MISCELLANEOUS

Public official compensation

- Increases and extends pay raises for justices and judges, county officials, township officials, and members of county boards of elections, from 1.75% per year through 2028 under current law to 5% per year through 2029.

State security employees

- Permits the General Assembly and Executive Department officers to establish, implement, and fund through public resources, security provisions for the protection of the General Assembly members and Executive Department officers.
- Permits each house of the General Assembly, in addition to the Sergeant-at-arms and any assistant Sergeants-at-arms, to appoint, employ, contract with, and fix the compensation of law enforcement officers or other persons to provide or coordinate security for the General Assembly members.
- Permits each Executive Department officer to appoint, employ, contract with, and fix the compensation of law enforcement officers or other persons to provide or coordinate security for the officer.
- Specifies that those law enforcement officers appointed have the same arrest powers as other peace officers and law enforcement officers to apprehend offenders.
- States that the jurisdiction of the security is concurrent with peace officers and law enforcement officers of the relevant county, township, or municipal corporation and with the State Highway Patrol.
- Specifies that the Supreme Court has the authority to adopt rules to establish, implement, and fund through public resources, security provisions for the protection of justices, judges, and the judiciary.

Agency notices

- Requires state agencies to inform the Speaker of the House and the Senate President about federal funding reduction notices.
- Requires state agencies to inform the Speaker of the House and the Senate President about federal noncompliance notices.

Occupational licensing board composition

- Requires the standing committees that review occupational licensing boards under continuing law to consider whether the number of board members is appropriate based on the board's workload and the number of occupational licenses issued by the board.
- Requires the standing committees to attempt to ensure that each board it reviews consists of not fewer than five members and not more than nine members.

Terms of public library boards of trustees

- Reduces from seven to four years the terms of office of board of trustee members of a school district free public library, county library district, or regional library district appointed after September 30, 2025 (the act's effective date).

Materials in a public library (VETOED)

- Would have required a public library to place material related to sexual orientation or gender identity or expression in a portion of the library that is not primarily open to the view of a person under 18 years old (VETOED).

Sex recognition

- Establishes state policy recognizing only two sexes, male and female, which are not changeable and are grounded in fundamental and incontrovertible reality.

Menstrual products in public buildings

- Prohibits a government entity from placing menstrual products in the men's restroom of a public building.

Unlawfully extracting or exploiting minerals of another

- Establishes mechanisms for the determination of damages that result from a person trespassing on the land of another and unlawfully extracting or exploiting minerals.

Public employee leave to serve as election official

- Corrects erroneous cross references in statute governing paid leave for state and local public employees who volunteer as precinct election officials.

Public official compensation

(R.C. 141.04, 325.18, 505.24, 507.09, and 3501.12; Section 701.70)

The act increases the salaries of the following public officials:

- Justices and judges, including: Supreme Court, courts of appeals, courts of common pleas, municipal courts, and county courts;
- County elected officials, including: commissioners, prosecutor (with and without private practice), sheriff, clerk of court of common pleas, recorder, coroner (with and without private practice), engineer (with and without private practice), treasurer, and auditor;
- Township elected officials, including: trustees and fiscal officer; and
- County board of elections members.

Under prior law, the above received 1.75% annual increases through 2028. The act instead gives the officials annual 5% raises through 2029. The Ohio Constitution generally prohibits in-term changes in compensation for elected officers, except members of boards of

elections may receive in-term changes and judges may receive in-term *increases* only (but not decreases).[196] Therefore, the changes the act implements take effect for an officer only once the officer begins a new term.

State security employees

(R.C. 9.691)

General Assembly and Executive Department officer security

The act permits the General Assembly and Executive Department officers to establish, implement, and fund through public resources, security provisions for the protection of General Assembly members and Executive Department officers. Under the Ohio Constitution, the Executive Department officers are: Governor, Lieutenant Governor, Secretary of State, Auditor of State, Treasurer of State, and Attorney General.[197]

The authority to determine and administer appropriate security provisions for the General Assembly is vested in the presiding officer of each house. The act permits each house, in addition to the Sergeant-at-arms and any assistant Sergeant-at-arms, to appoint, employ, contract with, and fix the compensation of law enforcement officers or other persons to provide or coordinate security for the General Assembly members.

The authority to determine and administer appropriate security provisions for Executive Department officers is vested in each respective officer. The act permits each Executive Department officer to appoint, employ, contract with, and fix the compensation of law enforcement officers or other persons to provide or coordinate security for the Executive Department officers.

The act specifies that a law enforcement officer has the same arrest powers as other peace officers and law enforcement officers to apprehend offenders against the criminal laws who endanger or threaten security of any person being protected, no matter where the offense occurs. The jurisdiction of the security is concurrent with peace officers and law enforcement officers of the relevant county, township, or municipal corporation and with the State Highway Patrol. Continuing law requires the State Highway Patrol to provide security for the Governor, other state government officials as directed by the Governor, for the Vern Riffe Center and the James A. Rhodes state office tower, and other state property.[198]

Supreme Court security

The act recognizes that the Supreme Court has the authority under the Ohio Constitution to adopt rules to establish, implement, and fund through public resources, security provisions for justices, judges, and the judiciary.

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[196] Ohio Const., art. II, sec. 20 (all officers not otherwise provided for in the Constitution) and art. IV, sec. 6 (judges). See 1997 Ohio Attorney General Opinion 1997-027 regarding members of boards of elections.

[197] See, Ohio Const., art. III, sec. 1.

[198] R.C. 5503.02.

Agency notices

(R.C. 121.16)

The act requires state agencies to inform the Speaker of the House and the Senate President about the following:

- A notice the state agency received from the federal government that a state program is or may be out of compliance with federal requirements.
- A notice the state agency received from the federal government about a reduction or other modification to federal funding a state agency receives.

The agency must submit a copy of the notice not later than ten days after receiving it.

Occupational licensing board composition

(R.C. 101.63 and 101.65)

Beginning with reviews commencing on or after January 1, 2027, the act requires the standing committees that review occupational licensing boards under continuing law to consider whether the number of board members is appropriate based on the board's workload and the number of occupational licenses issued by the board. The standing committees must attempt to ensure that each board it reviews consists of not fewer than five members and not more than nine members.

Terms of public library boards of trustees

(R.C. 3375.15, 3375.22, and 3375.30)

The act reduces from seven to four years the terms of office of board of trustee members of a school district free public library, county library district, or regional library district appointed after September 30, 2025 (the act's effective date).

Continuing law staggers the terms of the first appointment of members by appointing authority. The act changes those terms for first appointments after its effective date as follows:

1. The terms of the three trustees appointed by court of common pleas judges to expire in two, three, and four years respectively, instead of two, four, and six years; and

2. The terms of the four trustees appointed by the board of county commissioners to expire in one, two, three, and four years respectively, instead of one, three, five, and seven years.

Materials in a public library (VETOED)

(R.C. 3375.47)

The Governor vetoed a provision that would have required a public library to place material related to sexual orientation or gender identity or expression in a portion of the library that is not primarily open to the view of a person under 18 years old.

Sex recognition

(R.C. 9.05)

The act establishes that state policy recognizes two sexes, male and female, which are not changeable and are grounded in fundamental and incontrovertible reality. The act also establishes the following definitions for terms used in the Revised Code which, except for the definition of "sex," are the same as definitions used in a recent Executive Order issued by President Trump:[199]

- "Sex" means the biological indication of male and female, including sex chromosomes, naturally occurring sex hormones, gonads, and nonambiguous internal and external genitalia present at birth, without regard to an individual's psychological, chosen, or subjective experience of gender.[200]
- "Gender identity" means an individual's internal and subjective sense of self, disconnected from biological reality and sex and existing on an infinite continuum, that does not provide a meaningful basis for identification and cannot be recognized as a replacement for sex.
- "Female" means a person belonging, at conception, to the sex that produces the large reproductive cell.
- "Woman" means an adult human female.
- "Girl" means a juvenile human female.
- "Male" means an individual belonging, at conception, to the sex that produces the small reproductive cell.
- "Man" means an adult human male.
- "Boy" means a juvenile human male.

Menstrual products in public buildings

(R.C. 9.561)

The act prohibits a government entity from placing menstrual products in the men's restroom of any building owned or occupied by a government entity. The act does not include a penalty for violating this prohibition. For purposes of the prohibition, a "government entity" means a state agency, public institution, political subdivision, or any other organized body, office, agency, institution, or entity established by the laws of this state for the exercise of any function of government.

[199] Presidential Executive Order 14168, "Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," (January 20, 2025).

[200] This definition of sex is the same as in R.C. 3129.01, not in the act.

Because the act applies to municipalities and charter counties and prohibits them from taking an action on their property, a question might arise regarding the Home Rule Amendment to the Ohio Constitution. The Ohio Constitution grants municipalities and charter counties home rule authority, which includes the power of local self-government and the exercise of certain police powers.[201] There does not appear to be any case law regarding a situation like the act's prohibition.

Unlawfully extracting or exploiting minerals of another

(R.C. 5303.34)

The act establishes mechanisms for the determination of damages that result from a person trespassing on the land of another and unlawfully extracting or exploiting minerals as follows:

Damages for unlawfully extracting or exploiting minerals of another		
Type of extraction	**Damages when extracted or exploited absent bad faith**	**Damages when extracted or exploited in bad faith**
Minerals, such as coal, stone, or ore, that are extracted by underground or surface mining methods	The revenue received from the sale of the minerals measured at the mouth of the mine, less the cost of extraction, less any sums previously paid	No reduction for the cost of extraction is allowed, and the damaged party is entitled to the full revenue received from the sale of the minerals measured at the mouth of the mine less any sums previously paid
Minerals, such as hydrocarbons, in liquid or gaseous states that are extracted by drilling	The revenue received from the sale of such minerals measured at the wellhead, less the cost of extraction, less any sums previously paid	No reduction for the cost of extraction is allowed, and the damaged party is entitled to the full revenue received from the sale of the minerals measured at the wellhead less any sums previously paid

The act specifies that a person acts in bad faith when the person commits a trespass with either of the following:

1. Actual knowledge that the entry onto, and the extraction of minerals from, the property was unlawful; or

2. Willful or wanton disregard for the lawful property or mineral rights of another person and with the intent of depriving the lawful owner of the owner's minerals.

[201] Ohio Const., art. X, sec. 3 and art. XVIII, sec. 3.

A court cannot presume bad faith and bad faith does not include an entry onto property based on a reasonable belief that such entry, or the extraction occurring after such entry, was lawful.

The act also specifies that a damaged party is prohibited from receiving punitive damages.