers that engage in that conduct.
- Requires that, for purposes of school district income taxes that use “earned income” as the tax base, earned income includes business income that a taxpayer deducts under the business income deduction.

Municipal income taxes (PARTIALLY VETOED)

- Would have allowed taxpayers up to 24 months to terminate the taxpayer’s initial election to opt-in to the state-administered tax (VETOED).
- Requires a municipal corporation to pay money to the Treasurer of State if the net distribution amount for the municipal corporation’s state-administered municipal income tax accounts is less than zero in any month.
- Allows the Tax Commissioner to recover unpaid amounts by reducing a delinquent municipal corporation’s various state administered tax distributions.
- Creates a separate Municipal Net Profit Tax Fund to receive revenue solely from the state-administered municipal tax on business income.
- Requires that income from any retirement benefit plan, including one that does not qualify for favorable federal tax treatment, be exempt from municipal income tax.

Sales and use taxes (PARTIALLY VETOED)

- Modifies the set of activities sufficient to create a presumption that an out-of-state seller has substantial nexus with Ohio, thus requiring the seller to collect and remit use tax.
- Requires persons that own, operate, or control a physical or electronic marketplace through which retail sales are facilitated (“marketplace facilitators”) to register as a seller and collect and remit the use tax due on all transactions facilitated through that marketplace.
- Repeals the sales tax exemption for sales of vehicles, parts, and repair services to a professional motor racing team.
- Repeals the sales tax exemption for sales of investment bullion and coins.
- Exempts from sales and use tax sales of equipment and supplies used to clean equipment that is used to produce or process food for people.
- Specifies that a peer-to-peer car sharing program operator is a vendor for sales and use tax purposes and therefore required to collect taxes for such services.
- Would have specified the manner by which any other technology platform operator’s services are subject to sales and use tax (VETOED).
- Allows counties and transit authorities to levy their local sales and use taxes in increments of 0.05%.

County sales tax

- Authorizes noncharter counties to levy an additional ½% sales and use tax to be used exclusively to construct, acquire, equip, or repair detention facilities, provided the tax is approved by voters.
- Reduces the maximum sales and use tax rate available to an overlapping transit authority commensurately.
- Allows for the extension of an existing county lodging tax that is levied by a county that hosts, or that has an independent agricultural society that hosts, an annual harness horse race with at least 40,000 one-day attendees.
- Allows a convention facilities authority (CFA) created between July and December of 2019 to levy an additional lodging tax of up to 3%.
- Increases from 15% to 25% the maximum amount of lodging tax revenue received by the Muskingum County CFA that may be diverted by the CFA to various county fairground purposes.

Property taxes (PARTIALLY VETOED)

- Authorizes the board of trustees of a state community college district to levy a property tax for permanent improvements, or a combination bond issuance and tax levy for that purpose.
- Authorizes the board of education of a school district to propose a tax levy for school safety and security and give some of the revenue to chartered nonpublic schools located in the district to be used for that purpose.
- Modifies the calculation of rental income when determining eligibility for existing tax exemptions for property held or occupied by a fraternal or veterans' organization.
- Authorizes a partial real property tax exemption for child care centers that serve children from households that receive public assistance.
- Excuses community schools from the requirement to file annual applications with the Tax Commissioner as a condition of obtaining a property tax exemption.
- Limits the amount that can be held in the reserve balance account (i.e., rainy day fund) of a county board of developmental disabilities.
- Imposes restrictions on a county budget commission's ability to reduce the amount of taxes that a county levies on behalf of a county board of developmental disabilities.
- Requires certain county websites to display the percentage of property taxes charged by each taxing unit.
- Would have modified information conveyed in and the form of property tax election notices and ballot language (VETOED).
- Extends, by two years, the deadline by which an owner or lessee of a renewable energy facility may apply for existing law's property tax exemption for such facilities.
- Clarifies the calculation of payments-in-lieu-of-taxes (PILOTs) that must be paid by solar energy facilities that receive the renewable energy property tax exemption.
- Exempts from real property taxation convention centers and arenas owned by the Hamilton County CFA and leased to a private enterprise.
- Establishes a temporary procedure by which a municipal corporation may apply for tax exemption and the abatement of unpaid taxes, penalties, and interest due on certain municipal property.
- Would have authorized a property tax reduction for certain property owners whose taxes comprise a relatively high proportion of a school district's operating expenses (VETOED).
- Would have exempted from property tax the value of unimproved land subdivided for residential development in excess of the fair market value of the property from which

that land was subdivided, apportioned according to the relative value of each subdivided parcel (VETOED).

Financial institutions tax

- Limits the tax base upon which the financial institutions tax (FIT) is computed for institutions that report total equity capital in excess of 14% of total assets.

Commercial activity tax

- Reduces the percentage of commercial activity tax (CAT) revenue devoted to offset the Department of Taxation's administrative expenses from 0.75% to 0.65% beginning July 1, 2019.
- Extends by two years a provision temporarily authorizing owners of a historic rehabilitation tax credit certificate to claim the credit against the CAT if the owner cannot claim the credit against another tax.

Nicotine vapor products tax

- Levies an excise tax on the distribution, sale, or use of liquid or other consumable vapor products containing nicotine at a rate of 1¢ per 0.1 milliliter or gram of product.
- Applies the new tax at the first point at which the vapor product is received in Ohio.
- Administers the new tax in a similar manner to an existing excise tax on tobacco products other than cigarettes.
- Excludes gross receipts used to pay the new tax from those gross receipts taxable under the commercial activity tax (CAT).
- Requires monthly vapor products tax returns and all existing monthly tobacco products tax returns to be filed by the 23rd of the following month.
- Changes the phrasing of three nexus-related references in current law involving sellers of tobacco products from "nexus in this state" to "substantial nexus with this state."

Other tax provisions

- Extends the authority for townships and municipal corporations to levy a new gross receipts tax (up to 2%) on businesses within a tourism development district (TDD) until December 31, 2020.
- Authorizes townships and municipal corporations to enter into agreements with owners of property located within a TDD to impose a development charge equal to a percentage (up to 2%) of gross receipts derived from sales made at the property.
- Temporarily increases the amount to be credited to the Local Government Fund (LGF) in FYs 2020 and 2021, from 1.66% to 1.68% of the state tax revenue credited to the GRF each month.
- Modifies the formula for making direct payments from the LGF to municipalities.

- Allows the Department to disclose to the Department of Education whether students applying for or receiving scholarships under the Educational Choice Scholarship Pilot Program meet income eligibility requirements.
- Modifies the employment and investment requirements that businesses must meet to receive a Job Retention Tax Credit (JRTC).

DEPARTMENT OF TRANSPORTATION

ODOT business plan

- Removes the requirement that the Director of Transportation adopt a rule every two years that establishes both:
 - A business plan outlining the Department of Transportation’s (ODOT’s) mission, business objectives, and strategies; and
 - Procedures for performance accountability of career professional employees.

Maritime Assistance Program

- Permits certain port authorities to apply to ODOT for grants to improve marine cargo terminals and other maritime structures located on the shores of Lake Erie, a Lake Erie tributary, or the Ohio River.
- Requires a grant recipient to provide dollar-for-dollar matching funds for the state funding received.

Memorial bridge – change of location

- Changes the location of the “Lance Corporal Michael Stangelo, USMC, Memorial Bridge.”

International Symbol of Access

- Removes the requirement, enacted by H.B. 62, that a person – who is erecting or replacing a sign containing the International Symbol of Access (for example, for an accessible parking spot) – use a logo that depicts a dynamic character leaning forward with a sense of movement.

TREASURER OF STATE

- Expands the Pay for Success Contracting Program and requires the Treasurer of State to administer it.
- Allows the Treasurer to enter into pay for success contracts with service intermediaries for delivery of specified services that benefit the state, a political subdivision, or a group of political subdivisions, such as programs addressing education, public health, criminal justice, or natural resource management.

- Requires the Treasurer, in the case of a contract for services that benefit the state, to enter into the contract jointly with the Director of Administrative Services (DAS Director).
- Permits the Treasurer to enter into a pay for success contract upon receiving an appropriation for that purpose or at the request of another state agency, political subdivision, or group of them.
- Specifies required terms for a pay for success contract, including a requirement that the service intermediary be paid only if the performance targets are met.
- Allows the Treasurer to adopt administrative rules to administer the program.
- Establishes funds in the state treasury to hold the moneys the Treasurer will use to make payments to service intermediaries.
- Continues the previous Pay for Success Contracting Program administered by the DAS Director, allowing the Director and the Department of Health to continue to administer certain pilot projects intended to reduce infant mortality.

TURNPIKE AND INFRASTRUCTURE COMMISSION

Audits and reports

- Replaces the requirement that the Auditor of State make an unannounced annual audit of the Ohio Turnpike and Infrastructure Commission's accounts and transactions with a requirement that the Auditor of State make an audit of the Commission at least every other year.
- Requires the Commission to annually submit a comprehensive annual financial report, including audited financial statements for the preceding calendar year, to the Governor, General Assembly, and Director of Budget and Management.

Competitive bidding and advertising

- Authorizes the Commission to enter into contracts for goods and services via a competitive proposal process when it determines that competitive bidding is not practical or advantageous to the Commission.
- Authorizes the Commission to use a value-based selection process for projects that involve both design and construction elements in a single contract.
- Authorizes the Commission to enter into contracts for certain temporary or emergency purchases and services without public advertising.
- Authorizes the Commission to use a shorter form of public notice, available to state agencies and political subdivisions, and removes the restriction that all notices occur in a Franklin County newspaper.

- Raises the threshold, from \$150,000 to \$500,000, for when a bond is required for goods and service contracts.

DEPARTMENT OF VETERANS SERVICES

- Requires the Directors of Veterans Services and Mental Health and Addiction Services to establish a three-year pilot program to make transcranial magnetic stimulation available for veterans with substance use disorders or mental illness.
- Establishes the Transcranial Magnetic Stimulation Fund in the state treasury to consist of moneys appropriated to it by the General Assembly.

DEPARTMENT OF YOUTH SERVICES

- Consolidates and renames the federal juvenile justice programs funds into a single Juvenile Justice and Delinquency Prevention Fund administered by the Department of Youth Services (DYS).
- Eliminates the requirements that a separate federal juvenile justice program fund be established each federal fiscal year and the crediting of investment earnings on the fund's cash balance be for the appropriate federal fiscal year.
- Requires DYS to maintain a financial activity report of each individual grant in the fund.
- Removes the provision that rules, orders, and determinations of the Office of Criminal Justice Services regarding administration of federal juvenile justice grants in effect on September 26, 2003, continue in effect as those of DYS.

LOCAL GOVERNMENT

Tax increment financing

- Authorizes a local government, under certain circumstances, to extend the term of a tax increment financing exemption for up to 30 additional years.
- Authorizes the board of trustees of an urban township to create a tax increment financing arrangement by a majority vote rather than by a unanimous vote.

County family and children first councils

- Requires each county family and children first council to include a representative of the Department of Youth Services (DYS) or its designee, instead of a representative of the regional DYS office.

Metropolitan housing authorities

- Specifies that a metropolitan housing authority (MHA) may redevelop slum areas within the district in which the authority is created.
- Authorizes an MHA to make available, acquire, construct, improve, manage, lease, or own mixed-use and mixed-income developments.
- Permits an MHA to participate in partnerships or joint ventures relating to the development of housing or projects with other public or private entities.
- Permits an MHA to rent or lease to nonresidential tenants and persons of varying incomes within a project, mixed-use development, or mixed-income development.
- Authorizes an MHA to provide, consult, sell, license, or transfer to organizations and government agencies housing-related technology, innovations, and expertise for specific purposes.

Board of elections compensation

- Increases the minimum compensation of a member of a board of elections by 1.75% annually through 2028.

Municipal garbage fees

- Authorizes all municipalities providing for garbage collection to have unpaid garbage fees of \$250 or more charged as a lien against real property.

Two-year window to amend local rules

- Enacts a new two-year window of time in which planning authorities may amend their local rules concerning approvals of proposed divisions of parcels of land without a plat and in which they may define an “original tract” for purposes of the limitation on approving not more than five lots without a plat.

Municipal corporation as portion of fire district

- Allows a township fire district or a joint fire district to include a portion, rather than the entirety, of a municipal corporation.

Electronically notarized documents

- Replaces the requirement that printed copies of electronically executed and notarized documents be accepted on the same terms as documents submitted electronically with a requirement that they be accepted so long as they are properly authenticated.
- Requires county officials who electronically accept documents for recording to also accept digital copies of electronically executed and notarized documents on the same terms.

Township employee compensatory time

- Allows a township employee to take, in lieu of overtime pay, compensatory time off at a rate of 1½ times the number of overtime hours worked at a time mutually convenient to the employee and the employee’s supervisor within 180 days after working overtime.
- Allows a township appointing authority, by rule or resolution, to adopt an alternative policy governing the calculation and payment of overtime.

Hospitals and nonprofits

- Allows the board of a county hospital or a joint township district hospital board to form or acquire control of a domestic nonprofit corporation or a domestic nonprofit limited liability company.
- Allows a board to be a partner, member, owner, associate, or participant in a nonprofit enterprise or nonprofit venture.
- Requires a board forming, acquiring, or participating in a nonprofit entity to do so in furtherance of certain specified reasons.

Criminal records checks, municipal tax employees

- Requires criminal records check for employees of municipal corporations and regional councils of government with access to federal tax information.

County recorder and Housing Trust Fund fees

- Increases to \$17 the base fee and the Housing Trust Fund fee (\$34 total) collected by the county recorder for recording and indexing the first two pages of an instrument when using photocopying or any similar process.
- Removes the \$50 million cap on Housing Trust Fund fees that the Treasurer of State deposits into the Low- and Moderate-Income Housing Trust Fund, and eliminates the Housing Trust Reserve Fund where the excess fees were deposited.

County recorder’s technology fund

- Extends the time during which a county recorder may annually request that an additional amount be credited to the County Recorder’s Technology Fund.
- Extends the time for which a current funding proposal is effective, notwithstanding the number of years of funding specified in the originally approved proposal.
- Requires a board of county commissioners to approve such extensions to be deposited in the County Recorder’s Technology Fund if the total does not exceed \$8.

Park districts

- Adds a park district created under R.C. Chapter 1545 to the definition of “contracting subdivision” to allow for parks created under that chapter to work jointly with other contracting subdivisions for certain purposes.

Regional water and sewer districts

- Allows a regional water and sewer district to make loans and grants to and enter into cooperative agreements with any person (a natural person, firm, partnership, association, or corporation other than a political subdivision) rather than only with political subdivisions, as in former law.
- Expands a district's authority to offer discounted rentals or charges to any person, instead of only to persons age 65 or older, who is of low or moderate income or qualifies for the homestead exemption.

Concealed handgun license fees

- Allows a sheriff, with approval of the board of county commissioners, to use the county's portion of concealed handgun license fees for constructing, maintaining, or renovating a shooting range to be used by the sheriff or the sheriff's employees.

MISCELLANEOUS

Legal age to purchase cigarettes, other tobacco products

- Raises from 18 to 21 the legal age for a person to receive or purchase cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes.
- Would have specified that the provisions regarding the sale or distribution of cigarettes, other tobacco products, alternative nicotine products, or rolling papers do not apply to a person who was at least 18 on October 1, 2019 (VETOED).
- Prohibits a person who is 18 or older but younger than 21 from knowingly furnishing false information concerning that person's name, age, or other identification for the purpose of obtaining tobacco products.
- Specifies that a child who knowingly furnishes false information concerning that child's name, age, or other identification to obtain tobacco products may be subject to up to 20 hours of community service.
- Modifies the definition of "tobacco product."
- Defines "vapor product," replaces "electronic cigarette" with "electronic smoking device," and includes both terms within the definition of "alternative nicotine products."
- Requires clear and visible posting of signage indicating the legal age for receiving or purchasing cigarettes, other tobacco products, alternative nicotine products, or papers to roll cigarettes at locations where those products are sold.
- Specifies that a child may obtain tobacco products if accompanied by the child's parent, spouse, or legal guardian, each of whom must be 21 or older.

- Would have specified that a child may obtain tobacco products if accompanied by the child's parent, spouse, or legal guardian who was at least 18 on October 1, 2019 (VETOED).

State agency regulatory rulemaking

- Requires state agencies to submit a report to the Joint Committee on Agency Rule Review (JCARR) providing details about the state agency's review of its principles of law or policy that are not stated in rule.
- Requires JCARR to make the reports available on its website.
- Removes the requirement that the review be completed at reasonable intervals.
- Not later than December 31, 2019, requires certain state agencies to produce a base inventory of rules containing regulatory restrictions.
- Until July 1, 2023, requires certain state agencies to eliminate two restrictions before enacting a new rule containing a restriction.

New community authorities

- Specifies that a facility can be located outside a new community district.
- Allows an organizational board of commissioners to add territory to a new community district with the permission of the person who owns or controls the real estate, unless the developer objects.
- Allows an owner of real estate to agree to community development charges via a declaration of covenants.

Land conveyances

- Authorizes the conveyance of various parcels of state-owned land in Portage County under the jurisdiction of Kent State University.

Certain telephone numbers not a public record

- Provides that telephone numbers for a victim, a witness to a crime, or a party to a motor vehicle accident are not public records.

Harmonization confirmed

- Confirms the harmonization of R.C. 149.45 to clarify its relationship to R.C. 149.43.

S.B. 171

(For details of the act's fiscal provisions see, the [LSC Fiscal Note, As Enacted](#))

Primary Sponsors: Sens. Dolan and O'Brien

Effective date: June 30, 2019

- Appropriates funds for the operation of state programs, starting July 1, 2019, and ending July 17, 2019.

S.B. 172

(For details of the act's fiscal provisions see, the [LSC Fiscal Note, As Enacted](#))

Primary Sponsors: Sens. Dolan and O'Brien

Effective date: June 30, 2019

- Appropriates funds for the Bureau of Workers' Compensation beginning July 1, 2019, and ending July 31, 2019.

Crimes, Corrections, and Law Enforcement

H.B. 86

Primary Sponsor: Rep. Plummer

Effective date: Emergency: March 11, 2019; amended definition effective March 28, 2019

- Clarifies that certain firearms are not “dangerous ordnance” under the Weapons Law, in order to correct a drafting error made in 2018 in H.B. 228 of the 132nd General Assembly.

S.B. 5

Primary Sponsors: Sens. Kunze and Dolan

Effective date: March 12, 2020

- Increases the penalties for the offense of promoting prostitution under certain circumstances.
- Sets the fee for an application for a Certificate of Qualification for Employment (CQE) at \$50.
- Creates a rebuttable presumption of eligibility for a CQE under certain circumstances.
- Requires each licensing authority to include information related to CQEs and Certificates of Achievement and Employability on its website and on certain materials and forms.

S.B. 23

Primary Sponsor: Sen. Roegner

Effective date: July 11, 2019

Act name

- Designates most of the R.C. sections amended and enacted by the act as the “Human Rights and Heartbeat Protection Act.”

Abortion prohibited when there is a fetal heartbeat

- Generally prohibits a person from knowingly and purposefully performing or inducing an abortion with the specific intent of causing or abetting the termination of the life of an unborn human individual whose fetal heartbeat has been detected.
- Provides that a person who violates the above prohibition is guilty of performing or inducing an abortion after the detection of a fetal heartbeat, a fifth degree felony.

- Provides that a physician does not violate the prohibition if that physician performs a medical procedure designed to or intended to prevent the death of a pregnant woman or prevent a serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman.
- Provides that a person does not violate the prohibition if that person has performed an examination for the presence of a fetal heartbeat and the method used does not reveal a fetal heartbeat.
- Provides that the prohibition does not repeal or limit any other provision of law that restricts or regulates the performance or inducement of an abortion by a particular method or during a particular stage of pregnancy.
- Requires a pregnant woman whose unborn human individual's fetal heartbeat has been detected to sign a form acknowledging that she has received the following information from the person intending to perform the abortion: (1) that the unborn human individual has a fetal heartbeat, and (2) the statistical probability of bringing that individual to term.

Abortion prohibited before determining fetal heartbeat

- Provides that a person who knowingly and purposefully performs or induces an abortion before determining if there is a fetal heartbeat is guilty of performing or inducing abortion before determining whether there is a detectable fetal heartbeat, a fifth degree felony.
- Provides that a physician does not commit the offense if the physician performs or induces an abortion believing that a medical emergency exists.
- Provides that a person does not commit the offense if that person has performed an examination for the presence of a fetal heartbeat and the method used does not reveal a fetal heartbeat.

Wrongful death actions

- Requires a woman to be awarded court costs and reasonable attorney's fees if she prevails in a civil action for the wrongful death of her unborn child.
- Provides that a determination of unconstitutionality is a defense, if the suit is based on a provision that a court of record has deemed unconstitutional.
- Requires that a defendant be awarded reasonable attorney fees if the action was frivolous and the defendant was adversely affected.

Adoption promotion and support

- Creates the Joint Legislative Committee on Adoption Promotion and Support, consisting of three House members and three Senate members, to ensure citizens are informed of available adoption options in Ohio.

- Permits the Committee to review or study any matter that it considers relevant to the adoption process in Ohio and grants it the same powers as other standing or select committees of the General Assembly.

State Medical Board enforcement

- Allows the State Medical Board to take disciplinary action for failure to comply with the act's requirements to make or maintain certain medical records or documents for a pregnant woman regarding an abortion.
- Allows the Board to assess against a person a forfeiture of not more than \$20,000 for each abortion prohibition violation the act specifies.

Declaratory judgments and court orders

- Permits the Attorney General to apply to a state or federal court for a declaration that the act's provisions are constitutional, or an order lifting an injunction if one exists, if federal abortion law changes.
- Permits a county prosecutor with standing to apply to a state or federal court for the above relief if the Attorney General fails to act within 30 days of the change.

Foster Care and Adoption Initiatives Fund

- Creates the custodial Foster Care and Adoption Initiatives Fund, consisting of the State Medical Board forfeitures collected under the act, to provide funding for foster care and adoption services and initiatives as determined by the Department of Job and Family Services.

Other provisions

- Provides criminal immunity and immunity from civil liability to a pregnant woman on whom an abortion is performed for a violation of the act's and other abortion prohibitions.
- Makes several declarations of findings by the General Assembly regarding pregnancy and fetal development.
- Requires the Department of Health to consult with independent health care experts when producing materials that the Department must publish on its website to inform pregnant women of the probable anatomical and physiological characteristics of a zygote, blastocyte, embryo, or fetus at various gestational increments.
- Provides that the act's provisions apply only to intrauterine pregnancies.
- Requires the Director of Health to adopt rules specifying the appropriate methods for determining the presence of a fetal heartbeat based on standard medical practice, no later than 120 days after the act's effective date.

- Repeals the limitation that the rules specifying the appropriate method for determining the presence of a fetal heartbeat “shall require only that an examination be performed externally.”
- Requires a person to fulfill certain documentation requirements when the person performs an abortion relating to the act’s provisions.
- Provides that nothing in the act prohibits the sale, use, prescription, or administration of a drug, device, or chemical for contraceptive purposes.

Education

H.B. 4

Primary Sponsors: Reps. Richardson and Robinson

Effective date: April 14, 2020

- Requires the Governor's Office of Workforce Transformation to act as a liaison between the business community and the Department of Education or the Chancellor of Higher Education regarding industry-recognized credentials and certificate programs.

Elections

S.B. 30

Primary Sponsors: Sens. Kunze and Williams

Effective date: July 24, 2019

- Creates the Women’s Suffrage Centennial Commission in recognition of the 100th anniversaries of the proposal and ratification of the Nineteenth Amendment to the U.S. Constitution, which guarantees women the right to vote.
- Requires the Commission to plan and carry out events and activities throughout Ohio during 2019 and 2020 to honor the women’s suffrage movement and to raise awareness of, and educate the public about, the importance and historical significance of the Nineteenth Amendment.
- Prescribes the membership of the Commission, including the Secretary of State or the Secretary’s designee, legislative and political party appointees, and others.
- Creates a fund for the Commission and allows the Commission to solicit grants, gifts, and donations.
- Terminates the Commission on December 31, 2020.

S.B. 107

Primary Sponsor: Sen. Rulli

Effective date: January 1, 2021; Franklin County judgeship specification effective October 17, 2019

Electronic campaign finance filings

- Expands the categories of political entities permitted to file their campaign finance statements electronically to include candidates for the State Board of Education and certain local candidates and political entities.
- Prescribes the manner in which a board of elections must process electronic statements.
- Requires the Secretary of State to store electronic statements received from boards of elections and make them available online in the same manner as other electronic statements.

Franklin County judgeship

- Specifies that the new domestic relations judgeship of the Franklin County Court of Common Pleas, to be elected in 2020, will take office on January 3, 2021, instead of January 2, 2021.

Employment, Labor, and Professional Regulation

H.B. 2

Primary Sponsors: Reps. Cross and Lepore-Hagan

Effective date: April 14, 2020; reappropriation authority effective January 13, 2020

- Creates the TechCred Program to provide reimbursements to eligible employers for training costs for incumbent and prospective employees to earn a microcredential, which is an industry-recognized credential or certificate that may be completed in not more than one year.
- Creates the Individual Microcredential Assistance Program (IMAP) to reimburse training providers for training individuals to earn a microcredential.
- Requires the Director of Development Services to develop a grant program to support industry sector partnerships and sector partnership networks in consultation with the Governor's Office of Workforce Transformation.
- Requires the Director to submit to the General Assembly an annual report regarding the workforce development programs created under the act on August 1 each year.
- Allocates the TechCred Program appropriation made for FYs 2020 and 2021 among TechCred, IMAP, and marketing the programs.

Health

H.B. 12

Primary Sponsors: Reps. D. Manning and West

Effective date: March 19, 2020

- Establishes the Ohio Children’s Behavioral Health Prevention Network Stakeholder Group to coordinate and plan for a comprehensive learning network to support young children in their social, emotional, and behavioral development and to reduce behavioral health disparities among young children.
- Requires the Stakeholder Group to submit recommendations to the Governor and General Assembly.

S.B. 24

Primary Sponsors: Sens. Wilson and Yuko

Effective date: February 5, 2020

- Establishes within the Ohio Department of Aging the Alzheimer’s Disease and Related Dementias Task Force to make findings and recommendations on topics of concern pertaining to these conditions.
- Requires the Task Force to submit a report to the Governor and General Assembly by August 5, 2021.
- Specifies that the Task Force ceases to exist when it submits the report.

Local Government

H.B. 50

Primary Sponsor: Rep. Greenspan

Effective date: October 29, 2019

- Specifies that a charter county hospital owns all rights to intellectual property resulting from research conducted in the hospital's facilities or by employees acting within the scope of their employment or with hospital funding.
- Authorizes the hospital's board of trustees to dispose of all rights to any intellectual property that the hospital owns or may acquire.
- Requires the board to adopt rules under which a hospital employee may receive a financial interest in any individual, firm, association, corporation, or governmental agency to which the board has sold the hospital's rights to its intellectual property, notwithstanding the requirements of the Ethics Law.
- Requires the Ohio Ethics Commission, at the request of the board, to advise the board in implementing the board's rules and to address matters outside the scope of those rules.

Military and Veterans

S.B. 7

Primary Sponsors: Sens. Lehner and Hackett

Effective date: April 28, 2020

- Requires state occupational licensing agencies, under certain circumstances, to issue temporary licenses or certificates to members of the military (and their spouses) who are licensed in another jurisdiction and are on military duty in Ohio.
- Requires the individual to obtain a criminal records check if the Ohio licensing agency requires a check under the law governing the trade or profession.
- Requires a licensing agency to verify the standing of a license or certificate issued by another state or jurisdiction when the temporary license is up for renewal.
- Requires a licensing agency to deny or revoke a temporary license or certificate in certain circumstances.
- Requires a licensing agency to waive all fees associated with a temporary license or certificate.
- Authorizes a licensing agency to issue a regular license or certificate in lieu of a temporary license or certificate.
- Stipulates that licenses issued under the act are subject to the same laws that otherwise apply to licenses.
- Requires a licensing agency to prepare an annual report regarding the number and type of temporary licenses or certificates it issued.

S.B. 52

Primary Sponsor: Sen. Gavarone

Effective date: January 24, 2020; appropriations effective October 25, 2019

Ohio Cyber Reserve

- Requires the Governor to organize and maintain state civilian cyber security reserve forces, known as the Ohio Cyber Reserve, to protect government, critical infrastructure, businesses, and citizens from cyber attacks.
- Makes the Reserve part of, and Reserve members civilian volunteers for, the Ohio organized militia under the Adjutant General's department.

- Permits the Reserve to become a civilian component of the Ohio National Guard, but does not authorize the Reserve to be called into national military service.
- Prescribes eligibility requirements for Reserve members.
- Treats Reserve members on state active duty similarly to other members of the Ohio organized militia.
- Requires the Adjutant General to establish Reserve members' rates of pay in state active duty and requires Reserve members to serve in unpaid volunteer status while training.
- Specifies procedures for the Governor to remove Reserve members.
- Allows the Governor to adopt rules governing the Reserve, and requires a copy of the rules to be publicly available in the Adjutant General's office.
- Permits the Governor, for Reserve use, to requisition equipment from the U.S. Department of Defense and make available state armory facilities, equipment, and other premises and property.
- Specifies that members of the Reserve are entitled to the same liability protections as members of the Ohio organized militia.
- Appropriates \$100,000 for FY 2020 and \$550,000 for FY 2021 to the Adjutant General to operate the Reserve.

Eligibility for militias

- Allows a person who is permanently handicapped or who is not between ages 17 and 67 to serve in the Ohio organized militia if the person meets the eligibility requirements for the particular branch in which the person serves.
- Permits the Adjutant General to excuse a person from duty in the organized or unorganized militia if the person is unable to serve because of a disability.

Homeland Security Advisory Council

- Makes the Secretary of State a member of the Homeland Security Advisory Council in the Department of Public Safety.

Secretary of State – information security officer

- Requires the Secretary of State to appoint a chief information security officer to advise the Secretary on matters of information security.

Audits of election results

- Requires a board of elections to audit the official results of every general election and of every primary election held in even-numbered years.
- Provides the minimum requirements and a timeline for the audit, and requires the Secretary of State to prescribe certain procedures for the audit.

- Specifies that the audit must use a risk-limiting audit protocol, a percentage-based audit protocol, or another protocol approved by the Secretary, and allows the Secretary to either choose the protocol the boards must use or permit the boards to choose a protocol.
- Requires the audit to be open to observers appointed under the Election Law.
- Appropriates \$75,000 for each of FYs 2020 and 2021 to the Secretary to reimburse boards for costs incurred to conduct the audit.

Special Designations

H.B. 59

Primary Sponsor: Rep. Wiggam

Effective date: October 17, 2019

- Designates April as “Ohio Native Plant Month.”

S.B. 77

Primary Sponsors: Reps. D. Manning and West

Effective date: March 19, 2020

- Designates June 12 as “Women Veterans’ Day.”

Taxation

S.B. 26

Primary Sponsor: Sen. Kunze

Effective date: February 5, 2020; sales and use tax exemptions apply beginning April 1, 2020

Income tax

- Allows teachers to claim an income tax deduction of up to \$250 for amounts paid out-of-pocket for professional development and classroom supplies, beginning in 2020.
- Repeals a provision that makes income earned from the practice of law or from lobbying ineligible for the business income deduction and 3% flat tax rate.
- Requires all taxpayers claiming the business income deduction to indicate on their tax returns the North American Industry Classification System (NAICS) codes associated with each source of their business income.
- Delays the repeal of the income tax credit for contributions to campaigns for state offices until taxable years beginning in or after 2020.
- Delays the repeal of the income tax credit for a pass-through entity investor's share of the entity's financial institutions tax (FIT) until taxable years beginning in or after 2020.

Sales and use tax

- Beginning April 1, 2020, exempts from sales and use tax the sale of feminine hygiene products associated with menstruation.
- Beginning April 1, 2020, exempts from sales and use tax the sale of prescription diapers or incontinence pads covered by Medicaid.

Public Office Compensation Advisory Commission

- Abolishes the Public Office Compensation Advisory Commission.

Food Farmacy pilot

- Expands eligibility for the Medicaid "Food Farmacy" pilot project by specifying that food-insecure patients must have some form of chronic disease, not just type 2 diabetes.

Utilities

H.B. 6

Primary Sponsors: Reps. Callender and Wilkin

Effective date: October 22, 2019

Payments for in-state nuclear and in-state renewable resources

Customer charges

- Requires each electric distribution utility (EDU) to collect a per-customer monthly charge from all of its retail electric customers in Ohio beginning January 1, 2021, and ending December 31, 2027, that is sufficient to produce:
 - \$150 million annually for total disbursements from the Nuclear Generation Fund; and
 - \$20 million annually for total disbursements from the Renewable Generation Fund.
- Requires the Public Utilities Commission (PUCO) to determine the method by which the revenue is allocated or assigned to each EDU for billing and collection, provided that the method is based on (1) the relative number of customers, (2) the relative quantity of kilowatt hour sales, or (3) a combination of the two.
- Requires the level and structure of the charge to be authorized by PUCO through a process that PUCO must determine is not for an increase in any rate, joint rate, toll, classification, charge, or rental.
- Requires the charge to be for bills rendered beginning January 1, 2021, and ending December 31, 2027, not to exceed the following:
 - Residential: 85¢;
 - Industrial customers that exceeded 45 million kilowatt hours of electricity at one location in the preceding year, \$2,400.
- Requires the level and design of the charge or charges for nonresidential customers that do *not* exceed 45 million kilowatt hours of electricity to be established in a way that avoids abrupt or excessive bill impacts for typical customers.
- Requires authorized charges to be subject to reconciliation of actual revenue collected with revenue needed to meet the revenue requirements.
- Authorizes EDUs to adopt accounting practices to facilitate reconciliation of revenue collected.
- Authorizes the charges to be extended beyond December 31, 2027, for purposes of reconciliation.

- Creates the Nuclear Generation Fund and the Renewable Generation Fund, where the above charges are to be deposited (88.25% of charges into the Nuclear Generation Fund and 11.75% into the Renewable Generation Fund).
- Requires the State Treasurer to distribute the money from the Nuclear Generation Fund and Renewable Generation Fund in accordance with directions provided by the Ohio Air Quality Development Authority, who must consult with PUCO.
- Requires any amount remaining in the Nuclear Generation Fund or Renewable Generation Fund as of December 31, 2027, minus remittances that are required to be made by January 21, 2028, to be refunded to customers in a manner determined by the Authority in consultation with PUCO.

In-state nuclear

- Permits an owner or operator of an in-state nuclear resource to apply, not later than February 1, 2020, to the Authority to receive quarterly payments from the Nuclear Generation Fund for nuclear resource credits it earned.
- Requires the application to include certain financial, operational, and risk information pertaining to the resource.
- Requires the Authority to review and approve the application by March 31, 2020, if the resource meets the act's definition, if the application meets the application requirements, and if the resource's operator maintains both a principal place of business in Ohio and a substantial presence in Ohio with regard to its business operations, offices, and transactions.
- Specifies that all financial and proprietary information, including trade secrets, submitted to the Authority for application purposes is confidential and is not a public record.
- Requires the owner or operator of the nuclear resource to report its electricity production not later than seven days after the close of each quarter.
- Requires the reported production to be in accordance with data from the generation attribute tracking system designated by the Authority.
- Requires the Authority to issue one nuclear resource credit to the nuclear resource for each megawatt hour reported and approved by the Authority.
- Sets the price of a nuclear resource credit at \$9 per megawatt hour, subject to reduction as provided in the act.
- Beginning April 2021 and ending January 2028, requires the Authority every quarter and by the 21st of the month, to direct the State Treasurer to remit money from the Nuclear Generation Fund to pay for the credits earned by the resource during the previous quarter.

- If money in the Nuclear Generation Fund is insufficient, requires the Authority to direct the State Treasurer to remit money from the fund not later than 21 days after the close of any quarter in which an owner or operator was not fully compensated, to pay for the unpaid credits.
- Requires a retrospective management and financial review of the owner or operator of a nuclear resource to be conducted annually beginning in 2021 and ending in 2027 not later than May 1 each year.
- Permits PUCO to retain consultants and advisors to perform all or any portion of the annual review, the cost of which is to be paid from the Nuclear Generation Fund.
- Allows the owner or operator of a nuclear resource to provide PUCO or PUCO's consultants or advisors with any information the owner or operator chooses.
- Requires the owner or operator to respond promptly and fully to any document, information, data, or other request by PUCO or PUCO's consultants or advisors, and provides that material failure to do so will result in suspension of payments for nuclear resource credits until the failure is cured to PUCO's satisfaction.
- Requires PUCO to submit a report of each annual retrospective management and financial review to the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House, and the Authority.
- Requires the report submission to include a copy of the owner's or operator's certified annual audit.
- Provides for the report to be made publicly available, provided it does not reveal any confidential or proprietary information.
- Requires the Authority in consultation with PUCO to consider the findings in the report, and permits the Authority to reduce or cease payments for nuclear resource credits if it makes certain determinations relating to need, continued resource operation, resource qualification, and reasonableness of credit funding.
- If the Authority, based on the review, determines it necessary to make reductions, requires PUCO to reduce the revenue requirement, reduce the credit price, reduce the customer charge or charges, and adjust percentages for customer charge allocation.
- Requires that any revisions made by PUCO, as described above, be made through a process that PUCO must determine is not for an increase in any rate, joint rate, toll, classification, charge, or rental, notwithstanding anything to the contrary in Ohio's Public Utility Law.
- Requires PUCO to instruct EDUs to suspend or cease billing and collection of customer charges if payments for nuclear resource credits are suspended or ceased under the act.
- Exempts the review process from continuing law governing PUCO hearing procedure.

In-state renewable resources

- Permits an owner or operator of a qualifying renewable resource to apply, by February 1, 2020, to the Authority to receive quarterly payments from the Renewable Generation Fund for renewable energy credits earned by the resource.
- Defines “qualifying renewable resource” as in-state electric generating facility that:
 - Uses or will use solar energy as its primary energy resource;
 - Obtained a certificate for construction of a major utility facility from the Power Siting Board prior to June 1, 2019; and
 - Is interconnected with the transmission grid that is subject to the operational control of PJM interconnection, L.L.C., or its successor.
- Requires the Authority to review and approve the application by March 31, 2020, if the resource meets the act’s definition.
- Specifies that all financial and proprietary information, including trade secrets, submitted to the Authority for application purposes is confidential and is not a public record.
- Requires the owner or operator of the resource to report its electricity production not later than seven days after the close of each quarter.
- Requires the reported production to be in accordance with data from the generation attribute tracking system designated by the Authority.
- Requires the Authority to issue one renewable energy credit to the resource for each megawatt hour reported and approved by the Authority.
- Sets the price of a renewable energy credit at \$9 per megawatt hour.
- Beginning April 2021 and ending January 2028, requires the Authority every quarter, and by the 21st of the month, to direct the State Treasurer to remit money from the Renewable Generation Fund to pay for the credits earned by the resource during the previous quarter.
- If money in the Renewable Generation Fund is insufficient, requires the Authority to both:
 - Direct the State Treasurer, not later than 21 days after the close of the quarter in which charges collected were insufficient, to prorate payments from the total amount available in the fund based on the number of credits earned by a resource during the quarter that ended 12 months prior to the last day of the previous quarter; and
 - Direct the State Treasurer, not later than 21 days after the close of a quarter in which an owner or operator received prorated payments, to remit money from the fund to pay the unpaid credits.

- Requires unpaid renewable energy credits to be paid before other remittances for renewable energy credits are made from the Renewable Generation Fund.

Administrative provisions

- Permits the Authority to make use of PUCO staff and experts in the manner provided by mutual arrangement between it and PUCO, and requires PUCO's information, data, and equipment to be placed at the Authority's disposal.
- Provides that if any information, data, or equipment is not a public record because the Authority or PUCO possesses it, the grant of authority to use PUCO staff and experts and to access the information, data, and equipment cannot be construed to make it a public record, notwithstanding anything to the contrary under the Revised Code.
- Requires the Authority to adopt rules, by January 1, 2020, for implementing the act's provisions regarding payments to nuclear and renewable resources.

Changes to renewable energy requirements

- Reduces the renewable energy benchmarks for EDUs and electric services companies (ESCs) to 8.5% of electricity supply, with no solar portion, by the end of 2026, and eliminates further requirements after that.
- Requires PUCO to reduce the number of kilowatt hours to comply with the renewable energy requirements for all EDUs and ESCs in Ohio, by application of a formula that reduces the compliance amount using the kilowatt hours produced by the qualifying renewable resources receiving renewable energy credits.
- Reduces the baselines for purposes of the renewable energy requirements of EDUs and ESCs to exclude the load and usage of mercantile customers that are self-assessing purchasers of electricity (45 million kilowatt hours a year) to facilitate competitiveness of those customers.
- Requires both of the following after the baseline has been reduced by excluding mercantile customers that are self-assessing purchasers:
 - Relieves EDUs and ESCs of the amount of compliance with the renewable energy requirements that would be required but for the baseline reduction;
 - Exempts those mercantile customers self-assessing purchasers from any bypassable charge imposed for compliance with the renewable energy requirements.
- Specifies that ongoing costs for certain renewable energy contracts, which may be recovered under continuing law, may continue to be recovered regardless of the act's amendments to the renewable energy requirements.
- Beginning January 1, 2020, prohibits a qualifying renewable resource receiving renewable energy credits under the act from being eligible to obtain a renewable energy credit to meet the renewable energy requirements regarding any megawatt of electricity for which the resource has been issued a renewable energy credit.

Changes to energy efficiency requirements

- Replaces the energy efficiency benchmarks for years 2021 through 2027 with the 17.5% compliance process discussed below, and terminates energy efficiency/peak demand reduction portfolio plans on December 31, 2020.
- Extends to December 31, 2020, the expiration date for all portfolio plans in effect on the act's effective date.
- If a portfolio plan is extended beyond its PUCO-approved term, requires the existing plan's budget to be increased to include an amount equal to the annual average of the approved budget for all years of the portfolio plan in effect as of the act's effective date.
- Maintains all other terms and conditions of a portfolio plan extended beyond its PUCO-approved term unless changes are authorized by PUCO.
- Permits mercantile customers to opt out and later opt back into an EDU's energy efficiency/peak demand reduction portfolio plan.
- Requires PUCO to determine the cumulative energy savings collectively achieved by all EDUs in Ohio since 2009, as of December 31, 2020, using both:
 - Energy savings estimated by PUCO to be achieved as of December 31, 2020, and banked under continuing law; and
 - An energy savings baseline that is the average of total kilowatt hours sold by all EDUs in Ohio in calendar years 2018 through 2020.
- Provides that energy efficiency compliance must be deemed achieved if the energy savings collectively achieved is at least 17.5% of the energy savings baseline.
- If the energy savings collectively achieved is less than 17.5% of the baseline:
 - Requires PUCO to determine how further implementation of energy efficiency programs is to occur as reasonably necessary for a collective achievement of energy savings of 17.5% of the energy savings baseline; and
 - Provides that full compliance is to be deemed achieved as of a date certain established by PUCO, notwithstanding any contrary provision of the energy savings changes in the act.
- Provides that once full compliance is deemed achieved, any cost recovery mechanisms authorized by PUCO for compliance with energy efficiency terminates except as necessary for reconciliation, and prohibits a cost recovery mechanism beyond the time necessary to complete that final reconciliation.
- Repeals the requirement that customers opting out of an EDU's energy efficiency/peak demand reduction portfolio plan submit initial and updated reports to PUCO staff regarding energy intensity reduction projects, actions, policies, and practices, and cumulative energy-intensity reductions achieved.

Legacy generation resource cost recovery

- Defines “legacy generation resource” as all generating facilities owned directly or indirectly by a corporation formed before 1960 by investor-owned utilities for the original purpose of providing power for use in defense of the United States or furtherance of national interests, and includes the Ohio Valley Electric Corporation.
- Replaces, on January 1, 2020, any mechanism approved by PUCO, prior to the act’s effective date, for retail recovery of prudently incurred costs associated with contractual commitments related to a legacy generation resource, with a nonbypassable rate mechanism for recovery through December 31, 2030, from customers of all EDUs in Ohio.
- Requires the nonbypassable rate mechanism to be established through a process that PUCO must determine is not for an increase in any rate, joint rate, toll, classification, charge, or rental, notwithstanding anything contrary in Ohio’s Public Utility Law.
- Caps monthly charges for the nonbypassable rate mechanism at \$1.50 per month for residential customers and \$1,500 per month for all other customer classes.
- Requires PUCO to determine in 2021 (for 2020) and in 2024, 2027, and 2030 (for the three years preceding each determination year) the prudence and reasonableness of the actions of EDUs with ownership interests in the legacy generation resource, including their decisions related to the contractual commitment into the wholesale markets.
- Requires PUCO to exclude from recovery those costs that it determines imprudent and unreasonable.
- If prudently incurred costs exceed the monthly caps, requires an EDU to defer any remaining prudently incurred costs as a regulatory asset or liability to be recovered as determined by PUCO subject to the monthly caps.
- Requires PUCO to provide for discontinuation, subject to final reconciliation, of the nonbypassable rate mechanism on December 31, 2030, including recovery of any deferrals existing at that time.
- Requires PUCO to determine the manner in which charges collected by EDUs with no ownership in a legacy generation resource are remitted to EDUs with an ownership interest, in direct proportion to each EDU’s sponsorship interest.
- Requires an EDU, including all EDUs in the same holding company, to bid all output from the legacy generation resource into the wholesale market.
- Prohibits an EDU from using the legacy generation resource output to supply the EDU’s standard service offer.

Wind farms of 5-20 megawatts

- Subjects to local control wind farms of 5-20 megawatts that are primarily dedicated to providing electricity to a single customer at a single location.

Net metering system

- Qualifies the definition of “net metering system” by specifying that, for an industrial customer-generator with a net metering system that has a capacity of less than 20 megawatts and uses wind as energy, it satisfies the definition if it was sized so as to not exceed 100% of the customer-generator’s annual requirements for electric energy at the time of interconnection.

Agreements for customer-sited renewable energy resources

- Permits an EDU, on a nondiscriminatory basis and subject to PUCO approval, to enter into an agreement, having a term of three years or more, with a mercantile customer or group of mercantile customers for constructing a customer-sited renewable energy resource in Ohio that will provide the customer or group with a material portion of its electricity requirements.
- Requires any direct or indirect costs, including costs for infrastructure development or generation, associated with the customer-sited renewable energy resource to be paid for solely by the EDU and the mercantile customer or group of customers.

County fair and agricultural societies

- Requires an EDU to file with PUCO a new rate schedule for county fairs and agricultural societies that includes a fixed monthly service fee or an energy charge on a kilowatt-hour basis.
- Prohibits the minimum monthly charge from exceeding the fixed monthly service fee and prohibits a fair or society from being subject to any demand-based rider.
- Requires an EDU to be eligible to recover any revenue loss associated with the migration of customers to the new rate schedule.

Home energy assistance programs (HEAP)

- Requires the Director of Development Services annually to submit, beginning in FY 2021, a waiver request to spend 25% of federal low-income HEAP funds from the home energy assistance block grants for weatherization services.

Decoupling

- Allows certain electric distribution utilities to file an application for a decoupling mechanism with PUCO.

Property tax exemption for energy projects

- Permits energy projects of up to 20 megawatts to be exempted from property taxation without the formal approval of a board of county commissioners (the prior threshold was 5 megawatts).
- Releases such energy projects from other prerequisites for tax exemption, including repair of affected public infrastructure, training and equipping emergency responders, and career training.

Tangible personal property (TPP)

- Disallows future reductions in the taxable value of TPP of an electric company receiving nuclear resource credit payments.

HISTORY OF BILLS THAT BECAME ACTS

Listed on the following pages is the legislative history of each bill enacted in 2019. The legend at the top left-hand corner of the following pages contains abbreviations for various actions taken on the bills. The committees of the House of Representatives and Senate are abbreviated as follows:

<u>House</u>		<u>Senate</u>	
AGE	Aging and Long-Term Care	AG	Agriculture and Natural Resources
AGD	Agriculture and Rural Development	ED	Education
AVS	Armed Services and Veterans Affairs	EPU	Energy and Public Utilities
COM	Commerce and Labor	FIN	Finance
CVJ	Civil Justice	GG	General Government and Agency Review
CRJ	Criminal Justice	GOR	Government Oversight & Reform
EWD	Economic and Workforce Development	HHM	Health, Human Services and Medicaid
ENR	Energy and Natural Resources	HED	Higher Education
FED	Federalism	INF	Insurance and Financial Institutions
FIN	Finance	JUD	Judiciary
FIS	Financial Institutions	LSV	Local Government, Public Safety and Veterans Affairs
HEA	Health	RR	Rules and Reference
HED	Higher Education	TCW	Transportation, Commerce and Workforce
INS	Insurance	WM	Ways and Means
PSE	Primary and Secondary Education		
PU	Public Utilities		
RR	Rules and Reference		
SLG	State and Local Government		
TPS	Transportation and Public Safety		
WM	Ways and Means		

Status Report of Legislation - 133rd GA			House Action				Senate Action				Further Action			
House Bill			Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	A - Amended R - Rereferred S - Substitute * - Note	F - Failed to Pass P - Postponed V - Vetoed												
2	Cross, Lepore-	Create TechCred and Microcredential Assistance Programs	5/13/2019	*EWD	S 6/11/2019	A 6/12/2019	6/13/2019	FIN	S 11/6/2019	A 11/13/2019	12/4/2019	12/12/2019	1/13/2020	*4/14/2020
4	Richardson, Robinson	Develop industry-recognized credential and certificate programs	5/16/2019	EWD	S 6/5/2019	6/6/2019	6/10/2019	TCW	12/11/2019	12/11/2019		12/11/2019	1/14/2020	4/14/2020
6	Callender, Wilkin	Creates Ohio Clean Air Program	4/12/2019	*ENR	S 5/29/2019	5/29/2019	5/30/2019	EPU	S 7/17/2019	A 7/17/2019		7/23/2019	7/23/2019	10/22/2019
12	Manning, D., West	Create Children's Behavioral Health Prevention Network Group	5/21/2019	HEA	S 6/11/2019	6/13/2019	6/17/2019	HHM	A 12/4/2019	12/11/2019		12/12/2019	12/18/2019	3/19/2020
50	Greenspan	Declare certain hospital employee inventions property of hospital	2/12/2019	CVJ	A 3/13/2019	3/20/2019	3/21/2019	GOR	5/8/2019	7/17/2019		7/17/2019	7/30/2019	10/29/2019
59	Wiggam	Designate April as Ohio Native Plant Month	2/12/2019	SLG	3/21/2019	3/28/2019	4/1/2019	AG	6/27/2019	6/27/2019		6/27/2019	*06/2019	10/17/2019
62	Oelslager	Creates FY 2020-2021 transportation budget	2/12/2019	FIN	S 3/7/2019	A 3/7/2019	3/11/2019	TCW	S 3/21/2019	A 3/21/2019	3/27/2019	4/2/2019	4/3/2019	*7/3/2019
79	Oelslager	Creates FY 2020-2021 Industrial Commission budget	2/14/2019	*COM	5/30/2019	5/30/2019	6/4/2019	TCW	6/19/2019	6/19/2019		6/19/2019	6/27/2019	6/27/2019
80	Oelslager	Creates FY 2020-2021 Workers' Compensation budget	2/14/2019	*INS	S 6/5/2019	A 6/5/2019	6/6/2019	INF	S 6/27/2019	6/27/2019	7/16/2019	7/17/2019	7/22/2019	*7/22/2019
86	Plummer	Correct error in definition of "dangerous ordnance"	2/19/2019	FED	A 2/21/2019	2/27/2019	2/28/2019	GOR	3/6/2019	3/6/2019		3/6/2019	3/11/2019	*3/11/2019
166	Oelslager	Creates FY 2020-2021 operating budget	3/25/2019	FIN	S 5/9/2019	A 5/9/2019	5/13/2019	FIN	S 6/20/2019	A 6/20/2019	6/20/2019	7/17/2019	7/18/2019	*7/18/2019
189	Patterson, Blessing	Revise laws governing amusement ride operation and safety	4/9/2019	TPS	S 6/5/2019	6/5/2019	6/6/2019	AG	10/22/2019	10/23/2019		10/23/2019	11/6/2019	*11/6/2019

H.B. No. Notes for House Bill Status Report

- 2 H. Cmte. Assigned Note: Referred to EWD on 5/14/2019; Reported substitute by EWD and re-referred to RR on 6/5/2019; Reported by RR re-referring it to FIN on 6/5/2019; Reported substitute by FIN on 6/11/2019
Eff. Date Note: Reappropriation authority effective 1/13/2020
- 6 H. Cmte. Assigned Note: Referred to ENR on 4/16/2019; Reported substitute by ENR on 5/23/2019; Taken from the calendar and re-referred to RR on 5/28/2019; Reported substitute by RR on 5/29/2019
- 59 Gov. Action Note: The governor did not indicate a specific date of signature.
- 62 Eff. Date Note: Appropriations for current expenses effective 4/3/2019, but first apply 7/1/2019; other provisions effective 4/3/2019; fuel tax changes effective 7/1/2019; single license plate requirement effective 7/1/2020
- 79 H. Cmte. Assigned Note: Referred to COM on 2/20/2019; Reported by COM re-referring it to RR on 3/6/2019; Reported by RR re-referring it to FIN on 3/12/2019; Reported by FIN on 5/30/2019
- 80 H. Cmte. Assigned Note: Referred to INS on 2/20/2019; Reported by INS re-referring it to RR on 5/21/2019; Reported by RR re-referring it to FIN on 5/22/2019; Reported substitute by FIN on 6/5/2019
Eff. Date Note: Appropriations effective 7/22/2019; other provisions effective 10/21/2019
- 86 Eff Date Note: Emergency: effective 3/11/2019; amended definition effective 3/28/2019
- 166 Eff Date Note: Most provisions effective 10/17/2019; contains item vetoes
- 189 Eff Date Note: Emergency: effective 11/6/2019

Status Report of Legislation - 133rd GA			Senate Action				House Action				Further Action			
Senate Bill	A - Amended R - Rereferred S - Substitute * - Note F - Failed to Pass P - Postponed V - Vetoed		Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	Primary Sponsor(s)	Subject												
5	Kunze, Dolan	Change penalties for promoting prostitution	2/12/2019	JUD	3/6/2019	3/6/2019	3/12/2019	CRJ	S 10/11/2019	10/23/2019		11/6/2019	12/12/2019	3/12/2020
7	Lehner, Hackett	Regards temporary occupational licensing for military	2/12/2019	TCW	S 3/27/2019	3/27/2019	3/29/2019	AVS	S 10/17/2019	10/24/2019	11/13/2019	12/12/2019	1/27/2020	4/28/2020
23	Roegner	Prohibit abortion if detectable heartbeat	2/12/2019	HHM	S 3/13/2019	3/13/2019	3/14/2019	HEA	S 4/9/2019	4/10/2019		4/10/2019	4/11/2019	7/11/2019
24	Wilson, Yuko	Establish Alzheimer's Disease and Dementias Task Force	2/12/2019	HHM	A 4/4/2019	4/10/2019	4/12/2019	AGE	A 5/30/2019	10/10/2019		10/23/2019	11/6/2019	2/5/2020
26	Kunze	Permit income tax deduction for certain teacher expenses	2/12/2019	WM	5/8/2019	5/8/2019	5/13/2019	*WM	S 10/10/2019	10/10/2019		10/23/2019	11/6/2019	*2/5/2020
30	Kunze, Williams	Create the Women's Suffrage Centennial Commission	2/12/2019	GOR	A 2/26/2019	2/26/2019	3/12/2019	SLG	4/11/2019	4/11/2019		4/11/2019	4/24/2019	7/24/2019
52	Gavarone	Improve information integrity and security	2/13/2019	GOR	S 4/2/2019	4/3/2019	4/10/2019	*TPS	S 6/19/2019	A 10/2/2019		10/9/2019	10/25/2019	*1/24/2020
57	Hill, Huffman, S.	Decriminalize hemp and license hemp cultivation	2/20/2019	AG	S 3/28/2019	3/28/2019	3/29/2019	AGD	S 6/5/2019	A 7/17/2019		7/17/2019	7/30/2019	*7/30/2019
77	Hoagland, Williams	Designate Women Veterans' Day	3/5/2019	LSV	4/9/2019	4/10/2019	4/12/2019	AVS	5/23/2019	11/6/2019		11/6/2019	12/12/2019	3/12/2020
107	Rulli	File certain campaign finance statements electronically	3/13/2019	GOR	A 5/8/2019	5/8/2019	5/13/2019	SLG	6/20/2019	A 6/27/2019		6/29/2019	7/18/2019	*1/1/2021
171	Dolan, O'Brien	Enacts a 17-day interim budget	6/29/2019			6/29/2019	6/30/2019			6/30/2019		6/30/2019	6/30/2019	6/30/2019
172	Dolan, O'Brien	Enacts a one-month Workers' Compensation interim budget	6/29/2019			6/29/2019	6/30/2019			6/30/2019		6/30/2019	6/30/2019	6/30/2019

S.B. No. Notes for Senate Bill Status Report

- 26 H. Cmte Assigned Note: Referred to WM on 5/14/2019; Reported by WM and re-referred to RR on 10/1/2019; Reported by RR and re-referred to FIN on 10/1/2019; Reported substitute by FIN on 10/10/2019
Eff Date Note: Sales and use tax exemptions apply beginning 4/1/2020
- 52 H. Cmte Assigned Note: Referred to TPS on 4/16/2019; Reported by TPS on 5/28/2019; Taken from the calendar and re-referred to RR on 6/4/2019; Reported by RR and re-referred to FIN on 6/5/2019; Reported substitute by FIN on 6/19/2019
Eff Date Note: Appropriations effective 10/25/2019
- 57 Eff Date Note: Emergency: effective 07/30/2019; conforming amendments to future-version statutes effective 09/20/2019 and 03/22/2020
- 107 Eff Date Note: Franklin County judgeship specification effective 10/17/2019

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