

# **Local Impact Statement Report For bills enacted in 2024**



**Legislative Service  
Commission**

**July 2025**

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## Introduction

R.C. 103.143 requires the Legislative Budget Office (LBO) within the Legislative Service Commission to determine whether a local impact statement (LIS) is required for each bill that is introduced and referred to committee. An LIS may be required when a bill could result in net additional costs beyond a minimal amount to school districts, counties, municipalities, or townships. An LIS is not required for budget bills or joint resolutions. It is also not required when the bill is permissive or when the bill's potential local costs are offset by additional revenues, offset by additional savings, or caused by a federal mandate. The LIS determination is based solely on the "As Introduced" version of the bill and does not change, even if provisions originally causing the LIS requirement are removed in subsequent or the enacted versions of the bill. Under the statute, LBO is also required to annually compile the final local impact statements completed for laws enacted in the preceding calendar year. The 2025 Report lists the 95 bills enacted in calendar year 2024 and contains the fiscal note for the four House bills and two Senate bills that required an LIS.

The LIS requirement is met through the detailed analysis of local fiscal effects included in LBO's fiscal notes. Regardless of whether a bill requires an LIS, the fiscal note analyzes the bill's fiscal effects on both the state and local government. However, under R.C. 103.143, when a bill requiring an LIS is amended in a committee, the bill may be voted out of the committee by a simple majority vote with a revised LIS (a requirement fulfilled by preparing an updated fiscal note) or by a two-thirds vote without a revised LIS. Because various bills are exempted from the LIS requirement, some bills enacted in 2024 may have fiscal effects on local government in addition to any bills that required an LIS. For those who are interested in the local fiscal effects of all legislation enacted in 2024, please see the LBO fiscal notes for those laws, which are available on the General Assembly's website ([legislature.ohio.gov](https://legislature.ohio.gov)) by clicking on *Legislation/Search Legislation*.

The Report contains comments from the County Commissioners Association of Ohio, the Ohio Municipal League, the Ohio Township Association, and the Ohio School Boards Association. LBO is required to circulate the draft Report to these associations for comment and to include their responses in the final Report. The final section of the Report is an appendix listing all 61 House bills and 34 Senate bills enacted in 2024.

To view this report online, see the [2025 Local Impact Statement Report \(PDF\)](#), which is available on LSC's website: [lsc.ohio.gov](https://lsc.ohio.gov).

**LOCAL GOVERNMENT ASSOCIATION  
COMMENTS**



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Cheryl Subler, Executive Director

The County Commissioners Association of Ohio (CCAO) thanks the staff of the Ohio Legislative Service Commission (LSC) for the opportunity to provide comments regarding the 2025 Local Impact Statement Report. This report is a valuable tool for state lawmakers and local government officials to track the impact of enacted legislation on local communities.

As noted in the report, not all bills are subject to the LIS requirement, thus the Local Impact Statement Report does not entirely capture the impact of state policy decisions on local governments. Primary among those exceptions is the state's biennial budget bill which, in addition to serving as an appropriation vehicle for state operations, also contains tax and other policy changes that significantly impact county revenues and expenditures. Since the 2025 LIS Report covers bills passed in 2024 and thus does not include an operating budget bill, CCAO will refer readers to our comments on the 2024 LIS Report on how the reporting of local impacts of the operating budgets can be improved.

CCAO would like to focus this year's LIS Report comments on suggestions for general improvements on the local impact determination process.

### **Local Impact Determination Process**

CCAO believes that LSC should publicize the rationale behind the local impact determination for individual bills.

When a bill is introduced, it is assigned to a fiscal group in LSC based on its subject matter. A fiscal staffer then reviews the bill, contacts any relevant executive departments and subject matter organizations they deem fit, and then makes a "Yes" or "No" local impact determination. The division chief in charge of the fiscal group then reviews the determination. The rationale for why the determination was made is not specifically publicized, although it may be referenced in the initial fiscal note.

For example, one of the "No" determinations is "No – Minimal Cost." However, there is no explanation provided for when the impact amounts to the "minimal cost" threshold. Counties are very different in terms of size, population, and geography. What may be a minimal cost for Franklin County (with a general fund more than \$600 million) could be cost prohibitive for Morgan County (with a general fund of about \$5 million). This scenario would also apply to municipalities, and townships. We would like to work with LSC to improve this process collaboratively with all of the local government stakeholders.

We would like to provide an example to illustrate this point. House Bill 139 requires certain testing and inspections of fire hydrants to be conducted at specified intervals. One of the bill's requirements is that a flow test and general maintenance inspection must be conducted annually. The Local Impact Determination for the bill is "No – Minimal Cost."

The bill's As Introduced fiscal note shows that LSC discussed the potential impact with fire department officials with five municipalities: Oakwood (Montgomery County), Cambridge (Guernsey County), Akron (Summit County), Canton (Stark County), and Cleveland (Cuyahoga County) and states that "it is



possible that smaller communities served by volunteer fire departments may face a bigger burden.” The wording of this final comment suggests that LSC had not yet spoken with representatives of smaller communities, and we would like to be a partner in helping with that outreach.

For example, the County Sanitary Engineers Association of Ohio (CSEAO) is an affiliate of CCAO and represents county sanitary engineers. Sanitary engineers often maintain hydrant systems, be it through contracts with other local governments or through sewer districts. As CCAO staff began analyzing HB 139, discussions with CSEAO showed that the bill will cost many sanitary engineers hundreds of thousands of dollars. Figures obtained from six sanitary engineers estimate an aggregate cost of \$3.3 million annually to comply with the flow testing requirement, with one water and sewer district in Northwest Ohio estimating it will cost nearly \$886,000 per year. We raise the concerns around HB 139 to illustrate how the current process could be improved and provide additional information to LSC staff and the General Assembly.

### **Local Impact Determination Changes**

The statute that governs the Local Impact Determination (LID) process could be revised to provide additional information as bills are amended during the legislative process. R.C. 103.143 outlines the statutory authority for the local impact procedure, and R.C. 103.143(C) requires that “[a]ny time a bill is amended, the legislative service commission shall, as soon as reasonably possible, revise the local impact statement to reflect changes made by amendment.”

In the introduction to the LIS Report, LSC states that this “requirement is met through the detailed analysis of local fiscal effects included in [LSC]’s fiscal notes. Regardless of whether a bill requires an LIS, the fiscal note analyzes the bill’s fiscal effects on both the state and local government.”

CCAO believes that the fiscal note should include a local impact section that outlines the fiscal effect on local governments. The additional information will allow legislators and the general public to quickly identify the local impact of the legislation instead of requiring them to scan through the fiscal analysis for certain key words.

We believe that this change could be accomplished through the expansion of an existing LSC practice. For example, when a bill is amended in a House of Representatives Committee, the updated Fiscal Note must include a “Synopsis of Fiscal Effect Changes” at the end of the document if any fiscal effect changed (not just local effects). The “As Pending in House Committee” Fiscal Note for House Bill 7 of the 135<sup>th</sup> General Assembly provides an example of this practice.

However, this procedure is not required in the same circumstances for bills in Senate committees and does not enable LSC to change the Local Impact Determination from ‘No’ to ‘Yes.’ Making this practice universal across both chambers and enabling the LID to change to properly reflect the bill’s provisions would increase transparency and provide members, the media, and the public with a succinct analysis of the fiscal changes that have been made in the committee process.

An illustrative example of this issue can be found in Senate Bill 158 of the 135<sup>th</sup> General Assembly. SB 158 is not included in the 2025 LIS Report because, as noted in the table on page 31, it had a LID of “No.” However, the subject of the bill in the adjacent table cell reads, “Creates a new judgeship in Adams County”. The creation of a new judgeship would likely have a local impact, but due to the issues outlined above, it did not receive that determination. This determination conflicts with the bill’s As Enacted fiscal note on the General Assembly’s website. The second bullet point in that document

states that Adams County will see an increased cost of about \$255,000, which we believe rises to the threshold of a local impact.

The reason why SB 158 has a “No” LID despite the clear local fiscal impact is that the LID is made when a bill is introduced and the LID only considers the As Introduced version of the bill. The LID does not change as the bill moves through the legislative process.

Senate Bill 158 was introduced as a bill to generally prohibit a process called “participatory budgeting,” where a portion of a government’s operating budget is set aside for direct citizen participation in allocating dollars. As introduced, SB 158 would indeed have not had a fiscal impact, since it simply would have prohibited a procedural mechanism. When the bill reached the House, however, the House Government Oversight Committee removed all the As Introduced text and replaced it with the final language, which created a new judgeship in the Adams County Court of Common Pleas.

CCAO has no philosophical issues with how the legislative process for SB 158 played out. However, it highlights an oversight with the Local Impact Determination process. As a House Representative has recently said, rare are the enacted bills that experience no changes between their introduction and the governor’s signature. We believe that updating the LID as changes are made to various bills would aide legislators during their deliberations and provide useful information to advocates, media, and members of the public. We look forward to working collaboratively with LSC to improve this process and any other processes that impact county governments.

### **Local Impact Statement Report Composition**

Finally, the Local Impact Statement Report itself can be improved. CCAO believes that the annual report provides an opportunity for LSC to expand upon and potentially update the local impact component of its fiscal analysis for the given bills. This can be accomplished through annotation of the As Enacted fiscal note, an entirely new analysis, or another method.

The Local Impact Statement Report is typically structured with a brief introduction, followed by comments from local government associations, then copies of the fiscal notes for enacted bills that required local impact statements. The Report usually concludes with an appendix containing all of the bills from the previous reporting year. A simple aggregation of fiscal notes in the appendix, while helpful, could be modified to provide an additional level of detail to identify the true level of local impact.

Since the Local Impact Statement Report is prepared for legislation enacted in the prior year, it is likely that many provisions of the bills in question have taken effect. As is common with policy making at all levels of government, the effects that a law has when actually put in place may outstrip initial estimates, or vice versa. We would suggest that LSC to follow up with affected local governments and enquire about the actual fiscal effects the bills on local governments and their operation.

The Legislative Service Commission is one of the most important agencies in the state and CCAO would like to make clear that the comments and suggestions above are in no way meant to denigrate the professionalism and expertise of LSC’s staff of public servants. CCAO believes that the LID process is important but can be improved and appreciates the opportunity to provide comments to that effect.

Respectfully,

A handwritten signature in blue ink, appearing to read "Kyle Petty". The signature is fluid and cursive, with the first name "Kyle" and last name "Petty" clearly distinguishable.

Kyle Petty  
Managing Director of Policy  
County Commissioners Association of Ohio





May 28, 2025

Attn: Jared Cape, Legislative Budget Office  
Ohio Legislative Service Commission  
77 S. High St., 8<sup>th</sup> Floor  
Columbus, OH 43215

To Whom It May Concern:

Thank you for the opportunity to review the Local Impact Statement Report draft for legislation enacted in 2024.

The league appreciates the work of the Legislative Service Commission in compiling this information, as it provides important information and insight into the impacts state legislation has on local governments – and ultimately on Ohio's residents.

On behalf of the OML's 730 member communities, we would like to reiterate a change for future reports and the development of future Local Government Impact Statements. The league believes that the current practice of producing an impact statement only when legislation is introduced does not provide an accurate reflection of a legislative proposal that has been altered through the amendment process.

As in the past, changes from an original proposal can lead to an intended or unintended consequence to local governments. Therefore, we ask that when legislation is amended, through committee or floor action, that a separate impact statement be produced to accurately reflect the true impact of a proposal that is being considered in "real time."

Also, the league is concerned that state budget bills are not included in the Local Impact Statement Report. The league requests that the Legislature revise policy requirements to include state budget bills in the report. This inclusion would more comprehensively demonstrate the impact state legislation has on municipalities and local governments in general.

Once again, thank you for the opportunity to comment on the resource, and we look forward to working with you in the future.

Respectfully,

Kent Scarrett  
Executive Director  
Ohio Municipal League



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**2025**

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The Ohio Township Association (OTA) would like to thank the Ohio Legislative Service Commission (LSC) for the opportunity to comment on the 2025 Local Impact Statement (LIS) Report. This report serves as an essential educational resource for both our members and the General Assembly, as it highlights the effects of previously passed legislation on township budgets and alerts legislators and local officials to any unfunded mandates resulting from new laws.

One such bill in the 2025 LIS Report, House Bill 47, requires township sports and recreation locations, except those in townships with a population of less than 5,000, to have an automated external defibrillator (AED) at the location. As pointed out in the LIS, an AED costs approximately \$1,500. This mandated cost is in addition to the required staffing a township is required to have at the location while sporting and recreational events are taking place, replacement parts after each use, and securing or building a housing unit for the AED if a secure place does not exist at the location.

While the LIS Report is a helpful review of legislation passed in the previous year and its impact on local governments, not all bills are subject to the LIS requirement; therefore, the LIS Report does not fully capture the full effect of enacted legislation. Notably, the state's operating and capital budgets are primary exceptions. Besides serving as an appropriation vehicle for state and local operations, these bills often include tax and policy changes that significantly affect township revenues, expenditures, and operations. While LSC currently produces a comparison document of budget changes, the OTA encourages LSC to include a more detailed analysis of budgetary provisions that have an impact on local governments. This would provide the General Assembly and our members with a clearer understanding of how the proposed and ultimately enacted changes affect local governments. This is especially pertinent as legislation often introduced requiring the Local Impact Statement is frequently included in these budgets during the process.

The OTA would also like to recommend that the local impact procedure for non-appropriations bills be improved. Currently, pursuant to R.C. §103.143(C), any time a bill is amended, LSC shall, as soon as reasonably possible, revise the LIS to reflect changes made. LSC considers updating the comprehensive fiscal note as fulfilling this requirement. While this is indeed a sound practice, changes affecting local governments may become overlooked within the broader amendments. The OTA recommends that all fiscal notes include a specific section highlighting the bill's budgetary effects on local governments.

Furthermore, the OTA urges LSC to consider publicizing the rationale behind "No-Minimal Cost." What constitutes the "minimal cost" threshold? Ohio's 1,308 townships have widely varying budgets; a bill that imposes minimal costs for a large township, such as West Chester Township in Butler County, could create significant financial strain for smaller ones, like Manchester Township in Adams County.

Townships depend on a combination of property taxes and intergovernmental revenue to fund essential public services. Because these revenue sources are governed by statutory provisions, enacted legislation can significantly impact townships' funding from these resources.

The Ohio Township Association appreciates the opportunity to provide our input and thanks the Legislative Service Commission for all their hard work compiling the data.



Ohio School Boards  
Association

TO: Jared Cape, Budget Analyst

FROM: Jennifer Hogue, Director of Legislative Services

DATE: July 21, 2025

RE: **2025 LOCAL IMPACT STATEMENT REPORT**

The Ohio School Boards Association (OSBA) is pleased to take advantage of the opportunity to review the 2025 Local Impact Statement Report on bills enacted in 2024. The Legislative Service Commission (LSC) report to the Ohio General Assembly and to the public on the fiscal impact of certain specific bills is a valuable service.

The 2025 Local Impact Statement Report highlights six bills enacted during 2024 that require local impact statements. Four of the six bills have a fiscal impact on public school districts. These four bills are House Bill (HB) 8, HB 47, Senate Bill (SB) 112 and SB 208.

HB 8 prohibits school districts from providing classroom instruction that includes sexuality content in grades K-3 and requires schools to adopt parental notification and review policies regarding certain sexuality-related content and student health care. Districts may see a slight increase in administrative costs to meet the requirements around parental notification and policy review.

HB 47 requires school districts to place automatic external defibrillators (AED) in each school building. Some school districts already meet the requirements of the bill, but the cost is substantial for those needing to purchase equipment. The average cost of an AED is around \$1,500. Maintenance, accessories and training will incur an additional cost annually.

SB 112 requires that all doors in a school building comply with the standards that were required when the door was installed. The changes in this bill may have a small financial impact on a district needing to address repairs for doors to comply.

SB 208 creates the Prenatal-to-Five Early Childhood to Post-secondary Regional Partnerships Program. School districts that elect to participate in these partnerships may incur costs for activities of the partnership as well meeting reporting requirements.

The bill also requires districts to allow for open enrollment of a student whose parent/guardian is an active duty member of the military. SB 208 prohibits districts from charging these students tuition. Depending on a district's circumstances, they may see an increase in state aid to serve these students. However, if the district is receiving a guarantee under the formula, they may have additional costs to serve these students without accompanying revenue.

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OSBA strongly believes and reiterates its longstanding desire to see even more bills subject to having fiscal impact statements prepared. This is particularly true for omnibus bills, such as the biennial budget bill. We do, however, appreciate the opportunity to review and comment on these specific bills.

Additionally, the tax exemptions and credits made available through individual bills continue the trend of lower state revenues available to support common and public purposes, including the education of Ohio's children. Additional information showcasing the compounding effect of such bills on available revenues as they are considered in the Statehouse would be welcomed by our association. Appropriate funding for the education of Ohio's children is an ongoing concern for boards of education and should be shared by all of Ohio's citizens.

Once again, OSBA wishes to express appreciation to the Legislative Service Commission for its hard work and diligence on this important task. We look forward to working with you now and in the future.

**FISCAL NOTES FOR BILLS ENACTED  
IN 2024 REQUIRING  
LOCAL IMPACT STATEMENTS**



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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
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Office

**H.B. 8**  
**135<sup>th</sup> General Assembly**

## **Final Fiscal Note & Local Impact Statement**

[Click here for H.B. 8's Bill Analysis](#)

**Primary Sponsors:** Reps. Swearingen and Carruthers

**Local Impact Statement Procedure Required:** Yes

Brian Hoffmeister, Fiscal Supervisor

### **Highlights**

- Districts and schools may incur minimal administrative costs to comply with the parental notification and review policies required by the bill for certain sexuality-related instruction and school health care services.
- School districts may incur minimal administrative costs to adopt policies regarding released time courses in religious instruction.
- The annual cost for the Attorney General's Bureau of Criminal Investigation to conduct background check activities and services may increase to some degree. These costs will be more or less offset by the fees charged to conduct a background check.

### **Detailed Analysis**

#### **Parental notification and review policies**

The bill prohibits public schools, including school districts, community schools, and science, technology, engineering, and mathematics (STEM) schools, as well as third parties acting on behalf of a district or school, from providing formal classroom instruction that includes sexuality content to students in grades K-3 and requires public schools to develop and adopt parental notification and review policies regarding certain sexuality-related content and student health care. The bill requires districts and schools to make the policies public and post them on their websites, if they have one. In general, the costs for districts and schools to implement the bill likely are minimal.

The bill requires districts and schools to adopt policies that require schools to do the following:



- Ensure that certain sexuality-related content defined by the bill is age-appropriate and developmentally appropriate for the age of the student receiving instruction, provide parents with the opportunity to review any instructional materials that include such content, and allow the parents to request a student's excusal from such instruction to participate in an alternative assignment.
- Promptly notify parents of any substantial change in a student's services, including counseling services, or monitoring related to mental, emotional, or physical health or well-being or the school's ability to provide a safe and supporting learning environment.
- Prohibit district personnel from encouraging students to withhold information concerning health or well-being from their parents.
- Adopt a procedure to obtain authorization from parents prior to providing any physical, mental, or behavioral health care service, except for emergency, first aid, or other unanticipated minor health care services, or services provided under a student's individualized education program (IEP) or 504 plan (in general, these are written documents that describe the supports a student with a disability will receive from a school). Under the procedure, a parent may choose whether to authorize a district to provide a health care service to the parent's child. The bill requires the procedure to include notifying parents of each health care service offered at or facilitated in cooperation with the student's school and their option to withhold consent or decline any specified service, whether a service is required to be provided by the district under state law, and whether other options exist.
- Permit parents to file a written concern with the school's principal or assistant principal and establish a process to resolve the concern about topics addressed in the bill within 30 days of receipt. If a parent appeals the principal or assistant principal's decision, the bill establishes a process of appeals escalating first to the superintendent, then to the district's board of education.

As described in the [LSC bill analysis](#), current law provides for parental notification, review, and opt-out of instruction in certain subject areas and requires school districts to establish a parental advisory committee or some other strategy to enable parental review of instructional materials and academic curricula. Schools likely will carry out the notification requirements in the course of distributing regular information at the beginning of each school year. Presumably, districts and schools will incorporate the bill's requirements regarding written concerns into existing procedures for resolving disputes, complaints, and similar matters.

## **Released time for religious instruction**

The bill requires, instead of permits as under current law, school districts to adopt a policy allowing a student to be excused from school to attend a released time course in religious instruction conducted by a private entity off school property. The bill requires school districts to collaborate with sponsoring entities to identify a time to offer the released time courses during the school day. Additionally, the bill permits school districts to require the sponsoring entity of a released time religious instruction program to perform criminal records checks on employees

and volunteers who provide instruction under the program. The bill further permits districts that require criminal records checks to determine the manner in which sponsoring entities must complete the checks.

Some school districts may already have a policy in place allowing released time courses in religious instruction. Those that do not may incur minimal administrative costs to develop and adopt such a policy. The bill may also increase districts' administrative workload to coordinate with sponsoring entities and schedule agreed-upon times for released time courses. Continuing law prohibits public funds from being expended or public school personnel from being involved in providing the religious instruction. In addition, continuing law requires the private entity, the student's parents or guardians, or the student to provide transportation to and from the place of instruction and the private entity to assume liability for the student and maintain attendance records.

The responsibility for background checks under the bill lies with sponsoring entities of released time religious instruction programs, not school districts. As such, sponsoring entities may bear the costs of conducting background checks. However, the annual cost for the Attorney General's Bureau of Criminal Investigation (BCI) to conduct background check activities and services may increase to the extent that sponsoring entities are not already conducting or requiring background checks for their employees or volunteers. These costs will be more or less offset by the fees charged to conduct a background check. BCI administers state-only background checks as well as federal background checks through the FBI, for which it charges fees of \$22 and \$25.25, respectively. All of the fees are credited to the General Reimbursement Fund (Fund 1060), with \$23.25 of the FBI background check fee subsequently disbursed to the FBI.





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# OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 47  
135<sup>th</sup> General Assembly

## Final Fiscal Note & Local Impact Statement

[Click here for H.B. 47's Bill Analysis](#)

**Primary Sponsors:** Reps. Brown and Bird

**Local Impact Statement Procedure Required:** Yes

Isabel Travis, LSC Fellow, and other LBO staff

### Highlights

- School district and community school costs may increase by up to several hundred thousand dollars statewide to purchase automated external defibrillators (AEDs). Survey data indicates that most public schools already meet the bill's AED placement requirements. Statewide, ongoing AED maintenance costs for those that do not already comply with the bill may be in the tens of thousands of dollars annually.
- The number of public sports and recreation locations that will need one or more AEDs to comply with the bill is uncertain. Therefore, the purchase and maintenance costs for the applicable local governments that operate these facilities is also uncertain. An AED costs about \$1,500 more or less while ongoing maintenance costs may add up to a few hundred dollars per year.
- The Ohio Department of Health (ODH) will experience an increase in costs to develop and make available the required model emergency action plan for the use of AEDs by public and chartered nonpublic schools, youth sports organizations, and public sports and recreation locations.
- ODH will also experience an increase in costs to develop the required reporting procedures for violations. Costs will depend on the number of violations reported and whether any responsibilities to respond to violations are delegated to local boards of health.
- The bill appropriates nearly \$5.5 million from the State Fiscal Recovery Fund (Fund 5CV3) in FY 2025 for hospital provider relief payments. Amounts in Fund 5CV3 were authorized by the American Rescue Plan Act in response to COVID-19 and must be obligated by December 31, 2024.

## **Detailed Analysis**

### **AEDs in schools and sports and recreation locations**

The bill requires, rather than permits as under current law, school districts, community and science, technology, engineering, and mathematics (STEM) schools, and chartered nonpublic schools to place automatic external defibrillators (AEDs) in each school under its control. Additionally, the bill requires AEDs to be placed in all recreational facilities under the control of townships, municipalities, and counties – except for townships and villages with a population under 5,000. These recreational facilities include indoor recreation centers, gymnasiums, swimming pools, and playing fields. Further, the bill requires that staff be trained on using AEDs and that an emergency action plan be adopted for their use.

#### **Public schools**

##### **Prevalence of AEDs in schools**

Most public schools appear to already meet the bill's requirement to have an AED placed in each school building. The Buckeye Association of School Administrators (BASA) conducted a survey of its members on this topic in October 2021. About 60% of traditional school districts, comprised of a mix of districts with different geographic and demographic characteristics, and 50% of joint vocational school districts (JVSDs) responded. Only three (1%) of the 316 site-based community schools and STEM schools in operation at the time responded. The survey revealed that 1% of traditional school district respondents and 4% of JVSD respondents did not have AEDs in all of their school buildings. The few traditional districts and JVSDs responding that they did not have an AED placed in each school building generally reported that some buildings were equipped but not others to varying degrees. Due to the low response rate for community and STEM schools, there is more uncertainty surrounding the number of those schools that are equipped with an AED, though it is unclear why their practices would differ greatly from traditional districts or JVSDs.

The traditional districts and JVSDs that did not respond operate a total of about 1,330 buildings. Currently, site-based community and STEM schools operate about 400 buildings. Every 1% of the total 1,730 or so buildings translates to about 18 buildings. Therefore, 5% equates to 90 buildings and 10% equates 180 buildings.

##### ***Potential costs***

The average cost of an AED appears to be about \$1,500 more or less. This amount does not include costs for maintenance, accessories, or staff training. Based on the survey data, the initial cost for districts and schools to purchase AEDs may be up to several hundred thousand dollars statewide. Regular maintenance costs, including those for replacing batteries, pads, and other supplies, may be up to a few hundred dollars per year but will vary by device and manufacturer specifications. Ongoing maintenance costs for districts and schools that would need to purchase AEDs as a result of the bill may be in the tens of thousands of dollars annually.

statewide. According to a study published in April 2017 in the Journal of the American College of Cardiology, an AED has an expected useful lifespan of eight to ten years.<sup>1</sup>

### **Training and other requirements**

The bill requires each district and school to provide training to teachers, principals, administrative employees, coaches, athletic trainers, other persons that supervise interscholastic athletics, and any other employee subject to in-service training requirements under continuing law. The training must be incorporated into in-service training. Under current law, school districts must provide training to most of these individuals. Current law exempts substitute teachers, certain adult education instructors, and persons employed on an as needed, seasonal, or intermittent basis that are not employed to coach or supervise interscholastic athletics from the training requirement. The current law training requirement for community schools does not appear to be as extensive. If AED placement is required by a community school under the permissive authority in current law, the school must ensure that a sufficient number of the staff complete appropriate training in the use of an AED.

AED training is often provided simultaneously with cardiopulmonary resuscitation (CPR) training. Their costs vary depending on the provider and method of delivery. As a point of reference, costs for an individual to receive hands-on AED and CPR training appear to hover around \$50 to \$100. However, public school employee training costs will vary depending on the implementation decisions and training arrangements districts and schools make and the number of additional staff that need the training.

The bill also may minimally increase administrative costs for districts and schools by requiring the adoption of an emergency action plan for the use of AEDs. Districts and schools may use the model plan developed by the Ohio Department of Health (ODH), as described below.

### **Public sports and recreation locations**

The costs associated with the bill's requirements for public sports and recreation locations are uncertain. Some applicable local governments likely already place AEDs in recreational facilities, but LBO is unaware of reliable data that suggests how many such facilities are in use across the state or how many of these facilities currently meet the bill's requirements. The bill requires each applicable controlling authority to have a sufficient number of staff persons at each recreation facility successfully complete an appropriate training course in the use of AEDs and to adopt an emergency action plan for their use – except that this provision does not apply to a township or village if the population is less than 5,000. The vast majority of villages and townships are exempt from the bill's requirements. Based on U.S. Census Bureau data, 1,147 (88%) of the state's 1,308 townships and 669 (99%) of the state's 679 villages have populations of less than 5,000.

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<sup>1</sup> Sharrid, Mark V., et al., "[State Requirements for Automated External Defibrillators in American Schools.](#)" Journal of the American College of Cardiology, vol. 69, no. 13, 2017. The article may be accessed by conducting a keyword "AEDs in schools" search on the Journal's website: [jacc.org](http://jacc.org).

## **Public sports and recreation locations – ODH requirements**

As mentioned above, the bill requires the applicable controlling authorities of municipal sports and recreation locations to place an AED in each location under their control. However, this provision does not apply to a township or village if the population is less than 5,000. The bill also requires each applicable controlling authority to have a sufficient number of staff persons at each sports and recreation location successfully complete an appropriate training course in the use of AEDs and to adopt an emergency action plan for their use. ODH is required to develop a procedure by which persons may report violations of the bill's requirement to place AEDs in sports and recreation locations.

ODH will experience an increase in costs to develop the violation procedure. It is possible that local boards of health will be delegated the responsibility to respond to reports of violations, thus resulting in additional local costs. Costs for either ODH or local boards will depend on the number of violations that are reported. It is also possible that local boards will experience an increase in costs to ensure that public swimming pools are in compliance with the bill's AED placement and staff training requirements, as public swimming pools are licensed and inspected by local boards of health.

## **Model emergency action plan**

The bill requires ODH to develop a model emergency action plan for the use of AEDs by public and chartered nonpublic schools, youth sports organizations, and sports and recreation locations. The model plan must require that the plan be practiced at least quarterly. ODH will experience an increase in costs to develop the plan and to make the plan available for use.

## **Sudden cardiac arrest information**

The bill requires, rather than permits, public and chartered nonpublic schools and youth sports organizations to hold informational meetings regarding the symptoms and warning signs of sudden cardiac arrest for all ages of students or youth athletes, before the start of each athletic season. ODH is required under the bill to develop a procedure for reporting youth sports organizations that violate the protocols regarding sudden cardiac arrest in continuing law as well as the bill's mandatory information meeting provision.

ODH will experience an increase in costs to develop this procedure. Again, it is possible that local boards of health will be delegated the responsibility to respond to reports of violations. If this occurs, local boards of health may incur costs to respond to such violations. Costs for either ODH or local boards will depend on the number of violations that are reported.

## **Hospital Provider Payment Relief**

The bill establishes an FY 2025 appropriation of nearly \$5.5 million from the Coronavirus State Fiscal Recovery Fund (Fund 5CV3) for appropriation line item 042510, Hospital Provider Payment Relief. The payments can only be distributed to certain hospitals in a county with a population between 350,000 and 380,000 (Stark County). The bill prohibits any eligible hospital from receiving more than \$2.8 million. Fund 5CV3 was authorized by the American Rescue Plan Act. These federal funds must be obligated by December 31, 2024, and spent by December 31, 2026.



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# OHIO LEGISLATIVE SERVICE COMMISSION

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**H.B. 50**  
**135<sup>th</sup> General Assembly**

## **Final Fiscal Note & Local Impact Statement**

[Click here for H.B. 50's Bill Analysis](#)

**Primary Sponsors:** Reps. Humphrey and Seitz

**Local Impact Statement Procedure Required:** Yes

Shaina Morris , Budget Analyst, and other LBO staff

### **Highlights**

- Courts of common pleas will incur onetime costs to develop and implement the bill's required petition mechanism that may be minimized to the degree that it can be incorporated into the existing certificate of qualification for employment (CQE) mechanism.
- The ongoing fiscal effect on courts of common pleas will be a function of (1) demand (number of petitions filed annually), which is unknown, (2) operating costs, and (3) revenue from filing fees, and other costs and fees. Common pleas court expenses may be minimized to the degree that a court's work can be incorporated into the existing CQE database managed by the Department of Rehabilitation and Correction (DRC).
- The additional workload for DRC will depend on the number of petitions filed annually. The Department will incur one-time costs to develop and adopt rules governing the new tenant education, training, and readiness program. It is likely the Department will be able to absorb the increase in administrative work utilizing existing resources and staff.
- The amount of revenue generated for any given county will depend on the number of petitions filed and the degree to which the CQH fees and court costs mirror those currently applicable to CQE petitions. The amount of revenue generated for the state will also depend on demand, as well as the frequency with which the filing fee is waived or partially waived.

## **Detailed Analysis**

The fiscal analysis that follows is organized by the various subject areas covered by the bill: (1) certificate of qualification for housing (CQH), (2) legal aid society funds, (3) Home Construction Service Suppliers Act, and (4) residential land development property tax exemption.

### **Certificate of qualification for housing**

#### **Court of common pleas petition**

The bill creates a mechanism by which an individual who is subject to a collateral sanction for housing may obtain a certificate of qualification for housing (CQH) that may provide relief from certain bars on housing. This mechanism largely mirrors the existing process for the issuance of a certificate of qualification for employment (CQE) authorized by R.C. 2953.25.

To receive consideration, the bill permits an individual to file a CQH petition with the court of common pleas. The petition is to be reviewed for completeness, and then reviewed by the court. The court is (1) permitted to order any report, investigation, or disclosure by the individual, and (2) required to decide whether to issue the CQH within 60 days after the court receives or is forwarded the completed petition and all information requested for the court to make that decision. The individual is permitted to appeal a denial to the court of appeals if the individual alleges that the denial was an abuse of discretion. The bill requires that a CQH be revoked if the individual to whom the CQH was issued is convicted of or pleads guilty to a felony or a misdemeanor offense of violence subsequent to the issuance of the CQH.

Courts of common pleas will incur onetime costs to develop and implement the required petition mechanism that may be minimized to the degree that it can be incorporated into the existing CQE mechanism. The ongoing annual operating costs for a court of common pleas will be a function of demand (number of petitions filed annually), which is unknown. The bill will create more work and may require more resources, in particular available staff. The capacity of any given court to absorb the work is unclear.

Unless waived or partially waived, a petitioner is required to pay a \$50 filing fee distributed as follows: \$30 credited to the state GRF and \$20 credited to the county general fund. Under current practice as it relates to CQE petitions (as described in more detail below), some courts also charge court cost and special project fees. According to the CQE annual report for CY 2018, the total amount in fees and court costs assessed a petitioner varied from \$0-\$450 statewide. The amount generated for any given county will depend on the number of petitions filed and the degree to which the CQH fees and court costs mirror those currently applicable to CQE petitions. The amount of revenue generated for the state will also depend on demand, as well as the frequency with which the filing fee is waived or partially waived.

#### **DRC and Adult Parole Authority**

The bill provides that if the Department of Rehabilitation and Correction (DRC) or the Adult Parole Authority (APA) issues a certificate of achievement and employability (CQE) to a prisoner under the current program authorized by statute, either DRC or the APA is required to also issue a CQH to the prisoner if the prisoner satisfactorily completes a tenant education, training, and readiness program approved by rule. DRC is required to adopt rules for the new

tenant education, training, and readiness program. According to DRC, they will likely be able to comply with this provision utilizing existing resources and staff.

### **Background – certificate of qualification for employment**

For some context of what may occur under the bill’s CQH mechanism, a brief overview of historical CQE workload data is described below, as the two programs are likely to operate similarly.

According to annual CQE petition summary data available on the Department of Rehabilitation and Correction’s website, there are thousands of petitions administered annually statewide, and that some, based on calendar year (CY) 2016 and 2017 survey data, required three or more hours for the initial investigation and around 30% of petitions required additional investigative work.

The table below summarizes the number of CQE petitions managed annually from CYs 2017-2021. A study of the annual reports showed that the largest pool of petitioners were in the state’s urban counties.

Table 1. Number of CQE Petitions Managed Annually, CYs 2017-2021				
2017	2018	2019	2020	2021
5,097	3,803	7,302	1,223	8,280

The annual reports for 2017 contain workload data generated by a survey of the courts of common pleas.<sup>1</sup> The responses to certain questions are summarized in the table below, including the number of hours the court expended on the initial investigation, the frequency with which the court ordered an additional investigation, who performed that investigation, and the amount of time spent.

Table 2. Court of Common Pleas CQE Workload Survey, CY 2017	
Court hours on initial investigation	Under 3 hours: 92% 3-5 hours: 6% +5 hours: 2%
Order additional investigations	30% of cases
Who collected	Probation Department: 69% Clerk: 0% Court: 3% Other: 28%

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<sup>1</sup> This is the most recent and readily available workload survey data.

**Table 2. Court of Common Pleas CQE Workload Survey, CY 2017**

Time spent	Under 3 hours: 35% 3-5 hours: 0% +5 hours: 65%
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### **Tort action**

The bill: (1) provides that, in a tort action<sup>2</sup> against a decision-maker for negligent leasing, a CQH issued to an individual provides immunity for the decision-maker as to the claim if the decision-maker knew of the CQH at the time of the alleged negligence, and (2) specifies the circumstances in which a decision-maker, subsequent to such an individual demonstrating dangerousness or being convicted of or pleading guilty to a felony or a misdemeanor offense of violence, may be held liable in a civil action that is based on or related to the retention of the individual as a lessee. A decision-maker is defined as a landlord or a metropolitan housing authority. The filing of such civil actions in local trial courts is unpredictable, as is the frequency with which the defendant will be a public metropolitan housing authority.

### **Private right of action**

The bill specifies that its provisions do not create or provide a private right of action. The number of private actions that otherwise may be brought absent this provision is unpredictable.

### **Legal aid society funds**

The bill prohibits financial assistance received by a legal aid society from the Legal Aid Fund (Fund 5740) from being used for the provision of legal services in any criminal case or proceeding or in the provision of legal assistance in any fee generating case. The bill's prohibition has no direct fiscal effect on the state or political subdivisions, as a civil legal aid society is a nonprofit corporation.

### **Home Construction Service Suppliers Act**

The bill clarifies that "home construction services" include the repair, improvement, remodel, and renovation of existing structures, and are subject to the Home Construction Service Suppliers Act. This clarification is a response to conflicting case law on whether the term, and law, are limited to the creation of a new structure. No additional cases or work will be generated for the Attorney General or local courts.

Under continuing law, transactions involving a home construction service contract are excluded from the purview of the Consumer Sales Practices Act, which prohibits and provides remedies for unfair, deceptive, or unconscionable acts in connection with consumer transactions. Instead, these transactions are regulated by the Home Construction Service Suppliers Act generally when the cost of services exceeds \$25,000. The Attorney General's Consumer

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<sup>2</sup> "Tort action" means a civil action for injury, death, or loss to person or property.



Protection Section is responsible for handling the investigative and legal work associated with both acts. The powers and remedies for enforcement are substantially similar.

### **Residential land development property tax exemption**

The bill modifies a property tax exemption originally authorized by H.B. 33 of the 135<sup>th</sup> General Assembly. In doing so, the bill replaces the Tax Commissioner with the local county auditor as the official responsible for granting the tax exemption. Moreover, the bill repeals the notification provision concerning school districts and further prohibits the county auditor from notifying school districts about applications for this particular property tax exemption. The bill's modifications do not have a fiscal effect because the prescriptive eligibility criteria in continuing law does not grant discretion to the official responsible for evaluating a property owner's application.

Under continuing law, the residential land development exemption excludes from property taxation the value (in excess of the most recent sale price) of unimproved land subdivided for residential development. The exemption lasts for up to eight years or until construction begins or the land is sold.



# OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 289  
135<sup>th</sup> General Assembly

## Final Fiscal Note & Local Impact Statement

[Click here for H.B. 289's Bill Analysis](#)

**Primary Sponsors:** Reps. Robb Blasdel and Swearingen

**Local Impact Statement Procedure Required:** Yes

Jessica Murphy, Senior Budget Analyst

### Highlights

- The bill's tolling requirement is expected to create potentially longer registration periods which will increase registration, notification, and enforcement work for some sheriffs' offices. The collection of permissive sex offender registration fees that are retained by the county may offset some of these administrative costs. For Tier I and Tier II offenders, the fees may not exceed \$25 for each registration year.
- The Attorney General's Office will incur one-time costs to modify the Sex Offender Registration and Notification (SORN) system for tolling information to be input by sheriffs for inclusion into the state's sex offender registry. These costs will be covered by a federal grant award of \$75,000.
- The bill makes changes to several other areas of law that are either clarifying in nature or are expected to have a less than minimal fiscal effect on the state or political subdivisions.

### Detailed Analysis

#### Tolling period of time offender has to comply with SORN Law

The bill provides that if a Tier I or Tier II offender fails to comply with the Sex Offender Registration and Notification (SORN) Law, the period of time that the offender has a duty to register is tolled for the amount of time they are in violation. In other words, the offender's time on the registry would pause for as long as they are out of compliance.

As a result, Tier I and Tier II offenders who fail to comply with their SORN duties will spend a longer length of time on the sex offender registry than otherwise under current law. According to the Attorney General, there are typically around 500 noncompliant offenders on the state's

sex offender registry on any given day. That figure fluctuates day by day as offenders fall in and out of compliance. It is important to note that those numbers also include Tier III offenders who are subject to SORN duties for life and not affected by the bill's tolling provisions.

Conversations with the Buckeye State Sheriffs' Association suggest that potentially longer registration periods will significantly increase registration, notification, and enforcement work for many sheriffs' offices. The collection of permissive sex offender registration fees that are retained by the county may offset some of these administrative costs. For Tier I and Tier II offenders, the fees may not exceed \$25 for each registration year.

The Attorney General's Bureau of Criminal Investigation (BCI) will incur significant, one-time costs to modify the Sex Offender Registration and Notification system for tolling information to be input by sheriffs for inclusion into the state's sex offender registry. These costs will likely be covered by a recently awarded federal Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) grant of \$75,000.

### **Fixed residence address for sex offenders**

Current law requires sex and child-victim offenders to provide certain information when registering a residential address, filing an intent to reside, or changing a residential address under the SORN Law, including a current residence address. The bill specifies a current "fixed" residence address must be provided, which is defined as a permanent residential address. It does not include a temporary address such as places that a homeless person stays or intends to stay, unless that place is a shelter and it intends to provide housing to the person for more than 30 days. If the offender does not have a fixed address, a detailed description of the place or places at which the offender intends to reside must be provided every 30 days until they have a fixed residence address. This requirement will be subject to the existing penalties for SORN registration requirements set forth in R.C. 2950.99. It appears that the additional requirements are generally clarifying in nature with little, if any, fiscal effect.<sup>1</sup>

### **Notice of sex offender release in another county**

The bill requires the Department of Rehabilitation and Correction (DRC), under certain circumstances, to notify a county sheriff as soon as practicable when a sex offender without a fixed residence will be transported to that county by the Department. It also requires DRC to adopt rules specifying how a sheriff may opt in to receive notification for qualifying releases and how the Department will provide sheriffs with information about requesting such notification.

The number of offenders who may trigger a notification in a given year is indeterminate, however, is expected to be relatively small. Some number of notifications are already taking place under current law, so the bill may have an effect of clarifying and broadening those notification requirements.

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<sup>1</sup> A sheriff shall not refuse to register a person, register a new residence address of a person, or verify the current residence address of a person, who does not pay a fee. Unpaid fees are reported to the county commissioners who may then proceed with certain collection activities (R.C. 311.171).

Overall, these requirements will create one-time administrative costs for DRC to adopt rules and ongoing increased expenses to send additional notifications. The magnitude of additional expenses will depend on the number of sheriffs opting in and manner in which DRC provides the notifications, however, it appears likely such increases will be absorbed using existing staff and resources.

### **Subpoena of victims' records**

The bill repeals procedures for a defendant subpoenaing a victim's records. This elimination is unlikely to have a significant impact on courts to determine whether these records may be disclosed, but potentially may reduce some administrative work and number of hearings.

Under the existing procedure, enacted by H.B. 343 of the 134<sup>th</sup> General Assembly, a defendant seeking to subpoena a victim's records must serve the prosecutor, victim, and the victim's attorney. The court may quash or modify the subpoena, upon the filing of a motion to quash, if compliance would be unreasonable or oppressive. Upon receipt of a motion to quash the subpoena, the court will conduct a hearing where the defendant must demonstrate certain elements. If the court does not quash the motion, it must review in camera any records to which privilege has been asserted. If the court determines that any of the records are constitutionally protected or privileged, the court must balance the victim's rights and privilege against the defendant's constitutional rights when ruling to disclose those records. The disclosure to the prosecutor does not make the records subject to discovery unless required pursuant to the Brady Rule.

### **Intervention in lieu of conviction and community-based correction facilities**

The bill extends the temporary availability of placement in a community-based correctional facility (CBCF) as a term of intervention in lieu of conviction (ILC), so that a court may place an offender in a CBCF as part of a term of ILC if the request for ILC is approved on or before October 15, 2025. The fiscal effect, in particular for counties, will depend on the number of offenders placed with a community-based correctional facility, and whether that placement is more or less expensive than the other available alternatives.



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**S.B. 112**  
**135<sup>th</sup> General Assembly**

## Final Fiscal Note & Local Impact Statement

[Click here for S.B. 112's Bill Analysis](#)

**Primary Sponsor:** Sen. Rulli

**Local Impact Statement Procedure Required:** Yes

Jason Glover, Senior Budget Analyst, and other LBO staff

### Highlights

- Public schools that do not meet the bill's applicable standards for protective door assemblies will incur at least minimal costs in meeting those standards. Such costs will depend on the number of doors that need to be retrofitted or replaced to meet them.
- The Ohio Facilities Construction Commission (OFCC) estimates costs to update an assembly to the National Fire Protection Association's (NFPA) 101 standard could range from \$400 to \$1,000 per assembly, depending on the technology used to make the door compliant.

### Detailed Analysis

#### The bill

The bill requires that all protective door assemblies<sup>1</sup> in school buildings comply with either of the following: (1) the National Fire Protection Association's (NFPA) 101,<sup>2</sup> or other standards required by the Board of Building Standards, if the protective door assembly was installed in 2015 or after, or (2) the NFPA 101 that was in effect on the date the protective door assembly was installed or, if the assembly was installed prior to NFPA 101 being in effect, the building code standards in effect at the time of installation, if the protective door assembly was installed prior

<sup>1</sup> The bill defines "protective door assemblies" as: (1) doors with panic hardware or fire exit hardware, (2) door assemblies in exit enclosures, (3) electricity controlled egress doors, or (4) door assemblies with special locking arrangements, such as delayed egress, sensor release egress doors, and elevator lobby doors.

<sup>2</sup> The bill defines "NFPA 101" as the standards for the life safety code published by the NFPA, including the NFPA 80 standards for fire doors and other opening protectives.

to 2015. In other words, the bill requires that protective door assemblies comply with the standards required at the time of installation. The bill also requires each school governing authority in Ohio to have each protective door assembly in every building used for student instruction inspected every 12 months by a qualified inspector, who has the requisite degree, certification, professional standing, or skill, and who has the knowledge, training, and experience to evaluate compliance of a particular door assembly with the applicable standards. Following each inspection, the inspector must provide a report to the school governing authority that indicates whether each protective door assembly is, or is not, compliant with the applicable standards or the protective door assembly is not compliant and is a serious risk for fire or life safety hazard. If each protective door assembly is deemed compliant, the school governing authority need not take any further action until the next inspection. However, if a protective door assembly is not compliant, the bill requires the school governing authority to take all the necessary steps to achieve compliance and have the protective door assembly re-inspected. Each school governing authority must maintain records verifying annual inspections.

Beginning 18 months after the bill's effective date, the authority having jurisdiction<sup>3</sup> must annually review the records of each school governing authority to determine whether the protective door assemblies in its school buildings are compliant with the applicable standards and the bill. If a protective door assembly remains noncompliant for more than 18 months after an inspection, or 180 days if the assembly is noncompliant and is a serious risk for fire or life safety hazard, and the school governing authority is not actively taking steps to achieve compliance, the bill requires the authority having jurisdiction to issue a citation for each noncompliant door assembly. If a citation is issued, the school governing authority must post the citation on its website until the protective door assembly is deemed compliant. The bill prohibits an authority having jurisdiction from issuing citations to a school governing authority as long as it is actively taking steps toward compliance and from assessing a civil penalty or a fine associated with the citation. Any citation issued by an authority having jurisdiction may be appealed to the Ohio Board of Building Appeals.

Finally, the bill requires the State Fire Marshal to adopt rules for the enforcement of the applicable protective door assembly standards and work with the Board of Building Standards to implement such rules. The rules must require that protective door assemblies (1) be inspected annually and (2) continue to meet the compliance standards required at the time of installation.

## **Fiscal effects**

### **Public schools**

According to a spokesperson from the Department of Commerce (COM), the Ohio Building Code (OBC) and the Ohio Fire Code (OFC) currently contain NFPA 80 standards in the construction and renovation of school buildings, including for building features like protective door assemblies. The NFPA 101 standard is neither mentioned in the OBC nor the OFC for new school buildings, except for a life safety evaluation for assembly occupancies. Furthermore,

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<sup>3</sup> The bill defines "authority having jurisdiction" as an organization, office, agency, or individual responsible for enforcing the requirements under the bill.

according to a spokesperson from the Ohio Facilities Construction Commission (OFCC), OFCC's *Ohio School Design Manual*, which is a comprehensive set of standard guidelines for the design of school facilities, also does not reference NFPA 101. According to COM, NFPA 101 is a broader standard than NFPA 80 and addresses construction, protection, and occupancy features necessary to minimize the danger to life from the effects of fire (smoke, heat, and toxic gasses), whereas NFPA 80 relates more to the technical details of each assembly. The NFPA 80 standard applies to all buildings, not just schools, when there is an opening within a fire-resistance-rated wall assembly such as a fire wall, fire barrier, or fire-resistance-rated exterior wall. Both standards work together regarding smoke and fire control in buildings.

According to a spokesperson from OFCC, it is likely that all public schools designed or built under an OFCC school facilities program meets the bill's proposed applicable standards for protective door assemblies. It also appears that most schools not served under an OFCC program meet those standards. For any public schools that do not meet the bill's applicable standards, those schools will incur at least minimal costs to upgrade their buildings' protective door assemblies. The extent of these costs will depend on the number of doors that need to be retrofitted or replaced to meet them. Based on the bill's definition of "protective door assembly," OFCC estimates that approximately 15 to 75 doors in each school building (depending on the building's size) will need to be assessed under the bill. If a school has to update one or more protective door assemblies in its building or buildings, OFCC estimates that costs to update an assembly to, for example, an NFPA 101 standard could range from \$400 to \$1,000 per assembly, depending on the technology used to make the door compliant.

Presumably, the bill's inspections and testing will be performed in the course of the routine annual fire safety inspection that the Ohio Fire Code already requires. According to the Buckeye Association of School Administrators (BASA), fire safety inspections at schools are normally performed by local fire departments. If the bill's requirements for inspections and testing create additional workload, local fire district costs may increase. BASA indicated it was unlikely but possible that a local fire department will not have the required expertise to inspect and test door assemblies for compliance with NFPA 101 standards. In that event, school districts and other public schools may incur costs to obtain the services of an outside inspector. The cost of such inspections may vary depending on the number of buildings or doors requiring inspection.

### **Authority having jurisdiction**

Under the bill, the authority having jurisdiction is ultimately responsible for determining the compliance of, and issuing a citation to a particular school governing authority with respect to any particular protective door assembly, as indicated in section 3737.42 of the Revised Code. This section applies to the fire marshal, an assistant fire marshal, or a certified fire inspector. Therefore it appears that one of these entities would be the authority having jurisdiction under the bill. In any case, an authority having jurisdiction may incur costs for fulfilling its responsibilities under the bill.

The authority is permitted to issue citations under the bill. However, the bill prohibits the issuance of any fines or civil penalties associated with that citation. The bill prohibits citations from being issued to a school governing authority as long as it is actively taking steps toward compliance, and requires the school to post notice of the violation. The bill permits citations to

be appealed to the State Board of Building Appeals. Because the bill prohibits the inspecting authority from levying any civil penalties, the inspecting authority would not receive any fine revenue that could offset any inspection costs under the bill. The State Board of Building Appeals may incur some minimal costs resulting from any appeals of citations issued under the bill.





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**S.B. 208**  
**135<sup>th</sup> General Assembly**

## **Final Fiscal Note & Local Impact Statement**

[Click here for S.B. 208's Bill Analysis](#)

**Primary Sponsor:** Sen. Roegner

**Local Impact Statement Procedure Required:** Yes

Brian Hoffmeister, Fiscal Supervisor

### **Highlights**

#### **Prenatal-to-Five Early Childhood to Post-secondary Regional Partnerships Program**

- The bill establishes the Prenatal-to-Five Early Childhood to Post-secondary Regional Partnerships Program. The bill may increase the administrative costs of the Department of Education and Workforce and the Ohio Department of Higher Education to develop and implement the program.
- School districts, other public schools, and state institutions of higher education that choose to participate in the Prenatal-to-Five Early Childhood to Post-secondary Regional Partnerships Program will incur costs to carry out their regional partnership's activities.

#### **Open enrollment of military students**

- The bill may incentivize additional military students to open enroll into other school districts by allowing a student from an active duty military family to open enroll in a district at no charge for tuition regardless of the student's resident district. District expenditures may increase to educate more students or decrease to educate fewer students, depending on the circumstances.
- Any foregone tuition revenue for a district open enrolling students under the bill may be offset to some extent by an increase in GRF-funded state aid through the foundation aid formula while state aid may decrease for districts with military students who leave to attend another district. Any changes in state aid will depend on the circumstances of each district and the characteristics of the open enrolling students.

- In particular, a district receiving a “guarantee” payment under the formula may bear new costs to educate military students open enrolling in the district, but may not receive any additional state aid. A guarantee district that loses military students to open enrollment may have lower expenditures but receive the same level of state aid.

## **Pre-service teacher permits**

- The bill may increase the State Board of Education’s administrative costs paid from the State Board of Education Licensure Fund (Fund 4L20) to process any additional pre-service teacher permit applications resulting from the bill. These costs will be more or less offset by a gain in permit fee revenue paid by applicants.
- The annual cost of performing the Bureau of Criminal Investigation’s background check activities and services may increase to some degree. These costs will be more or less offset by the fees charged to conduct a background check.

## **Technological equipment purchases**

- School districts and educational service centers may incur minimal administrative costs to implement the bill’s requirements to take certain needs and cost factors into account when purchasing technological equipment to the extent that they do not do so already.

## **Detailed Analysis**

The bill makes a variety of changes to education law. The bill’s provisions concern early childhood to post-secondary regional partnerships, open enrollment of military students, pre-service teacher permits, school purchases of technology equipment, virtual services provided under certain state scholarship programs, in-service training on child sexual abuse, home education learning pods, and instruction on interaction with law enforcement. Additional details are provided below.

### **Prenatal-to-Five Early Childhood to Post-secondary Regional Partnerships Program**

The bill creates the Prenatal-to-Five Early Childhood to Post-secondary Regional Partnerships Program to support and establish early childhood to post-secondary regional partnerships across the state to increase educational attainment and economic mobility outcomes for children and adults. A partnership must consist of prenatal-to-five early learning programs, primary and secondary schools, out-of-school time providers, post-secondary institutions, and workforce and community partners that are located in the same region. The Department of Education and Workforce (DEW), in conjunction with the Ohio Department of Higher Education (ODHE), will be responsible for administering the program, including distributing grants to eligible applicants, though DEW is primarily responsible for implementation of the program. Beginning January 1, 2025, the bill requires the Department of Children and Youth to join the collaboration.

In essence, the bill codifies and renames the Regional Education Partnership Grant Program. The General Assembly funded this program with \$2 million in federal American Rescue Plan Act funds appropriated for FY 2022 in H.B. 169 of the 134<sup>th</sup> General Assembly. DEW used

the funds to distribute grants to support regional collaboration pilot programs among early learning, primary and secondary schools, post-secondary institutions, and workforce partners that align educational resources with regional in-demand jobs and workforce skills. According to DEW, the grants supported 11 partnerships.

### **Program funding**

The bill does not appropriate funds for DEW to support the Prenatal-to-Five Early Childhood to Post-secondary Regional Partnerships Program. Nevertheless, most or all of any funds used by DEW to support the program would presumably be distributed as grants to support existing partnerships and establish new ones. The bill requires DEW and ODHE to work to ensure that at least one partnership exists within each of the six different regions determined by JobsOhio. Partnerships applying for the grant program must be able to demonstrate their commitment to addressing all areas of the education and workforce continuum over time, including a commitment to measure and report targeted attainment outcome metrics, as well as how it will align its mission and work with other entities in the region relating to education, business, and health. Each qualifying partnership will then be required to report on the region's performance metrics in a range of specified areas. The bill provides discretion to DEW and ODHE in determining the amount of the grants. As a point of reference, DEW set the maximum grant award for the Regional Education Partnership Grant Program at \$200,000 for new or emerging partnerships and \$150,000 for established partnerships. The bill does not require local matching funds in order to receive a grant. However, it is worth noting that, when evaluating Regional Education Partnership Grant Program applications, DEW awarded bonus points to applicants that contributed matching funds.

DEW and ODHE may incur administrative costs to develop and administer the program. Administrative functions required by the bill consist of convening quarterly meetings of a cohort of regional partnerships to discuss best practices, grant administration, and reporting the program's progress and outcomes.

School districts, other public schools, and state institutions of higher education that choose to participate in the partnerships will incur costs associated with facilitating their partnership's activities, as well as reporting on the performance metrics for their region. The bill gives qualifying applicants flexibility in how they operate their regional partnerships, so costs may vary depending on the partnership's services and activities.

### **Open enrollment exceptions for military students**

Under current law, each traditional school district must adopt an interdistrict open enrollment policy. The policy must do one of the following: (1) prohibit open enrollment except for students who pay tuition, (2) permit open enrollment only for students residing in adjacent districts, or (3) permit open enrollment for students from any district.

The bill creates a new requirement that districts with policies (1) or (2) above – that is, those that entirely prohibit open enrollment or those that allow it only for students from adjacent districts – must allow a student whose parent or guardian is an active duty member of the military to open enroll in the district regardless of the student's resident district. Further, the bill prohibits districts from charging tuition for open enrolled active duty military students but requires a

district enrolling a military child under the bill to comply with existing procedural requirements for open enrollment admissions, including capacity limits and admissions priority. Specifically, a district is not required to accept open enrollment students from military families if they are at capacity while admissions priority is given first to native students of the district, next to open enrollment students who have previously enrolled in the district, and then to first-time applicants. Finally, the bill sets requirements for counting such students for enrollment reporting and transportation purposes.

## **Fiscal effects**

### **Tuition and state foundation aid**

In the 2022-2023 school year, traditional school districts enrolled 7,330 full-time equivalent (FTE) students from active duty military families. Open enrollment students accounted for a small portion of these, totaling 265 FTEs (3.6%). Very few dependents of active duty military families currently are subject to paying district-charged tuition. Fewer than ten active duty military students statewide either paid tuition or had it paid for them by their district of residence, according to the Department of Education and Workforce. However, the bill may incentivize additional open enrollment of military students by prohibiting districts from charging tuition for them. If so, school district expenditures may increase to educate more students or decrease to educate fewer students, depending on the district's circumstances.

To get a sense of the districts that may be most impacted by the bill, LBO looked at the top ten school districts by enrollment of students from active duty military families in the 2022-2023 school year that do not accept open enrollment or permit adjacent district open enrollment only. These districts are listed in the table below. These districts are predominantly located in and around Greene and Montgomery counties, in proximity to Wright-Patterson Air Force Base. However, several districts in other counties enrolled substantial numbers of active duty military students as well. Notably, these include Olentangy Local Schools in Delaware County and Worthington City Schools in Franklin County, near the Defense Supply Center Columbus. Most of these districts do not allow interdistrict open enrollment and none appear to allow students from other districts to attend on a tuition basis. Other districts, particularly those in the vicinity of these facilities, also may be impacted.

Because the bill prohibits the charging of tuition for active duty military students who do not reside in the district, these districts will forego tuition revenue for students to whom it otherwise would have been charged. Under continuing law, a district's in-state tuition rate is based on its property and income taxes for operating expenses divided by its formula average daily membership (formula ADM). In general, formula ADM is a measure of the students residing in the district, including students attending another district through open enrollment; a community or science, technology, engineering, and mathematics (STEM) school; or a nonpublic school through certain state scholarship programs. The table below lists each of the ten districts' in-state tuition rates for FY 2025. They range from about \$3,900 to over \$14,200.

Ohio's system of funding public schools uses a student-based foundation aid formula to determine how much state aid a school district receives. The foundation aid formula is the main source of state support for public schools and is primarily funded by the GRF. The formula counts

students in the school district where the student is educated. Therefore, the bill may increase state aid to districts that receive open enrolling students from military families and decrease state aid to districts whose students open enroll in other districts. State aid to those districts that receive open enrollment students could offset, to some extent, losses in tuition revenue for districts that would otherwise charge tuition for the enrollment of these students under current law. Under the current formula, which is in effect for FY 2024 and FY 2025 only, the change in state aid will depend on the circumstances of each district and the characteristics of the open enrolling students.

However, state aid may not change for certain districts. The foundation aid formula includes “guarantee” provisions that ensure a district’s state aid does not fall below certain historical funding levels. If a district receives a guarantee payment, its calculated funding must increase past the amount of the guarantee payment before the district actually receives any increase in state aid. Four of the ten districts in the table below are subject to at least one guarantee provision in FY 2025, and thus may not receive any additional state aid if a military student open enrolls into a district under the bill. Consequently, the bill may result in costs for a district on a guarantee to educate additional students for whom the district (a) will be prohibited from charging tuition and (b) will receive no new state aid. A guarantee district that loses military students to open enrollment may have lower expenditures but receive the same amount of state foundation aid.

Top Ten Districts in Student Enrollment from Active Duty Military Families Among Districts with Adjacent District or No Open Enrollment, 2022-2023 School Year					
District	County	# of Students from Active Duty Military Families	Allows Open Enrollment?	In-State Tuition Rate in FY 2025	District on Guarantee in FY 2025?
Beavercreek City	Greene	715	No	\$12,771	Yes
Centerville City	Montgomery	246	No	\$12,518	Yes
Fairborn City	Greene	211	No	\$7,521	No
Oakwood City	Montgomery	193	No	\$13,341	Yes
Springboro Community City	Warren	165	No	\$8,444	Yes
Bethel Local	Miami	135	Adjacent	\$3,884	No
Olentangy Local	Delaware	114	No	\$12,559	No
Worthington City	Franklin	114	No	\$14,223	No
Huber Heights City	Montgomery	110	No	\$5,837	No
New Albany-Plain Local	Franklin	86	No	\$12,227	No

## **Student transportation**

The bill classifies a new open enrolling military student as an “other district student” (if the district otherwise prohibits open enrollment) or an “adjacent district student” (if a district otherwise allows open enrollment only for adjacent district students). For purposes of pupil transportation, continuing law requires that a district provide transportation to such students if the district offers transportation to students who are native to the district, in the same grade level, and the same distance from school. The requirement is limited to transportation within the district’s boundaries and, for students without disabilities, to regular school bus stops designated by the school district. Therefore, the bill likely has minimal, if any, fiscal effect on a district’s student transportation costs. Current law authorizes, but does not require, a district to reimburse parents for the reasonable cost of transporting a student from their home to a district bus stop if the student’s family has an income below the federal poverty line. A district that transports a student open enrolling into the district under the bill will receive no additional state transportation aid, as the transportation formula only counts students residing in the district for funding purposes.<sup>1</sup>

## **Pre-service teacher permits**

H.B. 33 of the 135<sup>th</sup> General Assembly enacted provisions that established a three-year, pre-service teaching permit. This permit, which became available beginning July 1, 2024, allows student teachers to receive compensation and permits student teachers to be employed as substitute teachers. The fee for the permit is \$75. Currently, over 11,800 individuals hold an active pre-service teacher permit according to data published by DEW. The bill permits a pre-service teacher permit to be for one year in duration, in addition to three years as under continuing law. Presumably, the fee for a one-year permit will be \$25.

The bill may increase the State Board of Education’s administrative costs paid from the State Board of Education Licensure Fund (Fund 4L20) to process any additional permit applications resulting from the bill. These costs will be more or less offset by a gain in permit fee revenue paid by applicants. The bill may affect the workload of the Attorney General’s Bureau of Criminal Investigation (BCI) if the number of background checks requested each year increases. Any associated increase in BCI’s annual operating expenses will be more or less offset by the fees charged to conduct a check. The base fees of the state-only and Federal Bureau of Investigation (FBI) background checks are \$22 and \$25.25, respectively. All of the fees are credited to the General Reimbursement Fund (Fund 1060), with \$23.25 of the FBI background check fee subsequently disbursed to the FBI.

## **School purchases of technological equipment**

The bill requires local school boards and governing boards of educational service centers (ESCs) to seek to meet the varying needs of students and teachers when purchasing certain technological equipment, including computer hardware and software. The bill also requires districts and ESCs to consider the long-term cost of ownership, flexibility for innovation, and any

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<sup>1</sup> The count is the average number of qualifying riders provided school bus service by a school district during the first full week of October.

anticipated residual or salvage value at the end of the target life cycle. Districts and ESCs may incur minimal administrative costs to plan purchases in accordance with the bill's requirements to the extent they do not do so already.

### **Virtual services under certain scholarship programs**

The bill permits educational aides or assistants and instructional assistants to provide services virtually under the Autism and Jon Peterson Special Needs scholarship programs. The bill also requires DEW to include in its rules for each of those programs that virtual intervention services may be provided by certain qualified, credentialed educators or other providers. This provision will increase the flexibility of providers under these scholarship programs to offer services virtually, but will not likely have a material effect on scholarship expenditures.

### **In-service training on child sexual abuse**

The bill permits, rather than requires as under current law, public schools to have law enforcement officers or prosecutors with relevant experience provide employee in-service training on child sexual abuse and permits them to do so at their own discretion. The bill provides additional flexibility for public schools in offering the training but has no discernable fiscal effect.

### **Home education learning pods**

The Department of Children and Youth (DCY)<sup>2</sup> might experience a reduction in administrative costs due to the bill's provision that exempts home education learning pods from licensure and regulation as a child care center or family child care home. If any of these pods currently hold a license, there could be a decrease in associated regulatory costs and a subsequent loss in license fee revenue. There should be no direct impact associated with the bill's provision that prohibits a county or township from restricting or limiting the location of, or imposing additional or more stringent regulations on a building or residence based solely on its association with or use by, home education learning pods within any district/zone in the county or township.

### **Instruction on interaction with law enforcement**

The bill repeals provisions requiring the State Board of Education to adopt, and school districts and other public schools to use, a model curriculum for high school students on proper interactions with law enforcement officers during traffic stops and other encounters. It also repeals the requirement for the Director of Public Safety to adapt the State Board's model curriculum for use in driver training programs and new driver instructional materials. The elimination of these requirements has no discernable fiscal effect.

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<sup>2</sup> H.B. 33 of the 135<sup>th</sup> General Assembly transferred child care functions from the Ohio Department of Job and Family Services to the Department of Children and Youth. The transfer of duties, functions, programs, and staff must be implemented in a detailed plan by January 1, 2025. Thus, some associated costs could still be under the Department of Job and Family Services.

## Appendix

### All House Bills Enacted in 2024

House Bill	LIS Required?	Subject
2*	No	Directs state funds for economic growth and community development
5	No	Modernizes the adoption process
7	No	Enacts the Strong Foundations Act
8	Yes	Enacts the Parents' Bill of Rights
28	No	Designates Triple Negative Breast Cancer Awareness Month
29	No	Regards driver's license suspensions – failure to pay child support
34	No	Excuses breast-feeding mothers from jury service
37	No	Increases penalties for OVI and aggravated vehicular homicide
47	Yes	Requires automated external defibrillators (AEDs) in schools
50	Yes	Creates mechanism to allow relief – collateral sanction for housing
56	No	Increases penalty – fleeing police; regards motor vehicle pursuit
70	No	Requires schools adopt a policy regarding over-the-counter drugs
74	No	Creates the temporary Cybersecurity and Fraud Advisory Board and changes certain elections-related laws
77	No	Governs the operation of unmanned aerial vehicles in Ohio
78	No	Regards State Teachers Retirement Board elections, membership
81	No	Designates Sheriff Dale R. Williams Memorial Highway
101	No	Modifies the law regarding village dissolution
106	No	Enacts the Pay Stub Protection Act
107	No	Designates Cleveland Firefighter Johnny Tetrick Memorial Highway
111	No	Increases sentence range for third degree felony domestic violence



House Bill	LIS Required?	Subject
147	No	Modifies laws on school employee misconduct and makes other changes
158	No	Regards the regulation of cosmetologists and barbers
161	No	Eliminates spousal exceptions for certain sex offenses
173	No	Designates May as Older Ohioans Month
179	No	Modifies the law on the tolling of statutes of limitations and makes other changes
184	No	Regards charitable solicitations
195	No	Creates an adaptive mobility dealer license
202	No	Designates Specialist Dennis Alan Combs Memorial Highway
206	No	Permits expulsion from public schools for actions dangerous to others
214	No	Requires publicly funded schools to adopt policies on religious expression
226	No	Regards customer-owned water service lines replacement costs
234	No	Changes procedures for sentencing on Alford pleas, sealing, and expungement
236	No	Enacts the Never Alone Act
238	No	Revises the process for legislative review of occupational regulations
250	No	Revises the Military Enlistment diploma seal
251	No	Designates Deputy Sheriff James “Jim” Wert Memorial Highway
253	No	Designates Brigadier General Charles Young Memorial Historical Corridor
256	No	Requires ODNR to inquire about organ donation
257	No	Authorizes certain public bodies to meet virtually
265	No	Exempts certain public service workers’ forms from disclosure
269	No	Designates Sgt Bradley J. Harper USMC Memorial Highway
289	Yes	Regards SORN law compliance; adds new sexually oriented offense
301	No	Revises the Nonprofit Corporation Law and makes other various changes

House Bill	LIS Required?	Subject
303	No	Establishes a process to revise EMS training subjects
308	No	Includes energy generated by nuclear reaction as green energy
315**	No	Revises the township law
322	No	Regards childhood sexual abuse registrants, offense of grooming
331	No	Regards village dissolution
338	No	Allows child support orders for children over 18 with a disability
364	No	Exempts noncommercial seed sharing activities from labeling laws and makes other changes
366	No	Enacts the FORCE Act regarding organized retail theft
403	No	Creates new causes of action regarding vehicles towed after an accident
432	No	Regards the teaching of career-technical education
452	No	Regards hospital violence prevention, training, security plans
466	No	Requires written real estate agency agreement for representation
496	No	Revises the law governing property taxes and county auditors
497	No	Makes various changes regarding county law
503	No	Prohibits activities regarding garbage-fed swine, feral swine, wild boar
531	No	Enacts Braden's Law to prohibit sexual extortion
<b>Special Session</b>		
1	No	Modifies Campaign Finance Law regarding foreign nationals
2	No	Delays presidential certification deadline for the 2024 election

\*Not required for budget bills

\*\*Partially vetoed by the Governor

## All Senate Bills Enacted in 2024

Senate Bill	LIS Required?	Subject
6	No	Regards certain public entities' governance policies
17	No	Adds capitalism to high school financial literacy standards
28	No	Enters Ohio into the Physician Assistant Licensure Compact
29	No	Revises procedure on education records and student data privacy
40	No	Enters Ohio into the Dentist and Dental Hygienist Compact
54**	No	Establishes the New African Immigrants Grant and Gift Fund
56	No	Enters Ohio into the Interstate Massage Compact
58	No	Prohibits requiring firearms liability insurance or certain fees
63	No	Requires plaintiff in asbestos claim to file specified disclosures
81	No	Authorizes certain nurses to sign hospital patient documents
90	No	Enters the Social Work Licensure Compact
94	No	Revises laws affecting the Treasurer of State, recorded instruments, liens, etc.
95	No	Authorizes the operation of remote dispensing pharmacies
98	No	Addresses fraudulent business filings, related documents
100	No	Prohibits installing tracking device or app without consent
104	No	Regards the College Credit Plus Program
106	No	Requires workers' comp coverage for certain exposure testing
109	No	Expands the offense of sexual battery and makes other changes
112	Yes	Enacts the Ohio Childhood Safety Act
144**	No	Regards immunizations by pharmacists, pharmacy interns, and techs
154	No	Includes Space Force in armed forces, armed services, and uniformed services
156	No	Revises procedures for designating wild, scenic, and recreational rivers

Senate Bill	LIS Required?	Subject
158	No	Creates a new judgeship in Adams County
163	No	Creates Dublin City Schools license plate
168	No	Revises laws on school district governance
175	No	Revises insurance regulations and taxes
196	No	Regards authority of advanced practice registered nurses
208	Yes	Requires a military exception in an open enrollment policy
211	No	Enters Ohio into the Dietitian Licensure Compact
214	No	Allows human trafficking victim to expunge certain records
225	No	Designates Veterans Suicide Awareness and Prevention Day
234	No	Designates Food Allergy Awareness Month
237	No	Enacts the Uniform Public Expression Protection Act
257	No	Allows military to participate in homeownership savings program

\*Not required for budget bills

\*\*Partially vetoed by the Governor