



**DIGEST OF ENACTMENTS 2017  
132nd General Assembly (2017-2018)**

**Ohio Legislative Service Commission  
Columbus, Ohio**

**March 2018**



# **DIGEST OF ENACTMENTS 2017**

132nd General Assembly (2017-2018)

## Ohio Legislative Service Commission

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Scott Oelslager  
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### **Director**

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March 2018

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# INTRODUCTION

The *Digest of Enactments 2017* summarizes legislation passed by the General Assembly during 2017, including 16 Senate bills and 25 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 2017* may be accessed via the Web at [www.lsc.ohio.gov](http://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.

# Appropriations

## Sub. H.B. 26

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

**Reps.** McColley, Cera, Rogers, Anielski, Antonio, Arndt, Ashford, Barnes, Blessing, Celebrezze, DeVitis, Ginter, Green, Hambley, Hill, Manning, Miller, Patton, Pelanda, Perales, Reineke, Ryan, Scherer, Seitz, R. Smith, Stein, Strahorn, Sweeney, Thompson, West

**Sens.** LaRose, Bacon, Brown, Dolan, Eklund, Gardner, Hackett, Hite, Hoagland, Lehner, Manning, O'Brien, Oelslager, Peterson, Sykes, Thomas

**Effective date:** June 30, 2017; certain provisions effective on other dates; contains item vetoes

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## DEPARTMENT OF PUBLIC SAFETY (DPS)

### Deputy registrars

#### Service fees

- Requires the Registrar of Motor Vehicles, by March 30, 2018, to establish by rule the service fee that is paid to a deputy registrar, a limited authority deputy registrar, or the Registrar for specified services.
- Specifies that the service fee may not exceed \$5.25.
- Requires the Registrar, by March 30, 2018, to establish by rule prorated service fees for multi-year registrations.
- Specifies that until the Registrar establishes the service fees, the existing statutorily prescribed fees remain in effect.

#### Other deputy registrar provisions

- Requires the Registrar to allow any deputy registrar that is not a county auditor or a clerk of a court of common pleas to operate vending machines and sell advertising rights to third-party businesses.
- Requires the Registrar to adopt rules permitting a nonprofit corporation operating as a deputy registrar to advertise that a specified amount of the proceeds collected by the deputy registrar go to charitable organizations or philanthropic causes.
- Requires fees credited to a county certificate of title administration fund to be used, in part, to pay an \$8,000 pay supplement to the clerk of courts if the clerk serves as a full authority deputy registrar.

## Motor vehicle registration

- Authorizes counties to levy an additional \$5 motor vehicle registration tax.
- Allows the Registrar to send an electronic registration renewal notice if the vehicle owner consents to receive it electronically.
- Allows the Registrar to establish a program to enhance the convenience and availability of vehicle registration services using electronic or other means (for example, a self-service kiosk) and to establish associated fees by rule.
- Prohibits any person except the Registrar, an agent or employee of the Registrar, or a deputy registrar from charging a fee for submitting a vehicle registration or registration renewal application by electronic means, unless the person complies with specified requirements.
- Required the Registrar to establish a six-county pilot program under which one fee for registering a commercial motor vehicle under the International Registration Plan would be reduced from \$30 to \$15. (The main operating budget act, H.B. 49, subsequently repealed this provision.)

## Malfunctioning traffic signals

- Narrows the law that authorizes a vehicle to proceed through an intersection if the traffic control signal is malfunctioning by:
  - Applying the provision only to bicycles; and
  - Specifying that a bicycle may proceed through the intersection only if the signal is malfunctioning due to a failure of the vehicle detector to detect the bicycle.

## Unattended motor vehicle

- Specifies that the law prohibiting a person from leaving a motor vehicle unattended without stopping the engine and removing the key does not apply to either:
  - A vehicle that is parked on residential property; or
  - A vehicle that is locked, regardless of where it is parked.

## License plates

- Specifies that failure to display a front license plate on a legally parked motor vehicle is a secondary traffic offense and establishes a maximum fine of \$100.
- Requires each local school or school district that receives contributions from a nonstandard license plate to produce an annual report, including the total amount received and the use of the funds.

- Specifies that if a school or school district fails to submit an annual report, the Registrar must divert future contributions from license plate sales into the General Revenue Fund until the report is submitted.
- Disqualifies commercial motor vehicles from having a Cleveland St. Ignatius High School, Brecksville-Broadview Heights City Schools, or Chagrin Falls Exempted Village Schools license plate.
- Increases the "Ohio Nurses Association" license plate renewal contribution from \$11.50 to \$25, which equals the contribution for an initial "Ohio Nurses Association" license plate.
- Eliminates the authority of the University of Notre Dame in Indiana to use contributions collected from the "University of Notre Dame" license plate for administrative costs.
- Requires the contributions for "Share the Road" license plates to be deposited in the License Plate Contribution Fund and then paid to the Ohio Bicycle Federation for specified purposes, rather than the Public Safety – Highway Purposes Fund.

### **Fund merger**

- Merges the State Bureau of Motor Vehicles Fund, the State Highway Safety Fund, the Highway Safety Salvage and Exchange Administration Fund, and the Highway Safety Salvage and Exchange Highway Patrol Fund into a single fund called the Public Safety – Highway Purposes Fund.
- Applies the existing purposes for each of the merged funds to the new fund.

### **Salvage certificate of title**

- Permits an insurance company to apply for a salvage certificate of title to a motor vehicle without delivering the physical certificate if a physical certificate was not issued (i.e., the vehicle had only an electronic certificate of title).
- Requires the application to be accompanied by the electronic certificate control number and a properly executed power of attorney, or other appropriate document, from the vehicle owner authorizing the insurance company to apply for a salvage certificate.

### **Motorcycle training course options**

- Requires the Director of Public Safety to both:
  - Authorize private organizations or corporations to offer a nationally recognized motorcycle training course or curriculum and a course or curriculum designed by DPS; and

--Qualify an applicant for a motorcycle operator's endorsement or motorcycle license who has successfully completed a course offered by a private organization for waiver of the demonstration portion of the rider's exam.

### **Electronic applications for title certificates**

- Requires the Registrar to "arrange for a service that enables" electronic motor vehicle dealers to submit title applications directly to the clerks of court by December 31, 2017.
- Requires the use of money from the Automated Title Processing Fund to pay for the service.

### **Snowmobiles, all-purpose vehicles on Lake Erie Islands**

- Permits snowmobiles (without metal studded tracks) and all-purpose vehicles, under certain conditions, to operate on any state highways, including limited access highways and freeways, on the Lake Erie Islands between November 1 and April 30.
- Exempts snowmobiles and all-purpose vehicles being used at those times and locations from registration requirements.

### **Other provisions**

- Permits utility vehicles to use public roads and rights-of-way, other than a freeway, when traveling from one farm field to another for agricultural purposes, provided that a triangular slow-moving vehicle emblem is displayed.
- Narrows the range of vehicles that are classified as "motor-driven cycles or motor scooters," thereby allowing vehicles with a motor of 100 cc piston displacement or higher to be regulated as motorcycles and exempt from the prohibition against operating on a road with a speed limit greater than 45 mph.
- Permits an insurance company to commence a civil action against a storage facility (in addition to a towing service as under current law) seeking recovery of a motor vehicle, disputing the amount billed for services, or both.

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## **DEPARTMENT OF TRANSPORTATION (ODOT)**

### **Variable speed limits**

- Authorizes the Director of Transportation to establish variable speed limits that differ from the statutory speed limits on all or portions of I-670, I-275, and I-90 between I-71 and the Pennsylvania border, and to establish criteria for determining the variable speed limits.

## **Maintenance vehicles**

- Exempts a highway maintenance vehicle that is being driven to or from a manufacturer, vehicle maintenance provider, or a work location from certain traffic laws, including slow speed, passing, and load limit provisions.

## **Rail fixed guideway systems**

- Prohibits a rail fixed guideway system from providing funding to ODOT for ODOT's duties related to overseeing the system's safety practices.
- Makes the reports of investigations or audits pertaining to rail fixed guideway systems owned by a public entity subject to inspection and copying under the Public Records Law.
- Makes the reports or audits potentially admissible as evidence in court proceedings.

## **Size and weight exemption for towing vehicles**

- For one year, beginning June 30, 2017, expands the exemption from statutory vehicle size and weight limits applicable to towing vehicles removing a motor vehicle from an emergency on a public highway. (The main operating budget act, H.B. 49, subsequently clarified that the exemption lasts for two years, until June 30, 2019.)
- Specifies that those size and weight limitations do not apply when:
  - The vehicle is engaged in the initial towing or removal of a wrecked or disabled motor vehicle from the site of an emergency on a public highway to the nearest storage facility;
  - The vehicle is en route to the site of an emergency on a public highway to tow or remove a wrecked or disabled motor vehicle; or
  - The vehicle is returning from delivering a wrecked or disabled motor vehicle to the nearest site, repair facility, or storage facility after removing it from the site of an emergency on a public highway.

## **Smart transportation advisory team (VETOED)**

- Would have created the Smart Transportation Action Advisory Team, with members appointed by the Governor, the Senate President, and the Speaker of the House, to advise the General Assembly about the use of public money for smart transportation initiatives and ways to promote cooperative strategic investment by ODOT and JobsOhio (VETOED).

### **Advertising Device Control Program**

- Requires the Director to report to the General Assembly by January 2, 2018, on ODOT's implementation of improvements to its Advertising Device Control Program suggested by the Outdoor Advertising Association of Ohio.

### **ODOT Bridge Partnership**

- Formally establishes in statute the ODOT Bridge Partnership Program, through which ODOT must work with counties and other local jurisdictions to fund the rehabilitation and reconstruction of structurally deficient bridges.
- Requires the Director to produce a report by September 28, 2017, that includes recommendations for how ODOT can continue to fund the Program through and after FY 2019 using its current and continued revenue sources.
- Repeals these provisions on July 1, 2019.

### **Interstate exit ramps (VETOED)**

- Would have required ODOT to ensure that limited access exit and entrance ramps to interstate highways exist at least every four miles in adjacent municipal corporations under specified circumstances (VETOED).

### **Notice of proposed limited access**

- Generally requires the Director to provide notice of the proposed establishment of a limited access highway or freeway in the same manner as the Director provides notice of a road closure, and establishes minimum notice requirements.

### **National park highway signs**

- Requires all signs that indicate National Park System areas and that are erected on state highway system highways to display the arrowhead symbol of the National Park Service next to the name of the area.
- Permits existing signs to remain without displaying the symbol until they are replaced.

### **Eastern Bypass**

- Requires the Director to study the Eastern Bypass of southwest Ohio and greater Cincinnati, including issues related to the Brent Spence Bridge, and report findings to the Senate President and Speaker of the House by December 31, 2017.

### **Memorial highways and bridges**

- Designates multiple memorial highways and bridges.

- Permits the Director to erect suitable markers along the "Defiance County Veterans Memorial Highway" with public money, rather than requiring the signs to be constructed using private contributions.

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## DEPARTMENT OF TAXATION

### Motor fuel excise tax

- Consolidates the five existing levies, which total 28¢ per gallon, into one 28¢ levy.
- Continues the prompt payment/evaporation discount for fuel dealers and the shrinkage refund for retailers at their current levels through the FY 2018-FY 2019 biennium.
- Requires dealers in aviation fuel to register for a license with the Department of Taxation and to file monthly reports with the Department.
- Modifies requirements governing the list of licensed motor fuel dealers.

### Property Tax Administration Fund

- Temporarily suspends additional funding, during the FY 2018-2019 biennium, for the fund that is used to defray the state's property tax administration expenses.
- Permanently reduces the share of property tax revenue credited to that fund and scales the funding directly to the annual administrative expenses instead of earmarking a fixed percentage of property tax collections.

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## LOCAL GOVERNMENT

- Authorizes townships and municipal corporations to enter into agreements to jointly provide for the maintenance, repair, and improvement of township and municipal roads.
- Would have required a county engineer to alternate between conducting a full bridge inspection one year and a partial bridge inspection the following year, rather than a full inspection each year (VETOED).
- Requires all counties and regional transit authorities to annually report to the Director of Transportation and the Tax Commissioner on local spending for airport-related capital and operating costs and costs for other airport-related activities.

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## OTHER PROVISIONS

### Cash transfers

- Specifies that the Director of Budget and Management may transfer up to \$200 million in the biennium ending on June 30, 2017, from non-General Revenue Funds (GRF) that are not constitutionally restricted to the GRF, to support GRF appropriations.
- Specifies that if any unexpended, unobligated cash remains in the Health and Human Services Fund as of June 30, 2017, the Director may transfer the money to the Budget Stabilization Fund or the GRF, and establishes parameters under which the Director may make the transfer to the GRF.

### State Capital Improvements Fund assistance

- Alters a district public works integrating committee's annual allocation that must be granted as loans and local debt support and credit enhancements as follows:
  - Decreases the portion of the allocation that must be granted from 15% to 10%;
  - Changes the application of the grant allocation requirement to year 32 and thereafter (instead of year 30 and thereafter as under prior law).

### Natural gas company infrastructure development rider

- Changes the limit for a natural gas company infrastructure development rider to \$1.50 per monthly billing period per customer (former law was \$2/year/customer for economic development projects and \$1/year/customer for SiteOhio projects), with the effect that the recovery amount per customer increases.
- Requires an application for approval of an economic development project for an infrastructure development rider to also include a description of project support from an economic development entity or a chamber of commerce.
- Provides transitional authority regarding recovery under infrastructure development riders approved prior to the act's effective date.
- Eliminates the separate PUCO approval process for economic development projects submitted for the SiteOhio certification program, and instead includes the projects with all other projects for which an infrastructure development rider is sought.
- Clarifies that only one infrastructure development rider may be approved per natural gas company.

### **Agency licensing rules**

- Requires an agency to review its existing rules to identify rules that require financial responsibility instruments as a condition of licensure.
- Requires an agency that is proposing a new rule or amending an existing rule that requires a financial responsibility instrument as a condition of licensure to conduct a search to determine if the required instrument is readily available.
- Requires an agency that is proposing a new rule or amending an existing rule to certify to the Joint Committee on Agency Rule Review that it conducted a search for a required financial responsibility instrument.
- Requires an agency proposing a draft rule with an adverse impact on businesses to certify to the Common Sense Initiative Office that it conducted a search to ensure that any required financial responsibility instrument is readily available.

### **Healthier Buckeye Grant pilot**

- Continues the Healthier Buckeye Grant Pilot Program through FY 2018.

### **Sale of national forest timber**

- Requires the Director of Natural Resources to distribute money received by the state pursuant to federal law from the sale of national forest timber and other national forest products to the county or counties in which the national forest is situated.
- Requires each county that receives the money to use 50% of it for maintaining county roads and bridges and 50% for the benefit of public schools.

### **Sewer and drainage assessment – railroad property**

- Exempts the portion of lands owned by a railroad that are covered by railroad track from municipal sewer and drainage assessments.

### **Application fee to transport brine**

- Decreases the application fee for a registration certificate to transport brine from \$500 to \$50.

### **Prevailing wage – employee information**

- Requires that every contractor or subcontractor subject to the Prevailing Wage Law supply to the contracting public authority's prevailing wage coordinator only the last four digits of each employee's Social Security number, instead of the full number as under former law.

## Water ski rearview mirrors (VETOED)

- Would have permitted a vessel operator to use a rearview mirror to observe water skiers, barefoot skiers, and others who are being towed, in lieu of having an additional person in the vessel to observe (VETOED).

## Sub. H.B. 27

*(For details of the act's fiscal provisions, see the LSC Budget in Detail, As Enacted; LSC Comparison Document, As Enacted; and LSC Greenbook, all of which are available on LSC's website, [www.lsc.ohio.gov](http://www.lsc.ohio.gov), under "Budget Central.")*

**Reps.** Brinkman, Brenner, Antani, Blessing, Butler, Conditt, Hambley, Henne, Huffman, Pelanda, Perales, Reineke, Retherford, Riedel, Roegner, Schaffer, Seitz, R. Smith, Stein

**Sens.** Hottinger, Hackett, Beagle, Terhar, Eklund, Hite, Hoagland, Huffman, Oelslager, Peterson, Wilson

**Effective date:** Appropriations effective June 30, 2017; most other provisions effective September 29, 2017

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## BUREAU OF WORKERS' COMPENSATION

### Statute of limitations for injury or death claims

- Decreases the time a person has to initiate a workers' compensation claim based on an employee's injury or death to one year (from two years) after an employee sustains an injury or dies.

### Drug testing

- Revises the types and amounts of controlled substances to which the rebuttable presumption that an employee was under the influence at the time of injury applies.

### Presumption of cancer incurred while performing official duties

- Adds working wage loss to the types of compensation a firefighter may receive under the presumption in the Workers' Compensation Law that a firefighter who is disabled due to cancer incurred the cancer while performing official duties as a firefighter.
- Expands the circumstances under which the presumption can be rebutted to include if there is evidence that shows, by a preponderance of competent scientific evidence, that exposure to the type of carcinogen alleged did not or could not have caused the cancer being alleged.

- Provides that the presumption does not apply if it has been more than 15 years (rather than more than 20 years as under former law) since the firefighter was last assigned to hazardous duty as a firefighter.

### **Payments to dependents**

- Prohibits, for claims arising on or after September 29, 2017 (the provision's effective date), compensation or benefits from being paid to a deceased employee's dependent while the dependent is incarcerated as a result of a conviction of any state or federal criminal law.

### **Temporary total disability**

- Authorizes the Administrator of Workers' Compensation, for good cause, to waive the requirement that an employee receiving temporary total disability (TTD) compensation undergo a medical examination.
- Requires the Administrator to refer an employee receiving TTD compensation for a medical examination if the employee's employer objects to the waiver.
- Requires, if an employee's full weekly wage has not been determined at the time TTD compensation becomes payable, that an employee receive 33⅓% of the statewide average weekly wage as calculated under continuing law.
- Requires TTD compensation to be adjusted, and overpayments to be recovered, on determination of an employee's full weekly wage.
- Requires, if the employee receives less than the amount the employee is entitled to for TTD, on determination of the employee's full weekly wage, the employee to receive the difference.

### **Permanent partial disability**

- Requires, with respect to applications filed on or after September 29, 2017, if an employee fails to schedule a medical examination with the Bureau of Workers' Compensation (BWC) Medical Section or fails to attend a scheduled medical examination, the dismissal of an application for a determination of the employee's permanent partial disability (PPD).
- Allows, with respect to applications suspended pursuant to continuing law on September 29, 2017, the Administrator to dismiss an application for a determination of the employee's PPD unless the employee schedules a medical examination within a specified time and attends the examination.
- Allows an employee to refile a dismissed application, subject to the Industrial Commission's continuing jurisdiction.

### **Appeal of Industrial Commission order**

- Extends the time to appeal an Industrial Commission order from 60 days to 150 days if a party provides notice of intent to settle a claim and the opposing party does not object.
- Increases to \$5,000 (from \$4,200) the amount of attorney's fees a workers' compensation claimant can recover in an appeal to a common pleas court.

### **Handicap Reimbursement Program**

- Requires the Administrator to adopt a rule allowing an employer who settles a claim to participate in the Handicap Reimbursement Program, which was prohibited under former law.

### **Secondary payers**

- Allows the Administrator, based on an assessment of an employee's claim file, to reimburse, up to \$500, the U.S. Centers of Medicare and Medicaid Services, the Ohio Department of Medicaid, or a medical assistance provider to whom the Department has assigned a right of recovery.
- Requires the Administrator, before making a payment, to make a reasonable determination that the payment is for reimbursement of benefits for an injury or occupational disease that is compensable, or is likely to be compensable under Workers' Compensation.
- Requires these payments to be made from the Surplus Fund Account.
- Allows the Administrator, with the advice and consent of the BWC Board of Directors, to adopt rules to implement the provision.

### **Public Employment Risk Reduction Program**

- Eliminates a public employer's ability to apply for an exemption from the Public Employment Risk Reduction Program (PERRP).
- Provides coverage under PERRP to firefighters, emergency medical technicians, and certain correction officers.
- Requires the Administrator to adopt rules concerning standards and procedures for an effective safety partnership agreement program for public employers and employees that promotes voluntary compliance with PERRP.
- Specifies that the Administrator or Administrator's designee must make scheduled inspections (rather than inspections) and requires inspections and investigations to be conducted in accordance with the Administrator's rules adopted under continuing law.

- Eliminates a requirement that a safety violation notice provided to a public employer include the initial notice the Administrator receives of the violation.

### **Group rating plans**

- Requires the Administrator, if the premium rate of an employer who is a member of a group rating plan changes from the previous year, to provide an explanation of the premium rate revision to the group administrator, instead of a copy of the invoice as under former law.

### **Professional employer organizations**

- Extends to 30 days (from 14 days) the time in which a professional employer organization (PEO) must submit a lease termination notice form to the Administrator and to each client employer.
- Extends to 30 days (from 14 days) the time in which a self-insuring PEO must submit to the Administrator information needed to develop an experience modification factor for an employer subject to a PEO lease termination.
- Adds the president or other individual who serves as the controlling person of a PEO to the list of people who can make certain attestations related to the PEO.
- Removes the requirement that a controlling entity of a PEO reporting entity include supplemental combining schedules to guarantee that the registration and renewal requirements related to working capital are satisfied if a PEO reporting entity submits a combined or consolidated financial statement under certain circumstances.

### **Occupational disease reports**

- Eliminates the prohibition against a physician neglecting or refusing to make or transmit an occupational disease report to BWC and the penalty for violating the prohibition.
- Removes references related to submitting occupational disease reports by mail only.

### **Actuarial reporting**

- Makes changes to actuarial reporting requirements under the Workers' Compensation Law.

### **Provider participation standards**

- Requires the Administrator to develop and periodically revise standards for maintaining adequate numbers of certified health care providers for services used by claimants.

## Appropriations

- Makes appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2017, and ending June 30, 2019.

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## OTHER AGENCIES

### Employee medical examinations

- Prohibits a public employer from requiring an employee, prospective employee, or applicant for employment to pay the cost of a medical examination required by the public employer as a condition of employment or continued employment.

### H.B. 28

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

**Reps.** Brinkman, Anielski, Antonio, Henne, Leland, Rogers, Sweeney, Thompson, West

**Sens.** LaRose, Eklund, Hackett, Hoagland, O'Brien, Oelslager, Schiavoni

**Effective date:** June 28, 2017

- Makes appropriations for the Industrial Commission for the biennium beginning July 1, 2017, and ending June 30, 2019.

### Am. Sub. H.B. 49

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

**Reps.** R. Smith, Duffey, Ginter, Hambley, Hill, Lanese, Manning, McColley, Patton, Perales, Reineke, Ryan, Scherer, Sprague, Rosenberger

**Sens.** Eklund, Hite, Hoagland, Obhof, Oelslager, Peterson, Terhar, Wilson

**Effective date:** June 29, 2017; most provisions effective September 29, 2017; other provisions effective on other dates; contains item vetoes; six item vetoes overridden

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**ADJUTANT GENERAL**

- Modifies the leave of absence law for certain permanent public employees who are members of the Ohio organized militia or other reserve components of the U.S. Armed Forces, including the Ohio National Guard.

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**DEPARTMENT OF ADMINISTRATIVE SERVICES**

**Suspension of purchasing, contracting requirements**

- Authorizes the Department of Administrative Services (DAS) to suspend state purchasing and contracting requirements when a state agency is experiencing a "state procurement emergency."

**Electronic licensing fee**

- Authorizes the Office of Information Technology to assess a transaction fee of up to \$3.50 on each license or registration issued through its electronic licensing system.
- Creates the Professions Licensing System Fund for operating the electronic licensing system and requires the transaction fees to be deposited in the Fund.
- Prohibits, if a fee is assessed by the Office, any agency, board, or commission from issuing a license or registration unless the required fee has been received.

**Tenant improvement services**

- Removes the DAS Director's authority with respect to construction project services for state agencies, and instead authorizes the Director to provide tenant improvement services.
- Eliminates the Minor Construction Project Management Fund.

**State agency data sharing**

- Allows DAS to establish a program to gather and analyze unspecified types of data provided by state agencies that participate in the program.

- Specifies the program's purposes are to measure outcomes of state-funded programs, to develop policies to promote effective, efficient, and best use of state resources, and to identify, prevent, or eliminate fraudulent use of state funds, resources, or programs.
- Specifies that a state agency's provision of data under the program is a permitted use and does not violate any contrary laws that apply to the data the state agency provides.
- Specifies that a state agency providing data under the program retains ownership over the data and is the only state agency that must comply with Ohio law regarding requests for records or information.
- Subjects data in possession of participating state agencies to any confidentiality laws that apply to the data when in the possession of the state agency that provided the data.
- Subjects employees of DAS and other state agencies who have access to data collected under the program to any confidentiality laws or duty to maintain confidentiality of the data that apply to the state agencies that provided the data.
- Specifies that results of any data analysis are subject to the most stringent confidentiality obligations that apply to the source data.
- Requires DAS to develop a data-sharing protocol to which participating state agencies are subject, and a security plan to state how data will be protected.
- Requires any system with personal information derived under the program to comply with Personal Information Systems Law.

### **Repeal of Ohio Building Authority Law**

- Formally repeals the Ohio Building Authority Law.
- Retains the provision of the Law that permits, under certain circumstances, firearms in motor vehicles in the Riffe Center parking garage.
- Codifies DAS's authority to provide certain facility management services and charge rent and other charges for the use of its facilities.

### **Legislative agency office space**

- Allows legislative agencies to make purchases, leases, and repairs for the agencies' office spaces, and provides the agencies custody of the office spaces.
- Allows a legislative agency to enter into a contract with DAS to have DAS perform services requested by the legislative agency, but prohibits DAS from using a competitive selection process.

- Specifies a legislative agency may improve its office space only if DAS concludes the improvement does not adversely impact the building's structural integrity.

### **Pay for Success Contracting**

- Establishes the Pay for Success Contracting Program and authorizes the DAS Director to enter into multi-year contracts with social service intermediaries under the Program to achieve certain social goals in Ohio.
- Requires that one or two projects intended to reduce infant mortality and poor birth outcomes, as well as promote equity in birth outcomes among different races in Ohio, be administered by such a contractor.

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## **DEPARTMENT OF AGING**

### **Long-term Care Ombudsman**

- Requires the State Long-term Care Ombudsman to conduct advocacy visits with long-term care providers, residents, or recipients.
- Prohibits a long-term care provider, provider employee, or individual from willfully interfering with an Ombudsman representative in the performance of any duties or exercise of any rights.
- Specifies that certain actions under the State Long-term Care Ombudsman Program may be taken only to the extent permitted by federal law.
- Eliminates provisions regarding investigations by the Department of Aging of alleged violations of the Residents' Rights Law, but retains the State Ombudsman's role as a residents' rights advocate.
- Extends the authority of the State Long-term Care Ombudsman's Office to MyCare Ohio.

### **Long-term Care Consultation Program**

- Modifies the duties of the Department or a program administrator to provide services under the Long-term Care Consultation Program.
- Eliminates provisions specifying the categories of individuals to whom a long-term care consultation must or may be provided and the time frames in which it must be provided, and requires those decisions to be made in accordance with rules to be adopted by the Director of Aging.

**Long-term Care Consumer Guide fee**

- Authorizes the Department to establish a deadline for long-term care facilities to pay annual fees for publication of the Ohio Long-term Care Consumer Guide and to impose a late penalty if the fee is not received within 90 days of the deadline.

**Board of Executives of Long-term Services and Supports**

- Specifies that the representatives of the Department of Health and Office of the State Long-term Care Ombudsman are nonvoting members on the Board of Executives of Long-term Services and Supports.
- Specifies that a majority of the voting members of the Board constitutes a quorum, and requires a quorum for the Board to act.
- Expands the Board's authority to create education and training programs for nursing home administrators.
- Revises the Board's authority to take disciplinary action against a nursing home administrator by allowing it to impose civil penalties and fines, revising fine amounts, and permitting, rather than requiring, a court to fine or imprison a person for a violation.

**Assisted living workgroup**

- Creates a workgroup to review the Assisted Living Program.

**PASSPORT administrative agency payments**

- Permits the Department to include a pay-for-performance incentive component in its method of paying for PASSPORT administrative agency operations.

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**DEPARTMENT OF AGRICULTURE****Amusement rides**

- Requires the Director of Agriculture to charge a prorated fee for an operating permit for an inflatable ride that has a term of less than one year.
- Eliminates the \$105 annual inspection and reinspection fee for inflatable amusement rides, and instead requires the Director to set the fee by rule, within stipulations.
- Adds two members representing the inflatable amusement ride industry to the Advisory Council on Amusement Ride Safety.
- Would have divided the inspection of aquatic amusement rides between the Departments of Agriculture (structural) and Health (sanitation) (VETOED).

### **Soybean Marketing Program**

- Establishes the Soybean Marketing Program, and generally applies to it the procedures, requirements, and other provisions that apply to the Grain Marketing Program.
- Prohibits the levying of assessments under the Soybean Marketing Program if assessments are levied under the National Soybean Checkoff Program.

### **Nursery stock collector or dealer fee exemption**

- Revises an exemption from the nursery stock collector or dealer license fee for a person who is not a nurseryman, dealer, or collector by limiting the exemption to a person who:
  - Conducts the sale of nursery stock as a fund raiser for a nonprofit organization for up to two days a year; and
  - Makes up to \$2,000 (formerly \$200) in annual revenue from the sale of nursery stock.

### **Bee inspection fee allocation**

- Reallocates money generated from fees charged for inspecting bee colonies and beekeeping equipment to the Plant Pest Program Fund, rather than the General Revenue Fund as provided in former law.

### **Interstate Pest Control Compact**

- Eliminates Ohio's participation in the Interstate Pest Control Compact.

### **Appraisals of animals ordered destroyed**

- Allows the Director to order the destruction of an animal because of disease before it is appraised, rather than prohibiting the destruction order until after the appraisal as under former law.
- Requires the Director to take an inventory of each animal that is destroyed and record sufficient information for an appraisal to be conducted.
- Revises procedures that authorize the owner of an animal that is ordered destroyed to have the animal appraised.
- Requires the owner of an animal to have an initial appraisal conducted and to request an appraisal by the Department within 30 days of the destruction order.

### **Captive deer licenses – civil penalties**

- Authorizes the Director to assess a civil penalty for violations of the law that requires the licensure of captive deer propagators and animal preserves with captive deer.

- Specifies that the civil penalties are between \$500 and \$10,000, depending on the number of offenses within a five-year period.

### **Food regulation**

- Authorizes the Director to assess a civil penalty against a person who is operating a food processing establishment (for example: a confectionery, cannery, or bottler) without registering it with the Director.
- Specifies that the civil penalties are between \$500 and \$5,000, depending on the number of offenses within a five-year period.
- Expands the exemption from the requirement to pay a food processing establishment registration fee to all bakeries, rather than solely home bakeries as under former law.
- Exempts a processor of apple syrup or apple butter who directly harvests from trees at least 75% of the apples used to produce the apple syrup or butter from:
  - The law governing retail food establishments; and
  - The Director's rules governing standards and good manufacturing practices for food processing establishments.

### **Wine tax diversion to Grape Industries Fund**

- Extends through June 30, 2019, the extra 2¢ per-gallon earmark of wine tax revenue that is credited to the Ohio Grape Industries Fund.

### **Ohio Agriculture Scholarships, Agro Ohio Fund**

- Revises the law governing Ohio Agriculture license plates by:
  - Requiring the Director to use money generated from the license plates for promoting agriculture, rather than for the Agriculture License Plate Scholarship Program as under former law;
  - Eliminating the scholarship program and the related Scholarship Fund Board; and
  - Requiring money generated from the license plates to be deposited in the Agro Ohio Fund rather than the Ohio Agriculture License Plate Scholarship Fund, which the act eliminates.
- Revises the purposes for which money in the Agro Ohio Fund may be used, including eliminating the Agro Ohio Fund grant program under which the Director awarded grants for promoting agriculture in Ohio.

### **Animal and Consumer Protection Laboratory Fund**

- Allocates money generated from the registration and renewal of livestock brands to the Animal and Consumer Protection Laboratory Fund, rather than the Brand Registration Fund, which the act eliminates.

### **Matching funds, soil and water conservation districts**

- Eliminates the requirement that the Department match soil and water conservation district funds received from a contract to carry out Phase II of the federal storm water program.

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## **OHIO AIR QUALITY DEVELOPMENT AUTHORITY**

- Repeals the authority of the Ohio Air Quality Development Authority to issue bonds to fund loans and grants for advanced energy projects, but retains its authority to issue the loans and grants from related funds.
- Clarifies that bonds and notes issued by the Authority for air quality projects are not general obligations.

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## **ATTORNEY GENERAL**

### **Monetary settlements**

- Requires the Attorney General (AG) to notify the Director of the Office of Budget and Management (OBM) of the amount of money to be collected or received under, and the terms of, a court order naming Ohio or a state agency or officer as the recipient of the money.
- Provides for the distribution and transfer from the Attorney General Court Order Fund to the appropriate fund of the money ordered by a court to be paid to Ohio or a state agency or officer.
- Prohibits state agencies from agreeing to any monetary settlement that obligates payments from any fund within the state treasury without consulting with the OBM Director.

## **Domestic violence programs**

### **Domestic Violence Program Fund**

- Creates in the state treasury the Domestic Violence Program Fund consisting of appropriated and donated moneys and administered by the AG to fund domestic violence programs, and requires the AG to adopt implementing rules.
- Requires that funding priority be given to domestic violence programs in existence on and after July 1, 2017.
- Specifies the purposes for which the funds received by either type of domestic violence program must be used.

### **State Victims Assistance Advisory Council**

- Requires the State Victims Assistance Advisory Council to advise the AG in determining the needs of domestic violence victims, developing a policy for administering the Domestic Violence Program Fund, and making recommendations for distributing the funds.

## **Removing sealed or expunged records from databases – pilot**

- Establishes a pilot program, to operate through September 29, 2018, that creates a procedure for removing sealed or expunged criminal records from databases, websites, and publications, upon notice of court orders sent to a qualified third party.

### **Third party to receive and send notices**

- Requires the AG to select a private entity as a qualified third party to receive notices of court orders sealing or expunging criminal case records.
- Requires the AG and the selected qualified third party to enter into a contract specifying the third party's duties and the fee to be paid by an applicant for the sealing or expungement of records who wishes to have the court send the third party notice of its record sealing or expunging order.
- Specifies that the AG has oversight of the third party's functions and activities.
- Requires the qualified third party, when it receives notice of a court order sealing or expunging records, to send notice of the order to identified data repositories and to websites and publications that the third party knows utilize, display, publish, or disseminate any information from those records.
- Requires the identified data repositories, websites, and publications to remove all records that are subject to the sealing or expunging order and all references to, and information from, those records.

**Procedure upon application for order to seal or expunge**

- Upon an application to have records of the applicant's criminal case sealed or expunged, requires the clerk of court to notify the applicant in writing that the court will send notice of its sealing or expunging order to the qualified third party.
- Requires the applicant to notify the clerk if the applicant wishes to opt out of sending the notice to the third party and having data repositories, websites, and publications remove those records.
- If the applicant does not opt out, requires the applicant to pay the fee and the clerk of court to remit the fee to the third party upon issuance of the court's sealing or expunging order.
- If the application is denied by the court or the applicant opts out before issuance of a court order, requires the clerk to return the fee to the applicant.

**Credit for drug use prevention training**

- Allows peace officers to earn continuing professional training hours by providing drug use prevention education in K-12 public schools.

**Peace Officer Training Commission**

- Adds one member from a fraternal organization that represents law enforcement officers to the Ohio Peace Officer Training Commission.

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**AUDITOR OF STATE**

- Increases the time period during which the Auditor of State must review a sworn affidavit and evidence against a local fiscal officer and determine whether clear and convincing evidence supports the allegations.
- Retains the fiscal watch law that changed the time period for filing a financial recovery plan and that added a condition for moving a municipal corporation, county, or township from a fiscal watch to a fiscal emergency.

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**OFFICE OF BUDGET AND MANAGEMENT**

- Requires state agencies and state issuers seeking changes to certain state public obligations laws to timely submit those changes to the Director of Budget and Management for review and comment.

- Authorizes the Director to correct accounting errors committed by any state agency or state institution of higher education.
- Permits the Director, under certain circumstances, to transfer interest earned by any state fund to the GRF.
- Authorizes the Director, during the biennium ending June 30, 2019, to transfer up to \$200 million in cash to the GRF from non-GRF funds that are not constitutionally restricted.
- Appropriates any money the Controlling Board approves for expenditure, or any increase in appropriation the Controlling Board approves, during the biennium pursuant to continuing law.
- Requires the Director to issue reports, beginning October 1, 2018, and every six months thereafter, on:
  - Line items that have been discontinued but have a remaining balance;
  - Funds without expenditures;
  - Funds that have spent less than 50% of their appropriations; and
  - Dedicated purpose funds that have over 100% of their appropriation in cash on hand.
- Requires the Director to send the reports to the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House, and the chairpersons of the House and Senate Finance committees.
- Abolishes various uncodified funds.

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## **CAPITOL SQUARE REVIEW AND ADVISORY BOARD**

- Removes an obsolete reference in Capitol Square Review and Advisory Board Law that pertains to the Board's prior involvement in the management of the Ohio Governmental Telecommunications System.

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## **STATE BOARD OF CAREER COLLEGES AND SCHOOLS**

### **Disclosure fee**

- Requires that for-profit career colleges and schools pay disclosure course fees charged by the State Board of Career Colleges and Schools and prohibits them from charging students for those fees either directly or indirectly.

- Requires the Board to refund all student disclosure course fees collected since January 2017.
- Specifies that the amount refunded to a career college and school for student disclosure fees must be used to refund students who were charged that fee by the college or school.

### **Transfer of credits**

- Requires the Chancellor of Higher Education to prepare a transferability strategy plan that enables students to transfer credits earned from a for-profit career college or school to a state institution of higher education without unnecessary duplication or institutional barriers.
- Requires the Chancellor to submit an interim strategy plan by July 1, 2018, and a final strategy plan by January 1, 2019, to the Governor, President and Minority Leader of the Senate, and Speaker and Minority Leader of the House.

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## **CASINO CONTROL COMMISSION**

- Abolishes the Permanent Joint Committee on Gaming and Wagering, consisting of three members of the House and three members of the Senate, that was to study and submit recommendations on various items related to gaming, including reviewing license fees and penalties.

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## **DEPARTMENT OF COMMERCE**

### **New Banking Law**

- Effective January 1, 2018, enacts a new Banking Law governing banks, savings and loan associations, and savings banks under the same statute.
- Provides for a single "bank" charter under which all three types of financial institutions are to operate.
- Eliminates the separate laws regulating savings and loan associations and savings banks.
- Makes numerous conforming changes throughout the Revised Code.

### **Good Funds Law: disbursements from escrow accounts**

- With respect to residential real property, increases – from \$1,000 to \$10,000 – the maximum amount that can be disbursed by an escrow or closing agent from an

escrow account when the funds necessary for the disbursement are in the form of cash or check.

- Removes the requirement that certain electronically transferred funds be "via the real-time gross settlement system provided by the Federal Reserve Bank" and instead permits those funds be "any other electronically transferred funds."

### **Bedding and toy tests**

- Explicitly authorizes private laboratories that are designated by the Superintendent of Industrial Compliance to be used for tests and analysis of bedding and stuffed toys.

### **State Fire Marshal vacancy**

- Eliminates certain notification requirements by the State Fire Council when a vacancy occurs in the position of the State Fire Marshal.
- Eliminates the requirement that the Council make a list of all qualified applicants for the position of State Fire Marshal when a vacancy occurs.

### **Boiler certificates and fees**

- Eliminates the requirement of a satisfactory inspector's report for the Superintendent of Industrial Compliance to issue or renew a certificate of operation for certain newly installed or operating power boilers, high pressure, high temperature water boilers, low pressure boilers, and process boilers.
- Maintains the inspection report requirement for certain boilers used to control corrosion.
- Requires the Superintendent, in considering whether to issue or renew a certificate, to find that the owner or user of boilers used to control corrosion kept certain records and did not operate the boiler at pressures exceeding the safe working pressure.
- Replaces the Director of Commerce with the Superintendent of Industrial Compliance as the person who may increase the fees for licensing, inspections, and issuing certificates.
- Authorizes the Superintendent to establish fees to pay the costs necessary to fulfill the duties of the Division of Industrial Compliance in relation to boilers.

### **Elevator fees**

- Limits the authority of the Division of Industrial Compliance to charge fees for elevator, escalator, and moving walk inspections to attempted inspections by a general inspector that failed through no fault of the inspector or the Division; eliminates the fee for successful inspections.

- Requires any person who fails to pay a certificate of operation fee within 45 days after the certificate's expiration to pay a late fee equal to 25% of the inspection fee.
- Allows the Superintendent of Industrial Compliance to increase the inspection fees and the fees for issuing and renewing certificates of operation.
- Allows the Superintendent to establish fees to pay the costs of the Division incurred in administering and enforcing the elevator laws.

### **Real estate brokers and salespersons**

- Clarifies that licensed real estate brokers and salespersons are not subject to the Standard Renewal Procedure Law.

### **Fireworks license moratorium**

- Extends the moratorium on issuing a fireworks manufacturer or wholesaler license and approving the geographic transfer of those licenses to September 15, 2018.

### **Liquor permits**

- Creates the A-5 liquor permit to allow a person to manufacture and sell ice cream containing between 0.5% and 6% alcohol by volume.
- Modifies the following conditions for certain community entertainment districts in which a D-5j liquor permit may be issued:
  - Decreases the minimum population of a municipal corporation in which the district may be located from 5,000 to 3,000; and
  - Increases the minimum investment in development and construction in the district from \$100 million to \$150 million.
- Expands the eligibility criteria for the issuance of an F-9 liquor permit by allowing it to be issued to a nonprofit that operates, or manages entertainment for, a city park if:
  - The park property is the subject of an agreement between a municipal corporation, a national nonprofit that is a foundation, and an Ohio-based nonprofit; and
  - The agreement is for the purposes of hosting outdoor performing arts events or orchestral performances.
- In conjunction with the F-9 permit eligibility expansion, exempts a person attending an outdoor performing arts event or orchestral performance from the Opened Container Law if certain conditions are met.

### **Tasting samples of alcohol**

- Allows casinos (D-5n liquor permit) and restaurants in casinos (D-5o liquor permit) to offer free tasting samples of beer, wine, or spirituous liquor if certain conditions apply.

### **Reports by H liquor permit holders**

- Requires a person who transports beer or intoxicating liquor into Ohio for delivery (H liquor permit holders) to an individual or entity that is not a liquor permit holder to submit a monthly report to the Division of Liquor Control.
- Requires the report to include specified information relating to the delivery, including the name and address of each consignor, the consignee of the beer or intoxicating liquor, and the date of delivery.
- Prohibits a person from violating the reporting requirements, and allows the Liquor Control Commission to suspend or revoke any liquor permit issued to the violator.

### **Merger of Manufactured Homes Commission into Department**

- Abolishes the Manufactured Homes Commission and transfers its duties to the Department.
- Creates the Manufactured Homes Advisory Council to advise the Director of Commerce concerning regulation of manufactured housing in Ohio.

### **Removal from manufactured home parks**

- Modifies procedures regarding the removal of abandoned or unoccupied manufactured homes, mobile homes, or recreational vehicles.
- Requires the manufactured home park operator to provide a person that has an outstanding interest in the home or vehicle a written notice to remove it from the park or arrange for its sale within 21 days from the delivery of the notice.
- Permits the park operator to remove the home or vehicle from the manufactured home park, or sell, destroy, or transfer ownership of the home or vehicle, if a person does not come forward with an outstanding interest.
- Requires the park operator to submit a notarized affidavit (1) listing the value of an abandoned home or vehicle and (2) signed by the auditor confirming the value, and establishes procedures if there is a disagreement over the value.
- Permits the park operator to remove the home or vehicle from the park and potentially sell, destroy, or transfer ownership if a probate court does not grant administration of a deceased resident's estate within 90 days from eviction, reduced from one year under former law.

- Establishes procedures to identify and notify persons with an interest in the home or vehicle of a deceased resident.
- Revises the required contents of the writ of execution.
- Eliminates the requirement that a lienholder consent to the transfer of title, if the judgment is executed by transfer of title.
- Provides immunity for a sheriff, police officer, constable, or bailiff for damage caused by the park operator's removal of the home, vehicle, or personal property from the premises, or any damage to the home, vehicle, or personal property when the home or vehicle remains abandoned or stored in the park.

### **Nuisances in manufactured home parks**

- Authorizes the Division of Industrial Compliance to contract with a local board of health to permit the Division to exercise the board's authority to abate and remove any abandoned or unoccupied home or vehicle that constitutes a nuisance and is located in a manufactured home park.

### **Manufactured home installation standards**

- Removes the option of the Division to adopt, as the uniform standards for the design and installation of manufactured housing, manufacturers' standards that are equal to or not less stringent than the federal model standards.

### **Manufactured home inspections**

- Permits a township, municipal corporation, or county that does not have a building department certified regarding manufactured homes to designate the certified building department of another political subdivision to perform manufactured home inspection duties for it.
- Establishes fees for manufactured home inspector certification and certification renewal.

### **Condition of manufactured home park**

- Requires the park operator to ensure that all buildings, lots, streets, walkways, homes, and other facilities located in the park are maintained in satisfactory condition at all times.

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## **OHIO CONSUMERS' COUNSEL**

- Permits the Ohio Consumers' Counsel to assist consumers with utility complaint calls or forward the calls to the PUCO's call center.

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## CONTROLLING BOARD

### Approval of purchases

- Would have required that any state agency purchase of automatic data processing, computer services, electronic publishing services, or electronic information services, or any consulting services related to information technology, the aggregate cost of which would exceed \$50,000 over five years, be made by competitive selection and subject to Controlling Board approval (VETOED).
- Would have required that any state agency contract for the procurement of energy, the aggregate cost of which would exceed \$50,000 over five years, be made by competitive selection and subject to Controlling Board approval (VETOED).
- Requires Controlling Board approval of any advertising purchased with public money by an official elected to a statewide office or a member of the General Assembly for the same purpose that, in the aggregate, exceeds \$50,000 during the fiscal year.

### Authority regarding unanticipated revenue

- Prohibits the Controlling Board from approving the expenditure of certain federal and nonfederal funds that (1) are received in excess of the amount appropriated or (2) are not anticipated in the current biennial appropriations act if the expenditure exceeds 0.5% of GRF appropriations for that fiscal year (VETO OVERRIDDEN).

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## STATE COSMETOLOGY AND BARBER BOARD

- Combines the State Board of Cosmetology and the Barber Board into the State Cosmetology and Barber Board.
- Increases several cosmetology law fees the Board may charge subject to a limit, changes other fees from a set amount to a fee that may not exceed the continuing fee amount, and requires the Board to adjust the fees every two years, subject to those limits, to provide sufficient revenues to meet expenses.

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## COURT OF CLAIMS

- Requires that the filing fees collected by the Court of Claims for complaints alleging a denial of access to public records be deposited into the Public Records Fund, which the act creates, and used by the Court to defray its costs.

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## OHIO STATE DENTAL BOARD

- Increases various fees paid by dentists, dental hygienists, and other dental professionals.
- Increases, from \$20 to \$40, the portion of a dentist's biennial registration fee that is allocated to the Dentist Loan Repayment Fund.

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## DEVELOPMENT SERVICES AGENCY

- Authorizes the Chief Investment Officer of JobsOhio to designate an individual to serve on the Officer's behalf on the TourismOhio Advisory Board.
- Relaxes an eligibility criterion for the Lakes in Economic Distress Loan Program and specifies that any materials submitted by a loan applicant are confidential and not a public record.
- Renames the Office of Small Business within the Development Services Agency the "Office of Small Business and Entrepreneurship" and requires it to inform the public about job placement resources available from OhioMeansJobs.
- Creates a statutory definition of "microbusiness."
- Changes the deadline for the Ohio Aerospace and Aviation Technology Committee to submit its annual report from July 1 to December 31.
- Would have permitted the Director of Development Services to waive the cooperating contribution requirement for a project to receive a grant under the Thomas Alva Edison grant program if the project would enable Ohio companies to access new technology applications (VETOED).
- Would have defined "Edison Center Network" for purposes of the Thomas Alva Edison grant program (VETOED).

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## DEPARTMENT OF DEVELOPMENTAL DISABILITIES

### Community facility sale proceeds

- Permits a county board of developmental disabilities or board of county commissioners to use the proceeds from the sale of a community adult facility or a community early childhood facility to renovate or make accessible housing for individuals with developmental disabilities.

- Permits the Director of Developmental Disabilities to establish and extend a deadline by which the county board or board of county commissioners must use sale proceeds.

### **Medicaid payments**

- Provides for the FY 2018 Medicaid rates for intermediate care facilities for individuals with intellectual disabilities (ICFs/IID) in peer groups 1 and 2 to be determined in accordance with a formula in continuing law, with certain modifications.
- Provides for the FY 2018 Medicaid rate for all ICFs/IID in peer groups 1 and 2 to be adjusted if the mean total per Medicaid day rate for all such ICFs/IID is other than a certain amount, which cannot be less than \$290.10.
- States the General Assembly's intent to enact legislation establishing a new formula to determine the rates beginning not sooner than July 1, 2018, and not later than January 1, 2019.
- Requires the Department of Developmental Disabilities to work in collaboration with certain organizations to finalize recommendations for the new formula.
- Requires that the recommendations include certain features, including a method to transition ICFs/IID to the new formula over 36 months.
- Provides for an ICF/IID's rate for the part of FY 2019 that is before the new formula takes effect to be determined in the same manner as its FY 2018 rate, using data for a subsequent fiscal or calendar year.
- Provides for an ICF/IID's rate for the part of FY 2019 that begins when the new formula takes effect to be determined with the new formula, subject to (1) a maximum of \$295.90 per Medicaid day and (2) the 36-month transition.
- Eliminates the requirement that an ICF/IID resident be under age 22 to qualify for outlier ICF/IID services available to certain Medicaid recipients dependent on a ventilator.
- Provides for the Medicaid rate for each 15 minutes of routine homemaker/personal care services provided to a qualifying enrollee of the Individual Options waiver to be, for 12 months, 52¢ higher than the rate for an Individual Options enrollee who is not a qualifying enrollee.

### **County board share of expenditures**

- Modifies a county board's responsibility to pay the nonfederal share of Medicaid expenditures for residents of ICFs/IID.

- Requires the Director to establish a methodology to estimate in FY 2018 and FY 2019 the quarterly amount each county board is to pay of the nonfederal share of the Medicaid expenditures for which the board is responsible.

### **Developmental centers**

- Permits a developmental center to provide services to persons with developmental disabilities living in the community or to providers of services to these persons.

### **Innovative pilot projects**

- Permits the Director to authorize, in FY 2018 and FY 2019, innovative pilot projects that are likely to assist in promoting the objectives of state law governing the Department and county boards.

### **Use of county subsidies**

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

### **County boards' waiting lists**

- Requires a county board to establish a waiting list for Medicaid-funded home and community-based services if resources are insufficient to enroll all individuals assessed as needing the services.
- Replaces statutory criteria for emergency or priority placement on a county board waiting list with a requirement that the Director adopt rules regarding how individuals are placed on or removed from a waiting list or enrolled in a Medicaid waiver administered by the Department.

### **County board employment restrictions**

- Limits to spouses, sons, and daughters the members of a county commissioner's immediate family who are prohibited from being employed by the county board of developmental disabilities.

### **Stakeholder workgroup**

- Requires the Department to convene a stakeholder workgroup to evaluate services provided to individuals with developmental disabilities living in the community and to develop recommendations related to the services.
- Requires the workgroup to submit a report with the recommendations to the Department and General Assembly.

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## DEPARTMENT OF EDUCATION

### I. School financing

#### Generally

- Specifies a formula amount of \$6,010 per pupil for FY 2018 and \$6,020 for FY 2019.
- Adjusts the valuation index used in the "state share index" calculation for FY 2018 or FY 2019 for school districts that satisfy criteria related to total taxable value of public utility personal property and total taxable value of power plants.
- Maintains the dollar amounts from FY 2017 for the calculation of all categorical payments for both years of the biennium.
- Increases a multiplier used in the formula for computing capacity aid funds for each city, local, and exempted village school district.
- Provides an additional payment of a "third-grade reading bonus" to each STEM school based on how many of its third grade students score at a proficient level or higher on the English language arts assessment.
- Revises the multiplier used in the transportation funding formula.

#### Caps and guarantees

- For each city, local, and exempted village school district, imposes a cap that restricts the increase in the district's aggregate core foundation funding (excluding career-technical education and associated services funding, graduation bonus, and third grade reading bonus) plus transportation funding as follows:
  - If a district has an increase in total ADM between FY 2014 and FY 2016 that is 5.5% or greater in FY 2018 or 6% or greater in FY 2019, restricts the increase to no more than 5.5% of the previous year's state aid for FY 2018 or no more than 6% of the previous year's state aid for FY 2019;
  - If a district has an increase in total ADM between FY 2014 and FY 2016 that is between 3% and 5.5% in FY 2018 or between 3% and 6% in FY 2019, restricts the increase to no more than a scaled amount between 3% and 5.5% for FY 2018 or between 3% and 6% for FY 2019;
  - For all other districts, restricts the increase to 3% of the previous year's state aid for each fiscal year of the biennium.
- Modifies the cap for districts that satisfy criteria related to the total taxable value of public utility personal property and the total taxable value of power plants.

- Provides a "cap offset payment" for FY 2018 for districts that are subject to the cap for FY 2018 and receive combined foundation funding, transportation funding, and fixed rate operating direct reimbursements that is less than that combined funding for FY 2017.
- For each city, local, and exempted village school district, guarantees aggregate core foundation funding (excluding career-technical education and associated services funding) plus transportation funding equal to the following for each year of the biennium:
  - If a district has a decrease in total ADM between FY 2014 and FY 2016 that is 10% or greater, 95% of its state aid for FY 2017;
  - If a district has a decrease in total ADM between FY 2014 and FY 2016 that is between 5% and 10%, a scaled amount between 95% and 100% of its state aid for FY 2017;
  - For all other districts, at least the same amount of state aid for each fiscal year of the biennium as for FY 2017.
- Separately guarantees for each city, local, and exempted village school district, each year of the biennium, at least 100% of the district's career-technical education and associated funding for FY 2017.
- For each joint vocational school district, adjusts the district's aggregate core foundation funding (excluding career-technical education and associated services funding and, in the case of the cap, the graduation bonus) in substantially the same manner as for city, local, and exempted village school districts.

### **Other adjustments**

- Requires the Department of Education to recompute the state funding for each district with a 10% (rather than 5% as under prior law) increase or decrease in the taxable value of all utility tangible personal property subject to taxation in the preceding tax year when compared to the second preceding tax year.
- Repeals two provisions that allow for the recomputation of a school district's state funding due to reductions in the district's property tax base made after the funding was initially computed.
- Requires the Department annually to recommend to the General Assembly a structure to compensate each school district that experiences at least a 50% decrease in public utility personal property valuation from one year to the next for a percentage of the effect that decrease has on the district's foundation funding.

## **Miscellaneous funding provisions**

- Specifies procedures for concluding operation of the former Straight A Program.
- Requires the Department to submit a report by December 31, 2017, regarding the Straight A Program's operation in FY 2017 and recommendations on projects funded by the Program that warrant consideration for future replication.
- Repeals sections that prescribe the calculation of school districts' capacity measures for the tangible personal property (TPP) reimbursement in the tax code.
- Requires the Department to conduct a study of appropriate funding levels for gifted students and methods of funding for gifted courses and programs and to report its findings and recommendations by May 1, 2018.

## **II. Early childhood education**

### **Preschool program funding and operation**

- Prioritizes early childhood education funding for children who are four years old, but permits remaining funds after October 1 to be used for three-year-old children, upon approval of the Department.
- Permits the Department to create an early childhood education parent choice demonstration pilot program.
- Requires the Department to implement a pilot preschool program in not more than two counties in the state's Appalachian region that funds a total of 125 eligible children in each fiscal year, and to collect and review data from the program.

### **Special education preschool staffing**

- Requires a ratio of one full-time staff member for every eight full-day or 16 half-day preschool children eligible for special education enrolled in a center-based preschool special education program.

## **III. College Credit Plus and Early College High School**

### **Student eligibility**

- Beginning with 2018-2019, requires a student, as a condition of eligibility for College Credit Plus (CCP), to either (1) be "remediation-free" on at least one specified assessment, or (2) score within a specified range of the remediation-free threshold and have at least a 3.0 GPA or an advisor's recommendation.
- Requires the college to which a student applies to pay for one assessment to determine the student's eligibility for CCP.

- Requires the Chancellor of Higher Education, in consultation with the Superintendent of Public Instruction, to adopt rules specifying conditions under which "underperforming" participants may continue participating in CCP.

### **Payments**

- Permits, rather than requires as under prior law, the Chancellor to approve CCP payments made by the Department of Education under an alternative payment structure to be below the default floor amount.
- Specifies that, under the default payment structure for CCP, the Department must pay the lesser of (1) the default amount or (2) the college's standard rate for an undergraduate course.
- Prohibits payments by the Department for a CCP course under an alternative payment structure from exceeding the college's standard undergraduate course rate.
- Prescribes deadlines for the Department to make CCP payments to colleges: January 31, for fall participants, and July 31, for spring participants.

### **Course eligibility**

- Requires the Chancellor, in consultation with the state Superintendent, to adopt rules specifying which courses under CCP are eligible for funding from the Department of Education, and specifies that only courses eligible for funding may be taken under 'Option B' of the program.

### **Course credit (VETOED)**

- Would have required CCP participants to receive a grade of "C" or better in a CCP course to (1) receive credit for that course, and (2) apply the course toward the high school's graduation and curriculum requirements (VETOED).

### **Appeals and information**

- Changes to whom a student may appeal a principal's decision, with regard to the student's participation in CCP, from the State Board to the district superintendent or governing entity.
- Changes to whom a participant may appeal a dispute, with regard to the granting of credit for CCP courses, from the State Board to the Department.
- Moves the annual deadline, from March 1 to February 1, by which high schools must provide CCP information to students in grades 6 through 11.
- Eliminates provisions requiring colleges to notify the state Superintendent of a participant's (1) admission to the college under CCP, (2) courses and hours of enrollment, and (3) chosen participation option ('Option A' or 'Option B').

## Reports

- Beginning in 2018 and ending in 2023, requires the Chancellor and state Superintendent to submit an annual report by December 31 to the Governor, Senate President, Speaker of the House, and chairpersons of the House and Senate Education Committees on specified outcomes of CCP.
- Makes the pre-existing CCP biennial report permissive rather than mandatory, and limits the data that may be included in the biennial report to data available through the Higher Education Information System.

## Early College High School

- Exempts all Early College High School (ECHS) programs from the requirements of the CCP program, so long as the program meets the modified statutory definition of ECHS programs and is approved by the Chancellor and state Superintendent.
- Revises the definition of ECHS programs and specifies that they "prioritize," rather than only include, students who are (1) underrepresented in higher education, (2) economically disadvantaged, or (3) first-generation.

## IV. Educator licensure and preparation

### Elimination of Ohio Teacher Residency Program (VETOED)

- Would have eliminated the Ohio Teacher Residency Program and prohibited current participants from being required to complete the Program or its components (VETOED).

### Substitutes for educational assistants

- Authorizes a district superintendent to allow an employee who does not hold an educational aide permit or paraprofessional license to work as a substitute for an educational assistant, so long as the employee's application materials indicate that the employee is qualified to obtain the permit or license.
- Specifies that the employee must (1) apply to the State Board for the permit or license prior to starting work as a substitute and (2) complete a criminal records check for nonlicensed school employees.
- Limits the maximum amount of time that an employee may work as a substitute under this provision to 60 days following the starting date.

### Other licensure provisions

- Requires the Department to request fingerprints from licensed educators and applicants for licensure who are not enrolled in the Retained Applicant Fingerprint Database in order to enroll them, and to inactivate a license or reject an application of an educator who does not comply.

- Requires instruction in opioid and other substance abuse prevention to be included in all teacher and school personnel preparation programs.

## **V. Curriculum and graduation credentials**

### **Alternative graduation requirements for Class of 2018**

- Creates the following two alternative graduation pathways for students enrolled in public or chartered nonpublic schools who entered the ninth grade for the first time on or after July 1, 2014, but prior to July 1, 2015 (Class of 2018) in lieu of the continuing law graduation requirements.
  - Take all applicable state tests, retake certain low-score end-of-course exams, complete the school district's or school's curriculum, and satisfy two of several prescribed conditions, including completing a capstone project during the 12th grade and having a 93% attendance rate during the 12th grade.
  - Take all applicable state tests, complete the district's or school's curriculum, complete an approved career-technical education training program, and satisfy one of several prescribed conditions, including obtaining an industry-recognized credential.

### **Credit for integrated course content**

- Permits public and chartered nonpublic schools to integrate academic content in subject areas for which the State Board has adopted standards into a course in a different subject area, and to allow a student to receive credit for both subject areas that were integrated into the one course.
- Permits a school to administer a related end-of-course exam to a student upon completion of the integrated course.
- By July 1, 2018, requires the Department of Education, in consultation with the Department of Higher Education and the Governor's Office of Workforce Transformation, to develop guidance on granting integrated credit.

### **Credit through subject area competency**

- Requires the Department to develop a framework for school districts and community schools to use in granting units of high school credit to students who demonstrate subject area competency through work-based learning experiences, internships, or cooperative education.
- Requires each district and community school to comply with the framework, beginning with the 2018-2019 school year.

## **Industry credentials and licenses for graduation**

- By January 1, 2018, requires the state Superintendent, in collaboration with the Governor's Office of Workforce Transformation and business organizations, to establish a committee to develop and update a list of industry-recognized credentials and licenses for high school graduation and state report card purposes.
- Eliminates the State Board's responsibility to approve industry-recognized credentials and licenses.

## **OhioMeansJobs-Readiness Seal**

- Requires the state Superintendent to establish the OhioMeansJobs-Readiness Seal, which must be attached to the diplomas and transcripts of students enrolled in a public or chartered nonpublic school who satisfy specified requirements.

## **Regional workforce collaboration model**

- Requires the Governor's Office of Workforce Transformation, the Department, and the Chancellor to develop a regional workforce collaboration model to provide career services to students by December 31, 2017.
- Requires the Office to oversee the creation of regional workforce collaboration partnerships.

## **Pre-apprenticeship training**

- Requires the Departments of Education and Job and Family Services to establish an option for career-technical education students to participate in pre-apprenticeship training programs that impart skills and knowledge for successful participation in a registered apprenticeship occupation course.

## **VI. State assessments**

### **Elementary social studies**

- Eliminates the state fourth- and sixth-grade social studies assessments.
- Requires each school district or school to teach and assess social studies in at least the fourth and sixth grades.
- Requires any social studies assessment to be determined by the district or school and permits the assessment to be formative or summative in nature.
- Prohibits reporting to the Department the results of any social studies assessment used by a district or school.

### **Exemption from testing and graduation requirements (VETOED)**

- Would have conditionally exempted from the requirements to (1) take state high school assessments and (2) complete a graduation pathway, students who are

enrolled in a chartered nonpublic school in which at least 75% of students are children with disabilities receiving special education services (VETOED).

### **Release of achievement test questions**

- Beginning with the 2017-2018 school year, requires that 40% of questions from each state elementary achievement assessment and high school end-of-course exam become public records.
- Prohibits the release in 2017 of any questions from the elementary English language arts and math assessments administered in the 2015-2016 school year.

### **Paper administration of state assessments (VETOED)**

- Would have permitted public and chartered nonpublic schools to administer the state achievement assessments in a paper format or a combination of online and paper formats (VETOED).

### **Kindergarten diagnostic assessments**

- Permits school districts to administer the selected response and performance task items portion of the kindergarten readiness diagnostic assessment up to two weeks prior to the first day of the school year.

## **VII. Community schools**

### **Sponsor evaluation (PARTIALLY VETOED)**

- Would have prohibited the Department from assigning an automatic overall rating to a community school sponsor based solely on the sponsor receiving an equivalent score of "0" points on one or more individual components not including academic performance (VETOED).
- Would have specified that a sponsor's overall rating is a cumulative score of the individual components of the evaluation system, unless a sponsor receives a "0" on the academic performance component (VETOED).
- Would have required the Department to weight the "Progress" component of the state report card at 60% of the total score for the academic performance component that comprises the community school sponsor evaluation system (VETOED).
- Requires the Department annually, by July 15, to post a description of the evaluation system and specifies that any changes after that date take effect the following rating period.
- Requires the Department to make the annual training on the evaluation system available by July 15.

- Changes, from October 15 to November 15, the final date by which the sponsor ratings must be published.

### **Review process for sponsor ratings**

- Establishes a process by which community school sponsors may review and request adjustments to the calculations of specified components that comprise the community school sponsor evaluation system.

### **Exception to revocation of sponsorship authority (VETOED)**

- Would have permitted a sponsor whose sponsorship authority was revoked because it received an overall rating of "poor" on its 2015-2016 evaluation, but who received at least a score of "3" or a "B" for that evaluation's academic performance component, to renew sponsorship of its schools for the 2017-2018 school year (VETOED).
- Would have permitted that sponsor to continue sponsoring its schools for the 2018-2019 school year, if, for 2017-2018, the sponsor received at least a score of "3" or a "B" (or an equivalent score) on the academic performance component and an overall rating of at least "ineffective" (VETOED).

### **ESC community school sponsors (VETOED)**

- Would have permitted an educational service center (ESC) that sponsors community schools and has a sponsor rating of "effective" or higher to sponsor a community school regardless of whether the school is located in a county within the ESC's territory or a contiguous county (VETOED).

### **Access to student data codes**

- Permits the Department to have access to information that would enable student data verification codes to be matched to personally identifiable student data for the purpose of making per-pupil payments to community schools under the school funding formula.

### **Dividing an e-school**

- Beginning in the 2018-2019 school year, authorizes the governing authority of an Internet- or computer-based community school (e-school) meeting specified criteria to divide the school into two or three separate schools and establishes limitations and requirements for each.
- Requires that all resulting schools be included in the calculation of the academic performance component for sponsor ratings.
- Requires the Department to issue a report card for each resulting school, which counts toward closure of the school and any other matter based on report card

ratings or measures, without the two-year grace period that applies to other new community schools.

### **Automatic withdrawals from online public schools**

- Revises a provision requiring that a public online school, including an e-school, to withdraw from its enrollment a student who fails to take any state achievement assessment for two consecutive school years to specify the consecutive years are of the student's enrollment in that particular school.

## **VIII. STEM and STEAM schools**

### **STEAM schools, equivalents, and programs of excellence**

- Authorizes the creation of science, technology, engineering, arts, and mathematics (STEAM) schools, equivalents, and programs of excellence, which are types of STEM schools, equivalents, or programs of excellence.
- Permits STEM and STEAM schools and equivalents to offer all-day kindergarten in the same manner as school districts, to conform with provisions of continuing law that permit STEM schools and equivalents to offer any of grades K-12.

### **Tuition for out-of-state students**

- Permits a STEM or STEAM school to determine the tuition to charge a student who is not an Ohio resident, so long as the tuition is at least the minimum amount the school receives for a student who is an Ohio resident.

### **Access to school district property**

- Adds STEM schools (and, by reference, STEAM schools) to the list of those public schools that must be offered the right of first refusal when a school district decides to sell real property or is required to offer for sale or lease unused property.

## **IX. Scholarship programs**

### **Application periods for Ed Choice income-based scholarships**

- By May 31 each year, requires the Department to determine whether funds remain available for income-based scholarships under the Educational Choice (Ed Choice) Scholarship Program after the first application period.
- Specifies that the Department need not conduct a second application period for the income-based expansion of the Program if the scholarships awarded in the first application period use the entire amount appropriated for that school year.

### **Jon Peterson Scholarship deadline**

- Removes the application periods and deadlines under the Jon Peterson Special Needs Scholarship Program, and instead requires the Department to prescribe a procedure whereby scholarships are awarded "upon application."
- Prohibits the Department from adopting specific deadline dates for the Peterson Scholarship.

### **Cleveland Scholarship maximums**

- Increases the maximum amount that may be awarded under the Cleveland Scholarship Program for students in grades K-8 to \$4,650 and for students in grades 9-12 to \$6,000.

## **X. Other education provisions**

### **Adult diploma pilot**

- Requires an entity other than the Department to make full or partial payments for a student participating in the Adult Diploma Pilot Program, if the state Superintendent and the Chancellor determine that it is appropriate for that entity to make those payments.

### **Auxiliary Services funds**

- Adds to the list of permitted uses of Auxiliary Services funds (1) language and academic support services for English language learners and (2) procurement of certain security services.
- Requires the Department to pay Auxiliary Services funds directly to each chartered nonpublic school that does not have: (1) a religious affiliation, or (2) a curriculum or mission that contains any religious content or activities.

### **Chartered nonpublic school reporting**

- Requires each chartered nonpublic school to publish on its website the number of enrolled students and its policy regarding background checks for employees and for volunteers who have direct contact with students.

### **Review of FTE manual (VETOED)**

- Would have required the Department's manual for review and audit of full-time equivalency enrollment reporting by public schools to be approved by the Joint Education Oversight Committee before it could be used (VETOED).

### **Payments for students in residential facilities**

- For a special education student served by a school district other than the one in which the student's parent resides because the student is placed in a residential

facility, permits a tuition payment in the same manner as for a nondisabled student under continuing law.

- Permits the district educating a special education student in the residential facility to choose whether to receive a tuition payment for the student (as authorized under the act) or to receive an excess costs payment (as authorized under continuing law).

### **Unvoted debt for alternative fuel vehicles**

- Permits a school district, subject to approval of the Facilities Construction Commission, to incur unvoted debt to finance the purchase of new alternative fuel vehicles or vehicle conversions, in an amount up to  $\frac{1}{10}$  of 1% of the district's tax valuation.

### **Summer food service**

- Requires a school district that provides summer academic intervention services and that opts out of offering summer food service in a school in which at least half of the students are eligible for free lunches to allow an approved summer food service program sponsor to use the school's facilities.

### **Reporting victims of student violence**

- Beginning July 1, 2018, requires the guidelines for the statewide education management information system (EMIS) to require the data maintained by the system to include an identification of the persons at whom a student's violent behavior that resulted in discipline was directed.
- Requires the Department to prepare a report of this information for the first two school years and submit it to the General Assembly by October 1, 2020.
- Eliminates the requirement to include this information in the system or guidelines beginning two years following the submission of the Department's report.

### **International students in athletics**

- Authorizes international students who attend certain elementary or secondary schools in Ohio and who hold an F-1 U.S. visa to participate in interscholastic athletics on the same basis as Ohio residents.
- Prohibits the international students from being denied the opportunity to participate in interscholastic athletics solely because the student's parents do not reside in Ohio.

### **Sudden cardiac arrest in youth athletics**

- Reduces the frequency with which a student or youth athlete must submit the consent form regarding sudden cardiac arrest guidelines to once each year, instead of once for each activity in which the athlete participates each year.

### **Sunscreen in schools**

- Prohibits a school district from requiring in its medication policy written authorization from a health care provider in order to administer sunscreen to a student.
- Permits a student to possess and self-administer sunscreen without written authorization from a health care provider while on school property or at a school-sponsored event.
- Permits a school to include in its policy the requirement for parental authorization for the possession or administration of sunscreen.

### **Betel nut substances in schools**

- Prohibits the use or possession of any substance containing betel nut in any area under the control of, or at any activity supervised by, a school district or educational service center.

### **Bright New Leaders for Ohio Schools**

- Permits the Governor, President of the Senate, and Speaker of the House each to nominate three individuals to apply to be participants in the Bright New Leaders for Ohio Schools Program.
- Removes a provision that specified that state financial support for the nonprofit corporation that implements the Bright New Leaders for Ohio Schools Program would cease June 30, 2018.

### **Other provisions**

- Prohibits a school district that has not entered into an agreement with an educational service center as of June 30, 2017, from doing so until June 30, 2019.
- Indefinitely extends the authority of the mayor who appoints a municipal school district board (Cleveland) to establish and retain the district's transformation alliance.
- From September 29, 2017, to October 1, 2021, prohibits transfer of nonresidential territory from one school district to another without approval of both district boards, if they are parties to an annexation ("win/win") agreement, unless one of the district's territory overlaps with a "new community authority" created before 1993.
- Extends to December 31, 2019, the expiration of a provision permitting a school district to offer priority to purchase an athletic field to the chartered nonpublic school that is the field's current leaseholder.
- Requires the Joint Education Oversight Committee to develop legislative recommendations for creating a joint transportation district pilot program.

- Repeals a law that required the Department to establish a clearinghouse of information regarding the identification of and intervention for at-risk students.
- Specifies that bid bonds are not required for the purchase of school buses.
- Exempts the following from the requirement to complete school employee training in the use of an automated external defibrillator:
  - Substitute teachers;
  - Adult education instructors who are scheduled to work less than the full-time equivalent of 120 days per school year; and
  - Persons who are employed on an as-needed, seasonal, or intermittent basis, so long as they are not employed to coach or supervise interscholastic athletics.
- Specifies that the employers of minors participating in a STEM program approved by the Department or any eligible classes through the College Credit Plus Program that meet specified requirements are exempt from the state minor labor law.
- Requires the state Superintendent, in consultation with the Governor's Executive Workforce Board, to establish standards for the operation of school district and educational service center business advisory councils.
- Limits the ability of an unclassified Department employee to receive payment on separation of employment for sick leave accumulated while employed by a school district to an employee who began employment with the Department before October 1, 2017.
- Permits the Department's Supervisor of Agricultural Education to serve as the chair of the board of trustees of the Ohio FFA Association and to assist with the Association's programs and activities.
- Requires the state Superintendent to establish a workgroup on related services personnel for improving coordination of state, school, and provider efforts to address the related services needs of students with disabilities.

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## **BOARD OF EMBALMERS AND FUNERAL DIRECTORS**

### **Board membership**

- Modifies the membership criteria for the Board of Embalmers and Funeral Directors.

### **Permits and licenses**

- Specifies that a crematory operator must operate with a permit and a crematory facility must operate with a license.

- Establishes criteria for a crematory operator permit, associated fees, and continuing education requirements.
- Eliminates the requirements that a funeral home be established under the name of the license holder and the license not include directional or geographical references in the name.
- Exempts courtesy card permit holders from continuing education requirements.
- Caps license reinstatement fees.
- Modifies the definition of "embalming" to include specified chemical treatments.
- Requires that a cremation chamber used for cremation of animals display a notice on the unit stating that it is used for animals only.

### **Dead human body and cremated remains**

- Prohibits any person from knowingly refusing to promptly submit the custody of a dead human body or cremated remains upon the order of the person legally entitled to the body or cremated remains.
- Prohibits, with a few exceptions, a person from knowingly failing to carry out the final disposition of a dead human body within 30 days after taking custody of the body.
- Requires the Board to adopt rules related to the lawful disposition of unclaimed cremated remains held in a funeral home or crematory that has been closed.

### **Preneed funeral contracts**

- Requires the Board to adopt rules regarding violations relating to the submission of sale reports for preneed funeral contracts.
- Requires a funeral home licensee for a funeral home that is closing to send written notice to the purchaser of every preneed funeral contract to which the funeral business is a party, containing the name of any funeral business that has been designated to assume the contract obligations.
- Requires a funeral home licensee, within 30 days of closing a funeral home, to transfer all preneed contracts to the funeral homes that have been designated to assume the obligation of the contracts.
- Requires the Board to make designations for preneed contracts in the case of a closed funeral home, if the licensee fails to designate a successor.
- Requires that all preneed funeral contracts include a disclosure that any purchaser may be eligible for reimbursement of financial losses suffered as a result of malfeasance, misfeasance, default, failure, or insolvency of the licensee.

- Requires preneed contracts held in trust to contain a disclosure regarding whether the seller will charge an initial service, cancellation, or service fees.
- Requires payment for preneed contracts to be paid directly to an insurance company or, subject to certain exceptions, to the contract's trustee.
- Requires the seller of a preneed funeral contract, within 30 days of receiving payment made payable to the trustee, to remit the payment to the trustee, unless the purchaser rescinds the contract.
- Eliminates the requirement that taxes, expenses, and fees be paid only from the accumulated income on the preneed funeral contract trust.
- Establishes the Preneed Recovery Fund, as a custodial fund, to reimburse purchasers of preneed funeral contracts who have suffered financial loss as a result of malfeasance, misfeasance, default, failure, or insolvency in connection with a preneed funeral contract.
- Imposes a \$10 fee on the sale of preneed funeral contracts other than those funded by insurance policy assignment, to be deposited into the Fund.

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## ENVIRONMENTAL PROTECTION AGENCY

### Total Maximum Daily Load (TMDL)

- Authorizes the Director of Environmental Protection to establish a TMDL, which allocates pollutant discharges among permit holder and nonpoint sources, for waters of the state that do not meet water quality standards.
- Establishes requirements governing the development of a TMDL, including creation of a draft TMDL, notice and input procedures, factors for consideration, modification of a TMDL, and appeal of TMDL pollutant limitations.

### NPDES permit fees

- Requires the fee for the issuance of an NPDES permit to be paid at the time of application along with the nonrefundable application fee.
- Changes the fee for a municipal storm water discharge from \$100 per square mile of area permitted under an NPDES permit to \$10 per  $\frac{1}{10}$  of a square mile.

### Industrial water pollution control certificates

- Eliminates the Director's authority to issue industrial water pollution control certificates.

### **Construction Grant Fund**

- Eliminates the Construction Grant Fund, which consisted of federal grants to the state under the federal Water Pollution Control Act (the grants have been discontinued).
- Accordingly, eliminates the construction grant program, under which local governments could apply for grant money from the Ohio Environmental Protection Agency (OEPA) for sewage and waste treatment works.

### **Water Pollution Control Loan Administrative Fund**

- Allows OEPA to use money in the Water Pollution Control Loan Administrative Fund for water quality related programs administered by it, rather than solely to defray its administrative costs associated with the water pollution control loan program as under former law.

### **County sewer districts**

- Authorizes a county sewer district to contract to provide water and sewerage services to persons or entities located outside the district, including outside the county in which the district has jurisdiction.

### **Local air pollution control authorities**

- Modifies the list of agencies that qualify as a local air pollution control authority (authority) under the law governing air pollution control.
- Allows the Director to modify a contract with an authority to authorize the authority to perform air pollution control activities outside its geographic boundaries.

### **Clean Diesel School Bus Fund**

- Eliminates the Clean Diesel School Bus Fund, which, according to OEPA, was obsolete and was used to update emissions equipment on diesel school buses.

### **Asbestos abatement**

- Effective January 1, 2018, transfers administration and enforcement of asbestos abatement certification from the Department of Health to OEPA.
- Eliminates several procedures that applied to hearings regarding violations of asbestos abatement laws that were supplemental to the Administrative Procedure Act.

### **Title V air emissions fees**

- Authorizes, rather than requires as in prior law, OEPA to transfer up to 50¢ per ton of each type of Title V air pollution emissions fee to the Small Business Assistance Fund.

### **Volkswagen settlement funding**

- Establishes the Volkswagen Clean Air Act Settlement Fund, consisting of money received by Ohio from the Volkswagen Clean Air Act Settlement.
- States that it is the intent of the General Assembly to appropriate into the Fund money received from the Settlement.

### **Explosive gases at solid waste disposal facilities**

- Revises the law governing the monitoring of explosive gases (primarily methane) at solid waste disposal facilities, including:
  - Authorizing, rather than requiring as in former law, the Director to order the submission of explosive gas monitoring plans when there is a threat to human health or safety or the environment;
  - Requiring a plan to be submitted for active or closed solid waste disposal facilities, if ordered, rather than for active or closed sanitary landfills (a subset of solid waste disposal facilities) as under former law; and
  - Requiring specified "responsible parties" associated with a facility, after a plan is submitted, to monitor explosive gas levels and submit written reports of the results of the monitoring in accordance with the plan.

### **Antiquated law governing solid waste facilities**

- Eliminates antiquated provisions of law that applied in the 1980s and early 1990s that governed applications for a permit-to-install a solid waste facility.

### **Scrap Tire Grant Fund transfer**

- Authorizes, rather than requires as in prior law, the Director to request OBM to transfer up to \$1 million each fiscal year from the Scrap Tire Management Fund to the Scrap Tire Grant Fund, which is used to support market development activities related to scrap tires.
- Also authorizes, rather than requires, OBM to execute that transfer.

### **Clean-up and removal at tire sites**

- Repeals an obsolete law that required at least 65% of a 50¢ fee on the sale of tires be spent for clean-up and removal activities at the Goss Tire Site in Muskingum County or other tire sites in Ohio.

### **Cleanup and Response Fund**

- Requires OEPA to use the Cleanup and Response Fund to implement the law governing hazardous waste, in addition to using it to support the investigation and remediation of contaminated property as under continuing law.

**Alternative daily cover**

- Exempts solid waste that the Director approves for, and that is used as, alternative daily cover from disposal and transfer fees that otherwise apply to solid waste.

**Background investigations under waste laws**

- Expands the time frame, from three years to five years, for updating background information submitted via a disclosure statement by permit applicants, permittees, and prospective owners under the law governing solid, hazardous, and infectious wastes.

**Inspection of commercial hazardous waste facilities**

- Eliminates the Director's authority to take certain actions with respect to on-site inspections of commercial hazardous waste facilities.

**Authority to waive fees and late penalties**

- Authorizes the Director to waive or reduce late fees and fees incurred during a response to an emergency.

**Administration of programs division**

- Requires the Director to establish within OEPA a division to administer the Agency's financial, technical, and compliance programs to assist communities, businesses, and other regulated entities.

**Extension of various fees**

- Extends all of the following for two years:
  - The sunset of the annual emissions fees for synthetic minor facilities;
  - The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for plan approvals for wastewater treatment works;
  - The sunset of the annual discharge fees for holders of NPDES permits under the Water Pollution Control Law;
  - The sunset of license fees for public water system licenses;
  - A higher cap on the total fee due for plan approval for a public water supply system and the decrease of that cap at the end of the two years;
  - The levying of higher fees, and the decrease of those fees at the end of the two years, for state certification of laboratories and laboratory personnel for purposes of the Safe Drinking Water Law;

--The levying of higher fees, and the decrease of those fees at the end of the two years, for applications to take examinations for certification as operators of water supply systems or wastewater systems;

--The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for permits, variances, and plan approvals under the Water Pollution Control and Safe Drinking Water Laws;

--The sunset of the fees levied on the transfer or disposal of solid wastes; and

--The sunset of the fees levied on the sale of tires.

### **Toxic Release Inventory Program**

- Allows owners and operators of specified facilities to fulfill state toxic release inventory reporting requirements by complying with federal reporting requirements established by USEPA.
- Specifies that the submission of a toxic chemical release inventory report to USEPA constitutes simultaneous submission of the report to OEPA, thereby satisfying state reporting requirements under state and federal law.
- Retains OEPA's authority to conduct an investigation of and enforce civil and criminal penalties for a violation committed under the Toxic Release Inventory Program, including the failure to submit toxic release inventory reports to USEPA.
- Eliminates fees for filing a toxic release inventory report, including late fees.

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## **ENVIRONMENTAL REVIEW APPEALS COMMISSION**

- Requires the Commission to adopt or amend regulations governing expedited hearings, expedited decisions, and stays.

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## **OHIO FACILITIES CONSTRUCTION COMMISSION**

### **Agency administration of projects**

- Permits DAS, the Ohio School for the Deaf, and the Ohio State School for the Blind to administer a capital facilities project whose estimated cost is less than \$1.5 million.

### **Contractor debarment**

- Allows the Executive Director of the Ohio Facilities Construction Commission (OFCC) to debar a subcontractor, supplier, or manufacturer, in addition to a contracting firm.

- Permits the Executive Director also to debar a partner, officer, or director of one of those entities.

### **OFCC membership**

- Adds two senators appointed by the Senate President and two representatives appointed by the Speaker of the House as nonvoting members of OFCC.
- Specifies that the senators must not be from the same political party and that the representatives must not be from the same political party.
- Requires the Governor's appointment to be an administrative department head who is not the Director of Budget and Management or the Director of Administrative Services, and authorizes that member to designate an employee of the member's agency to serve.

### **Transfer of school facilities programs to OFCC**

- Abolishes the Ohio School Facilities Commission and transfers its responsibilities to OFCC.

### **CFAP segments – school districts' costs (VETOED)**

- Would have specified that, if a district satisfies certain conditions, the district's portion of the cost for a second or subsequent segment of a project, under the Classroom Facilities Assistance Program (CFAP), be based on the district's current wealth percentile ranking (VETOED).

### **Joint vocational district projects (VETOED)**

- Would have permitted OFCC to select one joint vocational school district in each of FYs 2018 and 2019 to receive assistance to construct a new complete classroom facility as a replacement for one or more facilities, to renovate existing facilities, or both (VETOED).

### **1:1 School Facilities Option Program**

- Establishes the 1:1 School Facilities Option Program as an alternative to assist school districts that have not entered into an agreement for classroom facilities assistance (except for emergency assistance) with constructing, acquiring, reconstructing, or making additions or repairs to any feature of a classroom facility.
- Specifies that a district may participate in the alternative program only when it becomes eligible for assistance under CFAP or the Vocational School Facilities Assistance Program (VFAP), based on its wealth percentile ranking.
- Specifies that a district may receive under the alternative program up to \$1 million or 10% of what would be the state's share of the district's total project cost under CFAP or VFAP, provided the district matches the state funds on a one-to-one basis.

## **Repeal of reporting requirements**

- Repeals a provision requiring the submission of a report by a public entity to OFCC regarding a capital facilities project funded wholly or in part using state funds.
- Repeals a provision requiring annual submission of a report by the Attorney General to the OFCC Executive Director on any mediation and litigation costs associated with capital facilities projects for which a judgment has been rendered.

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## **OHIO GENERAL ASSEMBLY**

### **Review of cabinet departments (VETOED)**

- Would have established a procedure for the General Assembly to periodically review cabinet departments, with certain departments reviewed either each even-numbered or odd-numbered General Assembly (VETOED).
- Would have required the review to be done by standing committees directed to do so by the Speaker of the House and Senate President (VETOED).
- Would have expressly authorized the General Assembly to abolish, terminate, or transfer a department by no other means except by enactment of a law (VETOED).
- Would have authorized the General Assembly to review and report on the performance and effectiveness of other departments and, if reviewed, would have required the Chief of the Common Sense Initiative Office to testify regarding the department (VETOED).
- Would have modified the schedule of performance audits conducted by the Auditor of State to coincide with the periodic review of cabinet departments (VETOED).

### **Legislative Task Force to study creation of Legislative Budget Office**

- Creates the six-member Joint Legislative Task Force on Creating a Legislative Budget Office, consisting of three Senate and three House members, to study and recommend on the feasibility and effectiveness of creating a Legislative Budget Office.

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## OFFICE OF THE GOVERNOR

### Antitrust review by CSI Office

- Beginning January 21, 2018, requires the Common Sense Initiative Office to review and approve or disapprove certain board or commission actions or proposed actions concerning occupation or industry regulation that may have antitrust implications.
- Voids an action or proposed action disapproved by the Office.
- Allows a board or commission that has taken or proposes to take an action, person who is affected or is likely to be affected by an action taken or proposed by a board or commission, or a person granted a stay in court to refer an action for review by the Office.
- Requires a person to obtain a determination from the Office before pursuing a court action for a violation of antitrust laws, and grants the state, a board or commission, or a member of a board or commission the right to request a stay of antitrust proceedings that lasts until the Office approves or disapproves the action.
- Exempts the following persons from the exhaustion requirement and the stay of court proceedings: the Attorney General, a county prosecutor, or any assistant prosecutor designated to assist a county prosecutor.
- Exempts from the Office's review any action in which members of the board or commission who are members of the profession affected by the action are statutorily prohibited from participating in the action.
- Requires the Office to adopt rules under the Administrative Procedure Act to implement and administer the act's review provisions.

### Health Services Price Disclosure Study Committee

- Eliminates the Health Services Price Disclosure Study Committee in the Governor's Office of Health Transformation.

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## DEPARTMENT OF HEALTH

### Vital statistics

- Modifies the Vital Statistics Law to reflect processes the Department of Health has implemented as it transitions to exclusive use of electronic birth and death registration systems.

- Eliminates requirements that local registrars of vital statistics transmit to the State Registrar Social Security numbers on birth and death certificates.

### **Abuse of long-term care facility residents**

- Includes psychological abuse, sexual abuse, and exploitation as additional types of misconduct in a long-term care facility that must be reported.
- Requires licensed health professionals to report abuse, neglect, exploitation, and misappropriation to the facility, rather than to the Director of Health.
- Requires a statement of findings of abuse, neglect, exploitation, or misappropriation of a resident by a licensed health professional to be included in the Nurse Aide Registry.
- Prohibits certain employers from employing a licensed health professional if there is a statement in the Registry of abuse, neglect, exploitation, or misappropriation by the professional.

### **Information sharing**

- Authorizes the Director of Health to release to the Department of Aging the identity of a patient or resident who receives assisted living services from programs administered by that Department.

### **Nursing home inspection – increased capacity**

- Provides that a nursing home does not need to be inspected before the Director of Health increases its licensed capacity if the resident rooms to which the beds will be added were similarly inspected as part of the nursing home's most recent inspection.

### **Confidentiality of HIV/AIDS information**

- Clarifies that information regarding an individual's HIV test, or an individual's AIDS or AIDS-related diagnosis, may be disclosed to any physician who treats the individual.

### **Moms Quit for Two grants**

- Continues the Moms Quit for Two Grant Program to provide grants to nonprofit or government entities to deliver evidence-based tobacco cessation interventions to pregnant women and women living with children who reside in communities with high infant mortality.

### **WIC vendor contracts**

- Requires the Department of Health to process an application for a Women, Infants, and Children (WIC) vendor contract within 45 days if the applicant already has a WIC vendor contract.

### **Third-party payment for goods and services**

- Prohibits the Department from paying, on or after January 1, 2018, for goods and services an individual receives through the Department or one of its grantees or contractors if the individual has coverage for those goods and services through another source.
- Specifies that the prohibition does not apply when it is expressly contrary to another Ohio statute or when Department funds are required to mitigate the spread of infectious disease or are needed for exceptional circumstances.

### **Lead-safe residential rental units**

- Eliminates the legal presumption that residential units, child care facilities, or schools constructed before 1950 do not contain a lead hazard if the owner undertakes preventative steps called essential maintenance practices.
- Eliminates all procedures and requirements related to essential maintenance practices that applied to residential units, child care facilities, and schools and, instead, establishes lead abatement procedures and requirements specific only to residential rental units by:
  - Requiring the Director to maintain a lead-safe residential rental unit registry;
  - Specifying that the owner of a residential rental unit constructed before 1978 may register that unit as lead-free on the registry if the owner has implemented specified lead-safe maintenance practices;
  - Allowing residential rental units constructed after January 1, 1978, and units determined to be lead free to be included in the registry;
  - Establishing procedures, requirements, and exemptions regarding the lead-safe registry;
  - Requiring a person seeking to conduct residential rental unit lead-safe maintenance practices to participate in a training program approved by the Director; and
  - Requiring the Director to establish a nonrefundable application fee for seeking approval of a training program.

### **Choose Life Fund**

- Authorizes the Director to distribute money from the Choose Life Fund that was not distributed in a previous year due to the lack of an eligible organization.
- Specifies that the Director may distribute the money to eligible organizations.

## **Hospital data reporting**

- Repeals requirements that hospitals submit to the Director information on meeting performance measures and inpatient and outpatient services.

## **OVI drug concentration technology**

- Eliminates "gas chromatography mass spectrometry" as the sole technology used to measure the concentration of marijuana metabolite for the OVI (impaired driving) law, thus allowing the use of different technologies.

## **Hospital nurse staffing plan**

- Requires each hospital to have its nursing services staffing plan reviewed by its nursing care committee at least once every two years, rather than annually.
- Requires each hospital, by March 1 of each even-numbered year, to submit a copy of its nursing services staffing plan to the Department in order to maintain a repository for public access.
- Specifies that the submitted copies of the plans are public records.

## **State Board of Sanitarian Registration**

- Eliminates the State Board of Sanitarian Registration and transfers its duties and powers regarding the regulation of sanitarians-in-training and sanitarians to the Department.
- Requires the Director to establish an advisory board to advise the Director regarding the registration of sanitarians-in-training and sanitarians and other matters.
- Requires the Director to submit a report to the Governor, the Speaker of the House, and the President of the Senate assessing the cost impact to the Department to regulate sanitarians.

## **Breast and Cervical Cancer Project**

- Requires the Department to set new eligibility requirements for services provided through the Ohio Breast and Cervical Cancer Project (BCCP).
- Requires the Department to adopt rules specifying the cost sharing limit for each screening and diagnostic service that may be obtained through BCCP.
- Eliminates a provision that permitted the BCCP to use remaining contributed funds, after paying for screening, diagnostic, and outreach services provided by local health departments, federally qualified health centers, or community health centers, to pay for services provided by other providers.

**Health Care Compact (VETOED)**

- Would have adopted "The Health Care Compact," which would have permitted Ohio to become a member state and, along with other member states, enact the Compact (VETOED).

**Smoke Free Workplace Act – research exception**

- Exempts from the Smoke Free Workplace Act qualifying enclosed spaces in college or university laboratory facilities when used for clinical research related to the health effects of smoking or tobacco use.

**Central intake and referral – home visiting and early intervention**

- Provides that the central intake and referral system for home visiting services must also serve as a single point of entry for access, assessment, and referral of families to Part C early intervention services.
- Requires the Departments of Health and Developmental Disabilities to share any funding made available to each for local outreach and "child find" efforts after creating the central intake and referral system.

**Nuisance activities in RV parks**

- Prohibits certain felonious conduct (nuisance activities) in recreational vehicle parks and combined use park camps.
- Requires the local board of health to send notice to the park operator, after the occurrence of two nuisance activities on the park property, that the operator is at risk of losing its license if another nuisance activity occurs within a six-month period.
- Requires the camp licensing entity to revoke a park operator's license if the licensing entity receives notice that three or more nuisance activities have occurred in the park in a six-month period.

**Certificates of need**

- Requires the Director to administer an expedited review process for certificate of need applications in addition to the standard review process.
- Provides that a change in the owner or operator of a long-term care facility for which a certificate of need was granted that occurs during the five-year monitoring by the Department is not a reviewable activity unless the new owner or operator is associated with certain violations.

### **Program for Medically Handicapped Children**

- Requires that any Medicaid provider be approved to provide the same goods and services under the Program for Medically Handicapped Children (also known as "BCMh") that the provider is approved to provide under Medicaid.

### **Palliative care facilities**

- Repeals a provision regarding palliative care facility licensure that was inadvertently enacted because of a drafting error.

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## **DEPARTMENT OF HIGHER EDUCATION**

### **Restriction on instructional fee increases (PARTIALLY VETOED)**

- Prohibits state universities, university branches, and the Northeast Ohio Medical University from increasing in-state undergraduate instructional and general fees for each of the 2017-2018 and 2018-2019 academic years.
- Would have permitted, for the 2017-2018 academic year, community colleges, state community colleges, and technical colleges to increase instructional and general fees by not more than \$10 per credit hour over what was charged in the previous academic year (VETOED).
- For the 2018-2019 academic year, permits community colleges, state community colleges, and technical colleges to increase instructional and general fees by not more than \$10 per credit hour over what was charged in 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, career services, and fees to offset the cost of providing textbooks to students.
- Would have excluded noninstructional program fees from the fee restrictions (VETOED).

### **Undergraduate tuition guarantee (VETOED)**

- Would have increased from 6% to 8% the limit on the one-time tuition increase a state university may apply to the first cohort under a university's tuition guarantee program (VETOED).

### **Investigation of fees**

- Authorizes the Chancellor of Higher Education to investigate all fees charged to students by state institutions of higher education and to prohibit state institutions from charging any fee the Chancellor determines not to be in the best interest of students.

### **Textbooks**

- Requires state institutions of higher education annually to report to the Efficiency Advisory Committee on efforts to reduce textbook costs for students.
- Requires state institutions to conduct an annual study of the current costs of textbooks and submit it to the Chancellor.
- Requires the board of trustees of each state institution to adopt a textbook selection policy outlining faculty responsibilities and actions faculty may take when choosing and assigning textbooks and other instructional materials.

### **In-state tuition for transferred G.I. Bill beneficiaries**

- Qualifies for in-state tuition at state institutions of higher education persons who are receiving transferred G.I. Bill benefits from a service member who is on active duty.

### **Remedial and developmental courses**

- Applies the prescribed statutory limits on state operating subsidies for academic remedial or developmental courses only to remedial or developmental courses "completed at the main campus" of most state universities.

### **Two-year institutions and bachelor's degrees**

- Permits the Chancellor to approve community colleges, technical colleges, and state community colleges to offer applied bachelor's degrees if specified conditions are satisfied.
- By June 30, 2018, requires the Chancellor to develop a "3+1" program model where a student may earn a bachelor's degree by attending a two-year state institution of higher education for three years and a state university for one year.

### **Noncredit certificate programs**

- By January 1, 2018, requires the Chancellor to create an inventory of credit and noncredit certificate programs and industry-recognized credentials offered at state institutions of higher education and Ohio technical centers that align with in-demand jobs in Ohio.

- Requires the Chancellor to give preference to certificate programs that support adult learners when awarding funds from the OhioMeansJobs Workforce Development Revolving Loan Fund.
- Increases the maximum award amount to \$250,000 (per workforce program, per year) to an institution under the OhioMeansJobs Workforce Development Revolving Loan Program.

### **Workforce compacts**

- Requires all state institutions of higher education located in the same region to enter into a workforce education and efficiency compact.
- Requires the institutions designated as "land grant colleges" under federal law (Ohio State University and Central State University) to enter into a compact with one another to enhance collaboration.

### **Competency-based education programs**

- Permits the Chancellor to recognize or endorse the following institutions of higher education for the purpose of providing competency-based education programs: (1) a regionally accredited private, nonprofit institution created by the governors of several states, (2) a state institution, and (3) a private, nonprofit institution.

### **College credit for comparable coursework<sup>1</sup>**

- Prohibits state institutions of higher education from refusing to accept college credit earned in Ohio in the past five years as a substitute for comparable coursework and establishes an assessment-based process for a student to receive credit for coursework earned more than five years ago.

### **Student assistance programs**

- Requires that an Ohio College Opportunity Grant (OCOG) be applied toward the total state cost of attendance and the student's housing and living expenses, if the student is also receiving federal veterans' education benefits under the G.I. Bill.
- Qualifies for OCOG persons with intellectual disabilities who are enrolled in comprehensive transition and postsecondary programs (degree, certificate, or nondegree programs involving academic, career, technical, and independent living instruction) certified by the U.S. Department of Education.
- Authorizes the Adjutant General and Chancellor, for the Ohio National Guard Scholarship Program, to require that federal educational financial assistance that is

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<sup>1</sup> This provision was subsequently repealed by S.B. 8, effective March 23, 2018. See the "Education" chapter.

based on military service be applied to a recipient's eligible expenses first, before the scholarship funds.

- Repeals the Workforce Grant Program.
- Renames the State Need-Based Financial Aid Reconciliation Fund as the State Financial Aid Reconciliation Fund and makes miscellaneous changes regarding its use.

### **Tenure at state universities**

- Requires the board of trustees of each state university to review the university's policy on faculty tenure and update it to promote excellence in instruction, research, service, commercialization, or any combination of those areas.
- Beginning July 1, 2018, requires a state university to include multiple pathways for tenure in its policy in order to receive Third Frontier research funds from the Department of Higher Education.

### **Paid leave donation programs**

- Allows a state institution of higher education to establish a program under which an employee may donate accrued but unused paid leave to another employee who has a critical need for it because of circumstances such as a serious illness or a family member's serious illness.

### **Financial interests in intellectual property**

- Requires state institutions of higher education to adopt rules under which an employee may receive a financial interest in intellectual property.

### **OSU utility agreement**

- Allows the Columbus campus of Ohio State University (OSU Columbus) to issue a request for proposals and select a special purpose vehicle with whom to enter into a utility agreement to improve the energy efficiency of the OSU Columbus utility system, beginning in calendar year 2017.
- Exempts OSU Columbus and the selected special purpose vehicle from several aspects of law regarding the sales and use tax, public utilities regulation, disposal of state agency excess or surplus supplies, construction management contracts, public improvements, and use of certain proceeds.
- Provides that a special purpose vehicle cannot own any utility services delivered to OSU Columbus by a public utility, and that OSU Columbus must be the customer of record for any public utility providing service to it while the utility agreement is in effect.

- Prohibits OSU Columbus or the special purpose vehicle from selling electricity generated by the utility system to any customer outside the system, unless otherwise permitted under federal and state laws and the rules of the Public Utilities Commission of Ohio (PUCO).
- Provides that OSU Columbus is not exempt from any applicable public utilities tariffs or PUCO rules or any other applicable federal or state law.

### **University housing, dining, and recreational facilities**

- Permits a university housing commission to develop or redevelop housing, dining, and recreation (HDR) facilities on a property site within or outside the political subdivision in which the university's administrative offices are principally located.
- Applies all of the following to certain HDR facility property sites located outside the political subdivision:
  - HDR uses permitted under continuing law are unconditionally permitted on the property sites;
  - Development may accommodate population and structural densities exhibited on other university or university housing commission property;
  - Land use laws of local subdivisions, subdivision regulations, and other similar laws cannot prohibit, condition, limit, or impair development of the HDR facilities on the property sites.

### **Lease-rental payments**

- Repeals the Chancellor's duties regarding lease-rental payments to the Public Facilities Commission to pay for facilities for state institutions of higher education.

### **Reports, studies, and initiatives**

- Codifies a provision that requires the Chancellor to maintain an Efficiency Advisory Committee and provide an annual report compiling efficiency reports from all state institutions of higher education.
- Requires co-located state institutions of higher education to annually review and report their best practices and shared services to the Efficiency Advisory Committee, and requires the Committee to include co-location information in its annual report.
- Revises the content and timing of the course and program reviews required of state institutions of higher education.
- Requires each state university president to issue an annual report, by December 31, on the number of students who require remedial education, the costs of remediation, and other related information.

- Requires the Chancellor, in conjunction with the Department of Education, to submit an annual report on the progress the state is making in "Attainment Goal 2025."
- Requires the Chancellor to work with state institutions of higher education, Ohio technical centers, and industry partners to develop program models leading to credentials in in-demand occupations.
- Requires the Chancellor to support the continued development of the "Ohio Innovation Exchange" to showcase the research expertise of Ohio's university and college faculty in a variety of fields and to identify institutional research equipment available in the state.
- Requires the Chancellor, Director of the Governor's Office of Workforce Transformation, and Superintendent of Public Instruction to develop a program targeted at increasing the number of students who pursue degrees in advanced technology and cyber security.
- Creates the Joint Committee on Ohio College Affordability to study and develop strategies to reduce the cost of higher education.

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## OFFICE OF THE INSPECTOR GENERAL

- Extends the term of the current Inspector General by two years to end January 11, 2021, instead of January 13, 2019, and modifies the general term of the Inspector General to begin every four years thereafter on the second Monday of January.

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## DEPARTMENT OF INSURANCE

### **Suspension of open enrollment and other insurance programs**

- Extends from January 1, 2018, to January 1, 2022, the suspension of Ohio's Open Enrollment Program, Ohio's Health Reinsurance Program, and conversion options under an existing health benefit plan.
- Requires that if sections of the federal Patient Protection and Affordable Care Act (ACA) related to health insurance coverage become ineffective before the suspension expires, the suspended sections again become operational.

### **Prior authorization**

- Exempts dental benefits offered as a part of a health benefit plan from prior authorization requirements imposed on health plan issuers.

**Health insuring corporation quality assurance**

- Enables a health insuring corporation to use an accreditation from the Accreditation Association for Ambulatory Health Care to meet quality assurance program requirements.

**Education on mental health, addiction parity**

- Requires the Superintendent of Insurance, in consultation with the Director of Mental Health and Addiction Services, to develop consumer education on mental health and addiction services insurance parity.
- Requires the Superintendent and Director to establish a consumer hotline to help consumers understand their insurance benefits as part of this consumer education.
- Requires the departments to jointly report to the General Assembly annually on their efforts under the program.

**Notice of cancellation of automobile insurance**

- Authorizes an insurer to send notice of cancellation along with a bill if the cancellation is for nonpayment of premiums.

**Application for ACA waiver**

- Requires the Superintendent to apply, by January 31, 2018, to the U.S. Secretary of Health and Human Services and the U.S. Secretary of the Treasury for an ACA innovative waiver regarding health insurance coverage in Ohio as mandated under continuing Insurance Law.

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**DEPARTMENT OF JOB AND FAMILY SERVICES****Ohio's workforce development system (PARTIALLY VETOED)**

- Replaces references to the federal Workforce Investment Act of 1998 with references to the federal Workforce Innovation and Opportunity Act (WIOA).
- Changes the membership of the Governor's Executive Workforce Board and modifies its duties with respect to Ohio's workforce development system.
- Requires the Governor's Office of Workforce Transformation (OWT) to undertake various tasks regarding the creation, collection, and display of data concerning Ohio's workforce development system and develop a uniform electronic application for adult training programs funded under WIOA.
- Would have required the Department of Veterans Services to establish and maintain a labor exchange and job placement website for veterans, and would have required

the OhioMeansJobs website to include a link to that website instead of maintaining an independent veterans' labor exchange and job placement function (VETOED).

- Eliminates state law requirements for the membership and responsibilities of local workforce development boards, and instead requires those boards to carry out the functions described in and meet the membership requirements of WIOA.
- Modifies the requirements for written grant agreements for the allocation of funds under WIOA.
- Requires the chief elected officials of each local workforce development area to monitor all private and government entities that receive funds under a grant agreement to ensure that they are used in accordance with state laws and policies.
- Requires every local workforce development area to ensure the availability of a physical one-stop location called an "OhioMeansJobs center" for the provision of workforce development activities under WIOA.
- Requires an OhioMeansJobs center operator to enter into a memorandum of understanding with one or more public libraries to facilitate collaboration and coordination of workforce programs and education and job training resources.
- Changes the requirements for local workforce development plans and specifies that those plans must be four-year plans (as required under WIOA).
- Would have allowed the local boards to hold meetings by interactive video conference or by teleconference, regardless of the Open Meetings Act's requirements (VETOED).
- Requires the Governor, upon determining that there has been a substantial violation of a provision of WIOA, to take action to revoke approval of all or part of a local workforce development plan or to impose a reorganization plan.
- Permits OWT, in conjunction with the Ohio Library Council, to develop a brand for public libraries as "continuous learning centers."
- Requires the Director of Job and Family Services (JFS Director) to review and make any necessary changes to the criteria of workforce development programs to allow home health agency employees to participate in a program to the extent possible.

### **Comprehensive Case Management and Employment Program**

- Makes the Comprehensive Case Management and Employment Program an ongoing program, rather than one that expires July 1, 2017.
- Reduces the minimum age of participation in the Program from 16 to 14.

- Makes other revisions to the Program, including (1) permitting the JFS Director to specify in rules additional mandatory and voluntary participation groups and (2) clarifying that the Program may be funded by the TANF block grant or WIOA.

### **Healthier Buckeye grants – wrap-up**

- Permits grants awarded under the Healthier Buckeye Grant Pilot Program to be expended through December 31, 2017.
- Requires the unexpended, unencumbered cash balance in the Healthier Buckeye Fund to be transferred to the General Revenue Fund on July 1, 2017, or as soon as possible thereafter.

### **Disability Financial Assistance**

- Beginning December 31, 2017, eliminates the Disability Financial Assistance Program within the Department of Job and Family Services (ODJFS).
- Requires the Executive Director of the Office of Health Transformation to ensure the establishment of a program to refer certain Medicaid recipients to services and assist certain Medicaid recipients to expedite applications for federal benefits.

### **Ohio Works First income disregard**

- Requires the JFS Director to specify in rules an initial amount of gross earned income that is to be disregarded in determining an assistance group's continued eligibility for Ohio Works First.

### **Healthy Food Financing Initiative**

- Requires the JFS Director to contract with the Finance Fund Capital Corporation to administer the Healthy Food Financing Initiative to support healthy food access in underserved communities in urban and rural areas with low and moderate income.
- Requires the JFS Director, by December 31, 2018, to provide a written progress report on the Initiative.

### **Kinship Permanency Incentive Program**

- Repeals the 48-month time limit under which a kinship caregiver may receive additional payments under the Kinship Permanency Incentive Program.
- Provides that an eligible caregiver may receive a maximum of eight payments per minor child.

### **Family and Children First Flexible Funding Pool**

- 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.

### **Children's Trust Fund Board**

- Repeals the requirements that: (1) five of the members appointed to the Ohio Children's Trust Fund Board be residents of metropolitan statistical areas exceeding 400,000 in population and (2) no two of those five members be residents of the same metropolitan statistical area.

### **Child welfare applicant fitness**

- Requires the executive director of a public children services agency (PCSA), or designee, to review promptly any information relevant to evaluating an applicant's fitness before employing the applicant, including an applicant who is an intern or volunteer.
- Specifies that the information reviewed must include any child abuse and neglect reports made involving the applicant; the final disposition or status of the investigations; and any underlying report documentation.
- Prohibits the name of the person or entity that made the report of child abuse or neglect or participated in making the report from being included in the information the PCSA reviews.
- Requires the JFS Director to adopt rules to implement the fitness review requirements.

### **Foster Care Advisory Group**

- Creates the Foster Care Advisory Group to advise and assist ODJFS in identifying and implementing best practices to recruit, retain, and support foster caregivers.
- Requires the Advisory Group to issue a report regarding matters affecting foster caregivers and that the Advisory Group dissolve after the report is issued.

### **Adult protective services (PARTIALLY VETOED)**

- Modifies the adult protective services statutes, effective September 29, 2018.
- Expands and modifies the list of persons required to report to a county department of job and family services (CDJFS) suspected abuse, neglect, or exploitation of certain older adults.
- Permits a county prosecutor to petition courts for orders related to the provision of adult protective services.
- Requires a CDJFS to notify a local law enforcement agency if it has reasonable cause to believe that the subject of a report of abuse, neglect, or exploitation is being or has been criminally exploited.

- Modifies provisions governing the release of information from the uniform statewide automated adult protective services information system.
- Creates the Elder Abuse Commission to formulate and recommend strategies on matters related to elder abuse and to issue a biennial report.
- Requires ODJFS to provide training for implementing the statutory provisions on adult protective services, to make educational materials available to mandatory reporters, and to facilitate interagency cooperation.
- Requires each entity that employs or is responsible for licensing or regulating mandatory reporters of abuse, neglect, or exploitation to ensure that the mandatory reporters have access to the relevant educational materials developed by ODJFS.
- Would have repealed a requirement that each CDJFS prepare a memorandum of understanding that establishes the procedures to be followed by local officials regarding cases of elder abuse, neglect, and exploitation (VETOED).
- Changes the definition of "home health agency" in the statute that shields certain entities from liability for the failure of a physician who is not an employee to obtain an informed consent from a patient prior to a surgical or medical procedure.
- Renumbers and rearranges portions of the statutes governing adult protective services and makes various technical and clarifying amendments to the law.

### **SNAP Employment and Training committee**

- Requires the JFS Director, in collaboration with the Chancellor of Higher Education, to convene a Supplemental Nutrition Assistance Program Employment and Training Program planning committee to develop a plan for expansion of the program and to incorporate the plan into the annual state plan.

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## **JOINT COMMITTEE ON AGENCY RULE REVIEW**

- Prohibits an agency whose rule has been invalidated by a concurrent resolution from reintroducing that rule or any version of it during the term of the General Assembly in which the concurrent resolution invalidating the rule was adopted.
- Allows the General Assembly to adopt a concurrent resolution to authorize an agency to continue rule-making procedures for an invalidated rule, but the agency may not adopt the rule until it has been submitted to the Joint Committee on Agency Rule Review and the time for legislative review of the rule has expired.

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## JOINT EDUCATION OVERSIGHT COMMITTEE

- Authorizes the Joint Education Oversight Committee chairperson to hire and terminate employees for the Committee, subject to approval by the Speaker of the House and President of the Senate or their designees.

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## JOINT LEGISLATIVE ETHICS COMMITTEE

- Requires that all moneys credited to the renamed Joint Legislative Ethics Committee Investigative and Financial Disclosure Fund be used solely for expenses related to the Committee's investigative and financial disclosure functions.

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## JOINT MEDICAID OVERSIGHT COMMITTEE

- Authorizes the Joint Medicaid Oversight Committee (JMOC) chairperson to hire and terminate employees for the Committee, subject to approval by the Speaker of the House and President of the Senate or their designees.
- Requires JMOC to study the feasibility of implementing both a plan similar to the Healthy Indiana Plan and a high-risk pool in Ohio.

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## JUDICIARY/SUPREME COURT

### Temporary custody of child

- Permits an abused, neglected, dependent, unruly, or delinquent child to be placed in the temporary custody of any person, rather than any *home*, approved by the juvenile court.

### Annual review hearing

- Removes the requirement for the juvenile court to continue holding case review hearings for a child subject to a legal-custody order if:
  - The child is not subject to an order of protective supervision;
  - No public children services agency or private child placing agency is providing services to the child; and
  - The court finds that further reviews are not necessary to serve the child's best interests.

**Disposition of balance after sale on execution**

- Modifies the notice and disposition requirements for balances remaining after sales on execution.

**Expungement of ex parte protection orders**

- Requires a court to order the expungement of an ex parte protection order if the court does not issue, after a full hearing, a protection order against a minor, a civil stalking protection order involving any person, or a civil domestic violence protection order involving a family or household member.
- Requires a court to order the expungement of an ex parte order if the court, after a hearing, determines that a temporary criminal stalking protection order involving a person other than a family or household member or criminal domestic violence protection order involving a family or household member should be revoked.

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**LAKE ERIE COMMISSION**

- Eliminates the Lake Erie Resources Fund, the purposes of which duplicated the purposes of the Lake Erie Protection Fund, and transfers the money from the former to the latter.

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**LEGISLATIVE SERVICE COMMISSION**

- Accelerates the termination of the Ohio Constitutional Modernization Commission and requires the Commission to cease operations on or before July 1, 2017.

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**LIQUOR CONTROL COMMISSION**

- Allows a retail liquor permit holder to offer a 10% discount on cases of wine that contain between six and 12 bottles, rather than allowing the discount only on cases of 12 bottles as under former law.

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**STATE LOTTERY COMMISSION**

- Eliminates the requirement that the Director of the State Lottery Commission appoint deputy directors in specific areas, and instead permits the Director to appoint deputy directors as needed.

- Requires the Assistant Director of the Commission, or a designated deputy director if there is no Assistant Director, to act as Director in the Director's absence or disability.
- Would have prohibited the Commission from adopting rules to allow a lottery sales agent to accept a credit card to purchase a lottery ticket, except at a video lottery terminal (VLT) (VETOED).
- Authorizes the Commission to adopt rules governing a voluntary exclusion program for VLT participants.
- Requires the identity and personal information of voluntary exclusion program participants to be kept confidential.

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## DEPARTMENT OF MEDICAID

### Coverage of optional eligibility groups (VETO OVERRIDDEN)

- Eliminates the Medicaid program's authority to cover an optional eligibility group if state statutes do not address whether the program may cover the group, but permits the program to cover an optional eligibility group that is currently covered (VETO OVERRIDDEN).
- Prohibits the Medicaid program from covering an optional eligibility group that it does not currently cover unless state statutes either require the group or expressly permit the group to be covered (VETO OVERRIDDEN).

### Eligibility for expansion group (PARTIALLY VETOED)

- Would have prohibited new enrollment in the Medicaid expansion group beginning July 1, 2018 (VETOED).
- Would have prohibited continuing enrollment in the expansion group if an individual ceased to meet eligibility requirements or the federal government reduced its share of Medicaid expenditures (VETOED).
- Would have exempted from the two prohibitions described above individuals who have a mental illness or drug addiction (VETOED).
- Requires the Medicaid Director to establish a waiver program under which an individual included in the Medicaid expansion group must satisfy additional requirements to be eligible for Medicaid.

**Medicaid provider enrollment system**

- Requires the Ohio Department of Medicaid (ODM) to revise, by December 31, 2018, the system by which government and private entities become and remain Medicaid providers.

**Ohio Access Success Project**

- Abolishes the Ohio Access Success Project on January 1, 2019.
- Requires ODM, before that date, to transfer Medicaid recipients enrolled in the project to the Helping Ohioans Move, Expanding (HOME) Choice program or another Medicaid waiver program that provides home and community-based services.

**State plan home and community-based services**

- Permits the Medicaid program to continue to cover state plan home and community-based services beyond July 1, 2017.

**Payment rates (PARTIALLY VETOED)**

- Would have prohibited implementation of a proposal to increase a Medicaid payment rate if (1) the proposal was not submitted to the Joint Medicaid Oversight Committee (JMOC), (2) JMOC voted to prohibit implementation, or (3) the General Assembly adopted a concurrent resolution prohibiting implementation (VETOED).
- Repeals a provision prohibiting Medicaid payments for services provided by a noninstitutional provider from exceeding the payment limits for the same services under Medicare.
- Requires ODM to rebase nursing facilities' cost centers at least once every five state fiscal years, instead of no more than once every ten years, and requires each cost center to be rebased for the same state fiscal years (VETO OVERRIDDEN).
- Allows, instead of prohibiting, use of the index maximizer element of the grouper methodology in determining nursing facilities' case-mix scores (VETO OVERRIDDEN).
- Changes the quality indicators used for the quality portion of nursing facilities' rates (VETO OVERRIDDEN).
- Requires that a new nursing facility's initial rate for tax costs be determined using a 100% imputed occupancy rate if the facility submits the projected tax costs to ODM (VETO OVERRIDDEN).
- Adjusts, beginning in FY 2020, nursing facilities' rates by an amount equal to the difference between the Medicare skilled nursing facility market basket index and a budget reduction adjustment factor (VETO OVERRIDDEN).

- States the General Assembly's intent to enact laws that specify the budget reduction adjustment factor for each state fiscal year (VETO OVERRIDDEN).
- Sets the budget reduction adjustment factor at zero for a state fiscal year if the General Assembly fails to enact such a law for that year (VETO OVERRIDDEN).
- Caps the total payments for nursing facility services provided under Medicaid fee-for-service and the Integrated Care Delivery System (MyCare Ohio) at \$2,659,167,368 for FY 2018 and \$2,664,485,703 for FY 2019.
- Requires that nursing facilities' rates be decreased as necessary to ensure that the total payments equal those capped amounts (VETO OVERRIDDEN).
- Revises the default Medicaid rate for nursing facility services determined under the alternative purchasing model to 34%, instead of 60%, of the statewide average Medicaid rate for long-term acute care hospital services.
- Would have required the Medicaid payment rates for hospital services provided during FYs 2018 and 2019 to equal the rates in effect for those services on January 1, 2017 (VETOED).
- Requires that the Medicaid rates for certain neonatal and newborn services equal 75% of the Medicare rates for the services (VETO OVERRIDDEN).
- Requires that Medicaid rates for other services selected by the Director be reduced to avoid an increase in Medicaid expenditures that would otherwise result from the requirements regarding the rates for neonatal and newborn services (VETO OVERRIDDEN).
- Requires ODM to establish a maximum Medicaid rate for vision care services provided between January 1, 2018, and July 1, 2019, unless there are no claims data available to establish the rate.
- Prohibits a payment methodology for vision care services provided during that period from relying on a vision care service provider's charged amount.
- Reduces the Medicaid rates for noninstitutional laboratory, radiology, and pathology services by 5% between January 1, 2018, and July 1, 2019.

### **Delayed implementation of behavioral health redesign**

- Requires ODM and the Department of Mental Health and Addiction Services to conduct a beta test before implementing updates to Medicaid billing codes or payment rates for community behavioral health services as part of the behavioral health redesign.

- Prohibits certain elements of the behavioral health redesign from being implemented before the later of January 1, 2018, or the date the beta test requirement is satisfied.
- Requires the departments, by October 1, 2017, to adopt rules and make available to the public provider manuals, claims instructions, information technology resources, and other educational and training documents.

### **Medicaid managed care (PARTIALLY VETOED)**

- Would have prohibited home and community-based waiver services and nursing facility services from being included in the Medicaid managed care system (VETOED).
- Establishes a temporary study committee to examine the merits of including those services in the system.
- Would have required the General Assembly to consider and vote on legislation that would authorize the inclusion of those services in the system (VETOED).
- Would have provided for an ongoing advisory committee to advise JMOC on projects concerning the delivery of those services if the General Assembly enacts the legislation (VETOED).
- Prohibits alcohol, drug addiction, and mental health services from being included in the system before July 1, 2018 (VETO OVERRIDDEN).
- Requires ODM, if it adds to the system during FYs 2018 and 2019 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.
- Exempts from Medicaid managed care prior authorization requirements certain psychiatric drugs that are prescribed by an advanced practice registered nurse who is nationally certified in psychiatric mental health.
- Modifies the definition of "qualified community hub" for purposes of law governing services that Medicaid managed care organizations must provide to pregnant women or women capable of becoming pregnant.
- Authorizes the services described above to be provided by a public health nurse in lieu of or in addition to community health worker services provided by certified community health workers.
- Authorizes a public health nurse (in addition to a physician or licensed health professional specified in Medicaid rules) to recommend that a Medicaid recipient receive the services described above.

- Increases to 5% (from 2%) the maximum amount of Medicaid managed care organization premiums that may be withheld by ODM for the Managed Care Performance Payment Program for FY 2018 and thereafter.
- Would have provided for 1% to be withheld for FY 2019 (VETOED).
- Prohibits ODM from implementing during the FY 2018-2019 biennium a program under which Medicaid managed care organizations receive incentives for helping Medicaid recipients attending low-performing primary schools to improve their academic performance.

### **Waiver for services at institutions for mental diseases (VETOED)**

- Would have required ODM to create a Medicaid waiver component to provide services to individuals between the ages of 21 and 64 at hospitals and other facilities larger than 16 beds that are primarily engaged in providing diagnosis, treatment, or care to persons with mental diseases (VETOED).
- Would have required ODM to participate in the federal Innovation Accelerator Program to determine where, when, and how services are to be provided under the waiver component (VETOED).

### **Retention or collection of federal financial participation**

- Permits, rather than requires, ODM to retain or collect a portion of the federal financial participation obtained by a state agency or political subdivision for administering a Medicaid component that was federally approved on or after January 1, 2002.

### **Third-party liability**

- Requires a liable third party to respond to an ODM request for payment of a claim within 90 business days of receiving written proof of the claim.
- Clarifies that the amount owed for care rendered to a Medicaid recipient enrolled in a Medicaid managed care organization with a provider capitation agreement is the amount the organization would have paid in the absence of an agreement.
- Authorizes ODM, when it has assigned its right of recovery to a Medicaid managed care organization, to recoup from a liable third party (beginning one year from the date the organization paid the claim) the amount the organization has not collected.

### **Franchise fee on health insuring corporation plans (PARTIALLY VETOED)**

- Imposes, for the purpose of raising revenues to pay Medicaid providers and Medicaid managed care organizations, a franchise fee on health insuring corporation plans that make basic health care services available.

- Would have required the Director to seek federal approval to increase the franchise fee to mitigate the effects on counties and transit authorities from the termination of sales taxes on health care services provided by Medicaid health insuring corporations (VETOED).

### **Hospital Care Assurance Program, hospital franchise permit fee**

- Continues, for two additional years, the Hospital Care Assurance Program and the franchise permit fee imposed on hospitals under Medicaid.

### **Drug dispensing fees**

- Permits the Director to establish dispensing fees that vary by terminal distributor of dangerous drugs.

### **Recovery of overpayments (VETOED)**

- Would have reduced from five to three the number of years ODM had to notify a nursing facility or intermediate care facility for individuals with intellectual disabilities of certain Medicaid overpayments (VETOED).

### **Fraud, waste, and abuse**

- Requires a contract between ODM and a Medicaid managed care organization to address issues of fraud, waste, and abuse in the Medicaid program.
- Provides civil immunity for a Medicaid managed care organization that furnished information to ODM regarding potential Medicaid fraud, waste, and abuse.
- Requires ODM to collect information from other government agencies regarding Medicaid fraud, waste, and abuse.

### **Retained Applicant Fingerprint Database**

- Permits ODM to participate in the Bureau of Criminal Identification and Investigation's Retained Applicant Fingerprint Database system ("Rapback") to receive notices about the arrests, convictions, and guilty pleas of independent Medicaid providers of home and community-based services.
- Eliminates a requirement that such an independent provider annually undergo a Bureau-conducted criminal records check if ODM participates in the system.

### **Controlling Board authority, Medicaid expenditures (PARTIAL VETO OVERRIDDEN)**

- Provides for the Health and Human Services Fund to continue to exist for the FY 2018-2019 biennium.

- Permits the Director to request that the Controlling Board authorize expenditures from the Fund in an amount necessary to pay for the Medicaid program's costs during the FY 2018-2019 biennium (VETO OVERRIDDEN).
- Permits the Controlling Board to authorize the expenditure unless Congress amends federal law to reduce the federal match for the expansion eligibility group (also known as Group VIII) (VETO OVERRIDDEN).

### **Residents Protection Fund**

- Requires that fines imposed by the federal government against home health agencies for failure to comply with Medicaid participation requirements be deposited into the Residents Protection Fund when disbursed to ODM on or after July 1, 2017, and used to improve the quality of certain Medicaid services.

### **Refunds and Reconciliation Fund**

- Codifies the Refunds and Reconciliation Fund for continued deposit of refunds and reconciliations for which ODM does not initially know the appropriate fund or that are to go to another government entity.

### **Health Care Services Administration Fund**

- Abolishes the Health Care Services Administration Fund and provides for money that would otherwise be deposited into it be deposited instead into the Health Care/Medicaid Support and Recoveries Fund.

### **Integrated Care Delivery System performance payments**

- For FYs 2018 and 2019, requires ODM to make performance payments to Medicaid managed care organizations that provide care to participants of the Integrated Care Delivery System, and to withhold a percentage of their premium payments to make the performance payments.

### **Nursing facility demonstration project**

- Extends until June 30, 2019, a Medicaid demonstration project under which recipients receive nursing facility services in lieu of hospital inpatient services in a freestanding long-term care hospital.
- Provides for one nursing facility in Brown County, and another nursing facility in Sandusky County, to be added to the demonstration project.
- Eliminates a requirement that a nursing facility have been initially constructed, licensed to operate, and certified to participate in Medicaid after 2009 to participate in the demonstration project.

**Nursing facility bed conversion pilot**

- Requires ODM to operate a pilot program during FYs 2018 and 2019 under which nursing facility beds located in Cuyahoga County may voluntarily be converted for use for substance use disorder treatment services.

**Care Innovation and Community Improvement Program**

- Requires the Director to establish the Care Innovation and Community Improvement Program for the FY 2018-2019 biennium.
- Permits a nonprofit hospital agency affiliated with a state university and a public hospital agency to participate in the Program if it operates a hospital that has a Medicaid provider agreement.
- Provides for each participating agency to receive supplemental Medicaid payments for physician and other professional services.

**Healthy Ohio Program (PARTIALLY VETOED)**

- Declares the General Assembly's intent to use the Healthy Ohio Program as a model if Congress transforms the Medicaid program into a federal block grant.
- Would have required the Director to resubmit, by January 31, 2018, a request for a federal Medicaid waiver to implement the Healthy Ohio Program (VETOED).

**State agency collaboration**

- Extends to FYs 2018 and 2019 pre-existing provisions that authorize the Office of Health Transformation to facilitate collaboration among state agencies for health transformation purposes and authorize the exchange of personally identifiable information regarding a health transformation initiative.

**Temporary authority regarding employees**

- Extends through July 1, 2019, the Director's authority to establish, change, and abolish positions for ODM and to assign, reassign, classify, reclassify, transfer, reduce, promote, or demote employees who are not subject to collective bargaining.

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**STATE MEDICAL BOARD****Physician licensure**

- Eliminates references to certificates to practice issued to physicians and instead refers to licenses to practice.

- Repeals the law requiring the State Medical Board to administer an examination for physicians seeking to practice in Ohio and instead requires each physician to pass an examination prescribed in rules adopted by the Board.
- Makes changes to the process by which physicians seek licensure.
- Modifies the schedule for renewal of physician licenses.
- Combines the renewal fee and penalty required to reinstate or restore a physician license that has been suspended due to nonrenewal.
- Authorizes the Board to permit a physician who has failed to complete continuing medical education requirements to agree in writing to complete the education and pay a fine of up to \$5,000, in lieu of the Board taking disciplinary action.

### **Clinical research faculty certificates**

- Authorizes the Board to issue a clinical research faculty certificate to a podiatrist licensed in another jurisdiction who wishes to practice podiatric medicine and surgery incidental to teaching or research duties in Ohio.
- Requires the Board to provide a renewal notice at least one month before the expiration of a clinical research faculty certificate.

### **Training certificates**

- Extends from one year to three years the initial validity of a training certificate to practice medicine and surgery or osteopathic medicine and surgery.

### **Medication-assisted treatment – standards for prescribers**

- Requires a prescriber to give a patient for whom medication-assisted treatment for drug addiction is clinically appropriate (or that patient's representative) information about all drugs approved by the U.S. Food and Drug Administration (FDA) for medication-assisted treatment.
- Imposes referral requirements on prescribers when a patient chooses to be treated with, and meets clinical criteria for, treatment with methadone or a controlled substance containing buprenorphine and the prescriber does not meet federal requirements to prescribe those drugs.
- Requires the Medical and Nursing Boards to adopt rules establishing procedures to be followed by Board-regulated prescribers in the use of all FDA-approved drugs in medication-assisted treatment, and requires the rules to be consistent for all prescribers.
- Authorizes the Department of Mental Health and Addiction Services to determine a prescriber's compliance with the act's provisions on medication-assisted treatment if the prescriber works for a community addiction services provider.

- Limits to 30 the number of patients that a prescriber who fails to comply with the act's provisions on medication-assisted treatment may treat with medication-assisted treatment at one time, regardless of where the prescriber practices.

### **Limited branches of medicine**

- Requires the Board to provide a renewal notice one month before the expiration of a certificate to practice a limited branch of medicine.
- Combines the renewal fee and the penalty required to reinstate or restore a certificate to practice a limited branch of medicine that has been suspended due to nonrenewal.
- Requires an individual who provides cosmetic therapy, massage therapy, or other professional service in a salon to maintain an electronically generated license certification or registration or the individual's professional license or certificate.

### **Criminal records checks**

- Includes radiologist assistants and genetic counselors in the general law governing criminal records checks of applicants for professional licensure and makes conforming changes.

### **Physician Assistant Policy Committee**

- Eliminates the per diem compensation for members of the Physician Assistant Policy Committee.

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## **DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES**

### **Community addiction services**

- Revises the conditions under which the Department of Mental Health and Addiction Services (DMHAS) may issue to a board of alcohol, drug addiction, and mental health services (ADAMHS board) a waiver regarding the location of ambulatory detoxification and medication-assisted treatment.
- Requires that the waiver be time-limited and specify whether it is for ambulatory detoxification, medication-assisted treatment, or both.
- Eliminates DMHAS's authority to issue to an ADAMHS board a temporary waiver of the requirement that its community-based continuum of care include all essential elements required by state law.
- Gives DMHAS discretion to disapprove an ADAMHS board's proposed budget in whole or in part, rather than requiring disapproval in whole, for failure to make the

essential elements of a community-based continuum of care available in the board's service district.

### **Mental health crisis stabilization centers**

- Requires the ADAMHS boards to establish and administer, in collaboration with the other ADAMHS boards that serve the same state psychiatric hospital region, six mental health crisis stabilization centers.

### **Medication-assisted treatment in drug courts**

- Creates a medication-assisted drug court program to provide addiction treatment to persons who are dependent on opioids, alcohol, or both.
- Requires community addiction services providers to provide specified treatment to program participants based on their individual needs.

### **Pilot for mental health courts**

- Requires DMHAS to conduct a pilot program to provide mental health services and recovery supports to criminal offenders with mental health conditions.
- Requires community mental health providers to provide specified mental health services and recovery supports to the pilot program's participants based on their individual needs.

### **Psychotropic drug reimbursement for county jails**

- Establishes a program through which DMHAS reimburses county jails for psychotropic drugs dispensed to inmates.
- Requires DMHAS, based on factors it considers appropriate, to allocate an amount to each county for the reimbursements.

### **Federal block grants**

- Requires DMHAS and the Department of Medicaid to jointly serve as the designated agency for the purpose of a maintenance-of-effort requirement that applies to federal funds for the prevention and treatment of substance abuse.

### **County Hub Program**

- Creates the County Hub Program to Combat Opioid Addiction, and requires each ADAMHS board to operate the Program for each county it serves.

### **All Roads Lead to Home**

- Requires DMHAS to create the All Roads Lead to Home Program to provide information and assistance to individuals struggling with drug addiction.

- Requires that the Program include a media campaign conducted at least twice annually, an interactive website, and a 24-hour hotline operated by a call center.

### **Opioid treatment website and mobile app**

- Requires the Development Services Agency, DMHAS, and Ohio State University to collaborate to develop a website and mobile device application that provide resources and information regarding opioid addiction treatment services.

### **Residential state supplement**

- Eliminates statutory provisions that specified the types of living arrangements in which individuals must have resided to qualify for the Residential State Supplement program, and instead requires all eligibility requirements to be established by rule.
- Eliminates provisions that specified procedures for referring applicants who may have mental health needs for an assessment by a community mental health services provider.

### **Data sharing, multi-system youth**

- Requires the DMHAS Director to establish a strategy for data collection and sharing by agencies that serve multi-system youth.
- Requires the Director to submit a report to the Governor and General Assembly on the parameters of the strategy and the cost to implement the strategy.

### **Confidentiality of quality assurance records**

- Adds improving the safety and security of persons who administer medical and mental health services in DMHAS hospitals and programs to the duties of a quality assurance program it administers, thereby making records associated with that activity confidential.

### **Dispute resolution – ADAMHS board contracts**

- Eliminates authority of an ADAMHS board, a facility, or a community addiction or mental health services provider to apply to the Director for assistance in resolving an ADAMHS board contract dispute through a third party dispute resolution process.

### **Former Bureau of Recovery Services**

- Maintains preexisting responsibilities regarding recovery services that were given to DMHAS when the Bureau of Recovery Services in the Department of Rehabilitation and Correction was abolished.

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## DEPARTMENT OF NATURAL RESOURCES

### State Park Maintenance Fund

- Creates the State Park Maintenance Fund, and requires the Department of Natural Resources (ODNR) to use Fund money only for maintenance, repair, and renovation projects at state parks that are approved by the ODNR Director.
- Authorizes the ODNR Director to request the OBM Director to annually transfer to the State Park Maintenance Fund in an amount not exceeding 5% of the annual average revenue received by the State Park Fund.
- For FY 2018:
  - Requires, on July 1, 2017, or as soon as possible thereafter, that the ODNR Director certify 5% of the average of the previous five years of deposits in the State Park Fund to OBM.
  - Authorizes OBM to transfer up to \$1.5 million from the State Park Fund to the State Park Maintenance Fund at that time.
- Prohibits ODNR from using money in the State Park Maintenance Fund to construct new facilities.

### Wildfire suppression payments

- Increases the maximum annually available for wildfire suppression payments to local firefighting agencies or companies from up to \$100,000 to up to \$200,000.
- Eliminates the Wildfire Suppression Fund and the required annual transfer of money from the State Forest Fund to it for wildfire suppression payment purposes.
- Requires wildfire suppression payments to be made directly from the State Forest Fund.
- Replaces the Chief of the Division of Forestry with the ODNR Director or the Director's designee as the state agent responsible for distributing money for wildfire suppression payments to firefighting agencies or companies.

### Injection Well Review Fund

- Eliminates the Injection Well Review Fund.
- Requires the 15% portion of permit fees collected under the injection well permit program that were deposited in the Injection Well Review Fund to instead be deposited in the Geological Mapping Fund.
- Requires that the permit fees deposited in the Geological Mapping Fund be used to execute ODNR's duties under the Class II injection well permit program.

### **Property tax valuation of oil and gas reserves (VETOED)**

- Would have specified that a discounted cash flow formula used to value certain producing oil and gas reserves for property tax purposes is the only method for valuing all oil and gas reserves (VETOED).

### **Oil and Gas Well Fund**

- Requires the OBM Director, in consultation with the Chief of the Division of Oil and Gas Resources Management, to establish an accounting code to track expenditures from the Oil and Gas Well Fund that are associated with plugging idle and orphaned wells.

### **Oil and Gas Leasing Commission (VETOED)**

- Would have required the Speaker of the House and the President of the Senate to appoint the four appointed members of the Oil and Gas Leasing Commission instead of the Governor (VETOED).

### **Liability coverage for oil and gas wells**

- Authorizes a board of county commissioners of a county that is an owner of an oil and gas well to comply with liability coverage requirements by participating in a joint self-insurance pool.
- Allows liability insurance companies *approved* to do business in Ohio, in addition to liability insurance companies *authorized* to do business in Ohio as under continuing law, to provide coverage to an owner of any oil and gas well.

### **Mine Regulation and Safety Fund**

- Consolidates the Unreclaimed Lands Fund, the Surface Mining Fund, the Mining Regulation Fund, and the Coal Mining Administration and Reclamation Reserve Fund into the new Mining Regulation and Safety Fund.
- Allocates all money that was credited to the consolidated Funds to the Mining Regulation and Safety Fund.
- Specifies that the purposes for and the authorized expenditures from the consolidated Funds now apply to the Mining Regulation and Safety Fund.
- Reallocates money derived from the severance tax on coal (including coal mined by surface mining), salt, limestone, dolomite, sand, gravel, clay, sandstone or conglomerate, shale, gypsum, or quartzite to the new Fund in specified percentages.
- Prohibits Fund money that is derived from severance taxes from the mining of limestone, dolomite, sand, or gravel from being used for coal mining and reclamation purposes.

## Surface mining safety inspections

- Eliminates the requirement that the Chief of the Division of Mineral Resources Management conduct at least two safety inspections following a year in which a surface mining operation identified a lost-time accident rate that was greater than the national average.
- Instead, requires the Chief to conduct at least two safety inspections during the year following an inspection by the federal Mine Safety and Health Administration that found three or more violations per day.
- Authorizes the Chief, in consultation with a statewide association that represents the surface mining industry, to adopt rules establishing exceptions to the safety inspection requirement.

## Fees for dams

- Eliminates the statutorily imposed filing fee schedule for dam construction permits, and requires the Chief of the Division of Water Resources to adopt rules establishing the fee schedule.
- Eliminates the statutorily imposed fee schedule for annual fees required to be submitted by owners of Class I, Class II, or Class III dams, and requires the Chief to adopt rules establishing the annual fee schedule.

## Aquatic species

- Requires the Chief of the Division of Wildlife to establish a risk assessment policy for aquatic species, and that it provide for both:
  - An evaluation of overall risk of a species based on best available biological information derived from professionally accepted science and practices; and
  - A determination of whether a species should be listed as an injurious aquatic invasive species.

## Nonresident hunting and fishing

- Increases the nonresident fees for a deer or wild turkey permit, hunting license, or fishing license.
- Specifies that a nonresident on active duty in the U.S. Armed Forces, while on leave or furlough, is eligible to obtain a deer or wild turkey permit at the resident rate.

## Elk

- Adds elk to the list of game quadruped animals, which effectively allows ODNR to regulate and manage the propagation, preservation, and protection of elk.

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## OHIO BOARD OF NURSING

- Eliminates the requirement that the Board of Nursing's Executive Director be a registered nurse with at least five years' nursing experience.
- Permits an individual to practice nursing at a free-of-charge therapeutic camp located in Ohio without a license issued by the Board of Nursing, if the individual is authorized to practice nursing in another state and volunteers at the camp.
- Permits an applicant for a license to practice as a licensed practical nurse to meet educational requirements by successfully completing a practical nurse education program approved by the U.S. Air Force.

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## OPPORTUNITIES FOR OHIOANS WITH DISABILITIES AGENCY

- Removes the requirement that the Opportunities for Ohioans with Disabilities Agency (OODA) receive Controlling Board approval to release funds for its program to provide personal care assistance for individuals with severe physical disabilities.
- Changes "person with a disability" to "eligible individual with a disability" throughout the Worker Retraining Law.
- Expands the definition of "physical or mental impairment."
- Specifies the types of activities and items for which maintenance payments may be used.
- Requires OODA to implement an order of selection if vocational rehabilitation services cannot be provided to all eligible individuals with disabilities in Ohio who apply for services.

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## STATE BOARD OF PHARMACY

### Terminal and wholesale distributors of dangerous drugs

#### Terminal distributor licensure

- Eliminates category I and limited category I terminal distributor licenses.
- Requires the State Board of Pharmacy to adopt rules specifying when a licensed terminal distributor must provide updated application documentation.

**Wholesale distributor licensure**

- Replaces registration of wholesale distributors with licensure of manufacturers, outsourcing facilities, third-party logistics providers, repackagers, and wholesale distributors of dangerous drugs.
- Transfers requirements governing registration of wholesale distributors to the new licenses and authorizes any of the license types to be issued as a category II or category III license.
- Generally authorizes a licensed manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor to engage in the distribution, in addition to the sale, of dangerous drugs.

**License renewal**

- Requires that licenses be renewed on a schedule specified by the Board, with the effective period not to exceed 24 months.
- Increases license fees and adjusts the fees to reflect biennial renewal.
- Prohibits a license holder that fails to renew from engaging in certain conduct related to dangerous drugs until a valid license is issued.
- Permits the Board to enter into agreements with other states, federal agencies, and other entities to exchange information concerning licensing, inspection, and investigating alleged violations.

**Discipline**

- Authorizes the Board to restrict or limit a license and to reprimand or place a license holder on probation.
- Authorizes the Board to impose disciplinary sanctions for additional causes, including causes set forth in rules adopted by the Board.
- Specifies that when a hearing is required and the licensee does not timely request a hearing, the Board is not required to hold a hearing and may adopt a final order with its findings, including any sanctions.
- Specifies that the Board is not required to seal, destroy, redact, or otherwise modify its records of disciplinary proceedings if a court seals conviction records.

**Summary suspension**

- Authorizes the Board to suspend a license without a hearing if it determines there is clear and convincing evidence that the method of possessing dangerous drugs presents a danger of immediate and serious harm to others.

- Specifies that a summary license suspension is void on the 121st day, as opposed to the 91st day, if the Board has not issued its final adjudication.

### **Pharmacist and pharmacy intern licensure**

- Adjusts the license renewal schedule for pharmacists and pharmacy interns from annually to a period specified by the Board in rules that is generally not to exceed 24 months.
- Prohibits a pharmacist or pharmacy intern who fails to timely renew from engaging in the practice of pharmacy until a valid license is issued.
- Modifies licensure and other fees charged by the Board.
- Eliminates a requirement that the Board issue identification cards to licensed pharmacists and pharmacy interns.
- Requires the Board to adopt rules defining "good moral character" for licensing purposes.

### **Investigative records and subpoenas**

- Makes information the Board receives during an investigation of a license holder generally confidential, but allows it to share information with law enforcement agencies, other professional licensing boards, and other governmental agencies.
- Authorizes the Board, when investigating alleged violations of statutes and rules, to issue subpoenas, take depositions, and examine and copy records.

### **Unlicensed pain management clinics**

- Authorizes the Board to impose a fine for violation of pain management clinic licensure requirements by any person, rather than only by a licensed terminal distributor.

### **OARRS drug database**

- Requires the Board to provide from its drug database, commonly known as the Ohio Automated Rx Reporting System or OARRS, information related to a drug court program participant if requested by a judge of a certified drug court.
- Requires the Board to provide OARRS information related to a deceased person if requested by the examining coroner.
- Requires the Board to provide a hospital's peer review committee with OARRS information regarding a prescriber for evaluation, supervision, or disciplinary purposes.

- Authorizes the Board to provide a health professional licensing agency with OARRS information related to a person acting as an expert witness in an investigation being conducted by the agency.
- Authorizes the Board to provide a prescriber with a summary of the prescriber's prescribing record from OARRS.
- Authorizes the Board to provide a pharmacy with a summary of the pharmacy's dispensing record from OARRS.
- Authorizes the Board to provide OARRS information to a prescriber or pharmacist without request.
- Authorizes the Board to provide to the Department of Medicaid records of requests for OARRS information made by a prescriber who treated a Medicaid recipient.
- Requires terminal distributors to submit to OARRS any other data fields recognized by the American Society for Automation in Pharmacy and specified in Board rules.
- Authorizes the Board to accept for inclusion in OARRS information from other sources, including other state agencies.
- Extends the period for which the Board must retain information in OARRS to at least five years and requires it to make the information accessible to authorized persons during that time.
- Authorizes the Board to retain patient identifying information beyond five years if necessary to serve an investigatory or public health purpose.

### **Medical Marijuana Control Program**

- Clarifies that the results of criminal records checks of prospective employees of entities licensed under the Medical Marijuana Control Program must be reported to the Board or Department of Commerce, instead of the employer.
- Eliminates the requirement that a physician certify, as part of an application for patient or caregiver registration, that the physician has informed the patient that the benefits of medical marijuana outweigh its risks.

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## **OHIO PUBLIC DEFENDER**

- Modifies the percentages of funds in the Indigent Defense Support Fund the State Public Defender may use for reimbursing county governments and for operating the State Public Defender Office.
- Removes the requirement that a sworn and notarized affidavit of indigency accompany the financial disclosure form for indigent defense.

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## DEPARTMENT OF PUBLIC SAFETY

### Public safety funds related to seizures of money

- Creates the Public Safety Highway Patrol Custodial Fund, the Ohio Investigative Unit Contingency Fund, and the Ohio Investigative Unit Custodial Fund, consisting of money seized during investigations or other enforcement activities of the Patrol or Unit.

### Riffe Center and Rhodes Tower security

- Requires the Department of Public Safety (DPS) to coordinate security measures and operations at the Vern Riffe Center and Rhodes Tower, and requires DAS to implement security measures and operations that DPS requires.
- Allows the Director of Public Safety to recover the costs of directing security for the buildings by issuing intrastate transfer voucher billings to DAS or by cash transfer made by the OBM Director on request of DAS.

### Driver's ed content

- Requires driver's education courses to include instruction on the dangers of driving while under the influence of a controlled substance, prescription medicine, or alcohol.

### State Board of Emergency Medical, Fire, and Transportation Services

- Requires the Governor to appoint an additional member to the State Board of Emergency Medical, Fire, and Transportation Services who is a member of a third-service emergency medical service agency or organization.

### Drug law enforcement grants

- Requires any drug task force awarded a grant from the Drug Law Enforcement Fund to comply with all grant requirements, including reporting its activities through the El Paso Intelligence Center (EPIC) information technology systems.

### Registration fees for vehicles subject to International Registration Plan

- Eliminates a \$30 registration fee for in-state registration of commercial cars that are subject to the International Registration Plan (IRP) and an \$11 registration fee for in-state registration of commercial buses that are subject to IRP.
- Exempts commercial cars and buses that are subject to IRP from the local motor vehicle registration taxes (which are up to \$25 per taxing district).
- Increases the base rates charged for registration of a commercial car or bus that is subject to IRP, and equalizes those rates so that the base rates charged to vehicles

registered in Ohio and vehicles registered outside Ohio, but are subject to Ohio taxation under IRP, are the same.

- Eliminates a provision of the transportation budget act (H.B. 26) that would have established a six-county pilot program that reduced the \$30 registration fee for certain commercial motor vehicles registered in Ohio.

### **Personal delivery devices**

- Authorizes the use of electrically powered personal delivery devices (PDDs) on sidewalks and crosswalks by certain eligible entities.
- Requires PDD operators to comply with established safety provisions, including not operating a PDD on a street or highway except within a crosswalk.
- Requires a PDD to yield the right-of-way to pedestrians on sidewalks and crosswalks, but grants a PDD all other rights and obligations that apply to pedestrians.
- Specifies that an eligible entity is responsible for both:
  - Any violation of the act that is committed by a PDD operator; and
  - Any other circumstance, including a technological malfunction, in which a PDD operates in a manner prohibited by the act's safety provisions.
- Excludes PDDs from the definition of "vehicle" under the Motor Vehicle Law, thus exempting them from requirements and prohibitions that apply to vehicles.

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## **PUBLIC UTILITIES COMMISSION**

### **Power Siting Board law**

- Includes as a "major utility facility" an electric transmission line and associated facilities with a design capacity of 100 kilovolts or more (125 kilovolts or more was the former requirement).
- Eliminates the two-year initial monitoring of newly certificated electric-generating major utility facilities by the Ohio Environmental Protection Agency (OEPA).
- Eliminates provisions stating that a major utility facility (1) is under OEPA continuing jurisdiction and (2) must comply with all laws, rules, and standards regarding air and water pollution and solid and hazardous waste disposal.
- Limits a public agency or political subdivision from requiring approval, consent, a permit, a certificate, or any other condition for operation of a major utility facility or

an economically significant wind farm (under former law the limit was imposed only on initial operation).

### **Transportation of hazardous materials**

- Requires a person to file an annual registration statement with, and pay an annual registration fee to, the U.S. Department of Transportation to transport hazardous waste in Ohio, rather than requiring a uniform permit from PUCO.
- Eliminates PUCO's uniform registration and permitting of transportation of hazardous materials.
- Eliminates the requirement that PUCO use a system for determining forfeitures that may be imposed on transporters of hazardous material or hazardous waste that is comparable to the recommendations of the Commercial Vehicle Safety Alliance.

### **Transportation of household goods**

- Eliminates several requirements with which PUCO must comply when setting the application fees for a certificate for transportation of household goods.

### **Lifeline telephone service**

- Eliminates the requirements that lifeline service be touch-tone, flat-rate, and for a primary line.
- Reconciles the eligibility for lifeline service provision that is based on household income to federal rules, effectively lowering the income threshold from 150% to 135% of the federal poverty level.
- Reduces from 60 days to 30 the time a customer has, after receiving a lifeline service termination notice, to submit documentation of continued eligibility or to dispute the termination.

### **Small hydroelectric facility**

- Classifies the power from a small hydroelectric facility, which is a facility that operates, or is rated to operate, at an aggregate capacity of less than six megawatts, as a renewable energy resource under the competitive retail electric service law.
- Specifies that a small hydroelectric facility is a qualified energy resource eligible for renewable energy credits.

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## **OHIO STATE RACING COMMISSION**

- Modifies the distribution of certain moneys paid to the Tax Commissioner by horse racing permit holders, in order to correct an error in statute.

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## DEPARTMENT OF REHABILITATION AND CORRECTION

### Community-based correctional facility reporting

- Requires specified community-based correctional facilities to file an annual financial report, rather than the Department of Rehabilitation and Correction (DRC) filing quarterly financial reports, with the State Auditor.

### Local confinement for fifth degree felony

- Provides, subject to exclusions for certain offenses and categories of offenders, that a person sentenced in a target county or voluntary county to a prison term of 12 months or less for a fifth degree felony (a short-term fifth degree felony prison term) may not serve the term in an institution under the control of DRC.
- Specifies the types of local correctional facilities where the person will serve that prison term.
- Lists the state's ten most populous counties as "target counties," and specifies that any counties in which specified county officials agree to have the county participate in the local confinement provisions are "voluntary counties."
- Allows county officials who have agreed to make their county a voluntary county to terminate the agreement, but the termination takes effect at the end of the state fiscal biennium in which the termination decision is made.

### Memorandum of understanding – local confinement

- Requires counties, separately or jointly, and municipal corporations in specified circumstances, to submit to DRC a memorandum of understanding specifying plans for using Targeted Community Alternative to Prison (T-CAP) program money and reimbursing local correctional facilities for certain offenders.
- Specifies the procedure for determining the *per diem* cost of housing offenders sentenced to a short-term fifth degree felony prison term in local correctional facilities.
- Requires DRC to adopt standards for reviewing and approving submitted memorandums of understanding.

### Community-based treatment eligibility

- Changes the "prior convictions" that disqualify a prisoner from eligibility for the community-based substance use disorder treatment program from "any offense of violence" to "any felony offense of violence" or "any misdemeanor offense of violence within the preceding five years."

### **Judicial release application**

- Reduces the time that an eligible offender confined under a prison term of less than two years must serve before applying for judicial release.

### **Community corrections subsidies**

- Revises the priorities for use of community corrections subsidies provided to eligible political subdivisions.

### **Probation improvement, incentive grants**

- Specifies what must be included in DRC rules regarding distribution of the Probation Improvement Grant.
- Qualifies community-based correctional facilities for probation improvement grants and probation incentive grants.
- Requires that DRC base its cost savings estimate on the difference from the average of certain commitments from the preceding five calendar years and the fiscal year under examination.

### **Certificates of qualification for employment**

- Permits an out-of-state resident with an Ohio conviction record to apply for a certificate of qualification for employment (CQE) through the court of common pleas in any county where a conviction was entered against the person.
- Permits DRC to develop criteria that would allow an individual to apply for a CQE earlier than otherwise.
- Removes the requirement that a CQE applicant specify the collateral sanctions from which the individual is seeking relief, and instead requires the applicant to provide a general statement as to why the individual has applied and how the CQE would assist the individual.
- Provides that a CQE creates a rebuttable presumption that the person's criminal convictions are insufficient evidence that the person is unfit for employment or a professional license.
- Directs DRC to maintain a database that identifies granted and revoked CQEs and the jobs and types of employers to which the CQEs have most applied, and requires DRC to annually create a public report summarizing the information.
- Requires DRC to review the database to identify revoked certificates, and to note in the database that the CQE has been revoked and the reason for and effective date of the revocation.

**Earned credit**

- Grants an incarcerated person 90 days of earned credit toward satisfaction of the prison term, or a 10% reduction of the prison term, whichever is less, upon successfully completing an Ohio high school diploma, the criteria for a certificate of achievement and employability, or any of a list of specified treatment or education programs.
- Specifies that the earned credit is available for any imprisoned person, unless the person is serving a mandatory prison term or a term for an offense of violence or a sexually oriented offense.

**Prison term as community control violation sanction**

- Limits to 90 or 180 days a prison sanction for a technical violation of the conditions of, or for a new misdemeanor criminal offense committed while under, a community control sanction imposed for a fifth degree felony, or for a fourth degree felony that is not an offense of violence or sexually oriented offense.

**Warden's report to parole board**

- Requires the warden of an institution in which a person eligible for parole is incarcerated to submit a report on the prisoner to the parole board prior to any hearing to determine whether or not that prisoner should be paroled.

**Notice to sheriff of felony offender release**

- Requires the Adult Parole Authority (APA) to notify the sheriff of the county in which the offender was convicted and the sheriff of the county in which the offender will reside of the offender's release or transfer under a specified time frame.
- Requires the APA to provide notice to the sheriff at least 60 days before recommending a pardon or commutation for an offender or at least 60 days before an APA hearing regarding parole.

**Use of former Ohio River Valley Juvenile Correctional Facility (ORVF)**

- Provides that if the Lawrence County sheriff is using a portion of the ORVF as a jail pursuant to a contract under existing law, and if either party has failed to comply with the contractual terms, on September 29, 2017, control of that portion of the ORVF reverts to the state and the sheriff cannot use it as a jail.
- Authorizes use of the ORVF or a portion of it as a multicounty, municipal-county, or multicounty-municipal correctional center under specified circumstances.

## **Division of Business Administration**

- Allows the Division of Business Administration within DRC to use excess funds in the Property Receipts Fund for specified purposes if, after meeting the required expenditure obligations, the Division determines that the Fund has excess funds.

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## **RETIREMENT**

### **SERS cost-of-living adjustments**

- Makes the mandatory annual cost-of-living adjustment (COLA) of 3% granted to School Employees Retirement System (SERS) retirement allowance, disability benefit, and survivor benefit recipients effective until December 31, 2017.
- Beginning January 1, 2018, permits, rather than requires, the SERS Board to grant an annual COLA and, if the Board grants a COLA, changes the amount to the percentage increase in the Consumer Price Index, if any, but not exceeding 2.5%.
- Authorizes the SERS Board, before granting an increase, to adjust the COLA percentage if the Board's actuary determines, in its annual actuarial valuation or in other evaluations, that an adjustment does not materially impair the retirement system's fiscal integrity or is necessary to preserve its fiscal integrity.

### **SHPRS retirement eligibility**

- Eliminates a requirement that limited eligibility for State Highway Patrol Retirement System (SHPRS) retirement to active State Highway Patrol employees, therefore allowing former SHPRS members who have left their contributions with the system to retire under SHPRS.
- Provides that an SHPRS member forfeits the member's total service credit only on payment to the member of accumulated contributions, rather than when the member ceases to be a State Highway Patrol employee.
- Allows a former SHPRS member who has left contributions with SHPRS to designate an individual or a trust as beneficiary for payment of accumulated contributions should the former member die and no pension become payable.

### **Volunteer Peace Officers' Dependents Fund coverage**

- Specifies that a person receiving a retirement allowance from the Public Employees Retirement System is excluded from coverage by the Volunteer Peace Officers' Dependents Fund.

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## SECRETARY OF STATE

### Voting equipment

- Applies the law governing certification of voting equipment to equipment that allows a person to vote using an electronic display and then transfers those votes onto an optical scan ballot or other paper record for tabulation.
- Specifies that voting equipment of that type is not considered a direct recording electronic voting machine for purposes of that law.
- Removes references to punch card ballots.

### Address confidentiality program

- Modifies the address confidentiality program operated by the Secretary of State to serve victims of certain crimes.
- Requires that an applicant for the program live, work, or attend a school or institution of higher education in Ohio.
- Requires the application form to include a statement that the application assistant recommends that the applicant participate in the program.
- Requires the Secretary to issue each participant a program authorization card with the participant's program mailing address.
- Allows, but does not require, a participant to provide that card to a governmental entity, employer, school, or institution of higher education as proof of the person's status.
- Modifies the types of mail that the Secretary must forward to a program participant and requires the Secretary to notify participants of the qualifying types of mail.
- Clarifies the voter registration deadlines that apply to program participants.

### Electronic notary<sup>2</sup>

- Allows for a commissioned notary public to become an electronic notary public by submitting a registration form to, and being approved by, the Secretary.
- Authorizes the Secretary, with assistance from the Office of Information Technology in DAS, to establish standards for approving electronic communications devices to be used by an electronic notary.

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<sup>2</sup> The electronic notary provisions were subsequently repealed by H.B. 31, effective February 20, 2018. See the "State Government" chapter.

- Specifies that the requirement that a person acknowledging an instrument appear before a notary public taking the acknowledgement may be done through an electronic communications device approved by the Secretary.
- Specifies that an electronic signature, using an electronic communications device approved by the Secretary, may be used to acknowledge the execution of an instrument.

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## **OHIO COMMISSION ON SERVICE AND VOLUNTEERISM**

- Reduces the Commission from 21 to 19 members by removing the chairpersons of the House and Senate Education committees.

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## **DEPARTMENT OF TAXATION**

### **Income taxes**

- Eliminates the bottom two income tax brackets that apply to individual nonbusiness income and repeals the low-income taxpayer credit.
- Requires that OBM separately state in its reports of actual and estimated revenues the total tax liability, before credits, arising from taxable business income versus nonbusiness income and to state the total amount of claimed income tax credits.
- Eliminates the reimbursement the Department of Taxation received for the cost of administering the six income tax check-offs.
- Reduces the Tax Commissioner's role in distributing revenue derived from the Ohio political party fund income tax check-off.
- Increases the maximum income tax deduction for contributions to a federally tax-advantaged college savings plan or disability expense savings (ABLE) account to \$4,000 (from \$2,000) annually for each beneficiary.
- Prescribes the manner in which school district income tax applies to a school district resulting from the consolidation of territory of two or more districts.

### **Municipal income taxes**

- Allows businesses, other than sole proprietors, to elect for the Department of Taxation to administer the business' municipal income taxes, beginning in 2018.

- Requires 99.5% of the revenue collected from such businesses to be distributed monthly to municipal corporations, with the other 0.5% earmarked for administrative expenses.
- Repeals the "throw-back rule" used in determining what amount of a business' income is apportioned to a particular municipal corporation, beginning in 2018.
- Extends, by one month, the due date by which municipal income taxpayers that are individuals must make their fourth-quarter estimated tax payment, beginning in 2018.
- Permits the penalty imposed on employers that do not timely remit municipal income tax withholdings to be less than 50% of the unpaid amount.
- Decreases, from three to one, the number of municipal tax administrator representatives that the Governor may appoint to the Ohio Business Gateway Steering Committee.
- Requires the Department to study the feasibility of accepting municipal income tax returns through the existing joint federal/state Modernized e-File (MeF) program.

### **Sales and use taxes**

- Provides two payments, one in 2017 and one in January 2018, to counties and transit authorities to mitigate their short-term revenue loss from the termination of sales taxes on health care services provided by Medicaid health insuring corporations.
- Prescribes new criteria for determining whether sellers are presumed to have "substantial nexus" with Ohio by adding sellers with annual Ohio sales in excess of \$500,000 that use in-state software to make Ohio sales or Ohio content distribution networks to accelerate or enhance delivery of web content to Ohio consumers.
- Allows counties and transit authorities to increase their local sales and use tax rates in increments of 0.1%, rather than 0.25%, beginning July 1, 2018.
- Would have exempted the first \$650 in price of prescription optical aids (e.g., eyeglasses and contact lenses) and their components from sales and use tax (VETOED).
- Exempts from sales and use taxation digital music purchased from, and electronically delivered by a jukebox or other single-play commercial music machine.
- Provides a three-day sales tax "holiday" in August 2018 during which sales of clothing, school supplies, and instructional materials within certain price ranges are exempt from sales and use taxes.

- Would have modified the standard for determining when the sales and use tax applies to business-related electronic services that are provided together with other services (VETOED).
- Allows revenue raised by an existing county sales tax for community improvements and granted to a school district to be spent outside the county as long as the improvements are within the school district.
- Prescribes the manner by which county auditors issue sales tax vendor's licenses and expressly requires certain vendor license-related information to be published on the Department's website.
- Allows reinstatement of a vendor's sales tax license that was suspended for the vendor's repeated failure to report or pay sales tax only if the vendor reports and remits not only delinquent sales taxes, but delinquent income tax required to be withheld from its employees' wages.
- Authorizes the Tax Commissioner to suspend a vendor's sales tax license for the vendor's repeated failure to report or pay its employees' income tax withholdings.
- Modifies rules for situsing sales and use tax for direct mail – i.e., for determining the proper taxing jurisdiction for material that is mass mailed to predetermined recipients.
- Would have allowed high-volume motor vehicle dealers to remit the sales tax collected on vehicle sales directly to the state on the dealer's monthly return, rather than to the clerk of the court of common pleas along with each application for a certificate of title (VETOED).

### **Lodging taxes**

- Authorizes a charter county (Summit) to extend an expiring 1% lodging tax for an additional ten years.
- Authorizes a county with a population between 375,000 and 400,000 and that levies a 3% lodging tax (Stark) to increase the rate of the tax by up to an additional 3%.
- Authorizes a county with a population between 190,000 and 200,000 and that currently levies a 3% lodging tax (Clermont) to increase the rate of the tax by up to an additional 1% to construct and maintain a professional sports facility, subject to certain conditions.
- Authorizes a city that currently levies a 3% municipal lodging tax and that is located in a county with a population between 300,000 and 350,000 that currently levies a 3% county lodging tax (Lorain County) to increase the tax rate by up to an additional 3%.

- Authorizes a county with a population between 175,000 and 225,000 that levied a lodging tax rate of 3% in 2014 and that has an amusement park with annual attendance of more than 2 million (Warren) to use the tax revenue to pay the construction and maintenance costs of a county-owned or port authority-owned sports facility.

### **Severance tax**

- Replaces a severance tax exemption for resources used to improve the severer's homestead with an exemption for natural gas produced by an "exempt domestic well," but continues to subject the owners of most such wells to a \$60 annual fee.
- Transfers severance tax permitting responsibilities from the Department of Taxation to ODNR.
- Adjusts the due dates of severance tax returns.
- Requires severance tax revenue to be credited to funds on a monthly, rather than quarterly, basis.
- Limits the authority of ODNR to disclose severance tax information received by the Tax Commissioner.

### **Excise taxes**

- Requires that cigarette tax returns be filed monthly instead of semiannually.
- Places a ceiling on the amount of excise tax on "premium cigars" of 50¢ per cigar (adjusted annually for inflation).
- Authorizes an exemption from the kilowatt-hour tax for electricity consumed in a chlor-alkali manufacturing process unless the electricity is distributed by a municipal electric company that does not consent to the exemption.
- Requires the continuing publication of certain motor fuel dealer information.
- Clarifies the deadline by which a person newly subject to the petroleum activity tax must apply for a supplier's license and stipulates an annual expiration date for all such licenses.

### **Property taxation**

- Prescribes in statute certain additional factors that must be considered in computing the current agricultural use value (CAUV) of agricultural land for property tax purposes, and deletes reference to one existing factor.
- Prescribes in statute that the method used to compute CAUV values must employ a capitalization rate and prescribes certain factors that must be included or excluded in the calculation of the rate.

- Places a ceiling on the taxable value of CAUV land if the land is also used for conservation purposes by requiring the land to be valued as though it included soil of the least productive type.
- Phases in the effects of the CAUV changes in two stages over the six-year assessment cycle by allowing one-half of the valuation change to take effect in each county in the next tax year in which the county undergoes a reappraisal or triennial update, beginning with counties undergoing a reappraisal or update in tax year 2017, and the second half at the ensuing update or reappraisal.
- Requires the Tax Commissioner to publish an annual report of CAUV values that can be sorted by county and school district.
- Removes the authority to bypass a court of appeals and appeal a decision of the Board of Tax Appeals directly to the Ohio Supreme Court, unless the Supreme Court authorizes the direct appeal.
- Authorizes a property tax exemption for retail stores operated by a charitable nonprofit housing organization that sells primarily donated household items.
- Authorizes a property tax exemption for property that is owned by a municipal corporation, that must be transferred to a community improvement corporation (CIC) before it is developed, and that meets other criteria.
- Revises the procedure for appealing a county board of revision's determination on an application for remission of property tax or manufactured home tax penalties.
- Requires that exemption applications for state university property be approved or disapproved by the Tax Commissioner rather than the county auditor.
- Extends, by 18 months, the deadline by which manufactured and mobile homeowners may apply for the homestead exemption, from June of the year before the tax year for which the exemption is sought, to December 31 of the tax year.
- Removes a requirement that a taxing authority receive approval from a court of common pleas before transferring revenue between certain funds of the subdivision.
- Requires a township to obtain the approval of affected school districts before extending the term of a tax increment financing (TIF) property tax exemption originally granted before 1995.
- Authorizes, under certain circumstances, extension of a community reinvestment area (CRA) property tax exemption without requiring the CRA to conform to various requirements and limitations enacted in 1994.

- Extends the deadline by which a county or municipality must petition for the Director of Development Services to approve its designation of a community reinvestment area.
- Revises the schedule for the fees exacted from taxes collected by county treasurers.
- Requires a resolution proposing to levy a property tax to include additional details on the scope and nature of the levy.
- Eliminates several superfluous provisions of law pertaining to the property tax exemption for burial grounds.

### **Tax credits and exemptions**

- Requires that every main biennial budget bill include detailed estimates of the state revenue that will be foregone due to certain "business incentive" tax credits in the current biennium and future biennia.
- Allows employers that apply for a job creation tax credit (JCTC) to count compensation paid to certain "work-from-home" employees for the purposes of qualifying and complying with the terms of the JCTC agreement.
- Changes Ohio's motion picture tax credit to carry over unused credits within the annual cap, prioritize television productions, and require minimum financing thresholds.
- Modifies the \$10 million annual cap on the New Markets Tax Credit to be a limit on the amount of credits that may be approved per year, rather than a limit on the amount of credits that taxpayers may claim each year.
- Authorizes local governments to enter into an enterprise zone agreement with a business after October 15, 2017.
- Increases from five to six the number of years that some operators of computer data centers have to meet the capital investment requirement associated with an existing sales and use tax exemption.
- 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.
- Provides that, when a taxpayer holds a tax credit certificate demonstrating the taxpayer's eligibility for a tax credit, the taxpayer must automatically submit the certificate to the Tax Commissioner when claiming the credit, rather than providing the certificate only on the Commissioner's request.
- Modifies the crediting and use of fees charged by the Development Services Agency (DSA) to administer certain tax incentive programs.

- Would have authorized \$60 million in nonrefundable tax credits for insurance companies and financial institutions that invested in special purpose "rural and high-growth industry funds" that were to be certified by DSA and that made loans to or investments in certain classes of Ohio businesses (VETOED).

### **Tax administration**

- Authorizes a temporary "amnesty" for taxpayers owing certain delinquent taxes whereby penalties and one-half the interest charges are waived, along with criminal or civil action, if the taxpayer pays the outstanding liability and one-half the interest due.
- Distributes amnesty collections in the same way as the underlying tax, except distributes collections in excess of \$20 million that otherwise would be credited to the GRF to the Budget Stabilization Fund.
- Generally authorizes the Department of Taxation, the Treasurer of State, and certain county officials to deny or revoke a license if certain prohibited acts are performed in relation to an application to approve or renew the license.
- Specifies that, before approving a retail tire dealer or wholesale tire distributor registration, motor fuel dealer license, or tobacco product distributor license, the Tax Commissioner must confirm that the applicant is not delinquent in paying any tax administered by the Commissioner.
- Requires that, in addition to delinquent sales and income withholding taxes, the Commissioner must notify the Division of Liquor Control when a liquor permit holder is delinquent in paying most other types of state taxes.
- Specifically authorizes the Department to disclose such information to the Division of Liquor Control.
- Transfers from the Treasurer of State to the Tax Commissioner the collection and refund responsibilities for the public utility excise tax.
- Reduces the percentage of commercial activity tax (CAT) revenue devoted to offset the Department of Taxation's administrative expenses from 0.85% to 0.75% beginning July 1, 2017.
- Allocates all revenue from fees paid to have various pollution control or energy conversion facilities certified for property tax and sales and use tax exemptions to the appropriate state oversight agency – either EPA or DSA.
- Applies a \$1 minimum payment and refund floor for fees administered by the Tax Commissioner.

- Reduces from two to one the number of times each year that county auditors and treasurers are required to distribute estate tax revenue.

### **Local Government Fund and other revenue distributions**

- Makes permanent a monthly \$1 million set-aside of Local Government Fund (LGF) funds for villages with a population of less than 1,000 and for townships, which is subtracted from LGF distributions that otherwise would be paid directly to municipalities that levied an income tax in 2006.
- Diverts all remaining LGF money that otherwise would be paid directly to those municipalities to various substance abuse-related expenditures during the biennium.
- Sets the Public Library Fund's share of GRF revenue at 1.68% for the FY 2018-2019 biennium after the temporarily higher percentage of 1.70% in the FY 2016-2017 biennium.
- Increases the share of commercial activity tax revenue credited to the General Revenue Fund and decreases the share allocated to reimburse school districts and other local taxing units for the loss of tangible personal property taxes.
- Would have withheld all LGF payments to the city of Columbus if it were to impose certain conditions or require certain payments before extending water and sewer service extraterritorially or if it were to withdraw or threaten to withdraw such service for the failure to meet such conditions or make such payments (VETOED).
- Would have reduced Local Government Fund (LGF) payments to the city of Columbus if it did not timely publish a plan to cease charging, or if it actually charged, different sewer and water rates to residents and nonresidents (VETOED).
- Would have modified the phase-out of payments that many school districts receive as reimbursement for their loss of tangible personal property (TPP) tax revenue, including by slowing the rate of reduction after FY 2019 from  $\frac{5}{8}$ -mill to  $\frac{1}{4}$ -mill worth of property taxes per year (VETOED).

### **Special taxing districts**

- Modifies the requirements to create a tourism development district (TDD).
- Requires subdivisions to use lodging tax revenues collected from a hotel located in a TDD to foster and develop tourism in the TDD.
- Changes a reporting date relative to businesses subject to a gross receipts tax levied in a TDD.

- Authorizes a county and other political subdivisions and private parties to enter into cooperative agreements to fund construction and maintenance of certain permanent improvements located in a TDD designated by a municipal corporation.
- Specifically authorizes an LED sign to be located within a TDD next to an interstate highway, provided the sign meets all state and federal standards.
- Allows municipal corporations to pledge their income tax revenue and counties and transit authorities to pledge their sales tax revenue for Regional Transportation Improvement Projects (RTIPs).
- Limits the duration of an RTIP to 15 years or, if the governing board is authorized to issue securities, 20 years after the first issuance.
- Creates a default requirement that unencumbered funds held by the governing board on the date an RTIP is dissolved are distributed proportionally to the state and to each political subdivision that contributed revenue to the RTIP.
- Authorizes counties participating in an RTIP to create a Transportation Financing District (TFD) that generates revenue by exempting improvements to nonresidential parcels from property taxation and collecting in-lieu service payments.

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## DEPARTMENT OF TRANSPORTATION

- Prohibits the Department of Transportation from closing any rest area that is located along a scenic byway.
- Fixes a technical error in the transportation budget act (H.B. 26) in which temporary size and weight exemptions for towing vehicles were erroneously scheduled for repeal after one year, when they should have been scheduled for repeal after two years.
- Would have created the Ohio Maritime Assistance Program to make grants to municipal corporations and port authorities to construct or improve marine cargo terminals and other maritime structures on the shores of Lake Erie, a Lake Erie tributary, or the Ohio River (VETOED).

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## TREASURER OF STATE

### Credit unions as public depositories

- Creates the Business Linked Deposit Program under which the Treasurer of State may purchase share certificates issued by credit unions to facilitate lending to eligible small businesses.

- Permits credit unions to participate in the Agricultural Linked Deposit Program.

### **Administration of linked deposit programs**

- Requires the Treasurer to adopt rules addressing the participation of eligible lending institutions in business and agricultural linked deposit programs, including the manner in which the linked deposits are placed, held, and collateralized.
- Authorizes the Treasurer to require a lending institution that holds public deposits under a linked deposit program to pay interest at a rate not lower than the "prevailing interest rate," as increased by the "treasurer's assessment rate."
- Defines "treasurer's assessment rate" as a rate not exceeding 10% that is calculated in a manner determined by the Treasurer to account for the effect that varying tax treatment among different types of financial institutions has on their ability to pay competitive interest rates on deposits.

### **Ohio Pooled Collateral Program**

- Authorizes the Treasurer to impose reasonable fees on public depositories participating in the Ohio Pooled Collateral Program to defray the Program's costs.
- Specifies that certain information obtained or created about a public depository for purposes of the Program is confidential.
- Permits the Treasurer to adopt rules necessary to implement the Program in connection with the other methods by which public depositories provide security for the repayment of public deposits.

### **Ohio Subdivision's Fund**

- Permits the Treasurer to invest money held in the Ohio Subdivision's Fund also in separately managed accounts, and pooled accounts of that Fund, rather than just in the Treasurer's investment pool.
- Requires a treasurer, governing board, or investing authority of a subdivision to have an agreement with the Treasurer in order to invest subdivision public money in the separately managed account or pooled account.
- Prohibits subdivision public money investment in a pooled account that does not maintain the highest rating if no agreement has been entered into with the Treasurer.
- Provides that the continuing law 25% investment limit on debt interests other than commercial paper does not apply to investments of subdivision excess reserves under the agreement.

- Relieves the Treasurer and the Treasurer's bonders or surety for the loss of any state or subdivision interim moneys invested as the act provides if the loss is due to (1) a public depository failure or (2) an investment made pursuant to law.
- Requires the Treasurer to adopt rules to implement the separately managed account and pooled account requirements.

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## DEPARTMENT OF VETERANS SERVICES

- Authorizes the Department of Veterans Services to establish a physician recruitment program.
- Allows the Ohio Veterans' Home to conduct bingo games at the facility for residents of the home under certain conditions.
- Creates a veteran peer counseling network administered by the Department.

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## CONSOLIDATION OF HEALTH-RELATED BOARDS

### Creation of new boards via consolidation

- Creates the State Vision Professionals Board and the State Speech and Hearing Professionals Board by consolidating several existing health professional licensing boards.
- Establishes regulatory procedures for the new boards that are similar to provisions that applied to the boards abolished by the act.

### Dietitians; respiratory care; orthotists, prothetists, and pedorthists

- Places the regulation of dietitians under the State Medical Board and abolishes the Ohio Board of Dietetics.
- Abolishes the Ohio Respiratory Care Board and places its duties with respect to respiratory care professionals with the State Medical Board and its duties with respect to home medical equipment service providers with the State Board of Pharmacy.
- Abolishes the State Board of Orthotics, Prosthetics, and Pedorthics and places its duties with the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (PYT Board).
- Requires the Medical Board to appoint a dietetics advisory council and a respiratory care advisory council to advise it on the practice of dietetics and respiratory care.

- Requires the Pharmacy Board to appoint an advisory council to advise it on home medical equipment services.
- Requires the PYT Board to appoint an advisory council to advise it on the practice of orthotics, prosthetics, and pedorthics.

### **Existing board employees**

- Provides that employees of the abolished boards are transferred to one of the new boards, the Medical Board, the Pharmacy Board, or the PYT Board, and retain their positions and benefits.
- Allows the boards abolished by the act to establish a retirement incentive plan for eligible employees of those boards who are Public Employees Retirement System members.

### **Other changes**

- Requires license applicants for all occupations regulated by the new boards to undergo criminal records checks to receive a license.
- Generally provides for electronic occupational license applications and renewals.
- Authorizes the State Vision Professionals Board to increase optical dispensing and ocularist licensing examination fees under certain circumstances.

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## **LOCAL GOVERNMENT**

### **County auditor financial report**

- Conforms county law to general law applicable to public offices using generally accepted accounting principles by increasing, from 90 to 150, the number of days within which a county auditor must prepare a financial report of the county.

### **County commissioners deadline to organize**

- Modifies the date by which a board of county commissioners must organize annually to choose a member to serve as president.

### **Township road construction estimates**

- Eliminates the requirement that a board of township trustees provide notice of the cost estimate of a proposed road improvement project when advertising for bids for the project.
- Specifies that a board is not required to provide notice of the cost estimate or amended estimate when it readvertises for bids if the original bidding process did not yield a bid within 110% of the estimate.

### **Transient vendors in township territory**

- Authorizes boards of township trustees to prohibit transient vendors from soliciting at any residence at which the owner or tenant has either posted a no solicitation sign or has filed a no solicitation registration form with the township.
- Eliminates the board's authority to outright prohibit transient vendors from soliciting within the township's unincorporated territory.
- Revises the definition of "transient vendor."

### **Commercial advertising on township websites**

- Authorizes townships to sell commercial advertising space on their websites under certain conditions.

### **Village dissolution**

- Allows the electors of a village to petition the board of elections, as an alternative to the legislative authority, for dissolution of the village.
- Decreases, from 40% to 30%, the portion of electors in a village that is sufficient to petition the legislative authority or board of elections for the dissolution.
- Provides for the timely transfer of village property and services upon the dissolution.
- Allows the village and affected townships to enter into agreements concerning the transfer of real and personal property other than electric, water, and sewer utility property, or the property vests by law in the affected townships.
- Requires the Auditor of State to complete an audit or agreed-upon procedure audit before transferring any cash balances to a township or utility service provider following the village's dissolution.
- Specifies that the surrender of corporate powers by a village does not affect the village's power to operate utilities.
- Specifies that a dissolving village may incur liability to the extent necessary in connection with operations of the village's utilities.
- Requires water and sewer utility property to be transferred by agreement entered into by the village and the entity that will be taking over the services.
- Requires a dissolving village to take all necessary steps to transfer the ownership and operation of electric utilities to a successor entity.
- Requires a dissolving village's electric utility to continue "normal operations and activities," to continue fulfilling the village's contractual obligations, and to collect charges at rates in effect on the date a certificate of dissolution was filed.

### **Local annual reports to Auditor of State**

- Eliminates the Auditor of State as an entity to which a municipality and a board of alcohol, drug addiction, and mental health services must provide a copy of their annual reports.

### **Cybersecurity training for local fiscal officers**

- Adds cybersecurity to the subjects to be covered in the education programs conducted by the Auditor of State and the Treasurer of State for persons elected to local government fiscal offices.

### **Metropolitan housing authorities**

- Permits two or more metropolitan housing authorities (MHAs) to enter into a shared services agreement.
- Clarifies that MHA plans to improve blighted areas can include housing as well as other projects, and those projects can include commercial and residential purposes.
- Prohibits an MHA from providing a federal rent subsidy to a tenant who does not meet federal HUD income restrictions, instead of requiring the MHA to deny housing to the tenant.

### **Regional councils of governments**

- Authorizes a regional council of governments to contract to administer and coordinate the self-funded health benefits program of a nonprofit corporation if the council has an educational service center as its fiscal agent.

### **Reimbursement to law enforcement agencies**

- Authorizes a court to order an OVI offender to reimburse a law enforcement agency for costs associated with administering blood or urine tests if the tests indicated a prohibited concentration of a controlled substance.

### **Commissary profits for screening equipment**

- Allows the sheriff of a county jail to use profits from the jail's commissary to purchase technology designed to prevent contraband from entering the jail.

### **Multi-jurisdictional local correctional centers**

- Specifies that a multi-jurisdictional local correctional center's operational standards and procedures may be amended by agreement of a majority of the voting members of the center's corrections commission or by other means specified in the contract establishing the center.
- Clarifies that items required for the standards and procedures are also required for the amendments.

### **Port authority bid threshold**

- Changes to \$150,000 the threshold amount above which a port authority generally must use competitive bidding for construction contracts.

### **Foreclosure and auctioning**

- Expressly permits deposits to be paid by a financial transaction device if the foreclosure sale is held online.
- Requires the purchaser at a foreclosure sale to submit a statement indicating intent to use the property as residential rental property, instead of a statement indicating whether the purchaser will occupy the property.
- Expands who can be the contact person for a business entity for the purposes of providing this information.
- Exempts the purchaser at a foreclosure sale from the requirement to submit contact information if the purchaser is the plaintiff or a lienholder who is a party to the foreclosure action.

### **Urban renewal projects**

- Adds environmental remediation as a purpose for which a municipal corporation can undertake an urban renewal project to prevent the spread of blight.
- Includes contamination by hazardous substances or petroleum as "blight."
- Permits parties to a development agreement (an agreement to rehabilitate structures in an urban redevelopment area) to agree to a level of service payments, in lieu of property taxes, that is higher than the amount that would be generated by the assessed value of the improvements.
- Adds to the definition of "revenues," for the urban renewal projects laws, revenue available to the municipal corporation pursuant to a development agreement.

### **Municipal planning commissions**

- Authorizes the appointment of some "public members," who may be nonresidents of the municipal corporation, to a municipal planning commission.
- Requires these nonresident public members to reside within the county in which the municipal corporation is located or in a township adjacent to the county.
- Retains the requirement for the "citizen members" to be residents of the municipal corporation.
- Specifies that all members are subject to the prohibition against public officials having an unlawful interest in a public contract.

**Noncharter village disbursements**

- Requires two signatures for noncharter village fund disbursements.

**Funds disbursed to municipal treasurers**

- Requires that the county auditor disburse taxes and assessments certified by a municipality and placed on the tax list for collection, and moneys accruing to and debts due the municipality, on the order of any person authorized by law or ordinance to issue the orders.

**Investment of county inactive moneys**

- With respect to investment of a county's inactive moneys and money in the public library fund: (1) increases, from 25% to 40%, the amount of a county's total average portfolio that can be used for certain commercial paper notes and bankers acceptances and (2) limits the total investments in commercial paper notes of a single issuer to 5% of interim moneys available for investment at the time of purchase.

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**MISCELLANEOUS****Storage of firearms in private motor vehicles**

- Creates a civil cause of action against a business entity, property owner, or employer whose policy prohibits a valid concealed handgun licensee from transporting or storing a firearm or ammunition in the person's privately owned motor vehicle in accordance with the law.

**Land conveyances**

- Authorizes the conveyance of state-owned land in Allen, Fairfield, Lorain, Madison, Marion, Pickaway, Richland, Ross, Scioto, and Warren counties under the jurisdiction of DRC, through a real estate purchase agreement, sealed bid auction, or public auction.
- Authorizes the conveyance of state-owned land under the jurisdiction of the University of Akron through a sale process acceptable to the University's Board of Trustees.
- Authorizes the conveyance of state-owned land under the jurisdiction of the University of Cincinnati to the Cincinnati Center City Development Corporation through a real estate purchase agreement.

- Authorizes the conveyance for \$1 of the Department of Developmental Disabilities' Youngstown Developmental Center property to the Mahoning County Mental Health and Recovery Board, or to an alternate purchaser.

### **Sunset Review Law**

- Authorizes the continuation of the ABLE Account Program Advisory Board until December 31, 2020.
- Authorizes the continuation of the Underground Technical Committee, an advisory board to PUCO, until December 31, 2020.
- Authorizes the continuation of the Ohio Healthier Buckeye Advisory Council, a council in the Department of Job and Family Services, until December 31, 2020.

### **Food policy coordinator in Ashtabula County**

- Requires the OSU Extension office serving Ashtabula County to establish a pilot program through which it employs a food policy coordinator who will be responsible for connecting local food producers with local consumers.

## Courts

### Am. H.B. 174

**Reps.** Hughes and Lanese, Duffey, Blessing, Craig, K. Smith, Boggs, Brown, Galonski, Barnes, Celebrezze, Clyde, Holmes, Leland, Patton, Rogers, Sheehy, Sprague, Sweeney, Young

**Sens.** Coley, Bacon, Hackett, Kunze, Oelslager, Schiavoni, Tavares, Yuko

**Effective date:** Emergency: December 22, 2017

- Adds two judges to the Domestic Relations Division of the Franklin County Court of Common Pleas, one to be elected in 2018 and one to be elected in 2020.

### Am. H.B. 215

**Reps.** Riedel, Manning, Celebrezze, Rogers, Seitz, Barnes, Brown, Craig, Galonski, Holmes, K. Smith, Sprague, Sweeney

**Sens.** Coley, Eklund, Gardner, Huffman, McColley, Manning, Oelslager, Schiavoni, Yuko

**Effective date:** Creation of the Paulding County Municipal Court and abolishment of Paulding County Court effective January 1, 2020; other sections effective March 23, 2018

- Effective January 1, 2020, abolishes the Paulding County County Court and its part-time judgeship and creates in Paulding the Paulding County Municipal Court with one full-time judge and having jurisdiction within the county.
- Specifies that the judge of the municipal court initially will be elected in 2019 and nominated only by petition.
- Requires the Paulding County Prosecuting Attorney to prosecute in the municipal court all violations of state law arising in that county.
- Authorizes the Paulding County Prosecuting Attorney to enter into an agreement with any municipal corporation in that county to prosecute all cases brought in the municipal court for violations of the municipal corporation's ordinances or for certain offenses occurring within the municipal corporation.

## Am. H.B. 223

**Reps.** Dever, Anielski, Antonio, Blessing, Boggs, Lepore-Hagan, Rogers, Sweeney

**Sens.** Coley, Eklund, Bacon, Dolan, Hackett, Hottinger, Huffman, O'Brien, Oelslager, Schiavoni, Terhar, Wilson

**Effective date:** March 23, 2018

### Transfer of structured settlement payment rights

- Modifies the requirements for the transfer of structured settlement payment rights by a payee under a structured settlement (which is an arrangement for periodic payments of damages for injuries or sickness in a settlement or court judgment of a tort claim).
- Modifies and expands the contents of a disclosure statement that a transferee of structured settlement payment rights must provide before the payee signs a transfer agreement, including the payee's right to cancel the agreement within three business days after signing it.
- Revises the procedures by which a transferee must file an application in court for approval of the transfer and serve a notice of the proposed transfer on all interested parties.
- Expands the notice's required contents to include a summary regarding certain prior transfers and proposed transfers by the payee.
- Revises the findings that a court must make to approve a transfer.

### Effects of transfer

- Specifies the effects of a transfer of structured settlement payment rights.
- Revises the immunities from liability granted to a payee, structured settlement obligor, and annuity issuer, and limits the prohibition against a waiver of the act's provisions to a waiver by any payee.
- Modifies and expands the effects on transfer agreements entered into prior to or on or after the act's effective date.
- Provides that transfers of structured settlement payment rights cannot extend to payments that are life-contingent, unless certain conditions are met.
- Provides that the act applies to a transfer of structured settlement payment rights under any transfer agreement entered into on or after the act's effective date.

## Fiduciary funds in IOLTA accounts

- Allows a fiduciary to transfer fiduciary funds to the fiduciary's attorney for deposit in the attorney's interest on lawyer's trust account (IOLTA) under certain circumstances.
- Permits any Ohio attorney, law firm, or legal professional association to establish and maintain in a financial institution an interest-bearing trust account, to deposit funds received by a client in the client's name as fiduciary of a trust or estate.

## Sub. S.B. 25

**Sens.** Hottinger, Coley, Bacon, Balderson, Dolan, Eklund, Gardner, Hoagland, Skindell, Thomas, Yuko

**Reps.** Manning, Rezabek, Conditt, Rogers, Barnes, Blessing, Boyd, Celebrezze, Galonski, Hill, Leland, Miller, Patton, Riedel, Schaffer, Seitz, Sheehy, K. Smith, Sprague, Sweeney

**Effective date:** Emergency, June 13, 2017; sections related to the Perry County Municipal Court effective January 1, 2018

## Perry County Municipal Court

- Effective January 1, 2018, abolishes the Perry County County Court and its part-time judgeship and creates in New Lexington the Perry County Municipal Court with one full-time judge and with jurisdiction within the county.
- Specifies that the judge of the municipal court initially will be elected in 2017 and nominated only by petition.
- Designates the Clerk of Courts of Perry County as the Clerk of the Perry County Municipal Court.
- Requires the Perry County Prosecuting Attorney to prosecute in the municipal court all violations of state law arising in Perry County.
- Authorizes the Perry County Prosecuting Attorney to enter into an agreement with any municipal corporation in the county to prosecute all cases brought in the municipal court for violations of the municipal corporation's ordinances or for certain offenses occurring within the municipal corporation.

## Criminal Justice Recodification Committee

- Allows the member of the Criminal Justice Recodification Committee who must be a Justice of the Supreme Court and the member who must be a sheriff to be a current or former Justice or sheriff, respectively.
- Requires members of the Committee who are elected officials to serve until the committee is abolished.

# Crimes, Corrections, and Law Enforcement

## H.B. 6

**Reps.** Barnes, Manning, Rezabek, Cupp, Kent, Rogers, Anielski, Arndt, Craig, Dever, DeVitis, Duffey, Fedor, Gavarone, Ginter, Green, Householder, Howse, Ingram, Landis, McColley, Miller, O'Brien, Patmon, Patterson, Patton, Perales, Ramos, Reece, Reineke, Schaffer, Scherer, Seitz, R. Smith, Sprague, West, Young

**Sens.** Coley, Eklund, Bacon, Balderson, Beagle, Brown, Dolan, Hackett, Hite, Hoagland, Huffman, Jordan, Kunze, LaRose, Lehner, Manning, O'Brien, Oelslager, Schiavoni, Skindell, Sykes, Tavares, Terhar, Thomas, Uecker, Wilson

**Effective date:** January 18, 2018

- Prohibits a person engaged in publishing or disseminating criminal record information from soliciting or accepting payment in exchange for removing, correcting, modifying, or refraining from publishing or disseminating the information, and specifies that a violation is a first degree misdemeanor.
- Allows a victim who sues for a violation of the prohibition to be awarded specified damages, in addition to attorney's fees, costs, and other remedies.

## Sub. H.B. 63

**Reps.** Hughes, Duffey, Leland, Kent, Boggs, Manning, Rezabek, Celebrezze, Conditt, Cupp, Galonski, Rogers, Seitz, Anielski, Antonio, Arndt, Ashford, Barnes, Blessing, Boyd, Brenner, Butler, Carfagna, Clyde, Craig, Dean, Dever, Faber, Fedor, Gavarone, Ginter, Gonzales, Green, Greenspan, Hagan, Hambley, Henne, Hill, Holmes, T. Johnson, Keller, Kick, Koehler, Landis, Lanese, Lepore-Hagan, Lipps, Merrin, Miller, O'Brien, Patmon, Patterson, Patton, Pelanda, Ramos, Retherford, Riedel, Roegner, Romanchuk, Schaffer, Schuring, Slaby, K. Smith, Sprague, Stein, Strahorn, Sweeney, West, Young, Zeltwanger, Rosenberger

**Sens.** Bacon, O'Brien, Balderson, Beagle, Burke, Eklund, Hackett, Hite, Hoagland, Huffman, Jordan, Kunze, Lehner, Manning, Obhof, Oelslager, Peterson, Terhar, Thomas, Uecker, Wilson, Yuko

**Effective date:** October 17, 2017

- Requires an additional prison term of six years if an offender is convicted of felonious assault causing physical harm or serious physical harm and a specification that the offender used an accelerant and that the victim suffered a permanent, serious disfigurement or permanent, substantial incapacity.
- Names its provisions "Judy's Law."

## H.B. 214

**Reps.** LaTourette and Merrin, Thompson, Becker, Antani, Butler, Koehler, McColley, Riedel, Wiggam, Keller, Brinkman, Faber, Goodman, Hambley, Retherford, Henne, Hood, Blessing, Schaffer, Ginter, T. Johnson, Anielski, Cupp, Duffey, Greenspan, Hagan, Hill, Householder, Huffman, Kick, Lanese, Lang, Lipps, Patton, Perales, Romanchuk, R. Smith, Sprague, Stein, Vitale, Young

**Sens.** Hottinger, Balderson, Eklund, Hoagland, Huffman, LaRose, Lehner, Obhof, Oelslager, Terhar, Uecker, Wilson

**Effective date:** March 23, 2018

- Prohibits any person from purposefully performing or inducing, or attempting to perform or induce, an abortion, if the person knows the pregnant woman is seeking the abortion, in whole or in part, because of:
  - A test result indicating Down syndrome in an unborn child;
  - A prenatal diagnosis of Down syndrome in an unborn child; or
  - Any other reason to believe that the child has Down syndrome.
- Provides that a person who violates the prohibition is guilty of performing or attempting to perform an abortion that was being sought because of Down syndrome, a felony of the fourth degree.
- Requires the State Medical Board to revoke a physician's license to practice medicine if the physician violates the criminal prohibition.
- Provides that a physician who violates the criminal prohibition is civilly liable for compensatory and exemplary damages and reasonable attorney's fees to any person who sustains injury, death, or loss that results from the prohibited abortion.
- Provides criminal immunity for a pregnant woman on whom an abortion was performed, in violation of the criminal prohibition.
- Provides that the criminal prohibition does not repeal or limit any other provision of law that restricts or regulates the performance or inducement of an abortion.
- Requires physicians, when complying with the continuing requirement to report to the Department of Health after each abortion, to indicate a lack of knowledge that the mother's intent to seek an abortion was, in whole or in part, because of:
  - A test result indicating Down syndrome;

- A prenatal diagnosis of Down syndrome; or
- Any other reason to believe the unborn child had Down syndrome.
- Permits the General Assembly, by a joint resolution, to appoint members who sponsored or cosponsored this act to intervene as a matter of right in any case that challenges the constitutionality of the act's provisions, except for the reporting requirements.

### Sub. S.B. 7

**Sens.** Bacon and Manning, Obhof, Beagle, Gardner, Uecker, Eklund, LaRose, Skindell, Huffman, Hite, Brown, Schiavoni, Hoagland, Wilson, Balderson, Burke, Coley, Dolan, Hackett, Hottinger, Jordan, Kunze, Lehner, Oelslager, Peterson, Sykes, Tavares, Terhar, Thomas, Williams, Yuko

**Reps.** Manning, Rezabek, Celebrezze, Butler, Conditt, Cupp, Kent, Rogers, Anielski, Antonio, Arndt, Ashford, Barnes, Blessing, Boggs, Boyd, Carfagna, Clyde, Craig, Duffey, Fedor, Galonski, Gavarone, Holmes, Householder, Howse, Hughes, Ingram, Lanese, Leland, Lepore-Hagan, Miller, O'Brien, Patterson, Patton, Perales, Ramos, Reineke, Retherford, Seitz, K. Smith, Sweeney, Sykes, West

**Effective date:** September 27, 2017

- Provides that in a prosecution for violating a protection order or consent agreement, it is not necessary to prove that the order or agreement was served on the defendant under certain circumstances.
- Declares that the intent is to supersede the Ohio Supreme Court's holding in *State v. Smith* (2013), so that unperfected service of a protection order (or consent agreement) does not preclude prosecution for violating a protection order.
- Expands the circumstances in which the offense of violating a protection order is expressly classified as a fifth degree felony.

### Sub. S.B. 33

**Sens.** Eklund, Huffman, Terhar, Yuko, Williams, Skindell, Hoagland, Hite, Bacon, Coley, Thomas, O'Brien, Burke, Hackett, Lehner, Manning, Obhof, Oelslager, Schiavoni, Tavares, Uecker, Wilson

**Reps.** Manning, Rezabek, Galonski, Kent, Lang, McColley, Rogers, Seitz, Ashford, Barnes, Blessing, Boyd, Brenner, Brown, Craig, Duffey, Gavarone, Ginter, Green, Hambley, Landis, Leland, O'Brien, Perales, Ramos, Scherer, Schuring, Stein, Sweeney, Sykes, West, Wiggam, Young

**Effective date:** March 23, 2018

- Allows disclosure of information from LEADS (the Law Enforcement Automated Data System) to a defendant in a traffic or criminal case, subject to possible redaction upon court order of certain personally identifying information of a witness, law enforcement officer, or prosecutor.
- Permits a state highway patrol trooper to administer oaths and acknowledge criminal and juvenile court documents in matters related to the trooper's official duties, after completing an approved course of in-service training.
- Allows a court to continue an offender on intervention in lieu of conviction (ILC) when the offender has failed to comply with its terms and conditions, continue the offender on ILC with additional terms and conditions, or enter a finding of guilty.

### Am. S.B. 37

**Sens.** Hite, Uecker, Thomas, Sykes, Yuko, Williams, Brown, Wilson, Hackett, Bacon, Balderson, Coley, Dolan, Gardner, Hoagland, Huffman, Kunze, LaRose, Manning, O'Brien, Oelslager, Peterson, Schiavoni, Tavares, Terhar

**Reps.** Hambley, Perales, Antonio, Ashford, Barnes, Boggs, Boyd, Brown, Celebrezze, Craig, Cupp, Galonski, Gavarone, Greenspan, Holmes, Howse, Ingram, Kent, Leland, Manning, Miller, O'Brien, Patterson, Ramos, Reece, Rogers, Sheehy, K. Smith, Strahorn, Sweeney, West, Rosenberger

**Effective date:** December 27, 2017; earmark change effective September 26, 2017

- Requires the Ohio Peace Officer Training Commission to develop and conduct a 40-hour chief of police training course for chiefs of police newly appointed after December 31, 2017.
- Requires that the course content include diversity training with an emphasis on historical perspectives and community-police relations.
- Allows for exemptions or deferrals from the course based on previous equivalent training, medical disability, or other good cause.
- Requires usual compensation to be paid to chiefs of police while attending the course.
- Specifies that the costs of conducting the course are to be paid from state funds appropriated to the Attorney General.
- Modifies a \$150,000 FY 2018 Department of Commerce earmark for fire training center equipment by establishing the earmark under a different line item and changing it from a loan to a grant.

## Economic Development

### Sub. H.B. 69

**Reps.** Cupp, Blessing, Dever, Hambley, Hill, Faber, Seitz, Arndt, Carfagna, Anielski, Antonio, Barnes, Brenner, Edwards, Galonski, Ginter, Holmes, Householder, Kent, Manning, O'Brien, Patterson, Patton, Reineke, Riedel, Rogers, Slaby, Sweeney, Thompson, West, Young

**Sens.** Brown, Dolan, Eklund, Hoagland, Huffman, Lehner, Manning, O'Brien, Oelslager, Sykes, Terhar, Wilson, Yuko

**Effective date:** March 23, 2018; appropriations effective December 22, 2017

- Requires reimbursement of township fire and emergency medical service levy revenue foregone because of the creation of a municipal tax increment financing (TIF) incentive district.
- Stipulates that the reimbursement requirement applies only if the township provides fire, emergency medical, or ambulance services in the incentive district, and only if the ordinance creating the district was adopted on or after the act's March 23, 2018, effective date.
- Authorizes the board of trustees of such a township to waive the reimbursement requirement or to negotiate an agreement for partial reimbursement with the municipal corporation creating the TIF district.
- Allows municipal corporations and townships that created a joint economic development zone (JEDZ) to remove territory from the zone.
- Allows townships to negotiate enterprise zone agreements with retail businesses after the impacted school district waives the retail facilities exclusion.
- Specifies that a school district's waiver of the retail facilities exclusion applies on a facility-by-facility basis.
- Allows counties and transit authorities to levy their local sales and use taxes in increments of either 0.1% or 0.25%, beginning July 1, 2018.
- Increases the transition payments to be made to counties and transit authorities to mitigate their sales tax revenue loss from the cessation of the sales tax on Medicaid managed care services provided by health insuring corporations, and appropriates up to an additional \$80 million for the payments.
- Removes a requirement related to the certification of property tax levy resolutions to the county auditor.

## Education

### Sub. H.B. 170

**Reps.** Carfagna and Duffey, Brenner, LaTourette, Reineke, Boggs, Hambley, Koehler, Anielski, Antani, Arndt, Ashford, Blessing, Craig, Dever, Edwards, Gavarone, Ginter, Green, Hagan, Howse, Huffman, Kent, Lanese, Leland, Manning, Miller, Pelanda, Perales, Rezabek, Ryan, Schaffer, Scherer, Slaby, R. Smith, Stein, Sweeney, Young

**Sens.** Coley, Terhar, Bacon, Balderson, Beagle, Dolan, Eklund, Gardner, Hackett, Hoagland, Hottinger, Kunze, LaRose, Lehner, O'Brien, Oelslager, Peterson, Sykes, Tavares, Uecker, Wilson, Yuko

**Effective date:** March 23, 2018

#### Computer science education

- Requires the State Board of Education, by December 31, 2018, to adopt academic content standards and a model curriculum for computer science.
- Adds computer science instruction as an option to several of the prescribed subjects in the state minimum high school curriculum, but prohibits substitution for life sciences or biology courses.
- Permits a student to choose to apply instruction in computer science as one unit of math or science, regardless of the teacher's field of certification, provided the teacher meets the act's licensure and professional development requirements.
- Generally requires schools to employ only individuals who are licensed in computer science or hold a license endorsement in computer technology to teach computer science courses, but permits licensed individuals to teach the courses if the individual qualifies for a supplemental teaching license for computer science.
- Requires completion of an Advanced Placement computer science professional development program to teach Advanced Placement computer science.
- Authorizes school districts, educational service centers, community schools, and STEM schools to establish computer science and technology funds to support computer science programs and professional development.

#### Auxiliary Services funding

- Permits a chartered nonpublic school that is not religiously affiliated to elect to receive Auxiliary Services funding directly, rather than from the school district in which the school is located.
- Permits chartered nonpublic schools that receive Auxiliary Services funding directly to contract with school districts for certain health services, support services, scoring

services for standardized tests, and security services for which that funding may be used under continuing law.

- Makes other changes regarding the administration of Auxiliary Services funding paid directly to chartered nonpublic schools.

## **Am. Sub. S.B. 8**

*(For details of the act's fiscal provisions, see the LSC Fiscal Note & Local Impact Statement, As Enacted, available at <https://www.legislature.ohio.gov/download?key=8407&format=pdf>)*

**Sens.** Gardner and Terhar, Beagle, Eklund, Hite, Brown, Manning, Oelslager, Uecker, Bacon, Balderson, Dolan, Hackett, Hoagland, Hottinger, Huffman, Kunze, LaRose, Lehner, Obhof, O'Brien, Peterson, Schiavoni, Sykes, Tavares, Thomas, Wilson, Yuko

**Reps.** Gavarone, Hambley, Anielski, Antonio, Arndt, Ashford, Barnes, Blessing, Brenner, Brown, Butler, DeVitis, Fedor, Galonski, Hughes, Ingram, Landis, Manning, O'Brien, Patterson, Patton, Pelanda, Perales, Riedel, Rogers, Seitz, Sheehy, Sweeney, West

**Effective date:** March 23, 2018; appropriations effective December 22, 2017

### **Education**

- Establishes the 1:1 School Facilities Option Program as an alternative to assist certain school districts in constructing, acquiring, or making additions or repairs to a classroom facility.
- Declares that a community school sponsor's overall rating for the 2015-2016 school year must be considered "ineffective," instead of "poor," if it received a score of "3" or a "B" or higher on the academic performance component for that year and appealed its overall rating for that year, and prohibits further action on the appeal.
- Eliminates requirements enacted in the budget act (H.B. 49) that state institutions of higher education accept or award course credit earned elsewhere in Ohio as a substitute for comparable coursework offered at the institution.
- Eliminates the alternative pathway for approval by the Chancellor of Higher Education of an applied bachelor's degree program offered by a two-year state institution of higher education.

### **SERS cost-of-living adjustment**

- Requires the School Employees Retirement Board to determine how long retirees and benefit recipients whose allowances or benefits begin on or after January 1, 2018, must wait before first receiving annual cost-of-living adjustments (instead of waiting 12 months).

## Taxation

### **School district TPP tax reimbursements**

- Increases the payments that certain school districts will receive as reimbursement for their loss of tangible personal property (TPP) tax revenue in FY 2018 and FY 2019.

### **Regional Transportation Improvement Projects (RTIPs)**

- Authorizes the governing board of an existing regional transportation improvement project (RTIP) – instead of the boards of county commissioners – to create a transportation financing district (TFD) in which improvements are exempted from property tax in exchange for service payments.
- Modifies how TFD service payments are calculated and distributed.
- Narrows the class of residential property that may be included in a TFD.
- Modifies and clarifies how surplus TFD and other RTIP revenues are distributed after an RTIP dissolves.

### **Tourism development districts**

- Changes the sources of existing revenue a county may use to fund the tourism development and capital projects in a tourism development district, which currently may only be designated in Stark County.

### **Sales and use tax exemption for corrective eyewear**

- Exempts corrective eyeglasses and contact lenses from sales and use tax beginning July 1, 2019.

### **Rural growth investment credit**

- Authorizes a nonrefundable tax credit for insurance companies that make loans to or investments in special purpose "rural business growth funds" that invest in small businesses having substantial operations in counties with populations under 200,000.
- Limits the total amount of the credits to \$45 million.
- Prescribes a penalty for funds whose investments fail to produce certain job creation and retention benchmarks.

### **Business income deduction for PEO-paid compensation**

- Specifies that a pass-through entity (PTE) investor who is paid wages or guaranteed payments by a professional employer organization hired by the PTE may claim the business income deduction and apply the 3% flat tax rate with respect to the income, provided the investor holds at least a 20% interest in the PTE.

**Veterans organizations grant program**

- Transfers the duty to process state subsidy payments to veterans organizations from the Director of Budget and Management to the Director of Veterans Services.

**Transportation between county jails and courts**

- Allows municipal courts and county courts to contract with county sheriffs for the transportation of persons from the county jail to the municipal court or county court.

**Deputy sheriffs as bailiffs**

- Requires every deputy sheriff of a county to serve ex officio as a deputy bailiff of a municipal court or county court within the county.
- Requires every deputy sheriff of a county to serve ex officio as a bailiff of a county court within the county in which a bailiff has been appointed, but prohibits the deputy sheriff from performing court services similar to those performed by the sheriff for the court of common pleas unless the services are requested by the court.

**Appropriations and earmarks**

- Makes appropriations and revises earmarks for several departments.

## Environment and Natural Resources

### Am. S.B. 2

**Sens.** Hite, Gardner, Manning, Yuko, Williams, Brown, Sykes, LaRose, Bacon, Balderson, Beagle, Burke, Dolan, Eklund, Hackett, Hoagland, Hottinger, Huffman, Kunze, Lehner, Obhof, O'Brien, Oelslager, Peterson, Schiavoni, Tavares, Thomas, Uecker

**Reps.** Landis, Leland, Schaffer, Anielski, Antonio, Arndt, Ashford, Boyd, Clyde, Craig, Duffey, Edwards, Fedor, Galonski, Gavarone, Green, Hambley, Holmes, Hughes, Kent, Lepore-Hagan, Manning, Miller, O'Brien, Patterson, Patton, Reineke, Rogers, Seitz, K. Smith, Strahorn, Sweeney, West

**Effective date:** October 6, 2017

#### **Evaluation and cleanup of landfill facilities and properties**

- Revises the authority of the Director of Environmental Protection to take actions to abate pollution or contamination at a hazardous waste disposal location.
- Applies requirements governing the abatement of pollution at hazardous waste disposal locations to solid waste and construction and demolition debris (C&DD) disposal locations.
- Authorizes the Director to spend money in the Environmental Protection Remediation Fund to conduct investigations at any solid waste or C&DD disposal location.
- With regard to an agreement with an owner of land on which cleanup activities will occur, specifies that an easement granted to the Director may authorize Environmental Protection Agency (OEPA) staff to enter on the land to construct, maintain, repair, remove, or make any other alteration or improvement.
- Specifies that methods of reimbursing the state for costs of cleanup activities under an agreement with a landowner may include assignment of royalties or proceeds from the sale of timber or other resources.
- Generally authorizes the Director to enter into an agreement with a property owner (other than the owner of the land that is subject to cleanup activities) for conducting cleanup activities, including obtaining soil that may be used on land where the activities will be conducted.
- Authorizes the Director to obtain an easement from a property owner who is not the owner of the land subject to cleanup activities to address the use of resources or materials for conducting the activities.

- Authorizes the Director, in the absence of an agreement for reimbursement, to record the unreimbursed costs of cleanup activities with the county recorder, and specifies that the recorded costs constitute a lien against the property.
- Eliminates the requirement that the Director use a particular competitive bidding process to contract for services related to the cleanup of land or a facility, thereby applying general competitive bidding procedures to those contracts.
- Declares that the state is immune from liability for any injury or damage resulting from specified cleanup or remediation activities, provided that the activities do not constitute reckless, willful, or wanton misconduct.
- Specifies that if the legislative or executive authority of a municipal corporation, county, or township has evidence that significant quantities of hazardous waste were disposed of in a C&DD facility within its boundaries, the authority may file a formal written request with the Director to survey the facility.

### **Construction and Demolition Debris Law**

- Establishes requirements governing processing facilities in the C&DD Law.
- Specifies that a "processing facility" is, in part, a site, location, tract of land, installation, or building that is used or intended to be used for processing, transferring, or recycling C&DD that was generated off the premises.
- Requires the Director to adopt rules governing processing facilities, their inspection, and issuance of licenses and permits to install.
- Prohibits a person from operating a processing facility without an annual license issued by the board of health of the local health district, or from the Director if a health district is not approved to regulate C&DD facilities.
- Establishes requirements governing issuance of a permit to install and an annual license for a processing facility that are generally the same as those governing a permit to install and an annual license for a C&DD facility.
- Generally requires the owner or operator of a processing facility existing prior to the effective date of the Director's rules to register the facility and to obtain a license and permit to install for the facility after the Director adopts the rules.
- Requires applicants for an annual processing facility license to pay a \$100 application fee plus a \$650 license fee.

### **Waste Management Fund**

- Revises the uses of money in the Waste Management Fund by eliminating the earmarking of sources of revenue for specified purposes and instead allowing Fund money to be used for any of those purposes.

## **Public water system capability**

- Requires all public water systems to demonstrate technical, managerial, and financial capability by implementing an asset management program by October 1, 2018.
- Authorizes the Director to take certain actions to improve and ensure the capability of a public water system that has failed to make the required demonstration.
- Requires a public water system to incorporate specified information in its asset management program, including an inventory and evaluation of all assets and a long-term funding strategy to support program implementation.
- Requires a public water system, if requested by the Director, to submit a written description of the asset management program within 30 days after receiving the request.
- Authorizes the Director to request a public water system to revise or resubmit a written description of its asset management program if the system fails to submit an acceptable written description of the plan or otherwise fails to demonstrate technical, managerial, and financial capability.
- Authorizes OEPA to provide technical guidance to a public water system in preparing the asset management program or while addressing deficiencies noted in the program.
- Requires the Director to make available a template for small public water systems to assist in preparing an asset management program and to provide information about sources of funding.
- Specifies that a small public water system may meet the requirement to submit a written description of an asset management program by submitting the template or by including with the template a statement that the activities described in the template are being implemented.

## **Receivership of a public water system**

- Authorizes the Director to petition a court of common pleas to appoint a receiver to take possession of and operate a public water system when both of the following apply:
  - The system serves fewer than 500 service connections; and
  - Conditions existing at the system present a threat to public health or welfare.
- Prohibits a court from appointing a receiver to operate a system owned and operated by a public entity or regulated by the Public Utilities Commission.

- Establishes requirements governing the contents of a petition for receivership, notice and hearings, appointment, powers, and duties of a receiver, and termination of a receivership.
- Requires a receiver to obtain court approval for any expenditure exceeding \$15,000.
- Prohibits contracts necessary to carry out the receiver's powers and duties that are valued at \$15,000 or more unless the receiver obtains at least two cost quotations from different vendors.
- Makes a receiver and the Director immune from liability for debts incurred by the owner or operator of a public water system.
- Requires the Director to provide technical assistance to an appointed receiver.

### **Public water systems exemptions**

- Alters one criterion for a public water system to be exempt from the law governing safe drinking water – namely, that the system does not sell water to any person – by requiring the Director to determine whether the system sells or does not sell water.
- Subjects a public water system that is exempted from the law governing safe drinking water to the Director's plans and orders for the provision of safe drinking water in emergencies.

### **Financial assurance requirement for community water systems**

- Requires the owners or operators of certain community water systems to provide financial assurance, in a form approved by the Director, when submitting plans to construct, install, or make a substantial modification, instead of requiring a cash deposit in escrow as in former law.
- Increases the maximum financial assurance from \$50,000 to \$100,000.

### **Discharge to a privately owned treatment works**

- Specifies that the exclusion of the discharges of waste into a sewerage system to a treatment works from the law prohibiting polluting state waters does not authorize a discharge to a privately owned treatment works in violation of any permit conditions established under federal law.

### **Section 401 water quality certification**

- Authorizes the Director to justifiably waive a section 401 water quality certification, pursuant to an appealable action, for any applicant for a federal license or permit to conduct any activity that may result in a discharge into state waters.
- Authorizes the Director, at the request or concurrence of a certification holder, to transfer or modify a certification.

- Authorizes the Director to revoke a certification if the certification's approval was based on false or misleading information.

### **Dredged material**

- Prohibits a person from using, managing, or placing dredged material in any location unless authorized to do so in circumstances specified by the act.
- Defines dredged material as material excavated or dredged from a federal navigation channel during harbor or navigation maintenance activities.
- Applies existing civil and criminal penalties to the prohibition.
- Authorizes the Director to adopt rules governing the beneficial use of dredged material and the beneficial use of material excavated or dredged from adjacent or connected commercial maritime port facilities necessary to protect public health, safety, and the environment.

### **Certified water quality professionals**

- Requires the Director to establish a program and adopt rules governing the certification of water quality professionals to assess streams and categorize wetlands in support of applications for section 401 water quality certifications and isolated wetland permits.
- Requires the Director to establish a multi-sector work group to assist in the development of the rules.
- Revises the Director's rule-making authority regarding audits of certified water quality professionals and establishes rule-making authority regarding the public disclosure of information concerning a certified water quality professional.
- Requires the Director to issue or deny a section 401 water quality certification within 90 days after receiving a complete application when a certified water quality professional conducts a stream or wetland assessment to support the application.
- Specifies that an applicant for a certification or an isolated wetlands permit is not required to use the services of a certified water quality professional.

### **Blast furnace and steel slag**

- Exempts blast furnace slag and steel slag from certain requirements of the Water Pollution Control Law, such as requirements governing permits for discharges into the waters of the state.
- Prohibits the placement or management of blast furnace slag and steel slag in a manner that results in an exceedance of water quality standards, primary or secondary contaminant levels for ground water, any discharge prohibited by federal environmental law, or a threat to public health, safety, or the environment.

## **Ohio Lake Erie Commission**

- Adds two members from the Great Lakes Protection Fund Board to the Ohio Lake Erie Commission.
- Requires the Commission, by July 31 of each odd-numbered year, to publish a Lake Erie Protection and Restoration Strategy describing the Commission's goals and prioritizing the uses of the Lake Erie Protection Fund and other funds for the following fiscal year.
- Establishes new duties for the Commission, such as serving as a repository and clearinghouse for public information related to Lake Erie and the Lake Erie basin and collecting and distributing that information at the Commission's discretion.
- Eliminates other Commission duties, such as recommending policies and programs to modify the coastal management program of Ohio.
- Authorizes the Commission to dissolve public advisory councils established to assist in implementing programs instituted under the laws governing the Commission, but retains the authority to establish the councils.
- Specifies that members of the Commission and members of a public advisory council may be reimbursed for actual and necessary expenses incurred in performing their official duties.

### **Lake Erie Protection Fund**

- Eliminates several purposes for which the Commission could use the Lake Erie Protection Fund, such as supplementing state commitments to policies and programs pertaining to Lake Erie water quality and resource protection.
- Revises one of the uses of the Fund by specifying that it may be used for funding cooperative research, data gathering, or demonstration projects related to the priorities outlined in the Lake Erie Protection and Restoration Strategy.
- Allows grants from the Fund to be used for projects and programs designed to address priorities outlined in the Lake Erie Protection and Restoration Strategy.

## Financial Institutions and Consumer Finance

### Sub. H.B. 199

**Reps.** Blessing, Seitz, Wiggam, Sprague, Brenner, Hughes, Dever, Carfagna, Hambley, Miller, Patton, Schaffer, Scherer, Young

**Sens.** Hottinger, Coley, Dolan, Eklund, Gardner, Hackett, Hoagland, Oelslager, Terhar, Wilson

**Effective date:** March 23, 2018

- Limits the application of the "Mortgage Loan Law" to unsecured loans, and loans secured by other than residential real estate or a dwelling.
- Creates the Ohio Residential Mortgage Lending Act (RMLA) to regulate all nondepository lending secured by residential real estate.
- Modifies an exemption from the Consumer Installment Loan Act.

### Sub. S.B. 24

**Sens.** Terhar, Beagle, Hackett, Bacon, Coley, Eklund, Gardner, Hite, Hoagland, Hottinger, Huffman, Jordan, LaRose, Lehner, Manning, Peterson, Thomas, Wilson

**Reps.** Dever, Arndt, Blessing, Brenner, Conditt, Ginter, Green, Hambley, Johnson, Koehler, Leland, Manning, Reineke, Rogers, Seitz, Sheehy, K. Smith, R. Smith, Stein, Sweeney, West, Young

**Effective date:** September 12, 2017

#### Ohio Consumer Installment Loan Act

- Creates the Ohio Consumer Installment Loan Act (CILA), which establishes a regulatory framework for loans that are for a term of at least six months, generally require equal monthly payments, have an interest rate less than a specified maximum, and cannot be refinanced within the first 120 days.
- Excludes specific transactions, such as credit transactions secured by an interest in the borrower's residential mortgage loan and credit transactions made by specified registered and licensed lenders under continuing law, from CILA.

#### Loan terms

- Establishes guidelines for loan transactions under CILA, including requirements regarding the loan contract, insurance, payments, interest rates, and other charges.
- Requires a CILA licensee to provide disclosures to the borrower of the loan's maturity date and federal and state statutory authority to issue the loan, including a

notice at the bottom of the first page of the loan agreement that the loan is made pursuant to CILA.

- Permits loans issued under CILA to be either interest-bearing or precomputed, and permits a licensee to contract for and receive interest up to 25% per year on the unpaid principal balances on a closed-end loan and 28% per year on an open-end loan.
- Permits a licensee, at a borrower's request, to obtain on the borrower credit life, credit accident and health, and unemployment insurance, and include the insurance premium or charge in the principal amount of the loan.
- Permits the licensee to charge and receive costs and disbursements in connection with any suit to collect on the loan or security interests after default, including reasonable attorney fees.
- Permits the licensee to include additional charges in the principal amount or collect after the loan is made fees to record, file, or release a security interest, for insuring against losses for failure to record or file, and for credit investigations.
- Restricts the amount a licensee may charge for a loan origination, charge check collection, credit investigation, and default charge fees.
- Prohibits a CILA licensee from engaging in specified activities while making loans under CILA, including assessing too frequent origination fees, accepting dated instruments, and paying less than the agreed amount.
- Requires a CILA licensee to comply with the "Fair and Accurate Credit Transactions Act of 2003," the "Gramm Leach Bliley Act," and the rules adopted pursuant to those federal acts.

## **Licenses**

- Establishes application procedures and criteria for a CILA license, including fees and investigation of the person in control of the prospective licensee.
- Permits a CILA license to be renewed annually by paying a renewal fee, assessments determined by the Superintendent of Financial Institutions, and fees required by the Nationwide Mortgage Licensing System and Registry.
- Requires a licensee to notify the Division of Financial Institutions of material changes to the information in the application and related documents or a change of 5% or more of the licensee's ownership.
- Permits a CILA licensee to also be licensed under the Mortgage Loan Law.

## Enforcement and oversight

- Permits the Superintendent to adopt rules to enforce CILA.
- Requires the Superintendent to annually publish an analysis of the information submitted by licensees concerning their business and operation.
- Permits the Superintendent to investigate alleged violations of CILA or CILA rules at the Superintendent's own decision or pursuant to a complaint, apply for a court order to enjoin a violation, and issue cease-and-desist orders.
- Authorizes the Division to revoke, suspend, or refuse to renew a CILA license, or impose a fine of up to \$25,000, for a violation of a CILA requirement or other law or rule that applies to the business conducted under a CILA license.
- Permits the Ohio Attorney General to bring an action to enjoin a violation of CILA, with the same rights, privileges, and powers as those described under the Consumer Sales and Practices Act.
- Permits a county prosecutor to bring an action to enjoin a violation of CILA, if the prosecutor first presents evidence of the violation to the Attorney General and the Attorney General has not agreed to bring the action within a reasonable time.

## Advertisements, records, and reports

- Establishes guidelines for advertisements of CILA loans, and provides that a person who recklessly violates an advertising requirement is subject to a fine of \$1 to \$500.
- Requires CILA licensees to maintain advertisement and loan records for two years and that they be readily available for inspection by the Division at all times.
- Requires certain records under CILA pertaining to loans, collection litigation, and repossessions and foreclosures to be retained in electronic form, but permits them to be kept in paper form with the Superintendent's approval.
- Requires the Division to examine loan records once every 24 months to determine a licensee's compliance with CILA and to verify the licensee's annual report.
- Requires a licensee to file (1) reports with the Nationwide Mortgage Licensing System and Registry that contain information it may require and (2) an annual report with the Superintendent concerning the licensee's operation for the preceding calendar year.
- Requires confidentiality of individual reports filed by the licensee with the Superintendent and certain application, examination, and investigation information acquired by the Superintendent.

## Gambling

### H.B. 32

**Reps.** Seitz, Greenspan, Riedel, Hughes, Young, Kent, Bishoff, Blessing, Manning, McColley, Rogers, Miller, Patton, Reece, Retherford, Rezabek, Sheehy, Rosenberger

**Sens.** Huffman, Eklund, Hackett, Hoagland, O'Brien, Schiavoni, Terhar, Thomas, Uecker

**Effective date:** September 12, 2017

- Allows a casino operator or employee to participate in casino gaming at a casino facility, so long as the operator or employee does not have an interest in the facility, is not employed at the facility, and does not have an interest or employment at an affiliated facility in Ohio.

### Sub. H.B. 132

**Reps.** Dever and McColley, Blessing, Cera, Seitz

**Sens.** Burke, Eklund, Oelslager

**Effective date:** March 23, 2018

- Grants the Ohio Casino Control Commission authority to investigate, license, penalize, and regulate anyone conducting or participating in a "fantasy contest."
- Defines "fantasy contest" as a simulated contest with an entry fee, where prize values are known in advance, the outcome is determined by conditions related to statistical results based on a player's skill in anticipating the performance of a roster of athletes and the contest does not involve horses or horse racing.
- Requires a fantasy contest operator to obtain a license from the Commission to operate a fantasy contest in Ohio.
- Requires the Commission to adopt rules to govern the conduct of a fantasy contest, including rules excluding certain individuals from playing, governing internal procedures of fantasy contest operators, and establishing licensure conditions.
- Requires a fantasy contest operator to conduct audits as determined sufficient by the Commission.
- Prohibits a fantasy contest operator from offering fantasy contests based on youth or college sports, allowing contest players to use certain computer programs, targeting certain persons in advertising materials, or operating fantasy contests on a kiosk in a business location.
- Exempts fantasy contests from the Gambling Law.

## Highways and Transportation

### Am. H.B. 9

**Reps.** Koehler, O'Brien, Ashford, Riedel, Green, Sheehy, T. Johnson, Antani, Arndt, Faber, Gavarone, Ginter, Hambley, Holmes, Miller, Patterson, Patton, Rogers, Sweeney, Thompson, West

**Sens.** Beagle, Oelslager, Tavares, Uecker, Wilson

**Effective date:** Emergency, April 30, 2017

- Narrows a provision of law that authorized a vehicle to proceed through an intersection if the traffic control signal was malfunctioning by both:
  - Applying the provision only to bicycles; and
  - Specifying that a bicycle may proceed through the intersection only if the signal is malfunctioning due to a failure of the vehicle detector to detect the bicycle.

### Sub. S.B. 134

**Sens.** Gardner, Uecker, Tavares, Hottinger, Kunze, Brown, Beagle, LaRose, Bacon, Balderson, Burke, Coley, Dolan, Eklund, Hackett, Hoagland, Huffman, Jordan, Lehner, Obhof, O'Brien, Oelslager, Schiavoni, Skindell, Sykes, Terhar, Thomas, Wilson, Yuko

**Reps.** Green, Greenspan, Sheehy, Householder, Hughes, T. Johnson, Lepore-Hagan, West, Anielski, Antonio, Arndt, Ashford, Barnes, Blessing, Boccieri, Boggs, Boyd, Brenner, Brown, Butler, Celebrezze, Cera, Clyde, Craig, Cupp, Dever, Edwards, Faber, Fedor, Galonski, Gavarone, Ginter, Hagan, Hambley, Hill, Holmes, Howse, Ingram, Kelly, Kent, Lanese, Lang, Leland, Lipps, Miller, Patmon, Patterson, Patton, Pelanda, Perales, Ramos, Reineke, Retherford, Riedel, Roegner, Romanchuk, Ryan, Schaffer, Scherer, Schuring, K. Smith, Stein, Strahorn, Sweeney, Sykes, Thompson, Wiggam, Young

**Effective date:** March 23, 2018

- Designates 28 new memorial highways, one new bridge, and one new picnic area.
- Creates 21 new nonstandard license plates and amends two existing nonstandard license plates.

# Insurance

## Sub. S.B. 169

**Sens.** Wilson, Eklund, Hackett, Hottinger, Bacon, Burke, Coley, Hoagland, Huffman, Manning, O'Brien, Oelslager, Terhar, Thomas

**Reps.** Anielski, Ashford, Boyd, Craig, Green, Holmes, Kent, Lepore-Hagan, Rogers, Schaffer, Scherer, Schuring, Seitz, Sprague

**Effective date:** Travel insurance and internationally active insurance group provisions effective June 21, 2018; provisions addressing insurer-members of home loan banks effective March 23, 2018

### Travel insurance

- Defines travel insurance and distinguishes travel insurance from longer-term medical insurance coverage for persons spending six months or more overseas, such as expatriates or deployed military personnel.
- Establishes travel insurance as a limited line in the Revised Code and authorizes the Superintendent of Insurance to issue a limited lines travel insurance license to qualified individuals or business entities.
- Requires the licensee to designate one employee as the agent responsible for ensuring compliance with the travel insurance law, and makes the licensee and responsible agent responsible for the acts of any associated travel retailer.
- Permits a travel retailer to offer and sell travel insurance in conjunction with making or offering travel services under the direction of a licensed limited lines travel insurance agent, and prohibits the travel retailer from providing technical insurance-related services.
- Requires travel insurance agents and travel retailers to disclose specified information to customers, including material terms, the claim filing process, the cancellation process, and contact information.
- Authorizes the Superintendent to take action as provided in current law for any violation of the act's travel insurance provisions.

### Supervision of internationally active insurance groups

- Authorizes the Superintendent to act as, or appoint another regulatory official to act as, the group-wide supervisor for any internationally active insurance group, and provides standards for when an appointment may be made.
- Requires the Superintendent to cooperate with other state, federal, and international regulatory agencies in appointing a group-wide supervisor.

- Allows the Superintendent to collect from a registered member of an insurance holding company system all information necessary to determine who may act as the group-wide supervisor.
- Permits the Superintendent, when acting as the group-wide supervisor, to assess the enterprise risks within the group to ensure that the material financial condition and liquidity risks to group members are identified and that reasonable and effective mitigation measures are in place.
- Allows the Superintendent to obtain information from insurers necessary and appropriate to assess that enterprise risk.
- Authorizes the Superintendent to coordinate with officials in other jurisdictions to mitigate any enterprise risk to members of the group for which the Superintendent is the group-wide supervisor when those members are domiciled in those other jurisdictions.
- Allows the Superintendent to (1) work and share information with other regulatory agencies regarding group members, (2) enter agreements with or obtain documentation from insurers and regulatory agencies regarding the supervisor's role, and (3) undertake any other necessary supervision activities.
- Requires registered members of insurance holding company systems to pay reasonable expenses of the Superintendent's participation in the administration of the act's internationally active insurance group provisions.
- Allows the Superintendent to adopt rules in accordance with the Administrative Procedure Act to implement the act's internationally active insurance group provisions.

### **Delinquency proceedings involving insurer-members of federal home loan banks**

- Limits the time a federal home loan bank can be stayed from acting on an insurer-member's collateral in a delinquency proceeding to ten days following the issuance of an injunction or other order.
- Requires a federal home loan bank to repurchase an insurer-member's excess capital stock within seven days of a redemption request.
- Requires a federal home loan bank to provide a court-appointed receiver, conservator, rehabilitator, or liquidator a process and timeline for dealing with the release of collateral by the bank, payment of fees by the insurer-member, and redemption of the insurer-member's stock by the bank.
- Requires a federal home loan bank to provide any available options for renewing or restructuring a loan upon request of the court's appointee.

- Exempts from an existing fraudulent transaction presumption relating to insurers in delinquency a transfer of money or property from an insurer-member to its federal home loan bank if certain criteria apply.

## Local Government

### H.B. 103

**Reps.** Reineke, Blessing, Cupp, Dever, Riedel, Wiggam, Anielski, Hambley, Bishoff, Antonio, Arndt, Conditt, Green, Greenspan, Keller, Miller, Perales, Retherford, Rezabek, Rogers, Scherer, Seitz, R. Smith, Sprague, Sweeney, West, Young

**Sens.** Coley, Uecker, Balderson, Burke, Eklund, Hackett, Hite, Hoagland, Huffman, Obhof, Peterson, Wilson

**Effective date:** October 17, 2017

- Modifies the appointing authorities and composition of a financial planning and supervision commission that has been established for a municipal corporation, county, or township (hereinafter, a "local government") that is in a state of fiscal emergency.
- Changes provisions that apply to appointed commission members.
- Requires the financial plan submitted to the commission to include a description of the source and amount of all funds available to the local government, including restricted funds.
- Requires the financial plan to provide for the use of all funds available to the local government, with exceptions.
- Authorizes the commission, under certain circumstances, to prohibit expenditures from the general fund and all funds of the local government in any month from exceeding 85% of expenditures from the general fund and all funds for that month in the preceding fiscal year.
- Incorporates new expenditure limitations into continuing expenditure restrictions for purposes of applying certain financial plan noncompliance and penalty laws.
- Retains the fiscal watch law that changed the time period for filing a financial recovery plan and that added a condition for moving a local government from a fiscal watch to a fiscal emergency.

## Am. S.B. 71

**Sens.** Manning, Brown, Hoagland, Huffman, Yuko, Tavares, Hackett, Beagle, Burke, Coley, Dolan, Eklund, Hite, Obhof, O'Brien, Oelslager, Terhar, Wilson

**Reps.** Anielski, Hambley, Carfagna, Antonio, Arndt, Brenner, Brown, Craig, Gavarone, Ginter, Green, Greenspan, Holmes, T. Johnson, LaTourette, Leland, Lepore-Hagan, Manning, O'Brien, Patterson, Patton, Perales, Reineke, Riedel, Rogers, Schuring, R. Smith, Strahorn, Sweeney, Thompson, West, Wiggam, Young

**Effective date:** March 23, 2018

- Allows a board of alcohol, drug addiction, and mental health services to authorize its executive director to execute emergency contracts for clinical services or recovery support services, as well as standard service contracts for the board's operations, valued at \$25,000 or less without the board's prior approval.
- Allows the Director of Budget and Management to make temporary cash transfers from the General Revenue Fund to the Targeting Addiction Assistance Fund (Fund 5TZ0) during FY 2018 and FY 2019.

## Special Designations

### H.B. 59

**Reps.** Leland and West, Ramos, Brenner, Cera, Romanchuk, Thompson, Boggs, Rogers, G. Johnson, Boyd, Craig, Kent, Riedel, K. Smith, Faber, Sykes, Sheehy, Arndt, Fedor, Ashford, Hambley, Carfagna, Dean, Hill, Anielski, Antonio, Barnes, Blessing, Boccieri, Celebrezze, Clyde, Cupp, Dever, Gavarone, Ginter, Green, Hagan, Henne, Holmes, Householder, Howse, Ingram, T. Johnson, Kelly, Landis, Lepore-Hagan, Manning, Miller, O'Brien, Patterson, Patton, Perales, Reineke, Ryan, Scherer, Schuring, R. Smith, Sprague, Stein, Strahorn, Sweeney, Young

**Sens.** Hackett, Bacon, Balderson, Beagle, Brown, Burke, Coley, Dolan, Eklund, Gardner, Hite, Hoagland, Hottinger, Huffman, Jordan, Kunze, LaRose, Lehner, Manning, Obhof, O'Brien, Oelslager, Peterson, Schiavoni, Skindell, Tavares, Terhar, Thomas, Uecker, Williams, Wilson, Yuko

**Effective date:** December 27, 2017

- Designates October 7 as "Moses Fleetwood Walker Day."

### H.B. 84

**Reps.** Arndt and Patton, Greenspan, Anielski, Hambley, Bishoff, Antonio, Blessing, Brenner, Celebrezze, Dever, DeVitis, Fedor, Gavarone, Ginter, Holmes, Hood, Hughes, Johnson, Landis, Leland, Lepore-Hagan, Manning, Ramos, Reineke, Riedel, Rogers, Schaffer, Sheehy, K. Smith, Stein, Strahorn, Sweeney, West, Young

**Sens.** Gardner, Williams, Skindell, Hite, Hottinger, LaRose, Bacon, Balderson, Beagle, Brown, Burke, Coley, Dolan, Eklund, Hackett, Hoagland, Huffman, Kunze, Lehner, Manning, Obhof, O'Brien, Oelslager, Peterson, Schiavoni, Sykes, Tavares, Thomas, Uecker, Wilson, Yuko

**Effective date:** August 15, 2017

- Designates June as "Ohio Goes Boating Month."

### H.B. 94

**Reps.** Sykes and Perales, Antonio, Ashford, Boggs, Boyd, Butler, Cupp, Clyde, Dever, Fedor, Lepore-Hagan, Howse, G. Johnson, O'Brien, Ramos, Sheehy, K. Smith, West, Anielski, Hambley, Bishoff, Arndt, Barnes, Brenner, Celebrezze, Cera, Craig, Duffey, Edwards, Gavarone, Ginter, Green, Greenspan, Hagan, Holmes, Householder, Hughes, Ingram, Johnson, Kelly, Kent, Landis, LaTourette, Manning, Miller, Patterson, Patton, Pelanda, Reece, Reineke, Retherford, Riedel, Roegner, Rogers, Ryan, Slaby, Sprague, Stein, Sweeney, Young

**Sens.** Eklund, Bacon, Balderson, Beagle, Brown, Burke, Coley, Dolan, Hackett, Hite, Hoagland, Hottinger, Huffman, Jordan, Kunze, LaRose, Lehner, Manning, Obhof, O'Brien, Peterson, Schiavoni, Sykes, Tavares, Terhar, Uecker, Williams, Wilson, Yuko

**Effective date:** January 18, 2018

- Designates February as "Teen Dating Violence Awareness Month."

## H.B. 196

**Reps.** Lipps, West, Sprague, Riedel, Wiggam, R. Smith, Bocchieri, Thompson, Sweeney, Lepore-Hagan, Antonio, Stein, Cupp, Miller, Huffman, Gavarone, Antani, T. Johnson, Ashford, Barnes, Brenner, Carfagna, Celebrezze, Craig, DeVitis, Faber, Galonski, Ginter, Goodman, Green, Greenspan, Hagan, Holmes, Kelly, Landis, Lang, LaTourette, O'Brien, Patterson, Patton, Perales, Reineke, Rogers, Romanchuk, Ryan, Schaffer, Sheehy, Strahorn, Young

**Sens.** Hackett, Brown, Sykes, Beagle, Gardner, Tavares, Burke, Eklund, Hoagland, Hottinger, Huffman, Jordan, Kunze, LaRose, Lehner, Manning, Obhof, O'Brien, Oelslager, Peterson, Skindell, Terhar, Thomas, Uecker, Wilson, Yuko

**Effective date:** March 23, 2018

- Designates October as "Ohio Chiropractic Awareness Month."

## Sub. S.B. 3

**Sens.** Beagle and Balderson, Bacon, Brown, Gardner, Hite, Hoagland, Manning, Tavares, Terhar, LaRose, Hottinger, Uecker, Coley, Dolan, Eklund, Hackett, Huffman, Kunze, Lehner, Obhof, O'Brien, Oelslager, Peterson, Sykes, Williams, Wilson, Yuko

**Reps.** Duffey, Romanchuk, Anielski, Antani, Antonio, Arndt, Ashford, Barnes, Boggs, Boyd, Brown, Carfagna, Clyde, Craig, Cupp, Dever, Edwards, Galonski, Gavarone, Ginter, Green, Greenspan, Hagan, Hambley, Hill, Holmes, Howse, Hughes, Johnson, Kent, Kick, Landis, Lanese, Lang, Leland, Lepore-Hagan, Manning, Miller, O'Brien, Patterson, Reece, Reineke, Riedel, Rogers, Ryan, Schaffer, Schuring, Seitz, Sheehy, Slaby, K. Smith, R. Smith, Sprague, Stein, Strahorn, Sweeney, West, Young, Rosenberger

**Effective date:** February 5, 2018

- Designates the full week beginning on the first Monday in May as "In-Demand Jobs Week."
- Requires the Governor's Office of Workforce Transformation, in collaboration with other agencies, to organize activities annually during that week for educators, students, and parents with respect to Ohio's in-demand jobs.

## Am. S.B. 23

**Sens.** Terhar, Tavares, Brown, Balderson, Beagle, Burke, Coley, Eklund, Gardner, Hackett, Hite, Hoagland, Huffman, Jordan, Kunze, LaRose, Lehner, Manning, Obhof, O'Brien, Oelslager, Peterson, Sykes, Thomas, Uecker, Williams, Wilson, Yuko

**Reps.** T. Johnson, Huffman, Anielski, Antonio, Arndt, Ashford, Barnes, Bishoff, Blessing, Brenner, Celebrezze, Craig, Dever, Gavarone, Ginter, Green, Hagan, Hambley, Holmes, Hughes, G. Johnson, Kent, Leland, Lepore-Hagan, O'Brien, Patmon, Patterson, Patton, Pelanda, Ramos, Reineke, Riedel, Rogers, Schaffer, Sheehy, Sprague, Strahorn, Sweeney, Sykes, West, Young

**Effective date:** June 30, 2017

- Designates January 31 as "Omphalocele Awareness Day."

## S.B. 27

**Sens.** Beagle, Bacon, Brown, Eklund, Gardner, Manning, Obhof, Schiavoni, Thomas, Uecker, Williams, Yuko, Hoagland, Oelslager, Tavares, Burke, Kunze, Hackett, Balderson, Coley, Dolan, Hite, Hottinger, Huffman, Jordan, LaRose, Lehner, Peterson, Skindell, Sykes, Terhar, Wilson

**Reps.** Hambley, Boyd, Carfagna, Anielski, Brenner, Brown, Celebrezze, Clyde, Craig, Duffey, Edwards, Galonski, Ginter, Greenspan, Hagan, Holmes, Hughes, Ingram, Johnson, Kent, Kick, Landis, Lanese, Lang, LaTourette, Leland, Lepore-Hagan, Miller, O'Brien, Patterson, Patton, Pelanda, Perales, Ramos, Reece, Reineke, Retherford, Rezabek, Riedel, Rogers, Romanchuk, Ryan, Schaffer, Schuring, K. Smith, R. Smith, Sprague, Stein, Strahorn, Sweeney, Sykes, Thompson, West, Young

**Effective date:** January 18, 2018

- Designates March 13 through April 15 as "Ohio Deaf History Month."

## S.B. 57

**Sens.** Kunze, Coley, Brown, Beagle, Eklund, Schiavoni, Oelslager, Yuko, Hackett, Lehner, Tavares, Gardner, Bacon, Balderson, Burke, Dolan, Hite, Hoagland, Huffman, LaRose, Manning, Obhof, O'Brien, Peterson, Skindell, Sykes, Terhar, Thomas, Uecker, Williams, Wilson

**Reps.** Huffman, Gavarone, Antonio, Barnes, Duffey, Ginter, Kent, LaTourette, Lepore-Hagan, West, Ashford, Boyd, Brown, Carfagna, Celebrezze, Craig, Faber, Galonski, Greenspan, Hagan, Holmes, Ingram, T. Johnson, Landis, Lanese, O'Brien, Patton, Ramos, Rogers, Schaffer, Scherer, Sheehy, Sprague, Stein, Strahorn, Sweeney, Wiggam, Young

**Effective date:** December 27, 2017

- Designates May 17 as "Diffuse Intrinsic Pontine Glioma Awareness Day."

## S.B. 62

**Sens.** Yuko, Thomas, Brown, Williams, Huffman, Hackett, Eklund, Tavares, Schiavoni, Beagle, Sykes, LaRose, Coley, Uecker, Skindell, Bacon, Balderson, Burke, Dolan, Gardner, Hite, Hoagland, Hottinger, Kunze, Lehner, Manning, Obhof, O'Brien, Oelslager, Peterson, Terhar, Wilson

**Reps.** Hambley, Anielski, Ashford, Barnes, Boyd, Brenner, Brown, Carfagna, Celebrezze, Clyde, Craig, Galonski, Ginter, Green, Greenspan, Holmes, Howse, Ingram, T. Johnson, Kent, Leland, Lepore-Hagan, Miller, Patterson, Patton, Ramos, Riedel, Rogers, Romanchuk, Ryan, Schaffer, Schuring, Sheehy, K. Smith, Sprague, Sweeney, Sykes, West, Young

**Effective date:** March 23, 2018

- Designates July 8 as "Harrison Dillard Day."

## State Government

### Sub. H.B. 31

**Reps.** Cupp, Arndt, Becker, Blessing, Conditt, Goodman, Green, Householder, Huffman, Koehler, Lipps, Reineke, Riedel, Roegner, Scherer, Seitz, Schaffer, Sprague, Stein, Anielski, Hambley, Antani, Dever, Duffey, Edwards, Faber, Gavarone, Ginter, Henne, Manning, McColley, Miller, Patton, Perales, Rezabek, Rogers, Ryan, Slaby, R. Smith, Sweeney, Thompson, West, Wiggam, Young

**Sens.** Coley, Balderson, Dolan, Eklund, Hackett, Hite, Hoagland, Huffman, Jordan, Lehner, Manning, Obhof, O'Brien, Oelslager, Peterson, Terhar, Uecker, Wilson

**Effective date:** February 20, 2018

- Abolishes the Government Contracting Advisory Council and the Local Government Innovation Council.
- Requires the Director of Development Services to issue a report to the Governor and the General Assembly concerning the effectiveness of the Local Government Innovation Program.
- Revives the RECLAIM Advisory Committee, which advises the Department of Youth Services about allocating funds to counties for felony delinquent care and custody programs.
- Formally abolishes 11 boards that had ceased to exist.
- Repeals recently enacted law allowing a notary public to become an electronic notary public and to use electronic communications devices to notarize documents.
- Eliminates the requirement that an officer who is appointed by the Governor to serve in a compensated appointive office pay a \$5 commission fee to the Secretary of State.

## Taxation

### Am. H.B. 11

**Reps.** Scherer, Schaffer, Rogers, Blessing, Hambley, Henne, Retherford, Anielski, Antonio, Ashford, Barnes, Boyd, Craig, Dever, Ginter, Green, Holmes, Householder, T. Johnson, McColley, Miller, O'Brien, Patterson, Patton, Reineke, Riedel, Ryan, Seitz, R. Smith, Sprague, Sweeney, Thompson, Wiggam, Young, Rosenberger

**Sens.** Eklund, Williams, Terhar, Beagle, Peterson, Wilson, Balderson, Coley, Dolan, Hackett, Hite, Hoagland, Hottinger, Huffman, LaRose, Lehner, Manning, Obhof, Oelslager, Tavares, Thomas, Uecker

**Effective date:** Emergency, March 30, 2017

- Incorporates into Ohio income tax law changes to federal tax law taking effect since February 14, 2016.

### H.B. 118

**Reps.** Merrin, Koehler, Roegner, Becker, Brinkman, Vitale, Riedel, Dean, Hood, Seitz, Duffey, Thompson, Faber, Schaffer, Rogers, Hambley, Anielski, Arndt, Butler, Carfagna, Cupp, Dever, Gavarone, Ginter, Goodman, Greenspan, Hagan, Ingram, Manning, McColley, Miller, O'Brien, Patterson, Patton, Reineke, Retherford, Romanchuk, Ryan, Schuring, Sheehy, Sprague, Stein, Sweeney, Wiggam, Young

**Sens.** Hackett, Eklund, Brown, Burke, Coley, Gardner, Hoagland, Huffman, Jordan, Lehner, Manning, Obhof, O'Brien, Oelslager, Terhar, Thomas, Uecker, Wilson

**Effective date:** February 5, 2018

- Expressly prohibits the dismissal of a property tax complaint for failure to correctly identify the property owner.

### Sub. H.B. 124

**Reps.** Brenner and Carfagna, Hambley, Goodman, Green, Hughes, Ingram, T. Johnson, Rogers, Schaffer, Scherer, Sprague, Strahorn, Sweeney, West

**Sens.** Beagle, Burke, Eklund, Hackett, Hoagland, Huffman, LaRose, Terhar, Uecker

**Effective date:** Emergency, June 28, 2017

- Authorizes boards of county commissioners to propose, as a single ballot question, a bond levy for the acquisition or improvement of a criminal justice facility and either or both of the following: a levy for related improvements not financed by those bonds and an operating levy for the expenses associated with running the facility and other criminal justice services.

- Authorizes a joint vocational school district (JVSD) to submit a property tax question to parts of the JVSD territory where the question was mistakenly omitted from the ballots in November 2015.
- Excuses the JVSD from paying election costs related to the submission of that question.
- Requires the Tax Commissioner and county auditors to consider the tax validly levied if the aggregate vote totals from the November 2015 election and the newly authorized election indicate passage of the levy.

## Am. S.B. 9

**Sens.** Bacon, Hottinger, Manning, Obhof, Eklund, Hoagland, Balderson, Uecker, Gardner, Beagle, Yuko, Hite, Lehner, LaRose, Williams, Schiavoni, O'Brien, Hackett, Wilson, Peterson, Brown, Burke, Dolan, Oelslager, Sykes, Thomas

**Reps.** Schaffer, Scherer, Rogers, Cera, Green, Hambley, Patmon, Retherford, Ryan, Anielski, Antani, Antonio, Arndt, Barnes, Brenner, Carfagna, Celebrezze, Clyde, Conditt, Craig, DeVitis, Duffey, Edwards, Faber, Gavarone, Ginter, Greenspan, Hagan, Hill, Holmes, Householder, Huffman, Hughes, Ingram, T. Johnson, Keller, Kelly, Kick, Koehler, Landis, Lanese, LaTourette, Leland, Lepore-Hagan, Manning, Miller, O'Brien, Patterson, Patton, Pelanda, Perales, Reece, Reineke, Rezabek, Roegner, Romanchuk, Schuring, Seitz, Sheehy, Slaby, Sprague, Stein, Strahorn, Sweeney, Thompson, West, Wiggam, Young, Rosenberger

**Effective date:** Emergency, June 13, 2017

- Exempts sales of clothing and school supplies and instructional materials from sales and use taxation during August 4, 5, and 6, 2017.

## HISTORY OF BILLS THAT BECAME ACTS

Listed on the following pages is the legislative history of each bill enacted in 2017. 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 & Long Term Care	AG     Agriculture
AGD    Agriculture & Rural Development	ED     Education
AVS    Armed Services, Veterans Affairs & Homeland Security	ENR    Energy & Natural Resources
CVJ    Civil Justice	FIN     Finance
CFA    Community & Family Advancement	GOR    Government Oversight & Reform
CRJ    Criminal Justice	HHM    Health, Human Services & Medicaid
EWD    Economic Development, Commerce & Labor	INF    Insurance & Financial Institutions
EDC    Education and Career Readiness	JUD    Judiciary
ENR    Energy & Natural Resources	LSV    Local Government, Public Safety & Veterans Affairs
FIR    Federalism & Interstate Relations	PU     Public Utilities
FIN    Finance & Appropriations	TCW    Transportation, Commerce & Workforce
FHD    Financial Institutions, Housing & Urban Development	WM    Ways & Means
GAO    Government Accountability & Oversight	
HEA    Health	
HED    Higher Education & Workforce Development	
INS    Insurance	
PU     Public Utilities	
RR    Rules & Reference	
SLG    State & Local Government	
TPS    Transportation & Public Safety	
WM    Ways & Means	

Status Report of Legislation - 131st GA			House Action				Senate Action				Further Action			
House 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												
6	Barnes	Prohibit fees for correcting criminal record information	2/1/2017	CRJ	3/8/2017	3/15/2017	3/16/2017	JUD	9/27/2017	9/27/2017		9/27/2017	10/19/2017	1/18/2018
9	Koehler	Limit scope of protocol for malfunctioning traffic signals	2/1/2017	TPS	2/15/2017	2/22/2017	2/27/2017	LSV	A 3/28/2017	3/29/2017		3/30/2017	4/30/2017	*4/30/2017
11	Scherer	Incorporate Internal Revenue Code changes	2/1/2017	WM	2/14/2017	2/15/2017	2/21/2017	WM	A 3/8/2017	3/8/2017		3/15/2017	3/30/2017	*3/30/2017
26	McColley	Creates FY 2018-2019 transportation budget	2/1/2017	FIN	S 2/27/2017	A 3/1/2017	3/7/2017	TCW	S 3/22/2017	3/22/2017	* 3/23/2017	* 3/29/2017	3/31/2017	*6/30/2017
27	Brinkman	Creates FY 2018-2019 Workers' Compensation budget	2/1/2017	*FIN	5/17/2017	5/17/2017	5/18/2017	INF	S 6/20/2017	6/28/2017		6/28/2017	6/30/2017	*6/30/2017
28	Brinkman	Creates FY 2018-2019 Industrial Commission budget	2/1/2017	*FIN	5/1/2017	5/10/2017	5/11/2017	TCW	6/8/2017	6/15/2017		6/15/2017	6/28/2017	6/28/2017
31	Cupp	Abolish Government Contracting Advisory Council	2/1/2017	SLG	S 3/1/2017	3/8/2017	3/9/2017	GOR	S 10/11/2017	10/11/2017		11/1/2017	11/21/2017	2/20/2018
32	Seitz	Apply criminal penalties to casinos and affiliated casinos	2/1/2017	CRJ	2/14/2017	2/15/2017	2/21/2017	GOR	3/29/2017	5/24/2017		5/24/2017	6/13/2017	9/12/2017
49	Smith, R.	Creates FY 2018-2019 operating budget	2/8/2017	FIN	S 5/2/2017	5/2/2017	5/3/2017	FIN	S 6/21/2017	A 6/21/2017	6/21/2017	6/28/2017	6/30/2017	*6/29/2017
59	Leland, West	Designate Moses Fleetwood Walker Day	2/13/2017	SLG	3/7/2017	3/8/2017	3/9/2017	LSV	6/27/2017	9/20/2017		9/20/2017	9/26/2017	12/27/2017
63	Hughes	"Judy's Law"-Adds prison term if disfigure or incapacitate victim	2/14/2017	CRJ	S 5/24/2017	5/24/2017	5/25/2017	JUD	6/27/2017	6/28/2017		6/28/2017	7/17/2017	10/17/2017
69	Cupp	Reimburse medical service levy revenue forgone because of TIF	2/15/2017	SLG	A 5/10/2017	6/21/2017	6/22/2017	WM	S 12/13/2017	12/13/2017		12/13/2017	12/22/2017	*3/23/2018
84	Arndt, Patton	Designate Ohio Goes Boating Month	2/22/2017	SLG	3/22/2017	3/29/2017	3/30/2017	ENR	4/6/2017	4/26/2017		4/26/2017	5/15/2017	8/15/2017

Status Report of Legislation - 131st GA			House Action				Senate Action				Further Action			
House 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												
94	Sykes, Perales	Designate Teen Dating Violence Awareness Month	2/27/2017	SLG	3/29/2017	4/25/2017	4/27/2017	JUD	9/27/2017	10/11/2017		10/11/2017	10/19/2017	1/18/2018
103	Reineke	Modify financial planning and supervision commission laws	3/1/2017	SLG	3/28/2017	3/29/2017	3/30/2017	GOR	6/28/2017	6/28/2017		6/28/2017	7/17/2017	10/17/2017
118	Merrin	Prohibit dismissing tax complaint if fails to identify owner	3/8/2017	WM	4/26/2017	5/10/2017	5/11/2017	WM	10/18/2017	10/25/2017		10/25/2017	11/6/2017	2/5/2018
124	Brenner, Carfagna	Submit renewal tax levy to disenfranchised voters	3/9/2017	WM	S 5/2/2017	5/17/2017	5/18/2017	WM	S 6/21/2017	6/21/2017		6/21/2017	6/28/2017	*6/28/2017
132	Dever, McColley	Regulate fantasy contests	3/16/2017	GAO	S 5/24/2017	5/24/2017	5/25/2017	FIN	S 11/29/2017	11/29/2017		12/5/2017	12/22/2017	3/23/2018
170	Carfagna, Duffey	Address computer science curriculum	3/29/2017	EDC	S 6/7/2017	6/21/2017	6/22/2017	ED	S 11/13/2017	12/5/2017		12/13/2017	12/22/2017	3/23/2018
174	Hughes, Lanese	Add judges to Franklin County Domestic Relations Division	4/5/2017	CVJ	A 10/24/2017	11/1/2017	11/2/2017	JUD	12/5/2017	12/5/2017		12/5/2017	12/22/2017	*12/22/2017
196	Lipps	Designate Chiropractic Awareness Month	5/2/2017	HEA	5/17/2017	9/20/2017	9/21/2017	HHM	12/13/2017	12/13/2017		12/13/2017	12/22/2017	3/23/2018
199	Blessing	Enact Ohio Residential Mortgage Lending Act	5/2/2017	FHD	S 6/20/2017	6/21/2017	6/22/2017	INF	S 11/14/2017	11/15/2017		11/29/2017	12/22/2017	3/23/2018
214	LaTourette, Merrin	Prohibit abortion if unborn has or may have Down Syndrome	5/9/2017	HEA	10/26/2017	11/1/2017	11/2/2017	HHM	12/13/2017	12/13/2017		12/13/2017	12/22/2017	3/23/2018
215	Riedel	Create Paulding County Municipal Court	5/9/2017	CRJ	A 6/21/2017	9/20/2017	9/21/2017	JUD	12/12/2017	12/13/2017		12/13/2017	12/22/2017	*3/23/2018
223	Dever	Regards transfers of structured settlement payment rights	5/16/2017	CVJ	A 6/20/2017	6/21/2017	6/22/2017	JUD	A 11/29/2017	A 12/13/2017		12/13/2017	12/22/2017	3/23/2018

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

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- 9 Eff. Date Note: Emergency: effective 4/30/2017
- 11 Eff. Date Note: Emergency: effective 3/30/3017
- 26 Conf. Cmte. Note: House refused to concur in Senate amendments on 3/22/2017. Senate insisted on amendments and requested a Committee of Conference on 3/23/2017  
Eff. Date Note: Certain provisions effective on other dates; contains item vetoes
- 27 H. Cmte. Assigned Note: Referred to INS on 2/8/2017; Reported substitute by INS, re-referring it to RR on 5/16/2017; Re-referred to FIN on 5/16/2017; Reported by FIN on 5/17/2017  
Eff. Date Note: Appropriations effective 6/30/2017; most other provisions effective 9/29/2017
- 28 H. Cmte. Assigned Note: Referred to INS on 2/8/2017; Reported by INS, re-referring it to RR on 3/15/2017; Re-referred to FIN on 3/21/2017; Reported by FIN on 5/1/2017
- 49 Eff. Date Note: Certain provisions effective 9/29/2017; certain other provisions effective on other dates; contains item vetoes
- 69 Eff. Date Note: Appropriations effective 12/22/2017
- 124 Eff. Date Note: Emergency: effective 6/28/2017
- 174 Eff. Date Note: Emergency: effective 12/22/2017
- 215 Eff. Date Note: Creation of the Paulding County Municipal Court effective 1/1/2020; other sections effective 3/23/2018

Status Report of Legislation - 131st GA			Senate Action				House Action				Further Action			
Senate Bill	<b>A - Amended</b> <b>R - Rereferred</b> <b>S - Substitute</b> <b>* - Note</b>		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												
2	Hite	Revise environmental protection laws	1/31/2017	ENR	A 3/9/2017	3/15/2017	3/16/2017	ENR	5/24/2017	6/21/2017		6/21/2017	7/7/2017	10/6/2017
3	Beagle, Balderson	Review workforce development laws	1/31/2017	TCW	S 4/5/2017	4/26/2017	5/1/2017	HED	S 10/12/2017	10/24/2017		10/25/2017	11/6/2017	2/5/2018
7	Bacon, Manning	Know of protection order if actual knowledge	1/31/2017	* LSV	A 3/7/2017	3/7/2017	3/8/2017	CRJ	S 5/17/2017	6/21/2017		6/21/2017	6/28/2017	9/27/2017
8	Gardner, Terhar	Establish 1:1 school facilities option program	1/31/2017	ED	S 5/17/2017	5/17/2017	5/18/2017	EDC	A 6/21/2017	A 7/6/2017	* 10/2/2017	* 11/29/2017	12/22/2017	* 3/23/2018
9	Bacon	Provide sales tax holiday	1/31/2017	* WM	2/22/2017	2/22/2017	2/27/2017	WM	3/29/2017	A 5/24/2017		5/24/2017	6/13/2017	* 6/13/2007
23	Terhar	Designate Omphalocele Awareness Day	1/31/2017	HHM	A 2/22/2017	2/22/2017	2/27/2017	HEA	3/15/2017	3/22/2017		3/22/2017	3/31/2017	6/30/2017
24	Terhar	Enact Consumer Installment Loan Act	1/31/2017	INF	3/2/2017	3/7/2017	3/8/2017	FHD	S 4/26/2017	5/17/2017		5/24/2017	6/13/2017	9/12/2017
25	Hottinger	Create Perry County Municipal Court	1/31/2017	JUD	S 2/14/2017	2/15/2017	2/21/2017	CRJ	3/22/2017	6/7/2017		6/7/2017	6/13/2017	* 6/13/2017
27	Beagle	Designate Ohio Deaf History Month	1/31/2017	HHM	3/2/2017	3/7/2017	3/8/2017	SLG	4/25/2017	10/11/2017		10/11/2017	10/19/2017	1/18/2018
33	Eklund	Disclose law enforcement data to defendant	2/6/2017	JUD	A 3/22/2017	4/5/2017	4/10/2017	CRJ	S 10/26/2017	11/29/2017		12/5/2017	12/22/2017	3/23/2018
37	Hite	Develop and conduct training for new police chiefs	2/7/2017	LSV	3/7/2017	3/22/2017	3/23/2017	SLG	A 6/21/2017	A 9/13/2017		9/20/2017	9/26/2017	*12/27/2017
57	Kunze	Designate Diffuse Intrinsic Pontine Glioma Awareness Day	2/15/2017	HHM	3/8/2017	3/15/2017	3/16/2017	HEA	5/1/2017	9/20/2017		9/20/2017	9/26/2017	12/17/2017
62	Yuko	Designate Harrison Dillard Day	2/21/2017	GOR	3/29/2017	5/3/2017	5/9/2017	SLG	9/20/2017	12/13/2017		12/13/2017	12/22/2017	3/23/2018
71	Manning	Allow director of ADAMHS board to execute contracts	2/27/2017	HHM	A 9/27/2017	9/27/2017	10/2/2017	SLG	A 11/30/2017	12/5/2017		12/5/2017	12/22/2017	3/23/2018

Status Report of Legislation - 131st GA			Senate Action				House Action				Further Action			
Senate Bill	<b>A - Amended</b> <b>R - Rereferred</b> <b>S - Substitute</b> <b>* - Note</b>		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												
134	Gardner	Designates memorial highways and creates license plates	4/20/2017	TCW	11/16/2017	11/29/2017	11/30/2017	TPS	S 12/13/2017	12/13/2017		12/13/2017	12/22/2017	3/23/2018
169	Wilson	Oversee sale of travel insurance	6/27/2017	INF	A 10/17/2017	10/18/2017	10/23/2017	INS	S 11/29/2017	12/13/2017		12/13/2017	12/22/2017	* 3/23/2018

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

- 7 S. Cmte. Assigned Note: Referred to WM on 2/1/2017; Re-referred to LSV on 2/8/2017; Reported by LSV on 3/7/2017
- 8 Conf. Cmte. Note: Senate refused to concur in House amendments on 9/20/2017. House insisted on amendments and requested a Committee of Conference on 9/20/2017; Senate acceded to request for Conference Committee and appoints members on 9/26/2017; House appoints managers to Conference Committee on 10/2/2017  
Concurrence Note: Senate agreed to Committee of Conference Report on 11/15/2017. House agreed to Committee of Conference Report on 11/29/2017
- 9 S. Cmte. Assigned Note: Referred to LSV on 2/1/2017; Re-referred to WM on 2/8/2017; Reported by WM on 2/22/2017  
Eff. Date Note: Emergency: effective 6/13/2017
- 25 Eff. Date Note: Emergency: effective 6/13/2017; Creation of the Perry County Municipal Court effective 1/1/2018
- 37 Eff. Date Note: Earmark change effective 9/26/2017
- 169 Eff. Date Note: Travel insurance and internationally active insurance group provisions effective 6/21/2018; provisions addressing insurer-members of home loan banks effective 3/23/2018

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