

# **DIGEST OF ENACTMENTS 2016**

131st General Assembly (2015-2016)



**Ohio Legislative Service Commission**  
Columbus, Ohio

July 2017

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131st General Assembly (2015-2016)

## Ohio Legislative Service Commission

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July 2017

# INTRODUCTION

The *Digest of Enactments 2016* summarizes legislation passed by the General Assembly during 2016, including 49 Senate bills and 88 House bills. Governor John R. Kasich vetoed S.B. 296, S.B. 329, and H.B. 554, but they are described within.

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

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# Agriculture

## Sub. S.B. 75

**Sens.** Jones and Peterson, Gardner, Beagle, Balderson, LaRose, Manning, Eklund, Patton, Cafaro, Gentile, Coley, Bacon, Brown, Burke, Faber, Hite, Hottinger, Hughes, Jordan, Lehner, Obhof, Schiavoni, Tavares, Thomas

**Reps.** Hill, Burkley, Patterson, Boose, Buchy, Cera, Hagan, Koehler, LaTourette, S. O'Brien, Phillips, Retherford, Rezabek, Ruhl, Schaffer, Anielski, Antani, Antonio, Arndt, Baker, Boccieri, Boggs, Brenner, Celebrezze, Conditt, Derickson, Dovilla, Fedor, Ginter, Grossman, Hall, Hambley, Hayes, T. Johnson, Landis, Lepore-Hagan, Manning, McClain, M. O'Brien, Ramos, Reece, Reineke, Rogers, Ryan, Sears, Sheehy, Slaby, R. Smith, Sprague, Strahorn, Thompson, Young, Rosenberger

**Effective date:** August 16, 2016

- Specifies that an agritourism provider is immune from liability in a civil action for any harm a person sustains during an agritourism activity if the person is harmed as a result of a risk inherent in an agritourism activity.
- Provides that an agritourism provider is not immune from civil liability in certain circumstances, including when the provider purposefully causes harm to an agritourism participant.
- Requires an agritourism provider to post and maintain warning signs.
- Generally states that county and township zoning laws confer no authority to prohibit the use of any land for agritourism, but allows a board of county commissioners or a board of township trustees to regulate certain factors pertaining to agritourism such as size of parking areas and egress or ingress.
- Specifies that the existence of agritourism on land does not disqualify that land from valuation under the property tax statutes that govern current agricultural use valuation.



# Appropriations

## Sub. H.B. 390

*(For details of fiscal provisions of the act, see the Legislative Service Commission's Fiscal Note for H.B. 390, As Enacted, which is available at <https://www.legislature.ohio.gov/download?key=5554&format=pdf>)*

**Reps.** Schaffer, Retherford, Amstutz, Cera, Rogers, Anielski, Antonio, Baker, Boccieri, Brenner, Brown, Buchy, Burkley, Celebrezze, Duffey, Ginter, Green, Hagan, Hall, Hambley, Huffman, Lepore-Hagan, Maag, Manning, McClain, McColley, M. O'Brien, Perales, Rezabek, Romanchuk, Ryan, Scherer, Schuring, Sears, Slaby, Slesnick, K. Smith, Sprague, Strahorn, Thompson, Young

**Sens.** Williams, Beagle, Bacon, Balderson, Cafaro, Coley, Eklund, Faber, Hackett, Hite, Hughes, Jordan, LaRose, Lehner, Obhof, Oelslager, Patton, Seitz

**Effective date:** September 28, 2016; sections related to repaying unemployment benefits debt, operating appropriations, and certain other matters effective June 28, 2016; other sections effective July 1, 2017

### Repayment of current federal unemployment debt

- Requires a one-time loan to be made from unclaimed funds to the Unemployment Compensation Fund to pay unemployment benefits.
- Requires the Director of Job and Family Services to use the amount transferred from unclaimed funds to eliminate the balance advanced to the state from the federal government.
- Requires each experience-rated contributory employer to pay an increased contribution rate for contributions due in 2017 to repay the loan from unclaimed funds.

### Contribution rate increase to pay principal on federal advances

- Requires, if as of the computation date an outstanding balance on advances exists, all experience-rated contributory employers to be subject to a contribution rate increase up to ½ of 1% to eliminate the principal of the outstanding advance balance.
- States that it is the intent of the General Assembly to repeal this increase in contribution rates in future legislation adopting long-term reforms to the unemployment compensation system.

### Surcharge to pay interest on federal advances

- Beginning October 1, 2016, if interest is paid on federal advances from the Unemployment Compensation Interest Contingency Fund, requires, the Director to

determine the amount of a surcharge to assess against each contributory employer that generates an amount sufficient to repay any interest paid.

### **Correctional Institution Inspection Committee**

- Modifies employment authority of the Correctional Institution Inspection Committee (CIIC).
- Requires a staff representative assigned by CIIC, rather than the Director of CIIC, to serve on certain advisory boards.

### **Vacant and abandoned properties – expedited foreclosure**

- Allows a mortgagee to bring an expedited foreclosure action against vacant and abandoned residential property.
- Provides judicial and sale procedures for foreclosed residential property that is deemed vacant and abandoned.
- Authorizes a mortgagee of a residential property that has been found to be vacant and abandoned to enter and secure the property.
- Authorizes a mortgagee who has not yet filed a mortgage foreclosure action to enter and secure the residential property only if the mortgage contract or other documents provide for the entry.
- Extinguishes an owner's right to redemption of a mortgage on residential property found to be vacant and abandoned upon the confirmation of the property's sale.

### **Modifications to judicial sale procedures**

#### **Official public sheriff sale website**

- Creates the official public sheriff sale website to sell property subject to foreclosure sales.
- Permits judicial sales of residential property to be conducted through the website for the first five years the website is fully operational; after this period sales on the website are required.
- Requires the Department of Administrative Services to solicit competitive sealed proposals for the creation, operation, and maintenance of the website.

#### **Private selling officer**

- Authorizes a private selling officer to conduct foreclosure sales and establishes procedures relating to those sales.
- Permits a judgment creditor in a foreclosure action to file a motion with the court requesting a specified private selling officer to sell the real property.

### **Other modifications to judicial sale procedures**

- Makes other modifications to judicial sale procedures, including:
  - Establishes remote bidding procedures for physical location sales and website sales.
  - Establishes new procedures for appraisal of property.
  - Increases the penalty fee from 50¢ to \$50 for a freeholder who fails appraisal duties.
  - Establishes new procedures for judicial sales of residential properties subsequent to the first sale attempt.
  - Requires the purchaser of a property at a judicial sale, other than the judgment creditor, to deposit a specified amount with the sheriff or private selling officer at the time of the sale.
  - Grants the judgment creditor and the first lienholder a right of redemption under certain circumstances.
  - Permits, under certain circumstances, a county prosecutor to proceed with a foreclosure sale of residential real property.

### **Owner's physical harm to property**

- Provides that an owner who knowingly and with the purpose to diminish the value or enjoyment of the residential property moves, defaces, damages, or otherwise improperly tampers with the person's own residential property is guilty of criminal mischief if the property is the subject of a foreclosure action.

### **Attorney General reports and database**

- Requires all officers appointed or authorized by a court to conduct a foreclosure sale of certain residential properties to submit quarterly reports to the Attorney General.
- Requires the Attorney General to establish and maintain a public database containing information submitted in the reports.

### **Responsibilities of the clerk of the court of common pleas**

- Prohibits a clerk from restricting, prohibiting, or modifying the rights of parties seeking service on party defendants.

### **Enforcement of lost instrument**

- Modifies one of the three conditions that must be satisfied for a person to enforce a lost instrument under Ohio Commercial Paper Law.

**Tax certificate foreclosure sales**

- Permits private selling officers to conduct tax certificate foreclosure sales.
- Establishes sale procedures conducted online.
- Specifies the amount that is considered reasonable for attorney, private selling officer, and title agent and title insurance company fees charged as costs against property.

**Auctioneers**

- Requires auctioneers who are not private selling officers who conduct judicial sales to be Ohio residents.

**Exempt state employee salary schedules**

- Eliminates Schedule E-1 for Step Eight Only, which is a salary schedule for exempt state employees, on July 1, 2017.
- Gradually moves exempt state employees paid under Schedule E-1 for Step Eight Only into the corresponding pay range in Schedule E-1.
- Creates a new step for pay ranges 12 through 16 of Schedule E-1, Step 8, which provides for a higher maximum amount of pay than Schedule E-1 for Step Eight Only.

**Certificates of need**

- Provides that any failure to conduct a reviewable activity in substantial accordance with an approved certificate of need is itself a reviewable activity if the failure occurs within five years of the reviewable activity's implementation.

**Community health assessments, implementation plans, and tax information**

- Requires boards of health and tax-exempt hospitals to submit to the Department of Health assessments of community health and implementation plans every three years, beginning in 2020.
- Requires tax-exempt hospitals to submit to the Department certain tax information annually, beginning July 1, 2017.

**Alternative Fuel Vehicle Conversion grants**

- Establishes the Alternative Fuel Vehicle Conversion Grant Program to make grants to businesses that purchase large alternative fuel vehicles or convert large traditional fuel vehicles to run on alternative fuel.

## **Controlling Board**

- Changes the name of the Controlling Board Emergency Purposes Fund to the Controlling Board Emergency Purposes/Contingencies Fund.
- Transfers up to \$25 million of surplus GRF revenues for use by the Controlling Board.

## **Movie production tax credit**

- Adjusts how the refundable motion picture tax credit is calculated.
- Removes the \$5 million limit on the maximum credit amount that may be awarded to a production.
- Increases the total amount of credits that may be awarded each year from \$20 million to \$40 million.
- Authorizes motion picture companies to transfer the authority to claim a credit to another person.
- Creates a program for certifying resident film crew trainees and authorizes the state to make payments to motion picture companies equal to 50% of those trainees' salaries.

## **Other tax-related provisions**

- Exempts from sales and use tax the sale of natural gas by a municipal gas company and applies the exemption retroactively.
- Authorizes abatement of unpaid property taxes, penalties, and interest owed on property owned by a metropolitan housing authority that would have qualified for tax exemption if not for a failure to comply with certain procedures.
- Clarifies the role of the Director of Budget and Management, Tax Commissioner, and Superintendent of Insurance in reviewing taxpayer applications for job retention tax credits.
- Eliminates the authority of counties to levy a tax on utility services purchased by consumers in the county.
- Authorizes library boards to issue special obligation bonds for facilities backed by a property tax levied for the library board by the board's taxing authority.

## **School district performance audits**

- Requires the Auditor of State, in consultation with the Department of Education and the Office of Budget and Management, to determine for which school districts to conduct performance audits, with priority given to districts in fiscal distress.

- Requires the Auditor of State, rather than the Department, to pay the costs of the performance audits and transfers \$1 million for FY 2017 from the Department to the Auditor of State for that purpose.

### **Veterinarian licensing**

- Expands the requirements to obtain a license to practice veterinary medicine to additionally require an applicant to have passed the nationally recognized examination approved by the State Veterinary Medical Licensing Board.

### **Ohio Turnpike and Infrastructure Commission**

- Allows designees of the Directors of Transportation and Budget and Management to serve on the Ohio Turnpike and Infrastructure Commission.

### **Oil and gas unit operations of ODOT-owned lands**

- Requires the Chief of the Division of Oil and Gas Resources Management, by order, to approve or deny an application for unit operation of an oil and gas pool involving ODOT by August 12, 2016, if a hearing was conducted concerning the application prior to June 28, 2016.
- Specifies that an applicant to whom the above provision applies is not required to commence unit operations within 24 months of the effective date of the Chief's order.

### **Ohio Judicial Conference**

- Exempts the Ohio Judicial Conference from sunset review in 2016.

### **Capital Case Attorney Fee Council**

- Creates the Capital Case Attorney Fee Council, replacing the Supreme Court of Ohio as the entity that sets the rate of compensation for counsel selected by indigent persons or appointed by the courts in capital cases.

### **Land conveyance**

- Repeals a prior authorization for a land conveyance of Department of Job and Family Services property in Columbus and instead authorizes the property to be conveyed to the Columbus Downtown Development Corporation or a grantee to be determined.

### **Appropriations**

- Makes capital and other appropriations.
- States the General Assembly's intent regarding capital appropriations and reappropriations, including that:



- Appropriations and reappropriations are for capital construction projects that are ready to begin construction or for projects that will be completed within the fiscal biennium.
- Projects that are neither started nor completed within the biennium will be allowed to lapse and not be reappropriated, barring extraordinary circumstances.

### **Am. Sub. S.B. 260**

*(For details of capital reappropriations for the biennium ending June 30, 2018, and certain capital appropriations see the LSC fiscal note, available at <https://www.legislature.ohio.gov/download?key=4447&format=pdf>)*

**Sens.** Coley, LaRose, Gardner, Tavares, Burke, Eklund, Hite, Hottinger, Lehner, Manning, Oelslager, Patton, Sawyer, Seitz, Thomas, Williams, Yuko

**Reps.** Schuring, Amstutz, Anielski, Antonio, Arndt, Ashford, Baker, Bishoff, Blessing, Brown, Celebrezze, Conditt, Dovilla, Driehaus, Fedor, Ginter, Green, Hackett, Hall, Hambley, Kuhns, Landis, Lepore-Hagan, Manning, M. O'Brien, S. O'Brien, Patterson, Perales, Phillips, Ramos, Reece, Reineke, Rogers, Ruhl, Schaffer, Scherer, Sears, Sheehy, Slaby, Slesnick, K. Smith, R. Smith, Sweeney, Young

**Effective date:** May 23, 2016

- Makes capital reappropriations for the biennium ending June 30, 2018.
- Makes certain capital appropriations.

### **S.B. 310**

*(For details of the act's fiscal provisions, see the LSC Fiscal Note and Capital Item Analysis, As Enrolled, available at <http://www.lsc.ohio.gov/fiscal/capitalbudget131/default.htm>)*

**Sens.** Oelslager, Coley, Hite, Tavares, Gentile, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Eklund, Hackett, Hughes, LaRose, Lehner, Obhof, Patton, Sawyer, Seitz, Thomas, Uecker, Williams, Yuko

**Reps.** Anielski, Burkley, Cera, Dovilla, Ramos, Amstutz, Antani, Antonio, Arndt, Ashford, Baker, Blessing, Boose, Boyd, Buchy, Celebrezze, Clyde, Conditt, Derickson, Dever, DeVitis, Driehaus, Duffey, Fedor, Ginter, Green, Grossman, Hambley, Hayes, Hill, T. Johnson, Kuhns, Kunze, Landis, LaTourette, Leland, Lepore-Hagan, Manning, McClain, McColley, M. O'Brien, Patmon, Patterson, Pelanda, Perales, Reece, Reineke, Rogers, Ruhl, Schaffer, Schuring, Sears, Slaby, K. Smith, R. Smith, Sweeney, Terhar, Rosenberger

**Effective date:** August 16, 2016; capital appropriations effective July 1, 2016

#### **Capital appropriations**

- Makes capital appropriations for the biennium ending June 30, 2018.

## **Research and development project bonds**

- Updates the amount of general obligations that may be issued for research and development projects, from \$500 million to \$1.2 billion, to reflect the 2010 amendment by the voters of Article VIII, section 2p of the Ohio Constitution.

## **Local government public infrastructure capital improvements**

### **Issuance of bonds**

- Implements the provisions of Article VIII, section 2s of the Ohio Constitution, approved by the voters in 2014, regarding the issuance of general obligation debt for local government public infrastructure capital improvements.

### **Revisions to the allocation formula**

- Changes the amount of financial assistance for capital improvements to villages and to townships with less than 5,000 people in unincorporated areas from \$15 million per program year to 10% of the net proceeds of obligations issued to finance local subdivision public infrastructure capital improvements.
- Changes the amount of financial assistance allocated to local subdivisions for capital improvements necessary for the immediate preservation of public health, safety, and welfare from \$3 million per program year to 2% of the net proceeds of obligations issued to finance local subdivision public infrastructure capital improvements.

### **Evaluation for capital improvement applications**

- Permits a District Public Works Integrating Committee to exercise discretion over whether to require certain capital infrastructure information from a local subdivision seeking assistance in financing a capital improvement project, instead of requiring a capital improvement study and report, as former law provided.
- Repeals a requirement that a local subdivision annually review and update its report on capital improvements and provide the report and updates, on request, to certain agencies.

## **OFCC energy efficiency and conservation programs**

### **Lease or construction analysis requirements**

- Eliminates the requirement that a state entity obtain an energy consumption analysis in order to lease a state-funded facility.
- Increases, from 5,000 to 20,000, the square footage of a building for which a state entity must disclose to the Ohio Facilities Construction Commission a life-cycle cost analysis before construction.
- Authorizes the Commission to waive the life-cycle cost analysis requirement or to require a life-cycle cost analysis for buildings with less than 20,000 square feet.

**Energy efficiency and conservation standards**

- Narrows the authority of the Commission to establish cost-effective, energy efficiency and conservation standards by eliminating its authority to govern the lease of certain state-funded facilities.

**Building operator requirement**

- Removes the Commission's authority to require that certain state-funded facilities be managed by a building operator.

**Other changes**

- Eliminates the definition of "energy performance index," for which the Commission may establish specifications to audit and evaluate competing construction design proposals.
- Allows the Commission to create a process by which a manager of certain state-funded facilities may *receive*, rather than *apply for*, a waiver of compliance.
- Corrects two references to the Office of Energy Services by instead referencing the Commission.

**Open space acquisition and related development projects**

- Allows the awarding of grants from the Clean Ohio Conservation Fund for *either* open space acquisition projects *or* for the related development of open spaces acquired with such a grant, rather than for projects that include *both* open space acquisition and related development.

**School facilities assistance**

- Qualifies a "stand-alone segment" of a building that serves grades K-12 for segmentation under the Classroom Facilities Assistance Program (CFAP).
- Eliminates the requirement that, for each segment under CFAP, a school district's portion must be valued at a minimum of 2% of the district's tax valuation.
- Specifies that cash resulting from a school district's lease-purchase agreement may be applied toward the district's share of a state-assisted classroom facilities construction project, provided that the agreement and the related financing documents contain provisions protecting the state's superior interest in the project.

**District detention facility financial assistance**

- Eliminates the restriction that Department of Youth Services (DYS) financial assistance for district detention facility acquisition or construction cannot be used to pay architects' fees.

- Increases the maximum amount of financial assistance DYS may grant from 50% to 60% of a county's share of the cost of constructing or acquiring a detention facility.
- Eliminates the \$6,500 per bed unit financial assistance cap for district detention facilities.

## S.B. 315

**Sens.** Manning, Yuko, Brown, LaRose, Uecker, Bacon, Coley, Eklund, Gardner, Hackett, Hite, Lehner, Obhof, Patton, Sawyer, Skindell, Thomas

**Reps.** R. Smith, Dovilla, Amstutz, Anielski, Antonio, Baker, Barnes, Boccieri, Brown, Buchy, Burkley, Celebrezze, Craig, DeVitis, Driehaus, Fedor, Green, Hambley, Hill, Howse, Landis, Lepore-Hagan, Manning, McClain, M. O'Brien, S. O'Brien, Patterson, Perales, Phillips, Reineke, Rezabek, Rogers, Ruhl, Schuring, Sears, Sheehy, Slesnick, K. Smith, Strahorn, Sweeney, Sykes

**Effective date:** Emergency, May 26, 2016

- Provides the Ohio Department of Transportation (ODOT) with additional appropriations for highway construction and transit projects available to Ohio as a result of three sources of revenue received, or anticipated to be received, by the Department:
  - Federal funding from the Fixing America's Surface Transportation Act (FAST) of 2015;
  - Federal funding awarded under the TIGER Discretionary Grant Program operated by the U.S. Department of Transportation; and
  - Money authorized for ODOT from bonds issued by the Ohio Turnpike and Infrastructure Commission.

## Commerce

### Sub. H.B. 476

**Reps.** Schuring, Rosenberger, Strahorn, Amstutz, Boyce, Brown, Celebrezze, Cera, Derickson, Driehaus, Hayes, McClain, Slesnick, Sprague, Buchy, Anielski, Antani, Barnes, Boyd, Brenner, Craig, Dever, Dovilla, Ginter, Goodman, T. Johnson, Leland, Maag, Merrin, Perales, Roegner, Romanchuk, R. Smith, Sweeney, Terhar, Thompson, Young, Zeltwanger

**Sens.** LaRose, Bacon, Coley, Eklund, Faber, Hackett, Hite, Hottinger, Hughes, Jones, Obhof, Patton, Peterson, Seitz, Thomas, Uecker, Williams

**Effective date:** March 21, 2017

#### State contracts and boycotting

- Prohibits state agencies from entering into or renewing contracts with companies for supplies and services unless the companies declare that they are not boycotting, and will not boycott during the contract period, any jurisdiction with whom Ohio can enjoy open trade, including Israel.
- Defines "boycott" as engaging in refusals to deal, terminating business activities, or other actions intended to limit commercial relations with persons or entities in a discriminatory manner.
- Exempts the following: boycotts to which 50 U.S.C. 4607(c) applies, certain boycotts related to business or economic reasons, boycotts against a public entity of a foreign state when the boycott is applied in a nondiscriminatory manner, and conduct that is necessary to comply with law.

#### Foreign debt cap

- Raises the foreign debt cap for investments for interim funds of the state, county inactive funds, and public library funds from 1% to 2%.

### S.B. 181

**Sens.** Obhof and Schiavoni, Bacon, Eklund, Seitz, LaRose, Beagle, Brown, Burke, Coley, Hughes, Jones, Lehner, Manning, Oelslager, Patton, Sawyer, Tavares, Thomas, Yuko

**Reps.** Amstutz, Anielski, Antani, Baker, Blessing, Boccieri, Burkley, Butler, Celebrezze, Dever, Dovilla, Duffey, Green, Hagan, Hall, Hambley, Kunze, Manning, McColley, Perales, Rezabek, Rogers, Romanchuk, Scherer, Sheehy, Sprague, Thompson, Young

**Effective date:** July 6, 2016

## Corporations

- Eliminates the statutory stipulation that the chairperson of a corporation's board is an officer of the corporation.
- Prescribes the fiduciary duties of a corporate officer.
- Specifies the standard for determining whether a corporate officer will be liable for violating the officer's duties.

## Limited liability companies (LLC)

- Modifies the list of actions a limited liability company (LLC) operating agreement is prohibited from doing.
- Specifies that, despite the list of prohibited actions that an operating agreement of an LLC may not perform, a written agreement, including a written operating agreement, that modifies, waives, or eliminates the duty of loyalty, the duty of care, or both for one or more members, managers, or officers must be given effect.
- Specifies that it is the policy of Ohio's LLC Law to give maximum effect to the principle of freedom of contract and to the enforceability of operating agreements.
- Modifies a member's duty of loyalty to the LLC and the other members.
- Specifies that an LLC may have, but is not required to have, officers.
- Creates certain fiduciary duties of an LLC officer, unless either a written operating agreement for the LLC or a written agreement with an officer establishes additional fiduciary duties or the duties of an officer have been modified, waived, or eliminated elsewhere in the Revised Code.
- Specifies the standard for determining whether an officer of an LLC will be found liable for violating the officer's duties.
- Adds an LLC's officers to the list of persons who are not personally liable to satisfy any judgment, decree, debt, or obligation of an LLC solely by reason of the person's position.
- Specifies that the law governing LLCs applies to all LLCs formed under R.C. Chapter 1705., whether the LLC has one or more members or whether it is formed by filing articles of organization or by merger, consolidation, or conversion.



## Sub. S.B. 242

**Sens.** Uecker and Coley, LaRose, Eklund, Faber, Hackett, Lehner, Seitz

**Reps.** Brown, Blessing, Clyde, Buchy, Green, McColley, R. Smith, Amstutz, Barnes, Brenner, Burkley, Fedor, Hambley, Leland, M. O'Brien, Rogers, Ryan, Schaffer, Sears, Slaby, K. Smith, Sprague, Sweeney

**Effective date:** September 14, 2016

### **Compensating warranty and recall obligations**

- Establishes a method by which a franchisee (motor vehicle dealer) may calculate its retail labor rate and the retail parts markup percentage for purposes of its reimbursement for warranty and recall obligations.
- Establishes a process by which a franchisor (motor vehicle manufacturer) may contest a retail labor rate or retail parts markup percentage calculated by a franchisee.
- Requires a franchisor to use a specified method when calculating the compensation that must be provided to a franchisee for labor and parts used to fulfill warranty and recall obligations.
- Specifies that these provisions do not apply to franchisors and franchisees that deal in recreational vehicles.

### **Cause to terminate or fail to continue a franchise**

- Requires a franchisor to allow a franchisee to present evidence demonstrating the effect of local market conditions prior to terminating or canceling a franchise agreement because the franchisee failed to meet performance criteria.

### **Prohibited actions by a manufacturer**

- Prohibits a franchisor from changing a franchisee's geographic area of responsibility without reasonable cause.
- Prior to changing a franchisee's geographic area of responsibility, requires a franchisor to give the franchisee an opportunity to demonstrate the effect of local market conditions that adversely affect the franchisee's proposed new geographic area of responsibility.
- Expands the prohibition against a franchisor initiating a charge back without an audit or performing an audit more than 12 months after submission by the franchisee, so that it also applies to recall repairs, service incentives, and other forms of incentive compensation.
- Generally prohibits a franchisor from assessing any penalty or taking any other adverse action against a motor vehicle dealer with regard to a warranty repair or

recall reimbursement, sales incentive or rebate, service incentive, or other form of incentive compensation claim.

- Modifies the law that allows a franchisor to reduce the amount to be paid to a new motor vehicle dealer or impose a charge back after paying any claim if the dealer knew or should have known a new motor vehicle was sold for export to a foreign country.
- Prohibits a franchisor from refusing to pay warranty repair or recall reimbursements until the new motor vehicle dealer has had notice and an opportunity to participate in all franchisor internal appeal processes and all available legal processes.
- Generally prohibits a franchisor from requiring, coercing, or attempting to coerce any new motor vehicle dealer to change the location of the dealership or make substantial alterations to the dealership premises if the change or alteration is proposed within seven years after the premises was constructed or altered.
- Prohibits a franchisor from using the failure of a franchisee to meet a performance standard as the basis to prevent or deny the franchisee the opportunity to name a successor or otherwise engage in succession planning.
- Prohibits a franchisor from using the inability of a franchisee to meet a performance standard as a justification to exclude the franchisee from programs offered by the franchisor if both of the following apply:
  - The failure to meet the performance standard was based on whether the franchisee is selling an adequate number of vehicles; and
  - The franchisee can demonstrate that it was unable to purchase enough vehicles from the franchisor due to the franchisor's actions.
- Prohibits a franchisor from unreasonably requiring or coercing a franchisee to use a specified vendor for expanding, constructing, or significantly modifying a facility without allowing the franchisee to choose a vendor that provides a substantially similar good or service and that is approved by the franchisor.
- Prohibits a franchisor from requiring a franchisee to conduct research on prospective vehicle purchasers.
- Prohibits a franchisor from coercing or requiring a franchisee to provide nonpublic information concerning any consumer or customer of the franchisee unless certain exceptions apply.
- Prohibits a franchisor from failing to comply with the requirements of any state or federal law that pertains to the use or disclosure of information, including the federal "Gramm-Leach-Bliley Act."

- Prohibits a franchisor from failing to indemnify a franchisee or its successor from damages related to any claim made against the franchisee or successor if the claim resulted directly from the improper use or disclosure of nonpublic personal information.

**Statement of intent**

- Codifies a statement of intent with regard to the Motor Vehicle Sales Law.

## Courts

### H.B. 17

**Reps.** Blessing and Landis, Brenner, Grossman, Conditt, Becker, Maag, Romanchuk, Roegner, Amstutz, Thompson, Dever, Young, Anielski, Baker, Boose, Brown, Buchy, Burkley, Derickson, DeVitis, Dovilla, Duffey, Ginter, Green, Hackett, Hagan, Hall, Hayes, Hood, Koehler, Kraus, McClain, Pelanda, Perales, Retherford, Ruhl, Ryan, Scherer, Schuring, Sears, Terhar, Zeltwanger

**Sens.** Bacon, Balderson, Burke, Coley, Eklund, Gardner, Hite, Hottinger, Jordan, LaRose, Lehner, Obhof, Patton, Peterson, Seitz, Uecker, Yuko

**Effective date:** May 17, 2016

- Grants qualified immunity from civil liability to volunteer architects, contractors, engineers, surveyors, and tradespersons for acts, errors, or omissions conducted in the performance of services during a declared emergency and 90 days thereafter.

### Sub. H.B. 347

**Reps.** McColley and Brinkman, Antani, Becker, Brenner, Dever, Duffey, Hambley, Henne, Hood, LaTourette, Retherford, Roegner, Schuring, Terhar, Thompson, Vitale, Young, Zeltwanger, Amstutz, Koehler, Rezabek, Romanchuk

**Sens.** LaRose, Coley, Balderson, Beagle, Brown, Burke, Eklund, Faber, Hackett, Hottinger, Jones, Jordan, Lehner, Obhof, Peterson, Seitz, Tavares, Thomas, Uecker

**Effective date:** April 6, 2017

#### Modification of civil forfeiture

- Modifies the civil forfeiture process by permitting a civil forfeiture action to be filed only under specified circumstances not sooner than specified periods of time after the seizure of the property.
- Specifies that a civil forfeiture complaint may only be filed if the property was seized with probable cause of its involvement in the commission of a felony or gambling offense or was directly or indirectly obtained through the commission of a felony or gambling offense and either of the following applies:
  - (1) The property owner is unavailable due to being deceased, or having been indicted and being out of state and unable to be extradited for prosecution or unable to be located despite reasonable efforts to locate the owner.

(2) The property owner has not claimed, or asserted any interest in, the property at any time during or after seizure and all claims of aggrieved parties have been denied.

- Permits a prosecutor to file a civil forfeiture action with or after the filing of a complaint charging an offense or delinquent act.
- Provides that the above civil forfeiture action is stayed during the pendency of the criminal or delinquency proceedings and proceeds after the defendant is convicted or enters intervention in lieu of conviction or the juvenile is adjudicated delinquent.
- Changes the burden of proof required for the prosecutor in a civil forfeiture action to establish that property is subject to forfeiture from a preponderance of the evidence to clear and convincing evidence.
- Eliminates the provision permitting a civil forfeiture action to be commenced regardless of whether the offender or delinquent child has pleaded guilty to, been convicted of, or been adjudicated delinquent for the act that is the basis of the forfeiture order.
- Permits the state to file a civil action against a person alleged to have received, retained, possessed, or disposed of proceeds, in an amount exceeding \$15,000, knowing or having reasonable cause to believe that the proceeds were derived from the commission of an "offense subject to forfeiture proceedings."
- Specifies the contents of a complaint in the above civil action, the elements that the state has the burden to prove by clear and convincing evidence, and the period of limitations for bringing the civil action.
- Provides that the civil action is stayed if a criminal complaint is filed against the person alleged to have received, retained, possessed, or disposed of the proceeds under the above circumstances.
- Requires the above amount of \$15,000 to be annually increased based on the rate of inflation according to the consumer price index starting on January 1, 2018.

### **"Receiving proceeds of an offense subject to forfeiture proceedings"**

- Establishes the offense of "receiving proceeds of an offense subject to forfeiture proceedings" by prohibiting any person from receiving, retaining, possessing, or disposing of proceeds knowing or having reasonable cause to believe the proceeds were derived from the commission of any of specified offenses.
- Provides that a person is considered to have received, retained, possessed, or disposed of proceeds if they were found in a vehicle that the person was the last person to operate immediately prior to the vehicle's search.

## **Seized property**

- Modifies the timeline for hearing a motion by a person aggrieved by an alleged unlawful seizure of property showing the person's interest in the property.
- At the above hearing, places on the state or political subdivision the burden of proof by a preponderance of the evidence that the seizure was lawful if the property is titled or registered, and places on the person the same burden of proof that the seizure was unlawful if the property is not titled or registered.
- Modifies the timeline for filing and for deciding a petition by a person with an interest in seized property for its conditional release.

## **Criminal forfeiture**

- Repeals the provision that allowed the court, for good cause shown, to consider issues of guilt of the alleged offender or the delinquency of the alleged delinquent child separate from whether property should be forfeited.
- Changes the burden of proof required for the state or political subdivision to establish that property is subject to forfeiture from a preponderance of the evidence to clear and convincing evidence.
- Expands the contents of a petition by a third party claimant asserting a legal interest in the property.
- Changes the burden of proof required for a prosecutor to prove that a lienholder asserting a legal interest in the property does not possess such interest from a preponderance of the evidence to clear and convincing evidence.
- Places on the state or political subdivision the burden of proof by clear and convincing evidence that the amount or value of the instrumentality ordered forfeited is proportionate to the severity of the offense.
- Expands the factors the court is required to consider in determining the severity of the offense.
- Requires the state or political subdivision to demonstrate by clear and convincing evidence specified conditions for the court to order forfeiture of any other property of the offender or delinquent child if the property ordered forfeited is unreachable.

## **Definition of "proceeds"**

- Excludes from the definition of "proceeds" property, including money, if it is held under clear title by a law enforcement agency, it is or may be used to purchase contraband in investigating a drug abuse offense, and it continues to be the agency's property if the agency establishes a clear chain of custody of it.



### **Disposal of forfeited property**

- Requires the written internal control policy of a law enforcement agency with custody of forfeited property to include records of an itemized list of the specific expenditures from the sale proceeds of the property.

### **Federal forfeiture**

- Prohibits the transferring or referral of property seized by a law enforcement agency to any federal law enforcement authority or agency for federal forfeiture purposes unless the value of the property generally exceeds \$100,000 or the transfer or referral is for federal criminal forfeiture proceedings.

### **Goods in execution claimed by a third party**

- Requires the judge of the court of common pleas, municipal court, or county court, whichever has jurisdiction, to schedule a hearing to determine a claimant's right to the goods in execution as soon as practicable after receipt of the notice and schedule of the property.
- Repeals the provisions that required the summoning of jurors to try and determine the rights of the claimant to the property in controversy in a jury trial and to make appropriate findings.
- Requires the judge to render judgment based on the judge's findings at the hearing.

## **H.B. 387**

**Reps.** Terhar and Dever, Becker, Boose, Burkley, Butler, Fedor, Hackett, Hambley, Henne, Perales, Rezabek, Ruhl, Rogers, Conditt, Amstutz, Anielski, Antani, Antonio, Arndt, Baker, Blessing, Boggs, Brown, Buchy, Celebrezze, Dovilla, Duffey, Hayes, Huffman, G. Johnson, Leland, Maag, Manning, McClain, M. O'Brien, Reineke, Retherford, Romanchuk, Ryan, Schuring, Slaby, Strahorn, Sweeney, Thompson, Young

**Sens.** Obhof, Coley, Bacon, Balderson, Brown, Eklund, Faber, Gardner, Hottinger, Hughes, Jordan, LaRose, Lehner, Oelslager, Patton, Peterson, Sawyer, Seitz, Thomas, Uecker

**Effective date:** September 28, 2016

- Increases from \$3,000 to \$6,000 the monetary jurisdiction of a small claims division of a county and municipal court.

## Am. Sub. H.B. 432

**Reps.** Cupp and Rezabek, Bishoff, Craig, Grossman, Hayes, G. Johnson, Manning, McClain, Rogers, Sweeney

**Sens.** Coley, Bacon, Hackett, Eklund, Hughes, Jordan, Oelslager, Peterson, Schiavoni

**Effective date:** April 6, 2017

### Probate Law

- Allows a will deposited by or for a testator in the office of the judge of the probate court of the county in which the testator lives to be deposited before or after the testator's death and, if after the testator's death, with or without applying for its probate.
- Requires the fee for the deposit of a will be paid to the court.
- Authorizes a probate judge to dispose of a deposited will after 100 years if it is not delivered or disposed of as provided in law, and requires the judge to keep an electronic copy prior to disposal.
- Specifies that a deposited will generally is not a public record until an application is filed to probate it.
- Passes property devised or bequeathed to a beneficiary in a will who knows of the will's existence for one year after the testator's death and, without reasonable cause, intentionally conceals or withholds the will or refuses to cause it to be offered for probate as if the beneficiary predeceased the testator.
- Allows a provision in a will or governing instrument to apportion tax to an interest that is otherwise allowable as an estate tax marital or charitable deduction only if it refers to such deduction and expressly acknowledges and accepts any resultant partial loss of the deduction.
- Eliminates a cap on the number of automobiles that may be selected by a surviving spouse upon the other spouse's death.
- Increases the maximum total value of the automobiles that may be selected by the surviving spouse from \$40,000 to \$65,000.

### Uniform Simultaneous Death Act

- Substantially retains preexisting law that generally provides, for purposes of the probate law or governing instruments, that an individual who is not established by clear and convincing evidence to have survived the other individual or an event by 120 hours is deemed to have predeceased the other individual or event.
- Generally provides that if it is not established by clear and convincing evidence that one of two co-owners with right of survivorship survived the other co-owner by 120

hours, one-half of the property passes as if one co-owner survived the other by 120 hours and one-half passes as if the other co-owner survived the one by 120 hours.

- Generally provides that if there are more than two co-owners with right of survivorship and it is not established by clear and convincing evidence that at least one of the co-owners survived the others by 120 hours, the property passes in the proportion that one co-owner's ownership bears to all the co-owners' ownership.
- Expands the instances in which a payor or other third party is either liable or not for a payment made or an item of property or benefit transferred.

### **Intestate succession**

- Specifies in intestate succession that a person described as living is a person who was living at the time of the intestate's death and who lived for at least 120 hours after the intestate's death, and a person described as having died is a person who died before the intestate or failed to live for at least 120 hours after the intestate's death.
- Provides that no descendant of an intestate inherits under the law on descent and distribution unless surviving the intestate for at least 120 hours, or unless born within 300 days after the intestate's death and living for at least 120 hours after birth.

### **Ohio Trust Code**

- Makes the Trust Code requirements for interested parties to enter into private settlement agreements regarding trust matters generally inapplicable to agreements amending the governing instrument of charitable remainder trusts that require the approval of the Attorney General under continuing law.
- Specifies that an action under the Trust Code is a civil action subject to the Rules of Civil Procedure and is commenced by filing a complaint unless it involves a testamentary or other trust already subject to court supervision.
- Authorizes the holder of a limited testamentary power of appointment to also represent persons whose interests as possible appointees are subject to the power, to the extent no conflict of interest exists between the holder and the persons represented with respect to the particular question.
- Authorizes an agent under a power of attorney to create a trust for the principal, whether or not the principal has capacity to create the trust and indicates an intention to create the trust, but only as provided in the Uniform Power of Attorney Act.

## Uniform Principal and Income Act

- Replaces former law with the following rules that generally apply in determining the allocation of a payment from a separate fund to a trust for which an election to qualify for a marital deduction is made or a trust that qualifies for the marital deduction under the Internal Revenue Code:
  - A trustee must allocate a payment from a separate fund to income to the extent of the fund's internal income and distribute that amount to the surviving spouse, and allocate the balance to principal.
  - If the trustee cannot determine the fund's internal income but can determine its value, the internal income is deemed to equal 4% of its value according to the most recent statement of value preceding the start of the accounting period.
  - If the trustee cannot determine the fund's internal income or its value, the internal income is determined according to a formula in the Internal Revenue Code on the valuation tables for annuities.
- Specifies the applicable dates on which those new rules would apply depending on when or whether a payment has been received from a separate fund in relation to the act's effective date or January 1 of the year the act takes effect.
- Eliminates a provision regarding the fiduciary duty of the trustee of a trust that qualifies for an estate tax marital deduction and is the beneficiary of an individual retirement account to withdraw and distribute the income of the account to the settlor's or testator's surviving spouse, and the satisfaction of that duty.
- Clarifies continuing law regarding the source of payment of income taxes paid by a trustee on the trust's share of an entity's taxable income, from income or principal or proportionately from principal and income depending upon the allocation of the receipts from the entity.

## Ohio Transfers to Minors Act

- Generally permits the delivery to a minor of transferred custodial property to be delayed until a time after the minor turns 21, which time must be specified in the written instrument that provides for the gift or transfer.
- Generally permits the delivery to a minor of custodial property transferred under a will, trust, or irrevocable exercise of a testamentary power of appointment to be delayed only if the instrument provides that the custodianship is until the minor reaches a specified age, which cannot be later than 25.
- Except in regard to the transfer of custodial real property, specifically permits a donor, transferor, trustee, executor, or administrator to designate one or more successor custodians.

- Permits a custodian to designate one or more successor custodians by transferring the custodial property, other than real estate, to self as custodian, followed by the designation of the successor custodian or custodians.
- Provides that the designation by a custodian of a successor custodian of custodial real estate is pursuant to the law on transfer on death of real property.
- Allows the legal representative of a custodian who is deceased or adjudged to be an incompetent to designate a successor custodian if no eligible successor custodian is designated under the Ohio Transfers to Minors Act.
- Raises the threshold from \$10,000 to \$25,000 for a transfer to be authorized by a court if a trustee, executor, or administrator makes a transfer of property that is in the minor's best interest and is not prohibited by or inconsistent with the governing instrument.

### **Sale of estate's real property by guardian**

- Provides another method for a guardian to sell the estate's real property in which written consents of the ward's spouse and potential heirs to the sale must be filed with the court, the sale price must be at least 80% of the appraised value, and the guardian must give a bond.

### **Franklin County guardianship program**

- Authorizes the Franklin County Probate Court to charge fees for certain services in connection with establishing and managing adult guardianships.
- Replaces the Court's authority to appoint the members and director of the Franklin County Guardianship Service Board as guardians with authority for the Court to appoint the Board itself as guardian.
- Permits the director or designee of the Franklin County Guardianship Service Board to act on behalf of the Board on all guardianship matters, and authorizes the Board to charge a reasonable fee approved by the probate judge for services to wards.

### **Revised Uniform Access to Digital Assets Act**

- Adopts the Revised Uniform Access to Digital Assets Act, which:
  - Authorizes specified fiduciaries (an agent under a power of attorney, an executor or administrator of an estate, a guardian, or a trustee) of another person to access a digital asset in which the other person has or had a right or interest;
  - Describes the scope of authority of fiduciaries and designated recipients in relation to digital assets;
  - Specifies the manner in which a fiduciary may access digital assets and a custodian may disclose those assets;

--Authorizes a fiduciary to request a custodian to terminate a user's account and a guardian to request the termination or suspension of a ward's account for good cause;

--Creates an order of priority if the user has provided contradictory directions with respect to the disclosure of the user's digital assets.

--Permits a user to direct the custodian of the user's digital assets to disclose or not to disclose some or all of those assets to a designated recipient by means of an online tool.

## Am. Sub. S.B. 139

**Sens.** Seitz and Williams, Tavares, Brown, LaRose, Eklund, Burke, Coley, Lehner, Manning, Schiavoni, Thomas

**Reps.** Antonio, Arndt, Boyd, Buchy, Dever, Fedor, Manning, Perales, Rezabek, Rogers, Sheehy, Sweeney

**Effective date:** April 6, 2017

- Requires the clerk of a common pleas court to retain a copy of the original trial file when a death penalty is imposed.
- Specifies that there is no page limit on petitions for postconviction relief (PCR) in death penalty cases or on notices of appeal, responses, or briefs in appeals of denials of such relief.
- Expands the time within which a person who has been sentenced to death and files a petition for PCR may amend the petition, to any time that is not later than 180 days after the petition is filed, with or without leave or prejudice to the proceedings.
- Provides in specified circumstances for depositions, subpoenas, and discovery in PCR proceedings brought by a person who has been sentenced to death.
- Provides for orders protecting from undue oppression, burden, or expense if a person who has been sentenced to death files a petition for PCR and requests discovery or if the prosecuting attorney in the case requests discovery, and the court finds that justice requires the order.
- Requires a judge hearing a PCR proceeding brought by a person who was sentenced to death to state specifically in the findings of fact and conclusions of law why each claim was either denied or granted.

## S.B. 171

**Sens.** Seitz, Eklund, Thomas, Obhof, Bacon, Coley, Burke, Hughes, Lehner, Oelslager, Patton, Schiavoni

**Reps.** Celebrezze, Dever, Anielski, Craig, Cupp, Green, G. Johnson, Rezabek, Rogers

**Effective date:** September 14, 2016

- Enacts the Uniform Interstate Depositions and Discovery Act.
- Requires a party located outside Ohio seeking to depose a person in Ohio to submit a foreign subpoena to a clerk of court in the county in which discovery is sought in order to request issuance of the subpoena.
- Requires the clerk to promptly issue a subpoena for service upon the person to which the foreign subpoena is directed, with certain specified requirements.
- Specifies that the Ohio Rules of Civil Procedure and any statutes relating to service of subpoenas and compliance with subpoenas will apply to subpoenas issued under the act's provisions.
- Specifies that consideration must be given, when applying and construing the act, to the need to promote uniformity of the law with respect to its subject matter among states that enact a substantially similar statute or rule.
- Specifies that the act's provisions apply to requests for discovery in cases pending on the act's effective date.

## Sub. S.B. 232

**Sens.** Bacon, Coley, Burke, Brown, Eklund, Faber, Hackett, Hite, Hughes, Jordan, Peterson, Schiavoni, Seitz, Tavares, Thomas

**Reps.** Dever, Gavarone, Green, Leland, Manning, Pelanda, Rezabek, Rogers, Sweeney

**Effective date:** March 14, 2017

- Terminates a transfer on death designation made to an owner's spouse on certain affidavits and deeds if the owner and the spouse later obtain a divorce, dissolution, or annulment.
- Precludes a descendant of an intestate from inheriting under the law on descent and distribution unless surviving the intestate for at least 120 hours, or unless born within 300 days after the intestate's death and living for at least 120 hours after birth.
- Prevents a person born more than 300 days after a testator's death from inheriting under the testator's will unless the will clearly provides otherwise, and specifies

that if the will clearly provides for such posthumously born child to inherit, the child must be born within one year and 300 days after the testator's death.

- Prevents a settlor's child born by means of assisted reproductive technologies more than 300 days after the settlor's death from being considered the settlor's child unless the terms of the trust clearly provide otherwise.
- Provides that if the terms of a trust provide for a child born by means of assisted reproductive technologies and also provide for a time period in which the child must be born, that time period applies for the child to benefit from the trust, subject to a maximum period of five years from the settlor's death.
- Provides that if the terms of a trust provide for a child born by means of assisted reproductive technologies but do not provide for a time period in which the child must be born, the child must be born within one year and 300 days from the settlor's death in order for the child to benefit from the trust.

## Sub. S.B. 321

**Sens.** Faber, Burke, Eklund, Jordan, LaRose, Peterson, Seitz, Obhof, Skindell, Bacon, Balderson, Beagle, Brown, Coley, Gardner, Hackett, Hite, Hottinger, Hughes, Jones, Lehner, Manning, Oelslager, Patton, Sawyer, Schiavoni, Thomas, Uecker, Yuko, Tavares, Williams

**Reps.** Buchy, Curtin, R. Smith, Amstutz, Anielski, Arndt, Boose, Brown, Dovilla, Duffey, Fedor, Green, Henne, Lepore-Hagan, Manning, M. O'Brien, Patterson, Rogers, Schaffer, Sheehy, Sprague, Strahorn, Sweeney, Thompson

**Effective date:** September 28, 2016

- Creates a procedure within the Court of Claims to hear complaints alleging a denial of access to public records.
- Provides for the assignment of a special master to refer the case to mediation or to proceed with the case and submit a report and recommendation to the Court of Claims.
- Requires a court to award court costs to a person who files a mandamus action to obtain a judgment that orders compliance with the Public Records Law if the public office or person responsible for the records acted in bad faith.
- Permits the awarding of attorney's fees in a mandamus action if the court determines that the public office or person responsible acted in bad faith, and precludes discovery on the issue of bad faith.
- Specifies the circumstances when a court is prohibited from awarding attorney's fees in a mandamus action.



- Establishes that an infrastructure record of a private entity may be exempt from release or disclosure under the Public Records Law.
- Allows a public office that provides public records for free on a website to limit the number of digital format public records it will provide any requester to ten per month, unless the records requested are not provided on the website or the requester certifies that they do not intend to use or forward the requests for commercial purposes.
- Protects private, nonprofit institutions of higher education from any claims, including breach of confidentiality claims, that arise from the institution disclosing information in response to a public records request.

# Crimes, Corrections, and Law Enforcement

## Sub. H.B. 60

**Reps.** Patmon and Hall, Antonio, Brown, Patterson, Gerberry, Slaby, LaTourette, Grossman, Boyd, Cera, Barnes, Leland, Lepore-Hagan, Phillips, Sheehy, Romanchuk, Blessing, Ruhl, Anielski, Ashford, Baker, Celebrezze, Dovilla, Driehaus, Fedor, Hackett, Hambley, Henne, Howse, G. Johnson, T. Johnson, M. O'Brien, S. O'Brien, Pelanda, Ramos, Rogers, Schuring, Sears, Slesnick, K. Smith, Sweeney

**Sens.** Hite, Gardner, Peterson, LaRose, Bacon, Beagle, Brown, Cafaro, Coley, Eklund, Gentile, Hottinger, Hughes, Lehner, Obhof, Oelslager, Patton, Sawyer, Skindell, Tavares, Thomas, Uecker, Williams, Yuko

**Effective Date:** September 13, 2016

### **Cruelty against companion animals**

- Prohibits a person from knowingly causing serious physical harm to a companion animal and specifies that a violation of the prohibition is a fifth degree felony.
- Clarifies that the laws that prohibit cruelty against companion animals apply to dogs and cats kept in pet stores.
- Revises the prohibition against knowingly committing specified acts of cruelty against a companion animal that apply to an owner, manager, or employee of a dog kennel who confines or is the custodian or caretaker of the animal.
- Revises the prohibition against negligently committing specified acts of cruelty against a companion animal that apply to any person who confines or is the custodian or caretaker of the companion animal, including an owner, manager, or employee of a dog kennel.
- Prohibits a humane society or its agent from employing an attorney or assistant attorneys to prosecute a felony violation of the law prohibiting cruelty against companion animals.
- Authorizes a county humane society to use fine money derived from violations of the law prohibiting cruelty against companion animals to provide additional training to humane agents.

### **Killing a police dog or horse**

- Modifies the penalty for assaulting a police dog or horse, if the dog or horse is killed, to require a mandatory prison term and a mandatory fine.

## Use of animals to secure opioids

- Requires state agency collaboration in the development of resources and educational materials to enhance the ability of veterinarians to identify current or potential clients who may abuse opioids and may use animals in their care to improperly secure them.

## Sub. H.B. 110

**Reps.** Hill, Blessing, Brown, Rezabek, Rogers, Dever, Antonio, Baker, Boose, Buchy, Duffey, Green, Grossman, Hambley, T. Johnson, Kraus, Landis, Manning, M. O'Brien, S. O'Brien, Patterson, Perales, Phillips, Ruhl, Schaffer, Slaby, K. Smith, Stinziano, Young, Rosenberger

**Sens.** Eklund, Balderson, Burke, Coley, Hackett, Hite, Jones, LaRose, Manning, Seitz, Uecker

**Effective date:** September 13, 2016

### Failure to stop after an accident

- Modifies the requirements for giving specified information after a public or nonpublic road accident.
- Increases the penalties for failure to stop after an accident when the offense results in the death or serious physical harm to a person and the offender knows that result.
- Names the act's "failure to stop" penalty changes "Brandon's Law."

### Disclosure of naloxone administration

- Requires emergency medical service personnel to report the administration of naloxone on request of a law enforcement agency in specified circumstances and for specified purposes.

### Medical assistance for drug overdose

- Provides immunity from arrest for a minor drug possession offense to a person who seeks medical help for a drug overdose being experienced by that person or another, or who is the subject of another person seeking medical assistance for a drug overdose, if all of the following apply:
  - The evidence of the violation came from seeking medical help.
  - Within 30 days after seeking or obtaining the medical assistance, the person seeks and obtains a screening and receives a referral for treatment from a community addiction services provider or a credentialed addiction treatment professional.
  - The person who obtains the screening and referral submits documentation to any prosecuting attorney, on request, verifying that the person satisfied

those requirements. (The documentation is limited to the dates and times of the screening and referral.)

- Exempts from the immunity a person who is under a community or post-release control sanction and a person who twice previously has been granted an immunity under these provisions.
- Specifies that the immunity provisions do not compel any protected individual to disclose protected health information in a way that conflicts with the federal Health Insurance Portability and Accountability Act or specified federal regulations.
- Limits the availability of imprisonment as a penalty for a violation of a felony community control sanction resulting from seeking or obtaining medical help as described above.
- Requires a court or the Parole Board to first consider drug treatment or mitigation of the penalty for violation of a community or post-release control sanction resulting from seeking or obtaining medical help as described above.
- Requires a court or the Parole Board to consider the seeking or obtaining of medical help as described above as a mitigating factor in imposing a penalty for violation of a community or post-release control sanction based on a minor drug possession offense.
- Requires that "public safety answering point personnel" who are certified as "emergency service telecommunicators" receive training in informing individuals who call about an apparent drug overdose about the act's immunity from prosecution for a minor drug possession offense.
- Requires those personnel, upon receiving a call about an apparent drug overdose, to make reasonable efforts, upon the caller's inquiry, to inform the caller about that immunity.
- Requires that the basic training course for emergency service telecommunicators include instructional or training units in informing individuals who call about an apparent drug overdose about the act's immunity from prosecution for a minor drug possession offense.
- Prohibits construing the act's immunity provisions from affecting certain matters related to evidence, arrest, and other immunities.

## H.B. 123

**Reps.** G. Johnson and Cupp, Butler, Rogers, Stinziano, S. O'Brien, Rezabek, Celebrezze, Antonio, Boose, Boyd, Clyde, Dever, Fedor, Gerberry, Hackett, Kraus, Kuhns, Leland, Lepore-Hagan, Manning, M. O'Brien, Patterson, Phillips, Ramos, Ryan, Sheehy, K. Smith, Sprague, Strahorn, Sykes

**Sens.** Coley, Eklund, Jones, Lehner, Manning, Obhof, Oelslager, Patton, Schiavoni, Seitz, Yuko

**Effective date:** September 14, 2016

- Increases from three to seven the minimum number of days before trial by which a criminal defendant must notify the prosecutor of an intent to claim an alibi, in conformance with the Criminal Rules.
- Authorizes, but does not require, a sentencing court to dispense with a presentence investigation report before placing a felony offender under a community control sanction if the defendant and prosecutor agree to waive the report.
- Requests the Supreme Court to modify the Criminal Rules to conform to the act's provisions on presentence investigation reports.

## Sub. H.B. 151

**Reps.** Anielski, Grossman, LaTourette, Kraus, Dever, Blessing, Rogers, Brown, Butler, Antonio, Arndt, Ashford, Baker, Boose, Conditt, Cupp, Driehaus, Duffey, Ginter, Hambley, Hayes, Howse, T. Johnson, Koehler, Kunze, Landis, Leland, Manning, McClain, M. O'Brien, S. O'Brien, Patterson, Pelanda, Retherford, Schaffer, Scherer, Sears, Sheehy, Slaby, K. Smith, Sprague, Sweeney, Young, Rosenberger, Boyce

**Sens.** Eklund, Burke, Cafaro, Coley, Hackett, Hite, Hughes, LaRose, Lehner, Manning, Oelslager, Patton, Schiavoni, Tavares, Thomas, Uecker, Williams

**Effective date:** August 16, 2016

### Menacing by stalking

- Expands the offense of "menacing by stalking" by additionally prohibiting:
  - (1) A person by engaging in a pattern of conduct from knowingly causing another person to believe that the offender will cause physical harm or mental distress to a family or household member of the other person;
  - (2) A person through the use of any form of written communication from posting a message or using any intentionally written or verbal graphic gesture to violate or urge or incite another person to violate the previously described prohibition;
  - (3) A person through the use of a telecommunications device from posting a message or using any intentionally written or verbal graphic gesture with either of the purposes described in (2).

## Telecommunications harassment

- Modifies the offense of "telecommunications harassment" to also apply to communications made for the purpose of intimidation.
- Removes from the prohibition the requirement that the caller failed to identify the caller to the recipient of the telecommunication.
- Prohibits any person from knowingly making or causing to be made, or permitting a telecommunication to be made from a telecommunications device under the person's control, to another if the caller does any of the following:
  - (1) Knowingly makes any comment, request, suggestion, or proposal to the recipient of the telecommunication that is threatening, intimidating, menacing, coercive, or obscene with the intent to abuse, threaten, or harass the recipient.
  - (2) Without a lawful business purpose, knowingly interrupts the telecommunication service of any person.
  - (3) Without a lawful business purpose, knowingly transmits to any person, regardless of whether the telecommunication is heard in its entirety, any file, document, or other communication that prevents that person from using the person's telephone service or electronic communication device.
  - (4) Knowingly makes any false statement concerning the death, injury, illness, disfigurement, reputation, indecent conduct, or criminal conduct of the recipient or any family or household member of the recipient with purpose to abuse, threaten, intimidate, or harass the person.
  - (5) Knowingly incites another person through a telecommunication or other means to harass or participate in the harassment of a person.
  - (6) Knowingly alarms the recipient by making a telecommunication without a lawful purpose at an hour or hours known to be inconvenient to the recipient and in an offensively or repetitive manner.
- Prohibits a person from knowingly posting a text or audio statement or an image on an Internet website or webpage for the purpose of abusing, threatening, or harassing another person.
- Provides that the new telecommunications harassment prohibitions and a continuing prohibition regarding unwanted calls do not apply to a person employed or contracted by a specified type of news medium while gathering, editing, or disseminating information for the general public.
- Specifies that, with respect to conduct taken under a court order related to a telecommunications harassment investigation or prosecution, a provider of an

"interactive computer service" will receive the same protection against causes of action and the same immunity as a provider of a telecommunications service or information service.

- Specifies that the offense of telecommunications harassment does not apply to a person solely because the person provided access or connection to or from an electronic method of remotely transferring information not under that person's control.
- Specifies that any person providing access or connection will not be liable for any action voluntarily taken in good faith to block the receipt or transmission through its service of any information that the person believes is, or will be sent, in violation of the offense of telecommunications harassment.
- Specifies that the two preceding provisions:
  - Do not create an affirmative duty for any person providing access or connection to block the receipt or transmission of any information that it believes is, or will be sent, in violation of the offense of telecommunications harassment except as otherwise provided by law; and
  - Do not apply to a person who conspires with a person actively involved in the creation or knowing distribution of material in violation of the offense of telecommunications harassment or who knowingly advertises the availability of material of that nature.
- Specifies that a provider or user of an interactive computer service must neither be treated as the publisher or speaker of any information provided by another information content provider nor held civilly or criminally liable for the creation or development of information provided by another information content provider.

## **Am. Sub. H.B. 164**

**Reps.** Pelanda and Rogers, Becker, Fedor, Rezabek, K. Smith, Lepore-Hagan, Sykes, Antonio, Ashford, Baker, Boyce, Boyd, Brenner, Buchy, Cera, Clyde, Craig, Grossman, Howse, G. Johnson, T. Johnson, Kuhns, Leland, Manning, McClain, M. O'Brien, S. O'Brien, Patterson, Perales, Phillips, Ramos, Reece, Retherford, Sheehy, Slesnick, Sprague, Stinziano, Sweeney, Young

**Sens.** Eklund, Hackett, LaRose, Lehner, Seitz, Tavares

**Effective date:** September 14, 2016

- Allows a person who is convicted of an offense that previously could not be sealed to apply to have the conviction sealed if, after that conviction, the penalty for or

classification of the offense is changed so that convictions for the offense can be sealed.

- Specifies that investigation reports the Inspector General maintains are not "official records" sealable or expungable under various record sealing laws, expungement laws, and related laws, to the extent the report contains information that pertains to an individual who was convicted of or pleaded guilty to an offense discovered in or related to the investigation.

## H.B. 171

**Reps.** Blessing and Dever, Hood, Becker, R. Smith, Thompson, Butler, Anielski, Baker, Boose, Brown, Buchy, Burkley, Condit, Cupp, Dovilla, Ginter, Green, Grossman, Hackett, Hagan, Hayes, T. Johnson, Koehler, Kraus, LaTourette, Maag, Manning, McClain, McColley, M. O'Brien, S. O'Brien, Pelanda, Rogers, Ryan, Sears, Sprague, Sweeney, Terhar, Young

**Sens.** Coley, Eklund, Hughes, LaRose, Obhof, Oelslager, Patton, Uecker, Yuko

**Effective date:** September 14, 2016

- Reduces the amount of heroin that must be trafficked or possessed to require the maximum prison term for a first degree felony for a major drug offender.

## Am. Sub. H.B. 185

**Reps.** Koehler, Grossman, Becker, Amstutz, Buchy, Anielski, Antonio, Arndt, Ashford, Baker, Boose, Brown, Burkley, Celebrezze, Cera, Cupp, Fedor, Green, Hackett, Hambley, Hayes, Henne, Kunze, Landis, Leland, Lepore-Hagan, Manning, M. O'Brien, Pelanda, Perales, Rogers, Ruhl, Schaffer, R. Smith, Sprague, Strahorn, Sweeney, Thompson

**Sens.** Eklund, Hite, Thomas, Uecker

**Effective date:** March 21, 2017

- Expands the offense of arson by prohibiting causing or creating a substantial risk of damage by fire or explosion to a structure that is not an occupied structure without requiring proof that the owner did not consent.
- Creates an affirmative defense that the owner consented to the damage.
- Modifies a statute regarding the Department of Rehabilitation and Correction or a political subdivision contracting for the private operation and management of correctional facilities to:

(1) Expand the types of facilities that may be the subject of such a contract;



(2) Authorize use of the facility for out-of-state prisoners in certain circumstances; and

(3) With respect to a contract entered into by the Department, consider the facility as if it were a state correctional facility.

## Sub. H.B. 300

**Reps.** Baker and Manning, Cupp, Schaffer, Butler, Conditt, Dever, Rezabek, Anielski, Arndt, Boose, Brown, Buchy, Burkley, Hackett, Hayes, Hill, Huffman, Koehler, Lepore-Hagan, Maag, McClain, M. O'Brien, S. O'Brien, Patterson, Perales, Rogers, Sweeney, Rosenberger

**Sens.** Coley, Eklund, Hite, Hughes, Manning, Patton, Seitz, Uecker

**Effective date:** March 14, 2017

- Modifies the waiting period during which a person cannot file a motion to modify or terminate a driver's license suspension that exceeds 15 years, as follows:
  - A person whose suspension resulted from a felony may not apply for the modification or termination until 15 years have elapsed since the suspension began.
  - A person whose suspension resulted from a misdemeanor may not apply for the modification or termination until five years have elapsed since the suspension began.
  - A person whose suspension resulted from an OVI-related aggravated vehicular homicide offense may not apply for the modification or termination until 15 years have elapsed since the person was released from prison.
- Modifies the conditions that a person must meet to be eligible for the modification or termination of a driver's license suspension that exceeds 15 years.
- Authorizes a court to grant limited driving privileges during a driver's license suspension to allow a person to:
  - Attend any court proceeding related to the offense for which the person's suspension was imposed; or
  - Transport a minor to a child care provider, day-care, preschool, school, or to any other location for purposes of receiving child care.

## Sub. H.B. 388

**Reps.** Scherer, T. Johnson, Anielski, Arndt, Landis, Young, Zeltwanger, Antani, Antonio, Barnes, Boose, Brown, Buchy, Butler, Conditt, Craig, Dean, Dovilla, Duffey, Grossman, Hagan, Hambley, Hayes, Howse, Kunze, Leland, McClain, M. O'Brien, Patmon, Perales, Reineke, Rogers, Ruhl, Slaby, Sprague, Sweeney, Terhar, Vitale

**Sens.** Bacon, LaRose, Tavares, Thomas, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Hackett, Hite, Hottinger, Hughes, Jones, Lehner, Obhof, Oelslager, Patton, Sawyer, Seitz, Uecker

**Effective date:** April 6, 2017

### Unlimited driving privileges with IID (for first-time OVI offender)

- Allows a first-time OVI (operating a vehicle while intoxicated) offender to petition the court for unlimited driving privileges with a certified ignition interlock device (IID) during the offender's driver's license suspension.
- Authorizes the court to grant unlimited driving privileges with an IID to a first-time OVI offender under any circumstance in which the court is authorized to grant limited driving privileges, which allow an offender to drive only for specified purposes (for example, getting to and from work).
- If the court grants a first-time offender unlimited driving privileges with an IID, requires the court to suspend any jail term imposed for the OVI offense, and authorizes it to reduce the suspension by up to half.
- If a first-time offender violates any term or condition imposed by the court during the suspension, requires the court to order the offender to serve the suspended jail term.
- Requires a first-time offender who is granted unlimited driving privileges with an IID to obtain a restricted driver's license that indicates on its face that the offender is required to use the IID.
- Prohibits a first-time offender who is granted unlimited driving privileges with an IID from operating a motor vehicle prior to obtaining a restricted driver's license, and applies the penalties for driving under an OVI suspension for violating the prohibition.

### Limited driving privileges with an IID

- Prohibits an OVI offender who is granted *limited* driving privileges with an IID from operating a motor vehicle prior to obtaining a restricted driver's license, and applies the penalties for driving under an OVI suspension for violating the prohibition.

## Penalties for an IID violation

- Applies the existing penalties for an IID violation to first-time OVI offenders, underage OVI offenders, and offenders who commit an OVI violation in another state.
- Establishes a compliance-based removal system, whereby any IID violation committed by an offender within the last 60 days of the suspension extends the suspension for 60 days from the violation.
- Modifies the process for appealing an IID violation that results in an increase of the suspension.

## New requirements related to IIDs

- Requires an IID manufacturer, as part of its application for a license issued by the Department of Public Safety (DPS), to agree to both:
  - Install and monitor all IIDs produced by that manufacturer; and
  - Charge a reduced fee for an IID, established by DPS, to any person who is deemed to be an indigent offender by the court.
- Requires the Director of Public Safety to establish a certificate of installation, and requires the manufacturer to use the certificate to certify proper installation of the device.
- Requires the Director to establish procedures for confirming and inspecting the installation of an IID.
- Requires an IID manufacturer to monitor each IID that it installs in an offender's vehicle, rather than requiring a governmental agency, a private corporation, or other entity to monitor IIDs as under prior law.
- Requires a manufacturer to inform the court and the Registrar of Motor Vehicles as soon as practicable after an IID violation occurs.
- Beginning January 1, 2020, requires IIDs to be equipped with a camera.

## Other OVI-related provisions

- Extends the "lookback" period for OVI and OVI-related offenses from six to ten years.
- Modifies the permissive length of time of a required driver's license suspension for a first, second, or third OVI offense.
- Eliminates the requirement that a second-time "standard level" OVI offender who is granted limited driving privileges must display restricted license plates.

- Requires the Director to study the act's effect on the number of IIDs installed, the number of drunk driving accidents and deaths, and the recidivism rate for OVI offenses, and to issue a report regarding the study April 6, 2021 (48 months after the act's effective date).

### **Notice from a salvage motor vehicle auction**

- Requires a salvage motor vehicle auction that is seeking a salvage title to a motor vehicle to send a written request for the removal of a motor vehicle to the vehicle's owner and any known lienholder using a nationally recognized courier service, rather than by certified mail, return receipt requested, as under prior law.

## **H.B. 436**

**Reps.** Cupp and Rogers, Amstutz, Arndt, Blessing, Celebrezze, Grossman, G. Johnson, Manning, S. O'Brien, Rezabek, Sheehy, Slaby, Sprague, Antonio, Ashford, Buchy, Dovilla, M. O'Brien, Patterson, Scherer, Sweeney

**Sens.** LaRose, Eklund, Hackett, Hite, Manning, Patton, Seitz, Tavares, Yuko

**Effective date:** April 6, 2017

- Authorizes a judge who grants limited driving privileges to a second-time OVI offender to terminate the mandatory motor vehicle immobilization order at the time the judge grants the limited driving privileges.
- Authorizes the court to reinstate the immobilization order upon a showing of good cause that the offender violated a condition imposed by the court.

## **Am. Sub. S.B. 97**

**Sens.** Hughes and LaRose, Eklund, Patton, Bacon, Balderson, Burke, Coley, Faber, Gardner, Gentile, Hite, Hottinger, Obhof, Peterson, Uecker

**Reps.** Arndt, Brown, Cera, Hambley, Manning, Rogers, Schaffer, Sprague, Young

**Effective date:** September 14, 2016

- Increases by 50% the mandatory prison term for a firearm specification, when a felony offender previously has been convicted of a firearm specification.
- Defines "violent career criminals" and prohibits them from knowingly using any firearm or dangerous ordnance.
- Requires a mandatory prison term of two to eleven years for a "violent career criminal" convicted of committing a violent felony offense while armed with a

firearm when the offender displayed, brandished, or indicated possession of the firearm, or used it to facilitate the offense.

- Specifies that the firearm disability relief mechanism does not apply to a person who:
  - (1) Has been convicted of a violation of the offense of unlawful use of a weapon by a violent career criminal; or
  - (2) Two or more times, has been convicted of a felony and either a firearm specification or the violent career criminal/firearm specification.
- Specifies that a previous delinquent child or juvenile traffic offender adjudication is not a conviction for purposes of determining whether the person:
  - (1) Is a violent career criminal;
  - (2) Has committed the offense of unlawful use of a weapon by a violent career criminal or should be sentenced for that offense; or
  - (3) Should be sentenced as a violent career criminal who had a firearm and displayed, brandished, or indicated that the person possessed the firearm, or used it to facilitate committing a violent felony offense.
- Provides certain prisoners credit for time spent in custody before delivery to prison in determining eligibility to apply for judicial release.
- Specifies that no presentence investigation report is required for shock probation to be granted to an offender convicted of an offense committed before July 1, 1996.

## **Am. Sub. S.B. 199**

**Sens.** Uecker and Gardner, Coley, Bacon, Obhof, Eklund, Beagle, Burke, Faber, Hackett, Hite, Hottinger, Hughes, Jones, Jordan, LaRose, Manning, Oelslager, Patton, Seitz

**Reps.** Perales, Amstutz, Anielski, Antani, Becker, Blessing, Brenner, Burkley, Cera, Conditt, Dean, Dovilla, Ginter, Goodman, Hagan, Hambley, Henne, Hill, Huffman, Koehler, Landis, LaTourette, Maag, Manning, McColley, Merrin, S. O'Brien, Retherford, Rezabek, Ruhl, Schaffer, R. Smith, Sprague, Terhar, Thompson, Young, Rosenberger

**Effective date:** March 21, 2017

### **Concealed carry, active duty military**

- Specifies that an active duty member of the U.S. armed forces who is carrying valid military identification and documentation of successful completion of sufficient firearms training has the same right to carry a concealed handgun as a concealed handgun licensee and is subject to the same restrictions as apply to a licensee.

- Expands to qualifying members of the military exemptions to offenses related to possessing a firearm in a vessel, D-liquor permit premises, a school safety zone, a courthouse, or a motor vehicle, and to carrying a concealed weapon that formerly applied only to concealed handgun licensees.
- Specifies penalties that apply to a qualifying member of the military who cannot promptly produce the required documents demonstrating the person's authority to carry a concealed handgun.
- Requires a qualifying member of the military who has a loaded handgun in a motor vehicle and is approached by a law enforcement officer or a Motor Carrier Enforcement Unit employee to notify the officer or employee of the concealed handgun, and follow certain other requirements, and specifies associated penalties.
- Specifies that prohibitions against selling a firearm to a person under age 18 or selling a handgun to a person under age 21 do not apply to the sale or furnishing of a handgun to a qualifying member of the military.
- Directs the Attorney General to create and maintain a section on its website that provides information on state firearms laws applicable to military members.

## **Restricted places**

### **Higher education institutions**

- Permits a concealed handgun licensee to carry on the premises of an institution of higher education if the institution's board of trustees or other governing body authorizes it.
- Sets special penalties for the offense of carrying a concealed handgun when it involves the unauthorized carrying of a concealed handgun on the premises of an institution of higher education, ranging from a minor misdemeanor to a second degree misdemeanor.
- Grants institutions of higher education immunity from civil liability allegedly caused by or related to a concealed carry licensee bringing a handgun onto an institution's premises, unless the institution acted with malicious purpose.

### **Day-care centers**

- Removes day-care centers and homes from the list of places into which a concealed handgun may not be carried.
- Creates special penalties for violating a posted prohibition against carrying weapons or concealed weapons at a day-care facility.

**Government facilities and airports**

- Modifies the prohibition against carrying a concealed handgun in a government facility to allow the governing body with authority over the building to enact a statute, ordinance, or policy that permits a licensee to carry a concealed handgun into the building.
- Limits the prohibition against carrying a concealed handgun in an airport to the area of a passenger terminal that is beyond a passenger or property screening checkpoint or to which access is restricted by security measures.

**School safety zones**

- Exempts a person from the prohibition against carrying a concealed handgun in a school safety zone if the person has a concealed handgun license or is a qualifying military member, leaves the handgun in the motor vehicle, and if the person exits the motor vehicle, locks the motor vehicle.
- Permits a law enforcement officer who is authorized to carry deadly weapons or dangerous ordnance to carry within a school safety zone, regardless of whether the officer is acting within the scope of the officer's duties.
- Exempts use of an object indistinguishable from a firearm in school safety training from the prohibition against possessing such objects in a school safety zone.

**Transporting or storing on private property**

- Prohibits a business entity, property owner, or employer from establishing, maintaining, or enforcing a policy that prohibits a concealed handgun licensee from transporting or storing a firearm or ammunition in the person's privately owned motor vehicle under specified circumstances.
- Provides immunity for a business entity, property owner, or employer in a lawsuit for injury or death caused by another person's actions involving a firearm or ammunition transported or stored in the person's motor vehicle, unless the business or person intentionally solicited or procured the other person's injurious actions.

**Other provisions**

- Permits a sheriff, with the approval of the board of county commissioners, to use the county's portion of concealed handgun license fee revenue for ammunition and firearms to be used by the sheriff and the sheriff's employees.
- Allows certain children's crisis care facilities to maintain firearms at the facility and have security personnel bear firearms while on facility grounds.

## Sub. S.B. 204

**Sens.** Seitz, Eklund, Thomas, Uecker, Jordan, Brown, Skindell, Burke, Hackett, Hite, Jones, Lehner, Manning, Patton, Sawyer, Schiavoni, Tavares, Williams, Yuko

**Reps.** Manning, Sykes, Boyd, Brenner, Brown, Buchy, Celebrezze, Dovilla, Green, McColley, M. O'Brien, S. O'Brien, Ramos, Rezabek, Rogers, Schuring, Sheehy, Sweeney

**Effective date:** September 13, 2016

### Driver's license suspension for drug-related offenses

- Generally eliminates the mandatory driver's license suspension (six months to five years) for specified drug-related offenses and, instead, permits the court, at its discretion, to impose a suspension for a period of up to five years.
- Requires the court to impose a mandatory driver's license suspension of up to five years for specified drug-related offenses if the offender pleaded guilty to, or was convicted of, an OVI ("operating a vehicle while under the influence") offense arising out of the same set of circumstances as the drug offense.
- Allows an offender who received a driver's license suspension for a specified drug-related offense prior to the act's effective date to file a motion for termination of the suspension, unless the offender also pleaded guilty to, or was convicted of, an OVI offense arising out of the same set of circumstances as the drug-related offense.
- Authorizes a sentencing court to impose a driver's license suspension for up to five years on an offender for possessing nitrous oxide in a motor vehicle.

### Limited driving privileges

- Expands the permissible purposes for which a court may grant limited driving privileges to an offender whose driver's license has been suspended to include any purpose the court determines to be appropriate.
- Standardizes the provisions governing the permissible purposes for which a court may grant limited driving privileges so that the authority of the court is uniform throughout the law.

## Sub. S.B. 215

**Sens.** Hughes and LaRose, Uecker, Bacon, Beagle, Burke, Coley, Gardner, Hite, Hottinger, Jones, Jordan, Lehner, Manning, Obhof, Patton, Sawyer, Schiavoni, Tavares, Thomas, Yuko

**Reps.** Celebrezze, Anielski, Antani, Antonio, Boyd, Brown, Burkley, Butler, Conditt, Craig, Dever, Dovilla, Green, G. Johnson, LaTourette, Manning, M. O'Brien, Patterson, Phillips, Rezabek, Roegner, Rogers, Ruhl, Schaffer, Sheehy, K. Smith, Strahorn, Sweeney

**Effective date:** August 31, 2016



- Provides immunity from civil liability for any damage resulting from the forcible entry of a motor vehicle to remove a minor or an animal if the person has a good faith belief that forcible entry is necessary because the minor or animal is in imminent danger of injury or death and follows specified procedures.
- Specifies that a person is not immune from civil liability if the person's actions constitute recklessness or willful or wanton misconduct with regard to the forcible entry of the motor vehicle.

## Economic Development

### Sub. H.B. 182

**Reps.** Schuring, Baker, Anielski, Antonio, Arndt, Brown, Buchy, Burkley, Celebrezze, Dovilla, Driehaus, Duffey, Fedor, Ginter, Green, Hackett, Hambley, Hayes, Landis, Lepore-Hagan, Manning, McColley, M. O'Brien, S. O'Brien, Patterson, Perales, Reineke, Rezabek, Rogers, Romanchuk, Schaffer, Sears, Sheehy, Slaby, Slesnick, K. Smith, R. Smith, Sprague, Strahorn, Sweeney, Thompson, Young

**Sens.** Beagle, Burke, Eklund, Hottinger, Peterson, Seitz, Thomas, Williams

**Effective date:** September 13, 2016

#### Joint economic development districts (JEDDs)

- Reorganizes the law governing JEDDs created under the state-wide procedure into one Revised Code section.
- Specifies that JEDDs may be created for "redevelopment" purposes.
- Allows "mixed-use developments" (i.e., real estate projects that integrate some combination of retail, office, residential, hotel, recreation, and other functions) to be included in the territory of a JEDD.
- Allows the contracting parties to designate "excluded parcels" within the boundaries of a JEDD that are not part of the JEDD nor subject to the JEDD income tax.
- Allows the imposition of a JEDD income tax on the income of individuals residing within the boundaries of the JEDD.
- Requires that JEDD income tax revenue be used to carry out the economic development plan for the district and other "lawful purposes" of the contracting parties.
- Clarifies that JEDD income tax revenue may be used for the provision of utility services.
- Requires that JEDD contracts expressly include an economic development plan, procedures for appointing the board of directors, and a restatement of the law prohibiting municipal annexation of unincorporated JEDD territory.
- Specifies that only the record owner of real property or a person with authority to make legally binding decisions on behalf of a business may sign a petition approving a JEDD contract or amendment.

- Requires the contracting parties to send written notice to property and business owners that did not sign the petitions supporting an amendment to add territory to a JEDD.
- Authorizes the contracting parties to amend an existing JEDD contract for the purpose of removing territory from the JEDD or designating excluded parcels.
- Requires the contracting parties to equally share the costs of circulating petitions to property and business owners and sending notice to property and business owners that did not sign the petitions when approving or amending a JEDD contract.
- Eliminates the requirement that the contracting parties send notice to each affected county before and after adopting a JEDD contract.
- Establishes a procedure permitting the owner of a business operating in the unincorporated territory of a JEDD to file a complaint with the court of common pleas seeking exemption from the JEDD income tax on behalf of the business and its employees.
- Authorizes affected school districts to waive the exclusion of retail facilities from the tax benefits available in enterprise zones.

### **Other provisions**

- Expands the class of low-income community businesses eligible to receive credit-eligible investments for the purposes of Ohio's New Markets Tax Credit.
- Creates a property tax exemption for real property owned by a nonprofit corporation that is certified by the federal Small Business Administration as an intermediary lender in the federal Microloan Program.
- Extends, to December 31, 2016, the deadline for municipal corporations to report information necessary for the Municipal Income Tax Net Operating Loss Committee to compute the fiscal effects of recent changes to the law governing municipal income tax net operating loss deductions.
- Lowers the contribution threshold necessary to maintain an income tax refund contribution "check-off" option.

## Am. Sub. H.B. 233

**Reps.** Schuring, Ashford, Baker, Blessing, Boyd, Fedor, Hackett, Hambley, Kraus, Lepore-Hagan, Patmon, Reineke, Scherer, Sears, Sheehy, Green, McColley, Brown, R. Smith, Amstutz, Anielski, Antonio, Arndt, Boccieri, Boose, Boyce, Buchy, Burkley, Celebrezze, Cera, Clyde, Conditt, Craig, Cupp, Derickson, Dever, Dovilla, Driehaus, Duffey, Ginter, Grossman, Hagan, Hall, Hayes, Henne, Hill, Howse, Huffman, G. Johnson, Kuhns, Leland, Maag, Manning, M. O'Brien, S. O'Brien, Patterson, Pelanda, Ramos, Reece, Retherford, Rezabek, Rogers, Romanchuk, Ruhl, Ryan, Schaffer, Slaby, Slesnick, K. Smith, Stinziano, Strahorn, Sweeney, Sykes, Terhar, Young, Zeltwanger, Rosenberger

**Sens.** Tavares, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Eklund, Gentile, Hite, LaRose, Manning, Oelslager, Patton, Peterson, Schiavoni, Seitz, Thomas, Uecker, Williams

**Effective date:** August 5, 2016

### Downtown redevelopment districts (DRDs)

- Establishes a procedure by which municipal corporations may create DRDs for the purposes of rehabilitating historic buildings and promoting economic development.
- Authorizes the municipal corporation to exempt up to 70% of the increased value of real property in the DRD from taxation and to collect service payments in lieu of taxes from the property owners.
- Requires the municipal corporation to hold a public hearing on the proposed DRD ordinance and give notice of the hearing to each property owner in the district.
- Requires that the territory of a DRD contain at least one historic building and prohibits the inclusion of areas used exclusively for residential purposes.
- Restricts the lifetime of DRD exemptions to ten years or, with the approval or reimbursement of affected school districts, 30 years.
- Authorizes the designation of an innovation district within a new or existing DRD if the district includes an area equipped with a high-speed broadband network capable of download speeds of at least 100 gigabits per second.
- Authorizes property owners in a DRD to enter into agreements with the municipal corporation to impose a redevelopment charge on the property, as a covenant running with the land, for any period of time not exceeding the life of the DRD.
- Requires each municipal corporation that creates a DRD to establish a special fund for depositing and dispersing service payments and redevelopment charges.
- Authorizes the use of DRD funds for grants and loans to owners of historic and nonhistoric buildings, contributions to special improvement districts (SIDs) and community improvement corporations (CICs) to promote the district, public infrastructure improvements, and, if the DRD includes an innovation district, grants and loans to technology-oriented businesses, incubators, and accelerators.

- Requires the municipal corporation to file an annual report with the Development Services Agency on the progress of DRD projects and services and the expenditure of money from the district's special fund.
- Requires the Director of Development Services to devise and adopt a system to track information necessary to anticipate the tax revenue impact of historic preservation tax credits in current and future fiscal years.

### **Charitable use exemption**

- Specifically extends the charitable use property tax exemption to certain kinds of museums that are open to the public and belong to a public or charitable organization.
- Expands a pre-existing property tax exemption for certain kinds of historic structures under renovation that are conveyed to a nonpublic, noncharitable organization by including such museums and by specifying that only part of the structure's space must be used for the exempt purpose.

### **Lodging tax for Lake Erie shoreline improvements**

- Clarifies the permissible uses of revenue from a recently authorized lodging tax levied to fund the construction of port authority facilities near the Lake Erie shoreline.

## Education

### Sub. H.B. 113

**Reps.** Grossman and Manning, DeVitis, Stinziano, Blessing, Reece, Sheehy, Patterson, Phillips, Slaby, K. Smith, Anielski, Antonio, Baker, Barnes, Boccieri, Boggs, Boyce, Brown, Celebrezze, Craig, Dever, Driehaus, Fedor, Green, Hambley, Huffman, G. Johnson, T. Johnson, Koehler, Leland, Lepore-Hagan, McClain, M. O'Brien, Pelanda, Perales, Ramos, Rogers, Schuring, Strahorn, Sykes, Terhar, Young

**Sens.** Manning, Gardner, LaRose, Beagle, Burke, Coley, Eklund, Faber, Hackett, Hite, Hottinger, Hughes, Jones, Lehner, Obhof, Patton, Peterson, Sawyer, Seitz, Tavares, Thomas, Yuko

**Effective date:** September 14, 2016

#### **CPR and AED instruction**

- Beginning with the 2017-2018 school year, requires public schools (except for e-schools and community schools that primarily serve students with disabilities) to provide to students instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED).
- Requires that a student be excused from the CPR and AED instruction if (1) the student's parent or guardian requests it in writing or (2) the student is a child with a disability and is incapable of performing the required skills.
- Requires each school district and community school (except for an e-school or community school that primarily serves students with disabilities) to provide training in the use of an AED to each employee by July 1, 2018, and once every five years thereafter.

#### **High school equivalency tests and certificates**

- Requires the Department of Education to award certificates of high school equivalence and to approve at least two nationally recognized high school equivalency tests for that purpose.
- Specifies that, in order for a person to earn a certificate of high school equivalence, scores must be obtained on one of the approved tests, rather than specifically on the tests of general educational development (the "GED test") as under former law.
- Removes several eligibility requirements for persons under 18 to take a high school equivalency test, as well as a provision automatically qualifying certain persons for eligibility, regardless of age.

### **Joint Education Oversight Committee**

- Prohibits the chairperson and the ranking member of the Joint Education Oversight Committee (JEOC) from being from the same political party.
- Requires JEOC to authorize a plan of work, which must include research, review, study, and analysis of education policy issues important to the state, policy options to address such issues, and available data to support such analysis.
- Authorizes the JEOC chairperson to request any state agency or political subdivision to provide information to aid the committee's statutory purposes and requires each agency or subdivision to provide the requested information, to the extent permissible under state and federal privacy law.

### **Chartered nonpublic school students in CCP**

- Permits the Department to use a portion of the Auxiliary Services Reimbursement Fund to make payments for chartered nonpublic school students participating in the College Credit Plus (CCP) program.

### **Community school educator contracts**

- Prohibits a community school teacher or other licensed education professional from terminating the individual's employment contract after July 10, or before the last day of instruction, without consent of the school's governing authority or operator.
- Permits the State Board of Education to investigate and suspend the license of an individual who violates the contract termination provision.

### **Joint vocational school district board membership**

- Permits a joint vocational school district board of education with more than 30 members to submit an application to the Superintendent of Public Instruction for approval to stagger its members' terms of office.

### **Career-technical education spending**

- Permits the Department to waive the career-technical education spending requirement under continuing law for any community school that exclusively provides one or more career-technical workforce development programs in arts and communications that are not equipment-intensive.

## Bright New Leaders for Ohio Schools

- Permits school districts, community schools, and STEM schools to use economically disadvantaged funds to employ principals and assistant principals who completed the Bright New Leaders for Ohio Schools program.

## Sub. H.B. 299

**Reps.** Blessing and Rezabek, Butler, Terhar, Dever, Brenner, Bishoff, LaTourette, Grossman, Huffman, Schaffer, Amstutz, Anielski, Ashford, Baker, Barnes, Boyce, Boyd, Brown, Buchy, Burkley, Conditt, Craig, Driehaus, Duffey, Green, Hackett, Hall, Hambley, Hayes, Henne, Hill, G. Johnson, T. Johnson, Kuhns, Kunze, Maag, Manning, M. O'Brien, S. O'Brien, Patmon, Pelanda, Perales, Reece, Reineke, Rogers, Ruhl, Ryan, Scherer, Schuring, Sheehy, Slesnick, Sprague, Stinziano, Strahorn, Sweeney, Sykes, Thompson

**Sens.** Hite, Bacon, Balderson, Brown, Coley, Eklund, Jones, LaRose, Lehner, Obhof, Oelslager, Patton, Peterson, Seitz, Thomas

**Effective date:** August 31, 2016

## Autism Scholarship Program

- Permits the temporary, legal, or permanent custodian of an identified autistic child, when the custodian is not the natural or adoptive parent of the child or a government agency, to apply for an Autism Scholarship for the child.

## Graduation and testing, nonpublic school students

- Authorizes a fourth alternative to earn a high school diploma for students who use a state scholarship to attend a chartered nonpublic school that is accredited through the Independent Schools Association of the Central States: earning a passing score on an alternative assessment approved by the Department of Education.
- Permits such a student to take an alternative assessment in lieu of the requirement to take a nationally standardized assessment that measures college and career readiness and the seven end-of-course exams.

## Am. Sub. H.B. 384

*(For details of the act's fiscal provisions, see the LSC Fiscal Note & Local Impact Statement, As Enacted, available at <https://www.legislature.ohio.gov/download?key=6326&format=pdf>)*

**Reps.** Schaffer and Duffey, Blessing, Boose, Vitale, Brown, Buchy, Butler, Pelanda, R. Smith, Amstutz, Anielski, Antani, Antonio, Arndt, Baker, Boyce, Brenner, Burkley, Conditt, Craig, Cupp, Dever, Dovilla, Hagan, Hall, Hambley, Koehler, LaTourette, Leland, McClain, M. O'Brien, S. O'Brien, Retherford, Rogers, Romanchuk, Ryan, Scherer, Sprague, Sweeney, Thompson



**Sens.** Bacon, Coley, Eklund, Faber, Hite, Hughes, Jones, Peterson, Sawyer, Seitz, Tavares, Thomas, Williams

**Effective date:** April 5, 2017; operating appropriations in Sections 10 to 12 and 15 to 18 effective January 4, 2017; one item vetoed

### **Performance audits of state higher education institutions**

- Authorizes the Auditor of State to conduct performance audits of state institutions of higher education, and sets cost limits for the audits.
- Prohibits the Auditor from auditing an institution's academic performance.
- Permits state institutions of higher education to obtain loans from the Leverage for Efficiency, Accountability, and Performance (LEAP) Fund to pay for performance audits.

### **Midwest Student Exchange Program**

- Permits the Chancellor of Higher Education to endorse Ohio's participation in the Midwest Student Exchange Program.

### **Inter-university self-insurance pools**

- Permits a state university or college to participate in a joint self-insurance pool to provide personal liability coverage to protect the institution and its employees against loss incurred while undertaking official duties.
- Authorizes the joint self-insurance pool to also provide certain types of property or casualty coverage to cover other risks of pool members.
- Permits the board of trustees of the university or college to contract with a pool administrator to administer the joint self-insurance pool.
- Exempts a joint self-insurance pool from the application of Ohio's insurance laws.
- Permits a joint self-insurance pool to issue obligations and notes to pay claims expenses and administrative costs.
- Exempts a joint self-insurance pool from the application of Ohio's Public Records Law, but requires the pool administrator to prepare and maintain a public report on pool funds.
- Limits the liability of a state university or college to the amounts payable pursuant to its written agreement with the pool.
- Exempts the pool from state and local taxes.
- Establishes civil immunities and defenses under the Court of Claims Law with respect to individuals involved in administering a joint self-insurance pool.

- Specifies that a state university or college employee who becomes a member of the governing body of a joint self-insurance pool does not violate certain public employee ethics laws.

### **Workforce Grant Program**

- Revises the Workforce Grant Program to require the Chancellor of Higher Education to disburse funds to institutions of higher education, which in turn must award grants to eligible students.

### **Tax provisions**

- Authorizes a property tax exemption for an arena that is owned by the Convention Facilities Authority of a county with a population of more than one million people and that is leased to a private enterprise (Nationwide Arena in Franklin County).
- Would have exempted from sales taxation the sale of digitized music from a jukebox or similar musical entertainment device (VETOED).
- Exempts small business investment companies from the financial institutions tax both prospectively and retrospectively to the first year that tax was levied (2014).
- Reduces the property tax assessment rate for water-works company tangible personal property that is taxed for the first time in tax year 2017 or thereafter, from 88% to 25% of true value.

### **Economic development provisions affecting impacted cities**

- Allows certain municipalities to use tax increment financing payments in lieu of taxes to fund unrelated infrastructure projects.
- Allows a New Community Authority to contract with certain municipalities to fund services or infrastructure projects unrelated to the new community district.

### **Appeal of BTA decisions**

- Removes a requirement that persons appealing a Board of Tax Appeals (BTA) decision must serve notice of the appeal on the Tax Commissioner, unless the Commissioner is already a party to the case.

### **Alternative fuel vehicle conversion grants**

- Allows political subdivisions to receive grants under the Alternative Fuel Vehicle Conversion Program.

### **Appropriations**

- Appropriates \$7.35 million in FY 2017 for the Department of Public Safety to make competitive grants of up to \$100,000 to nonprofit organizations for security improvements, and adds three higher education institutions as eligible to access funds

appropriated to the Department of Higher Education for the Regional Partnership and Training Center.

- Adjusts several capital appropriations.

## Sub. H.B. 391

**Reps.** Terhar, Baker, Blessing, Driehaus, Green, Hambley, Leland, Maag, McColley, Reineke, Retherford, Sheehy, K. Smith, Sprague, Young, Schuring, Cupp, Grossman, Perales, Anielski, Antonio, Arndt, Barnes, Bishoff, Boccieri, Boose, Boyce, Brown, Burkley, Celebrezze, Conditt, Craig, Derickson, Dever, DeVitis, Dovilla, Fedor, Hagan, Hayes, Henne, T. Johnson, Kuhns, Kunze, Lepore-Hagan, McClain, M. O'Brien, S. O'Brien, Patmon, Patterson, Phillips, Reece, Rezabek, Ruhl, Scherer, Slaby, Slesnick, R. Smith, Sweeney, Sykes

**Sens.** Hite, Sawyer, Beagle, Coley, Balderson, Brown, Burke, Cafaro, Eklund, Faber, Hackett, Hottinger, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Seitz, Skindell, Tavares, Thomas, Uecker, Williams, Yuko

**Effective date:** September 28, 2016; appropriations effective June 28, 2016

- Requires the Chancellor of Higher Education to create the SmartOhio Financial Literacy Pilot Program at the University of Cincinnati for the 2016-2017 school year, to increase the financial literacy for students in grades K-8.
- Increases the Department of Higher Education's FY 2017 GRF appropriation by \$318,000 to provide support for the Program.
- Establishes the Task Force for Creating Opportunities for Shared Governance on Co-Located Campuses.
- Renames the Capitol Theatre in the Vern Riffe Center for Government and the Arts the Speaker Jo Ann Davidson Theatre.
- Provides \$500,000 GRF to the Department for FY 2017 for the Ohio Youth Entrepreneur Program at Youngstown State University.

## Am. Sub. H.B. 410

**Reps.** Rezabek and Hayes, Brenner, Blessing, Henne, Manning, Patmon, Amstutz, Anielski, Antonio, Arndt, Baker, Barnes, Boyd, Grossman, McClain, Ryan, Sheehy, Slaby, R. Smith, Sweeney, Young, Rosenberger

**Sens.** Bacon, Beagle, Brown, Coley, Eklund, Hackett, Hite, Jones, LaRose, Patton, Sawyer, Schiavoni, Tavares, Thomas, Uecker, Williams

**Effective date:** April 6, 2017

### **"Habitual" and "chronic" truancy**

- Eliminates the law's distinction between a "chronic truant" and an "habitual truant" and, instead, provides that a child who has been adjudicated an habitual truant and who violates the court order regarding that adjudication may be further adjudicated a "delinquent child."
- Bases the measure for "habitual truancy" on the number of hours, instead of the number of days, absent.

### **No suspension or expulsion for truancy**

- Prohibits a school district or school from suspending, expelling, or removing a student from school solely on the basis of unexcused absences, and removes "excessive truancy" from the specifications for a school district's zero tolerance policy for violent, disruptive, or inappropriate behavior.

### **School policies on truancy**

- Modifies the components of the required policy on addressing and ameliorating student absences, and requires an absence intervention team for each student who is absent for a period of time that exceeds the threshold for a habitual truant.
- Provides an exemption from the requirement to assign habitually truant students to an absence intervention team for a school district with a chronic absenteeism percentage less than 5%.
- Requires the attendance officer to notify a student's parent, guardian, or custodian in the event the student is absent *with or without* legitimate excuse for 38 or more hours in one school month or 65 hours in a school year.
- Requires a school district or school to (1) make at least three meaningful, good faith attempts to secure participation of the student's parent within a specified time period and (2) investigate whether failure to respond to those attempts triggers mandatory reporting to child protective services.
- Requires each school district and school to report to the Department of Education the occurrence of certain triggering events with respect to a student's absences, including whenever a child has received enough unexcused absences that the child is considered an habitual truant.
- With specified exceptions, requires a complaint to be filed in juvenile court against a student (and against any person who fails to cause the child's attendance at school) on the 61st day after implementation of an absence intervention plan, provided that the school district made meaningful attempts to reengage the student and the student refused to participate or failed to make satisfactory progress.

### **Juvenile court complaints**

- Requires the juvenile court, upon the filing of a complaint that a child is unruly based on habitual truancy, to consider an alternative to adjudication, and provides that the court must consider the complaint only as a matter of last resort.
- Requires the juvenile court to provide notice of any adjudication related to a child's truancy to the school district and school in which the child was enrolled when the complaint was filed.
- Requires the juvenile court, when submitting its annual report, to specify the number of children placed in alternatives to adjudication, the number who successfully complete those programs, and the number who fail to complete those programs and were therefore adjudicated unruly.

### **State Board model policy**

- Requires the State Board of Education to develop a model policy for violent, disruptive, or inappropriate behavior, including excessive absences, that stresses preventative strategies and alternatives to suspension or expulsion, for use by schools in complying with the modified requirements.

### **Failure to send child to school**

- Specifies that an act that contributes to an adjudication of a child as a delinquent child because of the violation of a court order with respect to truancy is a first degree misdemeanor.
- Clarifies that the parent, guardian, or custodian of an adjudicated truant child must provide a surety bond in the sum of not more than \$500 as required by the court.

### **Affirmative defense**

- Permits the defendant of an habitual truancy complaint to assert as an affirmative defense the fact that the student participated in or made satisfactory progress on the absence intervention plan or other alternatives to adjudication.

### **Multidisciplinary truancy teams; pilot program**

- Requires the Ohio Family and Children First Cabinet Council to establish a pilot program that creates a multidisciplinary truancy team approach in which school districts may participate in lieu of some of the requirements related to the absence intervention plan process.
- Requires the Joint Education Oversight Committee, working in consultation with the Council, to report in writing to the General Assembly a detailed analysis of the pilot program.

### **Out-of-school suspensions**

- Permits a school district board of education to allow a student to complete any classroom assignments missed because of a suspension.
- Prohibits a school district from applying any remaining part or all of a suspension to the following school year and instead permits the superintendent to require the student to participate in community service or alternative consequence for the number of hours left on the suspension.

### **National Guard scholarships**

- Eliminates repayment liability for Ohio National Guard scholarship recipients who enlist in, or are warranted, commissioned, or appointed to an active or active reserve component of the U.S. armed forces.
- Requires the state to return payments already made by scholarship recipients previously liable for repayments on or before September 30, 2016, who would no longer be liable under the act.
- Requires the Adjutant General to develop and provide a written explanation that informs all eligible scholarship recipients that they may become ineligible and liable for scholarship repayment under certain circumstances.

## **Sub. H.B. 438**

**Reps.** Patterson, Boyd, M. O'Brien, Phillips, K. Smith, Lepore-Hagan, Ramos, Boccieri, Leland, Howse, Slaby, Brenner, Fedor, Cupp, Schaffer, R. Smith, Anielski, Antonio, Barnes, Bishoff, Boggs, Boyce, Brown, Craig, Dovilla, Duffey, Grossman, Hambley, Hayes, G. Johnson, Kuhns, Kunze, Manning, S. O'Brien, Reece, Rezabek, Roegner, Rogers, Ruhl, Ryan, Sheehy, Sweeney, Sykes, Thompson, Young

**Sens.** Bacon, Balderson, Beagle, Brown, Burke, Coley, Eklund, Faber, Gardner, Gentile, Hackett, Hite, Hottinger, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Tavares, Thomas, Uecker, Williams

**Effective date:** April 6, 2017

### **Ohio Public Education Appreciation Week**

- Designates the week prior to the week of Thanksgiving Day as "Ohio Public Education Appreciation Week."

### **School counselor evaluations**

- Permits a district or school, beginning with the 2017-2018 school year, to choose not to evaluate certain school counselors.

### **Anatomical gift instruction**

- Requires each school district to include instruction in the process of making an anatomical gift in the district's health curriculum.
- Requires the Second Chance Trust Fund Advisory Committee to submit recommendations for the instruction to the Department of Education by July 1, 2017.
- Requires the Department to publish the recommendations on its website.

### **Disposal of school district property**

- Modifies the timelines for the sale or lease of real property or unused facilities by a school district by requiring only one 60-day offer period to all start-up community schools and college-preparatory boarding schools within the district, but retaining the priority status afforded to high-performing community schools.
- Requires the Department of Education to post prominently on its website a list of schools that qualify as high-performing community schools.

### **Facilities funding for consolidating districts**

- Requires the School Facilities Commission to give a school district first priority for Classroom Facilities Assistance funding if the district (1) results from a transfer, merger, consolidation, or creation of a new local district that becomes effective between July 1, 2013, and June 30, 2018 and (2) has demonstrated to the Commission an efficient use of facility space.
- Specifies that, if an eligible school district results from a transfer, merger, consolidation, or creation of a new local district that takes place prior to the act's effective date, the district's portion of the total project cost must be based on the percentile ranking of the lowest wealth district prior to the creation of the new district.
- Permits the Commission to reduce an eligible district's portion of the total project cost by 25 percentage points, provided the district's portion is at least 5%.
- Permits the Commission to reduce an eligible district's portion of the total project cost by an additional 10 percentage points, provided the district's portion is at least 5%, if the project involves construction of a building on land owned by a state institution of higher education that is participating in the College Credit Plus Program and certain criteria are satisfied.

### **Prioritizing funding for joint facilities projects**

- Repeals law that requires the Commission to adopt rules providing guidelines for prioritizing facility funding for districts that voluntarily develop joint use



agreements and permits the Commission to advance the funding priority of districts that are parties to such agreements.

### **Sub. S.B. 3**

**Sens.** Hite and Faber, Coley, Gardner, Lehner, Balderson, Beagle, Burke, Eklund, Hottinger, Hughes, Jones, Jordan, LaRose, Manning, Obhof, Oelslager, Patton, Peterson, Seitz, Uecker, Widener

**Reps.** Brenner, Buchy, Green, Hambley, McColley, Reineke, Schaffer, Schuring

**Effective date:** March 16, 2017

#### **State assessments**

- Limits the cumulative amount of time for administration of state and district- or school-wide assessments to 2% of the school year, beginning with the 2017-2018 school year.
- Limits the cumulative amount of time for taking practice or diagnostic assessments to prepare for state and district- or school-wide assessments to 1% of the school year, beginning with the 2017-2018 school year.
- Exempts from the time limit assessments administered to students with disabilities, diagnostic assessments for students who fail to attain a passing score on the third-grade English language arts assessment, assessments used to identify gifted students, and alternatives to certain end-of-course examinations.
- Eliminates the requirement that school districts and schools administer diagnostic assessments to students in grades 1 to 3 in writing and mathematics beginning with the 2017-2018 school year.
- Authorizes chartered nonpublic schools to administer the kindergarten readiness assessment beginning with the 2018-2019 school year, and requires the Department of Education to furnish the assessment to them.
- Exempts from the requirement to take the college and career readiness assessment students enrolled in public and private high schools who: (1) have significant cognitive disabilities, (2) have an intellectual disability, (3) are limited English proficient students who have been enrolled in U.S. schools for less than two years, and (4) have attained a "remediation-free" score on the assessment.

#### **Substitute end-of-course exams**

- Specifies that, in order to calculate a student's score on a substitute end-of-course exam, a score of 2 on an Advanced Placement (AP) exam or a score of 2 or 3 on an International Baccalaureate (IB) exam is equivalent to a proficient level of skill.



## **Career-technical education**

- Requires the Department to consider an industry-recognized credential or a state agency- or board-issued license for practice in a vocation that requires an exam for issuance of that license as an acceptable measure of technical skill attainment, except as otherwise required by federal law.
- Requires the Department to develop procedures (1) for identifying industry-recognized credentials and licenses aligned to a student's career-technical education program that can be used as an acceptable measure of technical skill, and (2) for identifying students in the process of earning such credentials or licenses.
- Requires the Department to approve the math course that may be used as an alternative to Algebra II for career-technical students.

## **Ohio Teacher Residency program**

- Specifies a different set of components that an individual teaching career-technical education courses with an alternative resident educator license must fulfill under the Ohio Teacher Residency (OTR) program, and exempts them from taking the performance-based assessment for resident educators.
- Requires the Department, by December 31, 2017, to establish a method to assess whether career-technical teachers teaching under an alternative resident educator license are qualified for a professional educator license.
- Beginning with the 2017-2018 school year, permits districts and schools to not conduct evaluations for teachers participating in the OTR program during the year those teachers take at least half of the performance-based assessment for resident educators.

## **Alternative resident educator license**

- Qualifies for an alternative resident educator license an individual who has not completed coursework in the subject area for which the individual is applying to teach.

## **Exemptions for certain school districts**

- Exempts qualified school districts, for three school years, from several requirements regarding the third-grade reading guarantee, teacher licensing, mentoring under the OTR program, and class size restrictions.
- Qualifies a school district for the exemptions if it received, on its most recent report card, (1) at least 85% for the performance index score, (2) an "A" for performance indicators met, and (3) at least 93% and 95% for the four-year and five-year adjusted cohort graduation rate, respectively.

**Alternative facilities funding proposal**

- Requires the School Facilities Commission, by December 15, 2017, to develop and submit to the General Assembly a legislative proposal for assisting certain school districts to receive funding under the Classroom Facilities Assistance Program.

**Competitive bidding threshold**

- Increases the competitive bidding threshold for school building and repair contracts from \$25,000 to \$50,000.

**Ed Choice scholarships**

- Specifies that if a district or building is designated at the time of the act's effective date as eligible for the Ed Choice Scholarship Program, it continues to be Ed Choice designated through the 2018-2019 school year, regardless of meeting conditions that would remove the designation.

**Correction of tax certifications for state funding**

- Requires the adjustment, for purposes of state foundation funding, of specified countywide tax certifications if the certified valuations in any of tax years 2012, 2013, or 2014 vary by more than \$30 million from the countywide aggregate valuation on the tax duplicates.

**Community schools**

- Modifies the membership requirements for community school governing authorities.
- Permits a community school to provide admission preference to children of full-time staff members employed by the school.
- Permits the sheriff to enter into contracts with a community school governing authority under which the sheriff may exercise any police power or render any police service for the school.
- Changes the school year by which a community school must comply with the State Board of Education plan for awarding high school credit based on demonstration of subject area competency from the 2016-2017 school year to the 2017-2018 school year.

**Grades offered by STEM schools**

- Expands the grade levels that STEM schools and STEM school equivalents may offer to any of grades K-12.

### **Performance audits, study of ESCs**

- Authorizes the Auditor of State to conduct a performance audit of any educational service center (ESC).
- Requires the Auditor of State to conduct a comprehensive operational study of all ESCs in the state by March 16, 2020 (three years after the act's effective date).

### **Diplomas for home-schooled students**

- Removes the alternative requirement that a diploma issued to a home-schooled student include certification from the resident district's superintendent stating compliance with state law.

### **State Seal of Biliteracy**

- Requires the State Board to establish the State Seal of Biliteracy, which demonstrates a high level of proficiency in one or more languages in addition to English and may be attached to the transcripts of public and nonpublic high school students and to the diplomas of homeschooled students.

### **JVSD board membership**

- Requires that a joint vocational school district (JVSD) board member be either (1) a board member of a school district that is part of the JVSD or (2) an individual with experience or knowledge of the labor needs of the region.
- Removes term limits for JVSD board members.
- Permits all JVSD boards, instead of just those with more than 30 members (as under former law) to submit an application to the Superintendent of Public Instruction for approval to stagger its members' terms of office.

### **Interscholastic athletics**

- Permits a student enrolled in a nonpublic school to participate in interscholastic activities at the school district in which the student's nonpublic school is located, so long as certain criteria are met.
- Prohibits a student who participates in the College Credit Plus program from being denied the opportunity to participate in interscholastic athletics offered by the student's school, solely due to the student's participation in the program.

### **Other education provisions**

- Expands the grade levels for which each public and chartered nonpublic school must provide information to students about the school's advanced standing programs.

- Codifies a law, which was formerly uncodified, regarding the Bright New Leaders for Ohio Schools Program and adds two members to the board of directors of the corporation responsible for implementing the program.
- Removes a requirement that the State Board adopt a measure, to be reported separately from the district's or school's report card, for the amount of extracurricular services offered to students.
- Eliminates the Department's responsibilities for approval of online lessons and blizzard bags to make up school hours in the case of a calamity day.
- Permits the sheriff to enter into contracts with (1) a chartered nonpublic school to provide community preventive education programs and (2) a private institution of higher education to provide police services.
- Revises the Workforce Grant Program to require institutions of higher education, rather than the Chancellor of Higher Education, to award grants to eligible students.

### **Arena property tax exemption**

- Authorizes a property tax exemption for an arena that is owned by the Convention Facilities Authority of Franklin County and that is leased to a private enterprise.

### **Ballot error correction**

- Validates a property tax levy that was approved by a ballot measure that stated an erroneous term regarding duration.

### **Inter-university self-insurance pools**

- Permits a state university or college to participate in a joint self-insurance pool to provide personal liability coverage to protect the institution and its employees against loss incurred while undertaking official duties.
- Authorizes the joint self-insurance pool to also provide certain types of property or casualty coverage to cover other risks of pool members.
- Permits the board of trustees of the university or college to contract with a pool administrator to administer the joint self-insurance pool.
- Exempts a joint self-insurance pool from the application of Ohio's insurance laws.
- Permits a joint self-insurance pool to issue obligations and notes to pay claims expenses and administrative costs.
- Exempts a joint self-insurance pool from the application of Ohio's Public Records Law but requires the pool administrator to prepare and maintain a public report on pool funds.

- Limits the liability of a state university or college to the amounts payable pursuant to its written agreement with the pool.
- Exempts the pool from state and local taxes.
- Establishes civil immunities and defenses under the Court of Claims Law with respect to individuals involved in administering a joint self-insurance pool.
- Specifies that a state university or college employee who becomes a member of the governing body of a joint self-insurance pool does not violate certain public employee ethics laws.

### **Political subdivision joint self-insurance pools**

- Modifies the reporting requirements for joint self-insurance programs administered by political subdivisions.

## **Am. Sub. S.B. 252**

**Sens.** Hite and Patton, Manning, Yuko, Eklund, Coley, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Faber, Gardner, Gentile, Hackett, Hottinger, Hughes, Jones, Jordan, LaRose, Lehner, Obhof, Oelslager, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Tavares, Thomas, Uecker

**Reps.** Bishoff, Brown, Ramos, Sprague, Anielski, Antonio, Ashford, Baker, Barnes, Boyd, Howse, Kuhns, Leland, Manning, M. O'Brien, Rogers, Scherer, Sheehy, Slaby, Sweeney

**Effective date:** March 14, 2017

- Establishes several prohibitions and procedures related to preventing sudden cardiac arrest in athletic activities at schools and youth sports organizations.
- Requires each student and youth athlete, before participating in an athletic activity, to submit a signed form indicating review of sudden cardiac arrest guidelines, which the Departments of Health and Education must develop jointly.
- Requires a student or youth athlete to be evaluated and cleared by specified health professionals before participation if (1) the student or athlete's biological parent, sibling, or child has experienced sudden cardiac arrest, or (2) the student or athlete is known to have exhibited syncope or fainting at any time before or following an athletic activity.
- Requires a coach to remove a student or youth athlete from participation if the student or athlete exhibits syncope or fainting, and prohibits the student or athlete from returning to participation until evaluated and cleared by a specified health professional.

- Prohibits an individual from coaching an athletic activity unless the individual has completed, on an annual basis, a sudden cardiac arrest training course approved by the Department of Health.
- Designates the act as "Lindsay's Law."

# Elections

## Sub. S.B. 63

**Sens.** LaRose, Hite, Jones, Gardner, Lehner, Hottinger, Tavares, Brown, Coley, Bacon, Balderson, Beagle, Burke, Eklund, Faber, Manning, Obhof, Patton, Peterson, Sawyer, Seitz, Thomas, Uecker, Yuko, Hackett

**Reps.** Brown, R. Smith, Anielski, Antani, Arndt, Baker, Blessing, Buchy, Cupp, Dovilla, Duffey, Green, Grossman, Hambley, Henne, Koehler, Landis, Manning, McClain, McColley, Pelanda, Perales, Reineke, Rezabek, Rogers, Schaffer, Schuring, Sears, Slaby, K. Smith, Sprague, Terhar, Thompson

**Effective date:** September 13, 2016

### Online voter registration

- Requires the Secretary of State to establish a secure online process for voter registration and registration updates and specifies information that an applicant must provide to use the online system.
- Requires the Secretary of State to obtain an electronic copy of the applicant's signature that is on file with the Bureau of Motor Vehicles, to be used as the applicant's signature on voter registration records.
- Requires the online voter registration system, beginning 29 days before election day and ending on election day, to display a notice indicating that the applicant will not be registered to vote for that election.
- Requires the Secretary of State to employ necessary security measures to ensure the integrity and accuracy of the system.
- Specifies that errors in processing online voter registration applications must not prevent an applicant from registering or voting.
- Prohibits the online voter registration process from operating before January 1, 2017.
- Specifies that if any online voter registration provision is held invalid, then all online voter registration provisions cease to operate.

### Statewide voter registration database

- Requires certain state agencies that transfer data to the Secretary of State for the statewide voter registration database, to do so not later than the last day of each month.
- Requires the Secretary of State to transmit information to the boards of elections for the database in accordance with federal and state law.

- Requires the Secretary of State to annually review the database to determine whether any individuals who are not U.S. citizens are registered to vote.

### **Certification of voting equipment**

- Permits a voting machine, marking device, or automatic tabulating equipment to meet either Election Assistance Commission (EAC) guidelines or Federal Election Commission (FEC) standards.
- Specifies that the federal certification requirements do not apply to equipment if the EAC does not certify it as part of its testing and certification program.

### **Filling vacancies in local offices**

- Specifies that if a vacancy occurs in certain local offices, the vacancy must be filled by the local central committee of the political party that nominated the former officer or officer-elect as a candidate for that office for the current term.
- Clarifies that, if the former officer or officer-elect was elected as an independent to serve the current term, certain local officials must fill the vacancy.

## **Sub. S.B. 296**

**Sens.** Seitz, Coley, Jones, Hite, Burke, Bacon, Jordan, Uecker, Patton, Eklund, Hackett

**Reps.** Blessing, Buchy, Green, McColley, Antani, Brenner, McClain, Retherford, Schaffer, Sears, Slaby, R. Smith, Terhar, Young

**Effective date:** Vetoed

### **Pre-election court procedure**

- Would have required a person who filed an election-related court action to file the action in the Ohio Supreme Court or in the appropriate court of appeals if the action was filed during the 50 days before Election Day and the action was one over which the Supreme Court and the courts of appeals have original jurisdiction.

### **Election Day court procedure**

- Would have allowed a person who sought a court order that a polling place be kept open for extended hours on Election Day to file a petition in the county court of common pleas.
- Would have required the petitioner to serve notice of the petition on the Secretary of State and the Attorney General, and would have required the court to allow those officers or their designees to be heard in the case.



- Would have allowed the court to order that the polls be kept open only if the petitioner had proved by clear and convincing evidence that no prospect of a fair election existed without the order, if certain evidentiary requirements were met, and if the procedures described above had been followed.
- Would have prohibited a court order to keep the polls open from becoming effective until the petitioner had posted a bond in an amount determined by the court, considering the cost of keeping the requested polling places open for the requested time period, based on a board of elections estimate that included the cost of compensating precinct election officials at a specified overtime rate.
- Would have required the court to waive the bond requirement if the petitioner was indigent, but would have allowed the court to extend polling hours only for the petitioner personally to vote if no bond had been posted.
- Would have allowed the court, if the court extended the polling hours but the decision was later overturned, to order that the bond be forfeited to the board of elections and that the petitioner pay the board any additional amount necessary to cover the cost of keeping the polls open.
- Would have made an order to keep the polls open subject to immediate appeal to a special Election Day panel of the court of appeals.

### **Provisional ballots**

- Would have required a person who voted after the close of the polls because of a court order to cast a provisional ballot, and would have specified the procedure for processing that ballot.

## Employment, Labor, and Professional Regulation

### H.B. 180

**Reps.** Maag, Romanchuk, Perales, Thompson, Burkley, Green, Blessing, Derickson, Rezabek, Duffey, Becker, Grossman, Boose, Ruhl, Retherford, Vitale, McColley, Henne, Hood, Hackett, Brenner, Buchy, Zeltwanger, Young, Roegner, Antani, Brinkman, Conditt, Hambley, Huffman, Kraus, Schaffer

**Sens.** Coley, Eklund, Gardner, Hottinger, Jones, Jordan, Obhof, Seitz

**Effective date:** August 31, 2016

- Prohibits a public authority from requiring a contractor to employ a certain number or percentage of laborers from the public authority's defined geographic area or service area for the construction or professional design of a public improvement.
- Prohibits a public authority from providing a bid award bonus or preference to a contractor who employs as laborers a certain number or percentage of individuals who reside within the public authority's defined geographic area or service area.

### Am. Sub. H.B. 207

**Reps.** Henne and McColley, Boose, Romanchuk, Hambley, Burkley, Hood, Sprague, Terhar, Maag, Reineke, Hackett, DeVitis, Retherford, Sears, Amstutz, Anielski, Antani, Antonio, Arndt, Barnes, Bishoff, Blessing, Brenner, Buchy, Butler, Conditt, Cupp, Derickson, Dever, Dovilla, Duffey, Ginter, Green, Grossman, Hall, Hayes, Hill, Huffman, Koehler, LaTourette, Manning, McClain, M. O'Brien, S. O'Brien, Patterson, Pelanda, Perales, Phillips, Rezabek, Rogers, Ruhl, Ryan, Schaffer, Scherer, Schuring, Slesnick, R. Smith, Stinziano, Sweeney, Thompson, Young, Zeltwanger, Rosenberger

**Sens.** Hottinger, Beagle, Bacon, Brown, Balderson, Burke, Coley, Eklund, Faber, Gardner, Hite, Jones, Obhof, Oelslager, Peterson, Schiavoni, Seitz, Yuko

**Effective date:** August 31, 2016

#### **Workers' compensation claims involving motor vehicle accidents**

- Requires workers' compensation claims to be charged to the Surplus Fund Account in lieu of to a state fund employer's experience in certain circumstances when a claim is based on a motor vehicle accident involving a third party.
- Allows a state fund employer who believes that a claim may qualify to be charged to the Surplus Fund Account under the act to file a request with the Administrator of Workers' Compensation for a determination.

- Requires the Administrator to make the determination within 180 days after the request is received.
- Requires any amount collected by the Administrator through the subrogation process for compensation or benefits that were charged to the Surplus Fund Account to be credited to the Surplus Fund Account and not applied to an individual employer's account.

### **Self-insuring employers**

- Eliminates the minimum number of employees required for a private sector employer or board of county commissioners to obtain self-insuring status under the Workers' Compensation Law.
- Requires a self-insuring employer who resumes paying premiums to the state insurance fund to provide the Administrator with any information that the Administrator may require to develop a state fund experience modification factor.
- Requires, if a professional employer organization agreement is terminated, a self-insuring professional employer to provide the Administrator with information that the Administrator must use to develop a state fund experience modification factor for each client employer formerly subject to the agreement.

## **Sub. H.B. 216**

**Reps.** Pelanda, Brinkman, Becker, Roegner, Buchy, Brenner, Scherer, Schaffer, Burkley, Ryan, Maag, Schuring, Slaby, Ruhl, Reece, Hill, Thompson, Celebrezze, Hood, Barnes, Bishoff, Brown, Ginter, Anielski, Antonio, Arndt, Boose, Boyd, Clyde, Curtin, Derickson, Dovilla, Grossman, Hambley, Kuhns, Leland, Lepore-Hagan, M. O'Brien, S. O'Brien, Patterson, Rezabek, Rogers, K. Smith, R. Smith, Sprague, Sweeney

**Sens.** Gardner, Beagle, Jones, Tavares, Cafaro, Brown, Burke, Eklund, Faber, Hackett, Hite, LaRose, Lehner, Manning, Oelslager, Schiavoni, Seitz, Thomas, Uecker, Yuko

**Effective date:** April 6, 2017

### **Advanced practice registered nurses**

- Establishes an advanced practice registered nurse (APRN) license that, like the certificate of authority it replaces, authorizes a registered nurse with advanced education and training to practice as a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner.
- Grants an APRN, other than a certified registered nurse anesthetist, authority to prescribe and furnish most drugs as part of the APRN license, without need for a separate certificate to prescribe or completion of a supervised externship.

- Requires the Board of Nursing to establish an exclusionary drug formulary specifying the drugs an APRN is not authorized to prescribe.
- Increases to five (from three) the number of APRNs with whom a physician or podiatrist may collaborate at the same time in the prescribing component of an APRN's practice.
- Allows an APRN to continue to practice under an existing standard care arrangement without a collaborating physician or podiatrist for not more than 120 days if the physician or podiatrist terminates the collaboration and the nurse notifies the Board of the termination.

### **Board of Nursing**

- Changes the membership and operation of the Board of Nursing.
- Establishes additional grounds for imposing professional discipline on nurses.
- Establishes new requirements for Board approval of prelicensure nursing education programs and other training programs.

### **Hyperbaric oxygen therapy**

- Authorizes a podiatrist to order and supervise hyperbaric oxygen therapy if specified conditions are met.

### **Diabetes**

- Permits diabetes care in schools to be provided in accordance with orders issued by physician assistants, clinical nurse specialists, and certified nurse practitioners, as well as by physicians.
- Requires certain state agencies to assess the prevalence of diabetes in Ohio.

## **H.B. 230**

**Reps.** Sprague, Fedor, Anielski, Blessing, Buchy, Burkley, Craig, Dever, Green, Grossman, Hackett, Hambley, T. Johnson, M. O'Brien, S. O'Brien, Phillips, Rogers, Sheehy, Strahorn, Sykes, Thompson, Rosenberger

**Sens.** Hite, Brown, Beagle, Jones, Patton, Tavares, Yuko

**Effective date:** September 28, 2016

- Repeals provisions that statutorily established experience, education, and training requirements for certain licenses and certificates from the Chemical Dependency Professionals Board.
- Requires the Board to adopt rules establishing those requirements.

- Replaces references to "alcohol and other drug prevention services" with "prevention services" as those terms relate to the laws governing chemical dependency counseling.
- Renames two of the certificates issued by the Board as follows:
  - A prevention specialist I certificate is renamed a prevention specialist certificate;
  - A prevention specialist II certificate is renamed a prevention consultant certificate.

## H.B. 236

**Reps.** Blessing and Landis, Howse, Anielski, Boyd, Brown, Dever, DeVitis, Green, Hackett, Lepore-Hagan, Perales, Retherford, Rogers, Sweeney, Terhar

**Sens.** LaRose, Coley, Eklund, Seitz

**Effective date:** April 6, 2017

- Requires a registered professional engineer or professional surveyor to complete at least two hours of continuing professional development in professional ethics or rules during each biennial renewal period.
- Allows a registered professional engineer or professional surveyor to carry forward to the next biennial renewal period up to two hours of continuing professional development in professional ethics or rules.

## H.B. 243

**Reps.** Schaffer, Anielski, Ashford, Baker, Barnes, Blessing, Brown, Fedor, Hackett, M. O'Brien, S. O'Brien, Perales, Rogers, Rosenberger

**Sens.** Coley, Yuko, Brown, Eklund, Hottinger, Lehner, Oelslager, Thomas, Uecker

**Effective date:** August 16, 2016

- Revises the authority of the Architects Board and the Landscape Architects Board to adopt continuing education requirements.

## Am. H.B. 532

**Reps.** R. Smith, Antani, Baker, Bishoff, Clyde, Derickson, DeVitis, Dovilla, Leland, Lepore-Hagan, McClain, Reineke, Rogers, Ruhl, K. Smith, Sprague, Sweeney, Young

**Sens.** Beagle, Coley, Eklund, Hackett, LaRose, Sawyer, Schiavoni, Seitz

**Effective date:** April 6, 2017

### Real estate licensee education

- Permits the pre-licensure, post-licensure, and continuing education requirements for real estate brokers and salespersons to be completed by distance education.
- Requires the pre-licensure education courses to be credit-eligible.
- Provides that successful completion of the education requirements is to be determined by the law in effect when the course was completed.
- Requires that for noncredit course offerings for real estate salespersons, an institution of higher education must obtain approval from its state authorizing entity prior to offering a course to satisfy the salesperson license education requirements.
- Permits the Department of Higher Education to review the programs offered by an institution of higher education as the pre-licensure education requirements.
- Increases from 10 to 20 the number of hours of post-licensure instruction a real estate salesperson must complete, and mandates the instruction cover certain areas.
- Requires the continuing education requirements for a real estate broker or salesperson acting as a management level licensee include a three-hour course on the duties of a principal broker and issues involved in operating a brokerage.

### Brokerages

- Permits a brokerage to apply for and use more than one trade name and permits the Superintendent of Real Estate and Professional Licensing to approve a brokerage's use of more than one trade name.
- Requires the Superintendent to approve the use of a trade name by a brokerage if the name meets certain criteria.
- Establishes three subcategories of real estate brokers: principal broker, management level licensee, and associate broker.
- Requires each brokerage to designate at least one affiliated broker to act as the principal broker.

- Tasks the principal broker with complying with duties enumerated in the real estate law and rules, and permits the principal broker to assign any of the principal broker's duties to a management level licensee.
- Provides that a foreign or domestic real estate broker or salesperson can be either an employee or an independent contractor of a brokerage.
- Specifies that a real estate broker can release a client's earnest money from a trust fund or other special account if the parties provide a broker with *separate* written instructions signed by both parties.

### **Other provisions**

- Permits the Superintendent to impose disciplinary sanctions on a broker or salesperson who acted as a broker without authority or impeded a principal broker or management level licensee.
- Establishes additional disclosure requirements for contemporaneous offers.

## **Am. Sub. S.B. 213**

**Sens.** Jordan and Tavares, Beagle, Brown, Eklund, Uecker, Yuko, Coley, Burke, Faber, Hite, Hughes, Jones, Obhof, Peterson

**Reps.** Brown, Green, Amstutz, Anielski, Antani, Antonio, Barnes, Boose, Boyd, Brenner, Burkley, Butler, Celebrezze, Conditt, Craig, Driehaus, Ginter, Hambley, Henne, Howse, Kunze, McColley, M. O'Brien, Perales, Ramos, Reece, Reineke, Rezabek, Roegner, Rogers, Ruhl, Sears, K. Smith, Sprague, Strahorn, Sweeney, Thompson

**Effective date:** September 13, 2016

### **Boutique services**

- Establishes "boutique services" as a separate branch of cosmetology and requires each individual wishing to practice that branch to register with the State Board of Cosmetology.

### **Prohibited activity**

- Prohibits an individual from practicing a branch of cosmetology other than in a licensed facility, unless the individual is exempt from the Cosmetology Law.
- Prohibits an individual from using cosmetology to treat or attempt to cure a physical or mental disease or ailment.
- Creates additional penalties for using or possessing a prohibited substance at a school of cosmetology or salon.

## **Cosmetology licensing**

- Requires an applicant for a salon operator license to affirm that the applicant will post a toll-free number and online process for customers to report Cosmetology Law violations and to ensure compliance with the act's apprenticeship requirement.
- Eliminates "managing" cosmetology licenses and the requirement that every salon have a managing cosmetologist present to supervise when the salon is open.
- Creates "advanced" cosmetology licenses, which are largely similar to the eliminated managing cosmetology licenses.
- Modifies application and licensing procedures.
- Resets various statutory fees charged by the Board to the amounts currently collected under continuing authority.
- Permits the Board to develop and administer its own examinations or to contract with a national testing service to develop or administer examinations.
- Requires continuing education for licensees to include training on identifying and addressing human trafficking, safety and sanitation, and regulatory updates.

## **Disciplinary actions**

- Makes the following grounds for licensee discipline: a conviction of or plea of guilty to a human trafficking violation, failure to cooperate with an investigation or inspection, or failure to respond to a subpoena.
- In certain circumstances, allows the Board to take disciplinary action against a licensee without conducting an adjudication hearing.
- Modifies the fines that may be issued for violations of the Cosmetology Law.

## **State Board of Cosmetology**

- Allows the Board to investigate individuals and inspect premises with alleged Cosmetology Law violations, regardless of whether it is a licensee.
- Requires the Board to issue a pre-examination work permit to an individual seeking an instructor license.
- Requires the Board to provide a toll-free number and online service to receive complaints of Cosmetology Law violations.
- Expands the Board's hiring authority.
- Adds two individuals to the Board's membership.
- Requires the Board to issue a rule for the timing of licensure examination for students who have not yet completed education.



**General**

- Expands the list of activities under the practice of esthetics to include enhancement of the skin by skin care, facials, body treatments, hair removal, and other treatments; and eye lash extension services.
- Clarifies the activities covered by the practice of manicuring.
- Makes other changes to the Cosmetology Law.

## Environment and Natural Resources

### Sub. H.B. 512

**Reps.** Ginter, Landis, Amstutz, Anielski, Antonio, Baker, Barnes, Blessing, Brown, Burkley, Derickson, Dever, Dovilla, Driehaus, Duffey, Green, Grossman, Hall, Hambley, T. Johnson, Lepore-Hagan, Manning, McClain, M. O'Brien, Reineke, Retherford, Rezabek, Rogers, Schaffer, Scherer, Schuring, Slaby, K. Smith, R. Smith, Sprague, Sweeney, Terhar, Thompson, Young, Rosenberger

**Sens.** Uecker, Hite, Jones, Balderson, Beagle, Cafaro, Coley, Eklund, Gardner, Hackett, Hughes, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Skindell, Tavares, Thomas, Williams, Yuko

**Effective date:** September 9, 2016

#### Lead and copper sampling and disclosure

- Requires the Director of Environmental Protection to adopt rules requiring community and nontransient noncommunity water systems to sample and test for lead and copper and provide samples to a certified laboratory for analysis.
- Requires a laboratory that receives tap water samples to complete a lead or copper analysis and report the results to the water system and the Director.
- Imposes notification and action requirements on the owner or operator of a community or nontransient noncommunity water system when laboratory results show an exceedance of the lead threshold for individual taps or the lead action level for the system.
- Requires the Director, beginning ten business days after receiving laboratory results, to provide certain notices if the owner or operator of a community or nontransient noncommunity water system fails to provide those notices.
- Establishes administrative penalties for an owner or operator of a community or nontransient noncommunity water system that fails to provide specified notices.
- Requires a community or nontransient noncommunity water system to map parts of the system likely to contain lead pipes and submit the maps to the Director every five years.
- Requires the Director to provide financial assistance from the Drinking Water Assistance Fund to community and nontransient noncommunity water systems for fulfilling mapping and corrosion control requirements.

- Requires the Director to post information online about other sources of funding to assist communities with lead service line identification and replacement and schools with fountain and water-service fixture replacement.
- Allows the Director to require the owner or operator of a nontransient noncommunity water system that is a school or child day-care center to collect additional tap water samples in buildings identified in the map submitted to the Director.

### **Training for public water system operators**

- Requires the training program for public water system operators to address identification of lead in drinking water, sampling protocols, corrosion treatment, and the act's lead and copper testing requirements.

### **Lead contamination from plumbing**

- Revises the definition of "lead free" to mean, in part, containing not more than a weighted average of 0.25% lead with respect to wetted surfaces of pipes, pipe fittings, or plumbing fittings or fixtures, rather than not more than 8% lead with respect to pipes or pipe fittings under prior law.
- Prohibits using certain plumbing supplies and materials that are not lead free in the installation or repair of a public water system or of any plumbing in a facility providing water for human consumption, rather than requiring certain plumbing supplies and materials in such a system or facility to be lead free as in former law.
- Adds plumbing fittings and plumbing fixtures, including drinking water fountains, to the plumbing supplies and materials to which the above prohibition applies.
- Generally prohibits a person from:
  - Introducing into commerce any pipe, pipe fitting, plumbing fitting, or plumbing fixture, including a drinking water fountain, that is not lead free;
  - Selling solder or flux that is not lead free while engaged in the business of selling plumbing supplies; and
  - Introducing into commerce any solder or flux that is not lead free unless the solder or flux has a label stating that it is illegal to use it in the installation or repair of plumbing providing water for human consumption.
- Establishes several exemptions from the above prohibitions, including pipes, pipe fittings, or plumbing fittings or fixtures used exclusively for nonpotable services.
- Establishes a formula for calculating the weighted average lead content of a pipe, pipe fitting, or plumbing fitting or fixture.

## **Drinking Water Assistance Fund**

- Revises two of the purposes for which the Water Supply Revolving Loan Account in the Drinking Water Assistance Fund may be used, as follows:
  - With regard to making loans to water systems, requires each loan recipient to make periodic principal and interest payments on the dates and in the amounts approved by the Director; and
  - With regard to purchasing or refinancing certain public debt obligations, allows the repayment period to be up to 45 years in certain circumstances.

## **Water Pollution Control Loan Fund**

- Adds eight categories of projects and activities that may receive assistance from the Water Pollution Control Loan Fund.
- Qualifies state agencies to receive money from the Fund for constructing publicly owned wastewater treatment works.
- Revises requirements governing the Fund's administration.
- Requires all loans made from the Fund to be fully amortized within 30 years, rather than 20 years, after project completion.
- Generally authorizes the repayment period of debt obligations that are purchased or refinanced for Fund purposes to extend up to 45 years in certain circumstances.
- Allows money in the Fund to be used for awarding principal forgiveness assistance under the federal Water Pollution Control Act.
- Removes the requirement that the Director must first determine that sewerage systems tributary to a publicly owned treatment works are not subject to excessive infiltration and inflow before providing financial assistance from the Fund for a treatment works project.
- Revises the requirement that, before providing financial assistance, the Director must determine that an applicant will implement a user charge system to pay the project's operation, maintenance, and replacement expenses by eliminating the stipulation that the user charge system be a proportional system.

## **Ohio Water Development Authority**

- Raises the competitive bidding threshold for Ohio Water Development Authority contracts from \$25,000 to \$50,000.

## Sub. S.B. 293

**Sens.** Balderson, Coley, Eklund, Faber, Hackett, Hite, Obhof, Oelslager, Seitz, Uecker, Yuko

**Reps.** Landis, Hall, Hill, Anielski, Antonio, Ashford, Baker, Barnes, Buchy, Burkley, Dever, Dovilla, Hagan, Hambley, Hayes, Huffman, Koehler, Lepore-Hagan, McClain, M. O'Brien, S. O'Brien, Perales, Rezabek, Rogers, Sheehy, R. Smith, Sprague, Sweeney, Thompson

**Effective date:** September 14, 2016

### Division of Parks and Watercraft

- Merges the Division of Parks and Recreation and the Division of Watercraft in the Department of Natural Resources, names the merged division the Division of Parks and Watercraft, and retains all duties and responsibilities of the former divisions.
- Eliminates the Division of Parks and Recreation Law Enforcement Fund and the Division of Watercraft Law Enforcement Fund and credits the money in those Funds to the newly created Division of Natural Resources Law Enforcement Fund.
- Requires the Division of Parks and Watercraft to use money in the Division of Natural Resources Law Enforcement Fund for law enforcement purposes.

### Natural resources officers

- Renames park, watercraft, preserve, and forestry officers as natural resources officers.
- Authorizes them to enforce the laws relating to the Department of Natural Resources that had been enforced by park, watercraft, preserve, and forestry officers.

### Watercraft

- Makes changes to the law governing watercraft safety as follows:
  - Revises the requirements governing the use of a wearable personal flotation device when a person is engaged in a towed watersport (for example, water skiing);
  - Exempts a person engaged in barefoot skiing from using a personal flotation device if the person is wearing a wet suit designed for barefoot skiing;
  - Revises the prohibition against operating a vessel, including a commercial vessel, in Ohio waters without carrying personal flotation devices aboard the vessel to require the carrying of wearable personal flotation devices and, in certain cases, having a throwable device onboard;
  - Prohibits a person from using a personal flotation device in a manner that is inconsistent with any federally approved limitations or restrictions or special instructions provided by the manufacturer;

- Requires each person on a vessel to use a personal flotation device in compliance with manufacturer labeling;
- Adds the total loss of a vessel to the list of circumstances when a vessel operator must file with the Chief of the Division of Watercraft a full description of a collision or accident; and
- Eliminates the prohibition against using a watercraft accident report in a civil, criminal, or administrative action at law.

### **Watercraft dealers and registration certificates**

- Requires a watercraft dealer's place of business to be used primarily for selling, displaying, offering for sale, or dealing vessels.
- Extends the time by which a purchaser of a watercraft must register the watercraft from 45 days to 60 days after the purchase transaction, but retains the requirement that the purchaser hold either a temporary watercraft registration certificate or a bill of sale during that time.
- Authorizes a watercraft dealer, prospective purchaser, or third party to use a watercraft dealer registration certificate to operate a watercraft under certain circumstances, including authorizing a dealer or third party to transport the watercraft to the purchaser.
- Prohibits a person, in accordance with federal law, from recklessly displaying or affixing a dealer or manufacturer registration number on a watercraft in a manner that causes permanent alteration to the watercraft's hull prior to a final sale.

## **Division of Forestry**

### **Forest-fire investigators**

- Authorizes the Chief of the Division of Forestry to appoint forest-fire investigators, specifies their powers and duties, and requires the Chief to establish a policy for their training, including training as a peace officer.
- Specifies that a forest-fire investigator is not personally liable for any required or authorized act while acting within the scope of official duties.
- Requires the Chief or the Chief's designee to supervise and instruct forest-fire investigators.

### **Fire protection areas**

- Requires the Chief, with the approval of the Director of Natural Resources, to establish fire protection areas for Ohio, and specifies that appointed forest-fire wardens and forest-fire investigators have jurisdiction over the areas.

- Specifies that mutual aid agreements and agreements to transfer certain excess equipment and supplies entered into by the Chief with firefighting agencies may only be made with regard to fire protection areas.
- Revises the requirement that the Chief must cause the prosecution of a person who violates laws pertaining to forest fires by instead requiring the Chief or the Chief's designee to direct investigations of alleged violations of the laws within fire protection areas.
- Authorizes, instead of requires as in prior law, the Chief to use money in the Wildfire Suppression Fund to reimburse certain firefighting agencies for their costs in suppressing wildfires, and generally limits the reimbursements to costs incurred in counties within fire protection areas.

#### **Additional revisions**

- Requires the Chief to transfer money in the Wildfire Suppression Fund exceeding \$200,000 to the State Forest Fund, instead of disbursing the excess to certain firefighting agencies.
- Authorizes a forest-fire warden to cut trees or other vegetation to control a fire.
- Alters the requirement that a person or governmental entity bidding on a timber sale execute a bond equal to 25% of the highest value cutting section by instead requiring the Chief to determine the bond amount.
- Eliminates certain provisions governing forestry, including provisions that specified the duties of the Ohio Agricultural Research and Development Center and the duties of railroad companies regarding fires.

#### **Office of Real Estate and Land Management**

- Establishes the Office of Real Estate and Land Management in the Department of Natural Resources, which formerly existed as the Division of Real Estate and Land Management from 1994 to 2009.
- Requires the Office to coordinate and conduct all real estate functions for the Department and cooperate with federal agencies and political subdivisions in administering federal recreation money.
- Authorizes the Office to coordinate environmental matters concerning the Department and the state as necessary to comply with federal environmental laws.

#### **Water Improvements Law**

- Eliminates the law governing water improvements, including all of the following provisions:

--General authority for the Chief of the Division of Water Resources to construct, make additions to, enlarge, or make alterations to reservoirs, dams, storage basins, dikes, canals, raceways, and other improvements;

--A requirement that the Chief issue and sell bonds to provide funds for the construction, alteration, or enlargement; and

--A requirement that the Chief sell or lease for agricultural, commercial, manufacturing, or other lawful purposes, for a term up to 50 years, the water conserved and stored by improvements constructed under the Water Improvements Law.

### **Recreation and Resources Commission**

- Eliminates the Recreation and Resources Commission, which advised the Director of Natural Resources and the Governor concerning matters pertaining to natural resources.



## Financial Institutions and Consumer Finance

### Sub. H.B. 229

**Reps.** Hambley and Bishoff, Terhar, Dovilla, Amstutz, Anielski, Baker, Buchy, Conditt, Grossman, Henne, Hill, T. Johnson, Koehler, Perales, Reineke, Rezabek, Rogers, Romanchuk, Schaffer, Sears, Thompson, Rosenberger

**Sens.** Bacon, Beagle, Coley, Eklund, Hackett, Hite, Hottinger, Jordan, Oelslager, Patton, Seitz

**Effective date:** September 14, 2016

- Creates the Ohio Family Trust Company Act for the establishment and operation of family trust companies in Ohio.
- Defines "family trust company" (FTC) as a corporation or limited liability company that (1) is organized in Ohio to serve only family clients, (2) is wholly owned by family clients and is exclusively controlled by family members or family entities, (3) acts as a fiduciary, and (4) does not transact business with, propose to act as fiduciary for, or accept trust business from, a person that is not a family client.
- Allows, but does not require, an FTC to be licensed as a trust company under the act.
- Authorizes the Superintendent of Financial Institutions to oversee FTCs, including the authority to issue licenses to FTCs that are organized as corporations or limited liability companies under Ohio law and meet other specified conditions.
- Requires licensed FTCs to conduct certain trust-related activities in Ohio.
- Exempts FTCs from the financial institution tax.
- Requires an FTC to follow certain protocols regarding fiduciary accounts and relationships.
- Authorizes the Superintendent to revoke or suspend an FTC license, liquidate FTC assets, or impose a fine on an FTC or a person under certain circumstances.
- Exempts a person, home, or residential facility that is serving as a trustee or taking actions related to a Medicaid qualified income trust from the application of the Ohio Trust Company Law.

## Sub. H.B. 317

**Reps.** Maag, Anielski, Antonio, Arndt, Ashford, Baker, Barnes, Becker, Bishoff, Blessing, Boose, Boyce, Boyd, Brenner, Brown, Buchy, Burkley, Cera, Conditt, Craig, Cupp, Derickson, Dever, DeVitis, Dovilla, Driehaus, Duffey, Fedor, Ginter, Green, Grossman, Hackett, Hagan, Hall, Hambley, Hayes, Henne, Hill, Hood, Howse, T. Johnson, Kunze, Landis, Lepore-Hagan, Manning, McClain, M. O'Brien, S. O'Brien, Patterson, Pelanda, Perales, Phillips, Ramos, Reece, Reineke, Retherford, Rezabek, Roegner, Rogers, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sears, Sheehy, Slaby, Slesnick, K. Smith, R. Smith, Terhar, Thompson, Vitale, Young, Zeltwanger

**Sens.** Bacon, Obhof, Eklund, Gentile, Balderson, Brown, Burke, Coley, Faber, Gardner, Hughes, Jones, Jordan, Lehner, Manning, Patton, Peterson, Schiavoni, Tavares, Thomas, Uecker, Yuko

**Effective date:** Security freeze provisions effective March 28, 2017; government records provisions effective September 28, 2016

### Security freezes

- Permits a representative to place a security freeze on the credit record or credit report of a consumer who is either under age 16 or is age 16 or over and has an appointed guardian.
- Establishes protocols that credit reporting agencies must follow regarding a security freeze.
- Specifies the written notification that credit reporting agencies must provide regarding security freezes.
- Applies specified laws pertaining to standard security freezes to security freezes under the act.
- Establishes an exemption to security freeze requirements for certain credit reporting agency databases and files that are not a credit report or a credit record.

### Personal information and government records

- Expands the types of personal information that an individual may request a public office to redact from any record it makes available to the general public on the Internet.
- Exempts personal information, as expanded by the act, from Ohio Public Records Law disclosure requirements.

## Health

### Sub. H.B. 89

**Reps.** DeVitis, Ginter, Grossman, Rezabek, Boose, McColley, Brenner, Romanchuk, Sprague, Hagan, Duffey, Gonzales, Butler, Cera, Patterson, Sykes, Bishoff, Anielski, Antonio, Barnes, Bocchieri, Boggs, Boyce, Burkley, Craig, Fedor, Howse, G. Johnson, Kuhns, Lepore-Hagan, M. O'Brien, S. O'Brien, Perales, Reece, Rogers, Ruhl, Slesnick, K. Smith, Strahorn, Terhar

**Sens.** Balderson, Burke, Eklund, Hackett, Jones, LaRose, Manning, Oelslager, Sawyer, Schiavoni, Seitz, Skindell, Yuko

**Effective date:** March 21, 2017

- Authorizes certain physical therapists, occupational therapists, speech-language pathologists, and audiologists to refer Medicaid recipients to the services they provide so that the recipients can receive the services under the Medicaid School Program.

### Sub. H.B. 158

**Reps.** Dever and Howse, Amstutz, Anielski, Antonio, Bishoff, Boyd, Brown, Butler, Conditt, Derickson, DeVitis, Dovilla, Ginter, Hambley, Hayes, Huffman, Lepore-Hagan, Maag, McClain, Patmon, Patterson, Phillips, Ramos, Reineke, Retherford, Romanchuk, Ryan, Schuring, Sears, Slesnick, Sweeney, Sykes, Zeltwanger, Gonzales, Barnes, T. Johnson, Kuhns, LaTourette, Antani, Ashford, Baker, Blessing, Boyce, Brenner, Burkley, Celebrezze, Cera, Clyde, Craig, Cupp, Driehaus, Grossman, Hackett, Hagan, Hall, Henne, Hill, G. Johnson, Koehler, Kunze, Landis, Leland, Manning, McColley, M. O'Brien, S. O'Brien, Pelanda, Perales, Reece, Rezabek, Rogers, Ruhl, Schaffer, Sheehy, Slaby, K. Smith, R. Smith, Sprague, Strahorn, Terhar

**Sens.** Uecker, Jones, LaRose, Bacon, Balderson, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hottinger, Jordan, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Tavares, Thomas, Williams, Yuko

**Effective date:** October 12, 2016

- Replaces Revised Code references to "mental retardation" and derivations of that term with the terms "intellectual disability" and "developmental disability."
- Specifies that "intellectual disability" is included within the meaning of "developmental disability."
- Modifies the standards used in determining whether a person has the level of intellectual disability that is a factor in whether the person can be subject to institutionalization by court order.

- Eliminates one of the exceptions to the confidentiality of certain records related to residents of institutions for persons with intellectual disabilities.

## Sub. H.B. 200

**Reps.** Hagan, Duffey, Becker, Roegner, Blessing, Hackett, Gonzales, Huffman, Antonio, Barnes, Bishoff, Brown, Butler, Ginter, T. Johnson, Kuhns, LaTourette, Lepore-Hagan, Schuring, Sears, Sprague, Amstutz, Anielski, Arndt, Ashford, Baker, Boose, Boyd, Buchy, Burkley, Celebrezze, Cera, Conditt, Cupp, Derickson, Dever, DeVitis, Dovilla, Driehaus, Fedor, Green, Grossman, Hall, Hambley, Hayes, Henne, Hill, Howse, Koehler, Kunze, Landis, Leland, Maag, Manning, McClain, McColley, M. O'Brien, S. O'Brien, Patterson, Pelanda, Perales, Phillips, Ramos, Reece, Reineke, Retherford, Rezabek, Rogers, Ruhl, Ryan, Schaffer, Scherer, Sheehy, K. Smith, R. Smith, Stinziano, Strahorn, Sweeney, Terhar, Thompson, Young

**Sens.** Tavares, Brown, Balderson, Beagle, Burke, Coley, Eklund, Faber, Gardner, Hite, Hottinger, Hughes, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Schiavoni, Seitz, Thomas, Uecker, Yuko

**Effective date:** September 8, 2016

- Authorizes certain entities where allergens capable of causing anaphylaxis may be present ("qualified entities") to (1) acquire and maintain epinephrine autoinjectors without being licensed to distribute drugs and (2) authorize their employees or agents to provide or administer epinephrine during emergencies.
- Specifies training requirements for individuals authorized by qualified entities to administer epinephrine.
- Provides immunity from civil or criminal liability for actions associated with procurement of epinephrine autoinjectors by qualified entities.
- Permits school districts, schools, and camps, which are authorized to procure epinephrine autoinjectors pursuant to prescriber protocols, to procure them directly from a prescriber or pursuant to a prescription.
- Extends to prescribers who personally furnish or prescribe, consult with, or issue protocols to, school districts, schools, or camps qualified immunity from civil liability arising from procuring, maintaining, accessing, or using epinephrine autoinjectors in the schools or camps.

## Sub. H.B. 276

**Reps.** Schuring, Dever, Sprague, Schaffer, Hackett, Duffey, Perales, T. Johnson, Stinziano, DeVitis, Blessing, K. Smith, Antonio, Barnes, Brown, Amstutz, Anielski, Baker, Boccieri, Burkley, Craig, Dovilla, Fedor, Grossman, Hagan, Hambley, Hayes, Leland, Lepore-Hagan, Manning, M. O'Brien, Patterson, Rogers, Ruhl, Sheehy, Slaby, R. Smith, Strahorn, Sweeney, Thompson, Young

**Sens.** Uecker, Brown, Eklund, Faber, Hite, Hughes, Jordan, Oelslager, Sawyer, Schiavoni, Seitz, Tavares, Thomas, Yuko

**Effective date:** April 6, 2017

- Authorizes a chiropractor to administer, sell, distribute, recommend, or provide advice regarding nutrition-related items and therapies, nonprescription drugs, and medical goods and devices.

## Sub. H.B. 285

**Reps.** Sprague, Becker, Bishoff, Blessing, Butler, Derickson, Dever, Ginter, Grossman, Hackett, Ryan, Huffman, Barnes, Brown, T. Johnson, Kuhns, Ramos, Schuring, Sykes, Antonio, Arndt, Boyd, Buchy, Craig, DeVitis, Green, Lepore-Hagan, Manning, M. O'Brien, Rogers, Scherer, Sheehy, Sweeny, Thompson, Young

**Sens.** Beagle, Jones, Tavares, Brown, Eklund, Hite, Hughes, Lehner, Manning, Oelslager, Patton, Schiavoni, Seitz, Thomas, Uecker, Yuko

**Effective date:** April 6, 2017

- For certain drugs that are not controlled substances, authorizes a pharmacist to dispense an amount that varies from the amount that would otherwise be dispensed pursuant to a prescription if specified conditions are met.

## Sub. H.B. 290

**Reps.** Sprague and Anielski, Blessing, Dever, Grossman, Hackett, Henne, Rezabek, Romanchuk, Thompson, Huffman, Antonio, Barnes, Bishoff, Brown, Butler, T. Johnson, Kuhns, LaTourette, Sykes, Antani, Arndt, Baker, Boccieri, Boose, Boyd, Burkley, Clyde, Dovilla, Fedor, Ginter, Green, Hagan, Hall, Hambley, G. Johnson, Lepore-Hagan, Maag, Manning, McClain, M. O'Brien, S. O'Brien, Patterson, Perales, Ramos, Reineke, Roegner, Ruhl, Ryan, Schuring, Sheehy, Young

**Sens.** Brown, Tavares, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Hite, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Thomas, Uecker

**Effective date:** April 6, 2017

## Treatment with investigational drugs and products

- Permits the use of a drug, product, or device that is under clinical investigation, but has not been approved by the U.S. Food and Drug Administration (FDA), to treat an eligible patient suffering from a terminal condition.
- Provides qualified immunity to a physician who recommends or treats an eligible patient with an investigational drug, product, or device as authorized by the act.
- Authorizes, but does not require, the manufacturer to provide an investigational drug, product, or device to an eligible patient or the patient's treating physician, and provides qualified immunity to the manufacturer.
- Provides that the act does not require a health care insurer, government health care program, or any other entity that offers health care benefits to provide coverage for costs of an investigational drug, product, or device.
- Prohibits a state official, employee, or agent from preventing or attempting to prevent an eligible patient or physician from accessing an investigational drug, product, or device in accordance with the act, solely because it is not FDA approved.

## County home superintendent or administrator

- Permits a board of county commissioners to contract for selection by another entity of a county home superintendent or administrator.
- Specifies who serves as a county home's appointing authority.

## Credit for volunteer health care services

- Permits certain health care professionals to satisfy a portion of their continuing education requirements by providing health care services without compensation to indigent and uninsured persons.

## Sub. H.B. 294

**Reps.** Patmon and Conditt, Brenner, Hood, Terhar, Roegner, Butler, Perales, Sprague, Blessing, Becker, Antani, Retherford, Brinkman, Hagan, Koehler, Hayes, Schaffer, Maag, Hambley, Thompson, McClain, Hall, Hill, Amstutz, Boose, Buchy, Burkley, Derickson, Dovilla, Ginter, Green, Grossman, Hackett, Huffman, T. Johnson, LaTourette, McColley, Pelanda, Romanchuk, R. Smith, Young, Zeltwanger, Rosenberger

**Sens.** Obhof, Jordan, Coley, Widener, Bacon, Balderson, Beagle, Burke, Eklund, Faber, Hite, Hottinger, Jones, LaRose, Lehner, Oelslager, Seitz, Uecker

**Effective date:** May 23, 2016; appropriations allocation effective February 21, 2016

- Requires the Department of Health to ensure that the funding and materials that are received or used by certain programs are not used to do any of the following:

- Perform nontherapeutic abortions;
- Promote nontherapeutic abortions;
- Contract with an entity that performs or promotes nontherapeutic abortions;
- Become or continue to be an affiliate of any entity that performs or promotes nontherapeutic abortions.
- Applies the limitations to the following programs:
  - The Violence Against Women Act;
  - The Breast and Cervical Cancer Mortality Prevention Act;
  - The Infertility prevention project;
  - The Minority HIV/AIDS initiative;
  - Infant Mortality Reduction or Infant Vitality Initiatives;
  - The Personal Responsibility Education Program.
- Requires the Medicaid Director to authorize local health departments and women, infants, and children (WIC) clinics to serve as qualified providers for purposes of presumptive eligibility for pregnant women and children.
- Requires the Medicaid Director to establish, by November 19, 2016, uniform criteria and processes governing all qualified providers for presumptive eligibility.
- Allocates \$250,000 in FY 2016 of existing funding within the Department of Health's budget to the Ohio Association of Community Health Centers for safe sleep, birth spacing, and smoking cessation initiatives.

## Sub. H.B. 451

**Reps.** Boose, Pelanda, Grossman, Baker, Becker, Zeltwanger, Rogers, Butler, Manning, Celebrezze, Hambley, Sykes, Amstutz, Antonio, Ashford, Barnes, Blessing, Boggs, Boyd, Brown, Buchy, Condit, Craig, Dever, Driehaus, Fedor, Hall, Hayes, G. Johnson, Kuhns, Lepore-Hagan, McClain, M. O'Brien, S. O'Brien, Patterson, Perales, Ramos, Reece, Rezabek, Ryan, Scherer, Schuring, Sheehy, Slaby, K. Smith, R. Smith, Sweeney, Terhar, Thompson, Young

**Sens.** Bacon, Thomas, Balderson, Coley, Eklund, Faber, Hackett, Hughes, Manning, Oelslager, Peterson, Sawyer, Seitz, Tavares

**Effective date:** April 6, 2017

- Disqualifies an individual from exercising the individual's statutory priority to make a decision whether or not to consent to the withholding or withdrawal of life-sustaining treatment for a patient if any of the following applies:

- The individual is married to the patient and they are parties to a pending divorce, dissolution, legal separation, or annulment proceeding;
- The individual is subject to a protection order issued by a court in Ohio or another state and the patient is the alleged victim;
- The individual is charged with felonious assault or aggravated assault against the patient directly resulting in the patient being in a terminal condition from the physical harm or serious physical harm suffered as a result of the offense.
- Disqualifies a member of a class of individuals under the statutory class priority from making a decision described above if the member is subject to a protection order or has been charged with felonious assault or aggravated assault under the conditions described in the two preceding points.
- Authorizes, when an individual is disqualified, the next priority individual or class of individuals or other members of the class to make the decision.
- Prohibits an individual who is not competent to make a decision whether or not to consent to the withholding or withdrawal of life-sustaining treatment from objecting to a consent given by a priority individual or class.
- Excludes an individual who is not competent to make a decision whether or not to consent to the withholding or withdrawal of life-sustaining treatment from either:
  - Testifying and presenting evidence at a hearing relative to the use or continuation of nutrition and hydration for the patient;
  - Filing an action in the probate court as a priority individual or member of a priority class of individuals for the issuance of an order mandating the use or continuation of comfort care for the patient.
- Prevents an attorney in fact from making decisions pertaining to the use or continuation of life-sustaining treatment or the provision of nutrition or hydration to a principal if the attorney in fact is subject to a protection order issued in Ohio or another state and in which the principal is the alleged victim.
- Voids an objection made to a living will of a patient by a person who would not be competent under the person's individual statutory priority to decide whether or not to consent to the withholding or withdrawal of life-sustaining treatment for a patient.



## Sub. H.B. 470

**Reps.** Schuring, Bishoff, Brown, T. Johnson, Anielski, Antonio, Arndt, Baker, Barnes, Boyd, Craig, Curtin, Derickson, Dovilla, Grossman, Hambley, Lepore-Hagan, McClain, M. O'Brien, Patterson, Ramos, Rezabek, Rogers, Scherer, Sears, Slesnick, Sweeney, Young

**Sens.** Cafaro, Brown, Tavares, Eklund, Faber, Hackett, Jones, Lehner, Manning, Oelslager, Seitz

**Effective date:** March 21, 2017

### Hospital after-care and discharge planning

- Requires hospitals to give a patient or the patient's guardian the option of designating a lay caregiver (a person who provides after-care in the patient's residence after discharge).
- Specifies a hospital's duties once a lay caregiver designation has been made.
- Specifies how a lay caregiver designation may be revoked.

### Memory care units

- Requires the Directors of Aging and Health jointly to develop recommendations regarding the establishment of standards and procedures for the operation of memory care units, as well as quality-of-care metrics for the units.

### Palliative care

- Permits a licensed nursing home to add 20 or fewer long-term care beds without obtaining a certificate of need if all of the beds being added are to be used solely for palliative care and the nursing home does not participate in Medicare or Medicaid.

### Assisting suicide, criminal penalty

- Generally prohibits a person from knowingly causing another to commit or attempt to commit suicide by either providing the physical means to do so or participating in a physical act by which the person commits or attempts suicide.

## Sub. H.B. 505

**Reps.** Huffman and Pelanda, Becker, T. Johnson, Sprague, Ginter, Barnes, Brown, Butler, Schuring, Amstutz, Anielski, Antonio, Baker, Burkley, Dovilla, Gonzales, Green, Grossman, McClain, S. O'Brien, Rogers, Sears, R. Smith, Sweeney

**Sens.** Gardner, Jones, Cafaro, Brown, Beagle, Tavares, Coley, Hackett, Hite, Hughes, Lehner, Patton, Peterson, Schiavoni, Seitz, Thomas, Uecker, Yuko

**Effective date:** Emergency: Most provisions of the act (Sections 1 and 2) effective March 20, 2017; Section 3, pertaining to delaying the expiration of physician assistant supervision agreements, effective December 19, 2016

### **Biological products and drug substitution**

- Authorizes a pharmacist to substitute an interchangeable biological product for a prescribed biological product under circumstances and conditions similar to those governing generic drug substitution.
- Requires a pharmacist who dispenses a drug for which an interchangeable biological product is available to inform the prescriber of the product that was dispensed.
- Modifies provisions regarding how a prescriber may prohibit a pharmacist from substituting a generic drug and applies those provisions to the substitution of biological products.

### **Health insurer prior authorization and regulation**

- Changes the start date for the period within which a health plan issuer must complete a prior authorization review, from the date the issuer receives all information needed to process the review to the date the issuer receives the request for prior authorization.
- Exempts from specified application review under the Health Insuring Corporation Law health insuring corporations solely covering individuals in the Federal Employees Health Benefits Program.

### **Physician assistant supervision agreements**

- Delays the expiration date of a physician assistant supervision agreement by one year if the agreement would otherwise expire on January 31, 2017.

## **Sub. H.B. 523**

**Reps.** Huffman, Schuring, Ramos, Brown, Celebrezze, Maag, Perales, Rogers, Ruhl, Terhar

**Sens.** Yuko, Brown, Sawyer, Schiavoni, Tavares, Thomas

**Effective date:** September 8, 2016

- Requires the Department of Commerce and State Board of Pharmacy to administer a Medical Marijuana Control Program.
- Establishes the Medical Marijuana Advisory Committee and authorizes it to submit to the Department of Commerce, Board of Pharmacy, and State Medical Board any recommendations related to the Program.
- Abolishes the Advisory Committee on October 8, 2021.
- Permits a patient, on the recommendation of a physician, to use medical marijuana to treat a qualifying medical condition.

- Specifies that the act does not require an employer to permit or accommodate an employee's use, possession, or distribution of medical marijuana.
- Specifies that the act does not prohibit an employer from establishing and enforcing certain workplace drug policies.
- Considers a person who has been fired for using medical marijuana to have been fired for just cause and ineligible for unemployment benefits in certain circumstances.
- Maintains the rebuttable presumption that an employee is ineligible for workers' compensation if the proximate cause of the employee's injury was being under the influence of marijuana.
- Authorizes the Board of Pharmacy to register patients and caregivers and to issue licenses to medical marijuana retail dispensaries.
- Authorizes the Medical Board to issue certificates to physicians seeking to recommend treatment with medical marijuana.
- Authorizes the Department of Commerce to issue licenses to medical marijuana cultivators, processors, and testing laboratories.
- Prohibits the cultivation of medical marijuana for personal, family, or household use.
- Prohibits the smoking or combustion of medical marijuana.
- Authorizes a municipal corporation or township to prohibit, or limit the number of, retail dispensaries.
- Specifies that agricultural use zoning limitations that apply to townships do not prevent a township from regulating the location of retail dispensaries or from prohibiting them within the unincorporated territory of the township.
- Prohibits a cultivator, processor, retail dispensary, or laboratory from being located within 500 feet of a school, church, or public library, playground, or park.
- Specifies that land on which medical marijuana is cultivated or processed does not qualify for current agricultural use valuation.
- Exempts a financial institution that provides financial services to a licensed cultivator, processor, retail dispensary, or laboratory from certain criminal offenses, including those related to marijuana trafficking.
- Authorizes the Director of Commerce to establish a closed-loop medical marijuana payment processing system for use by registered patients and caregivers and licensed entities.

## Am. Sub. H.B. 580

**Reps.** T. Johnson and Huffman, Grossman, Terhar, Slaby, Burkley, Thompson, Perales, Gonzales, Antonio, Barnes, Boyce, Celebrezze, Craig, Green, Leland, Patterson, Pelanda, Phillips, Ramos, Ruhl, Scherer, Sheehy, Sprague, Strahorn, Sweeney, Sykes

**Sens.** Coley, Eklund, Hackett, Hite, Jones, LaRose, Lehner, Manning, Sawyer, Schiavoni, Tavares, Thomas, Williams

**Effective date:** March 21, 2017

- Creates the Malnutrition Prevention Commission to study malnutrition among adults 60 or older in health care settings.
- Designates:
  - November as "One Health Awareness Month";
  - May 1 as "Fanconi Anemia Awareness Day"; and
  - May 15 as "All for the Kids Awareness Day."

## Sub. S.B. 127

**Sens.** Lehner and Hottinger, Uecker, Hite, Eklund, Jones, Burke, Gardner, Oelslager, Obhof, Faber, Jordan

**Reps.** Antani, Amstutz, Blessing, Boose, Brinkman, Buchy, Burkley, Butler, Conditt, Cupp, DeVitis, Dovilla, Ginter, Goodman, Green, Hagan, Hall, Hambley, Hayes, Henne, Hill, Hood, Keller, Koehler, LaTourette, Maag, McColley, Merrin, Perales, Retherford, Roegner, Romanchuk, Schaffer, Sprague, Terhar, Thompson, Young, Rosenberger

**Effective date:** March 14, 2017

### Abortion prohibited at 20 weeks

- Prohibits purposely performing or inducing or purposely attempting to perform or induce an abortion on a pregnant woman when the probable post-fertilization age of the unborn child is 20 weeks or greater.
- Provides that whoever violates the prohibition is guilty of terminating or attempting to terminate a human pregnancy of a pain-capable unborn child, a fourth degree felony.
- Defines a "pain-capable unborn child" as an unborn child of probable post-fertilization age of 20 weeks or more.
- Provides affirmative defenses to the new prohibition based on (1) the probable post-fertilization age of the unborn child being less than 20 weeks and (2) protecting the life and health of the pregnant woman.

- Conditions (except when there is a medical emergency) the affirmative defense based on the probable post-fertilization age of the unborn child being less than 20 weeks on the treating physician, or another physician on which the treating physician relies, making a determination regarding the unborn child's probable post-fertilization age.
- Requires the physician to certify in writing, based on the results of tests performed, that in reasonable medical judgment the unborn child's probable post-fertilization age is less than 20 weeks.
- Conditions (except when there is a medical emergency) the affirmative defense based on protecting the life or health of the pregnant woman on all of the following:
  - The treating physician and a different physician, not professionally related to the treating physician, certifies in writing that in reasonable medical judgment the abortion is necessary for the life or health of the pregnant woman.
  - The treating physician terminates or attempts to terminate the pregnancy in a manner that provides the best opportunity for the child to survive unless the physician determines in reasonable medical judgment that termination in that manner poses a greater health risk or risk of death to the pregnant woman than another method.
  - The treating physician certifies in writing the available methods or techniques considered and the reasons for choosing the method or technique employed.
  - The abortion is performed or induced or attempted in a facility with appropriate neonatal services for premature infants.
  - The treating physician arranges for another physician to be present to provide immediate medical care and take other reasonable steps to preserve the unborn child's life and health upon expulsion or extraction.
- Requires the State Medical Board to revoke a physician's license to practice medicine if the physician violates the provisions governing abortions of pain-capable children.
- Imposes civil liability on a physician who performs or induces or attempts to perform or induce an abortion of a pain-capable unborn child, conditioned on the physician having actual knowledge that the affirmative defenses do not apply or with heedless indifference as to whether they apply.
- Permits courts in such civil actions to award injunctive or other appropriate equitable relief, as well as compensatory damages, punitive and exemplary damages, and reasonable attorney's fees and court costs.

### **Abortion prohibited without testing**

- Prohibits, except in a medical emergency, an abortion after the unborn child reaches the probable post-fertilization age of 20 weeks unless the physician determines prior to the abortion, in the physician's reasonable medical judgment the unborn child's probable post-fertilization age.
- Requires the physician to make the determination after making inquiries with the pregnant woman and performing medical examinations or tests the physician considers necessary as a reasonably prudent physician, knowledgeable about the case and medical conditions involved, would consider necessary to make the determination.
- Requires the physician to enter the determination and associated findings of the medical examination and tests in the pregnant woman's medical record.
- Requires the State Medical Board to suspend for a period of not less than six months a physician's license to practice medicine if the physician violates the provisions governing probable post-fertilization age testing.

### **Abortion reporting**

- Requires a physician who performs or induces or attempts to perform or induce an abortion to submit a report with specified information to the Department of Health within 15 days after the woman is discharged and provides for court enforcement, including punishment for contempt of court, if the physician fails to submit a timely report.
- Provides that if a physician fails to comply with the reporting requirements, the physician is subject to disciplinary action by the State Medical Board.
- Prohibits a person from falsifying any required report and provides that whoever does so is guilty of pain-capable unborn child abortion report falsification, a misdemeanor of the first degree.
- Requires the Department of Health to annually issue a public report that provides statistics from compiled reports for the previous calendar year that include the information physicians must certify in writing or determine under the act's requirements.
- Requires that the Department's annual report provide the statistics for each previous calendar year in which a report was filed, adjusted to reflect any additional information that a physician provides to the Department.
- Requires the Department to ensure that none of the information included in the annual report could reasonably lead to the identification of any pregnant woman upon whom an abortion is performed.

- Requires the Department to adopt rules to assist in compliance with the act's reporting requirements within 90 days of the act's effective date.

### **Litigation fund**

- Creates the Ohio Pain-Capable Unborn Child Protection Act Litigation Fund in the state treasury, to pay for any costs and expenses incurred by the Attorney General in relation to actions surrounding the defense of the act's provisions.
- Provides that the fund is to consist of appropriations, donations, gifts, or grants.

### **Savings provisions**

- Provides that the act's provisions do not repeal or limit any other provision of law restricting or regulating abortion by a particular method or during a particular stage of pregnancy, nor do other provisions satisfy or limit the act's requirements or prohibitions.
- Provides that the act's provisions are severable, should any of them be subject of a restraining order or injunction regarding their application.

## **S.B. 311**

**Sens.** Patton, Hite, Eklund, Hughes, Cafaro, Beagle, Faber, Gardner, Jones, Manning, Obhof, Tavares

**Reps.** Antonio, Ashford, Boyce, Boyd, Craig, Fedor, Hambley, Leland, Lepore-Hagan, Sheehy, Sweeney

**Effective date:** March 21, 2017

- Requires the Ohio Department of Health to prepare an influenza vaccine information sheet pertaining to older adults and make it available on the Department's website.
- Requires each long-term care facility to post a copy of the most recent sheet in a conspicuous location accessible to residents, employees, and visitors.
- Specifies that a facility's failure to post the sheet cannot be taken into account when it undergoes a survey or inspection or be used as a basis for imposing a penalty against it.

## Sub. S.B. 319

**Sens.** Eklund, Manning, Beagle, Tavares, Brown, Coley, Faber, Hackett, Hite, Jones, Obhof, Skindell, Thomas, Uecker, Williams

**Reps.** Green, Sprague, Amstutz, Anielski, Antonio, Arndt, Baker, Bishoff, Boggs, Boose, Boyce, Boyd, Celebrezze, Clyde, Conditt, Craig, Driehaus, Fedor, Gavarone, Ginter, Hall, Huffman, Kuhns, LaTourette, Leland, Manning, M. O'Brien, S. O'Brien, Patterson, Pelanda, Phillips, Reineke, Rezabek, Rogers, Ryan, Sheehy, R. Smith, Sweeney, Sykes, Terhar, Young

**Effective date:** April 6, 2017; certain provisions effective on other dates

### Pharmacy technician registration

- Establishes a system of registration through the State Board of Pharmacy for registered pharmacy technicians, certified pharmacy technicians, and pharmacy technician trainees that replaces law governing employment as a qualified pharmacy technician.
- Establishes requirements for registration, including age, education and experience, character, criminal records check, and certification requirements.
- Specifies the activities a pharmacy technician or trainee may engage in, but excludes any that require the exercise of professional judgment.
- Specifies conduct for which the Board may impose disciplinary sanctions on a pharmacy technician or trainee.

### Pharmacist and pharmacy intern discipline

- Authorizes the Board to restrict a pharmacist or pharmacy intern's license or reprimand the license holder.
- Modifies the conduct for which the Board can impose sanctions, including specifying additional actions that constitute "unprofessional conduct in the practice of pharmacy."

### Dangerous drug sales and possession

- Modifies provisions regarding the occasional sale of drugs at wholesale.
- Prohibits the unauthorized distribution of dangerous drugs at retail, which is in addition to the continuing prohibition on the unauthorized retail sale and possession of dangerous drugs for sale at retail.
- Specifies that business entities whose members are authorized to provide the professional services being offered by the entity are exempt from the prohibition on possession of dangerous drugs.
- Requires prescribers and certain business entities through which prescribers provide professional services to be licensed as terminal distributors of dangerous drugs to



possess, have custody or control of, or distribute schedule I, II, III, IV, or V controlled substances.

- Establishes a reduced fee of \$60 for certain business entities and other persons required by the act to obtain licenses as terminal distributors of dangerous drugs.
- Reorganizes, with modifications, other laws governing the authority to sell, purchase, distribute, deliver, or possess dangerous drugs.

### **Pharmacy Board powers, duties, and procedures**

- Authorizes the Board to maintain its books and records in electronic format.
- Authorizes the Board to adopt rules requiring a licensee or registrant to report to the Board a violation of state or federal law, including any rule adopted under the authority of the Pharmacy Law.
- Requires pharmacy interns, pharmacy technicians, pharmacy technician trainees, terminal distributors of dangerous drugs, and wholesale distributors of dangerous drugs to cooperate with federal, state, and local government investigations and to divulge all relevant information when requested by a government agency.
- Authorizes the Board to designate certain attorneys as hearing examiners to conduct any administrative hearing the Board is empowered to hold or undertake.

### **Disciplinary action – controlled substances and dangerous drugs**

- Expands the circumstances under which a licensing board may suspend a license, certificate, or evidence of registration without a hearing for actions related to controlled substances.

### **Naloxone**

- Permits naloxone to be available at locations serving individuals who may be at risk of opioid-related overdoses.
- Permits a board of health to authorize one or more individuals to personally furnish naloxone to certain individuals.
- Modifies a board of health's authority to authorize a pharmacist or pharmacy intern to dispense naloxone without a prescription.
- Modifies the qualified immunity that peace officers are entitled to in circumstances involving naloxone.

### **Project DAWN grants**

- Authorizes a county health department to use grant funding to provide naloxone through a Project DAWN program within the county if the funds available for

naloxone grants are not being used by local law enforcement and emergency personnel.

### **Opioid analgesics**

- Limits the authority of a pharmacist, pharmacy intern, or terminal distributor of dangerous drugs to dispense or sell an opioid analgesic pursuant to an outpatient prescription.
- Specifies that not more than a 90-day supply may be dispensed or sold and that a prescription cannot be filled if more than 14 days have elapsed since it was issued or, if the prescription specifies the earliest date on which it may be filled and other conditions are satisfied, 14 days since that date.
- Requires certain health insurers and the Medicaid program to apply prior authorization requirements or utilization review measures as conditions of covering opioid analgesics prescribed for chronic pain, except in specified circumstances.

### **Office-based opioid treatment**

- Requires the State Board of Pharmacy to establish a licensing process to regulate facilities, clinics, and other locations at which office-based opioid treatment is provided to more than 30 patients, or that meet criteria specified in Board rules.
- Provides for the facilities, clinics, or other locations to be licensed as category III terminal distributors of dangerous drugs with an office-based opioid treatment classification.
- Authorizes sanctions against a person who fails to obtain the required license or fails to comply with the act's requirements for office-based opioid treatment.

### **Methadone treatment facilities**

- Eliminates requirements that an applicant for a methadone treatment facility license (1) be operated by a nonprofit or government entity and (2) have been a fully certified services provider for at least two years immediately preceding the application date.
- Requires the Department of Mental Health and Addiction Services to adopt rules specifying any additional licensing requirements.
- Requires the Department to conduct an analysis of unmet needs for methadone treatment and the impact of the licensing requirement changes on the overall treatment capacity in Ohio.

## **Drug court programs**

- Authorizes a community addiction services provider to provide access to time-limited recovery supports as part of providing medication-assisted treatment services for certain addicted offenders.
- Specifies that recovery support is a form of assistance intended to help initiate and sustain recovery from alcoholism, drug addiction, or mental illness, but it does not include treatment or prevention services.

## **Drug treatment for pregnant women**

### **Encouraging treatment**

- Requires certain health care professionals to encourage drug treatment for pregnant patients under certain circumstances, and grants those professionals limited immunity from civil or criminal liability.
- Requires the Department of Mental Health and Addiction Services, as part of a continuing program, to give priority to treating addicted pregnant women.
- Prohibits a community addiction services provider that receives public funds from refusing to treat a pregnant woman solely because she is pregnant if the provider offers appropriate treatment.

### **Child welfare proceedings**

- Prohibits a public children services agency from filing a child welfare complaint solely because the mother used a controlled substance while pregnant if the mother (1) enrolled in drug treatment before the end of her 20th week of pregnancy, (2) completed treatment or is in the process of completing treatment, and (3) maintained her regularly scheduled appointments and prenatal care.
- Permits a court to hold in abeyance or dismiss a child welfare complaint when the mother enrolled in drug treatment after the end of her 20th week of pregnancy if the mother meets other conditions regarding treatment and prenatal care.

### **Prenatal screening and tests in criminal proceedings**

- Provides that evidence obtained through a screening or test to determine pregnancy or provide prenatal care is not admissible in a criminal proceeding against the woman who was screened or tested.

## Pharmacy benefit managers

### Maximum allowable cost pricing information

- Specifies that the pricing updates pharmacy benefit managers must provide pharmacies be maximum allowable cost pricing updates and be in a secure, easily searched, electronic format.
- Requires pharmacy benefit managers to use the most up-to-date pricing data within one business day of the update when calculating reimbursements.
- Requires a pharmacy benefit manager to make available to a pharmacy the manager's written procedure for withdrawing a drug from maximum allowable cost reimbursement.

### Drug reimbursement appeals

- Clarifies that the process for appealing drug reimbursements must be electronic.
- Eliminates the requirement that the drug be available for purchase in Ohio from the requirement that, when denying a drug reimbursement appeal, the pharmacy benefit manager identify a drug that can be purchased at or below the drug's benchmark price from a national or regional wholesaler.
- Explicitly requires that, if an appeal is upheld or granted, the pharmacy benefit manager must adjust the drug reimbursement to the appeal price.

### Multiple maximum allowable cost lists – disclosures

- Limits to the aggregate difference the requirement that a pharmacy benefit manager using multiple maximum allowable cost lists disclose the differences between the amount paid to a pharmacy and the amount charged to a plan sponsor.
- Revises the time within which the price difference disclosure must be made to require that it be made within ten days of signing a contract with a pharmacy (continuing law) or on a quarterly basis (instead of within ten days of any update to a maximum allowable cost list).
- Exempts Medicare pharmacy benefit plans and plans subject to ERISA from this disclosure requirement.

## Community services

- Requires boards of alcohol, drug addiction, and mental health services (ADAMHS boards) to make recovery supports available along with addiction services and mental health services.
- Requires the Department of Mental Health and Addiction Services to adopt rules specifying the types of recovery supports for which certification must be obtained,

and prohibits an ADAMHS board from contracting for recovery supports that are required to meet quality criteria or core competencies unless the supports meet those standards.

- Revises the list of services and supports that must be included in an ADAMHS board's continuum of care.
- Permits the Department to waive for a limited time the requirement that an ADAMHS board's continuum of care include all required essential elements if the Department determines that the board has made reasonable efforts to include those elements.
- Permits the Department to waive a requirement that addiction services and recovery supports for opioid and co-occurring drug addiction include ambulatory detoxification and medication-assisted treatment if the Department makes certain determinations.
- Extends medication-assisted treatment to services accompanied by medication approved for the treatment or prevention of alcoholism.
- Prohibits denying a service or support for opioid and co-occurring drug addiction on the basis of an individual's prior experience with the service or support, rather than the individual's failure.
- Revises the waiting list duties of community addiction services providers, ADAMHS boards, and the Department.
- Permits the Department to withhold part, rather than all, of the funds to be allocated to an ADAMHS board for failure to comply with the board's approved budget.
- Maintains a requirement that the Department provide assistance to *any* county for certain ADAMHS board-related activities by eliminating a requirement that the Department provide assistance to *each* county for the activities, and specifies that the Department is to provide the assistance for one or more of the activities, instead of all of the activities.

### **Other provisions**

- Includes services for prevention of mental illness in services for which ADAMHS boards and the Department are responsible.
- Exempts the Department's contracts for addiction services or recovery supports from laws governing purchases of services by the Department of Administrative Services.

- Eliminates a provision prohibiting the Department of Mental Health and Addiction Services from disclosing mental health treatment information about certain persons who are incarcerated unless the person is notified and does not object.
- Removes creed from, and adds ancestry and military status to, the classes that are protected against discrimination by ADAMHS boards and community services providers.
- Restricts to certain types the residential facilities to which an ADAMHS board may make referrals and that may serve as permissible living arrangements under the Residential State Supplement program.

## Sub. S.B. 332

**Sens.** Jones and Tavares, Faber, Obhof, Patton, Manning, Lehner, Beagle, Seitz, Eklund, Hite, Gardner, Burke, Balderson, Peterson, Hottinger, Hackett, Uecker, Cafaro, Skindell, Yuko, LaRose, Bacon, Brown, Oelslager, Sawyer, Schiavoni, Thomas

**Reps.** Green, Sprague, Antani, Antonio, Arndt, Baker, Bishoff, Boggs, Boose, Boyce, Boyd, Burkley, Celebrezze, Clyde, Craig, Driehaus, Duffey, Fedor, Grossman, Hagan, Henne, Howse, Huffman, G. Johnson, Kuhns, Kunze, LaTourette, Leland, Lepore-Hagan, Manning, McColley, M. O'Brien, S. O'Brien, Patterson, Pelanda, Perales, Phillips, Reece, Reineke, Rezabek, Rogers, Romanchuk, Ryan, Scherer, Sheehy, K. Smith, R. Smith, Sweeney, Sykes, Terhar, Young

**Effective date:** April 6, 2017

### COMMISSION ON INFANT MORTALITY RECOMMENDATIONS

- Provides for implementation of recommendations made by the Commission on Infant Mortality in a March 2016 report.

#### Data collection and sharing

##### Perinatal services and vital statistics

- Requires the Ohio Department of Medicaid (ODM) to make summary data regarding perinatal services available to local infant mortality reduction initiative organizations and grant recipients.
- Requires ODM to include information about Medicaid recipients' races, ethnicities, and primary languages in data that it shares with Medicaid managed care organizations and requires the organizations to share this information with providers.
- Requires the State Registrar of Vital Statistics to ensure that local boards of health have access to preliminary birth and death data.

- Requires the State Registrar to offer to provide training for hospital and freestanding birthing center staff, as well as funeral service workers, on their responsibilities under the vital statistics law.

#### **Pregnancy- and birth-related data**

- Requires the Ohio Department of Health (ODH) and ODM to create infant mortality scorecards that report quarterly data regarding pregnancy- and birth-related health measures and outcomes.
- Requires ODH, on a quarterly basis, to make publicly available preliminary infant mortality and preterm birth rates, as well as the stillbirth rate, delineated by race and ethnic group.
- Requires the Director of Health to publish stillbirth data compiled from ODH's fetal death statistical file and to disseminate educational materials on stillbirths to the State Medical Board, statewide medical associations, and the public.

#### **Medicaid reports**

- Requires the annual report that ODM must complete on the effectiveness of the Medicaid program to include additional information related to perinatal care and infant mortality initiatives.
- Requires ODM to conduct periodic reviews to determine barriers that Medicaid recipients face in gaining access to interventions intended to reduce tobacco use, prevent prematurity, and achieve optimal birth spacing.
- Requires ODM to submit a report to the General Assembly and the Joint Medicaid Oversight Committee regarding each Medicaid managed care organization's progress, during FYs 2016 and 2017, in improving infant mortality measures through enhanced care management and targeted initiatives in infant mortality hot spots.

#### **Survey of maternal behaviors related to pregnancy**

- Requires ODH to create a population-based questionnaire designed to examine maternal behaviors related to pregnancy similar to the Pregnancy Risk Assessment Monitoring System (PRAMS) questionnaire that was discontinued.

#### **Assessment of shaken baby syndrome program**

- Adds to the responsibilities the Director of Health must fulfill in assessing the effectiveness of the Shaken Baby Syndrome Education Program.

## Targeted interventions

### Crib bumper pad and mesh liners

- Prohibits crib bumper pad sales and certain sales of mesh crib liners and specifies penalties for violations.

### Safe sleep education

- Requires ODH to provide annual safe sleep training at no cost to parents and infant caregivers who reside in infant mortality hot spots.
- Requires facilities that procure safe cribs for at-risk families, as well as ODH, to ensure that crib recipients receive safe sleep education and crib assembly instructions.
- Requires ODH to include in a report on safe sleep initiatives an assessment of whether at-risk families are being served sufficiently by its crib distribution and referral system.

### Tobacco cessation

- Requires ODH's tobacco use and cessation plan to emphasize reducing tobacco use by Medicaid recipients, account for the increasing use of electronic health records, and ensure that ODH collaborates with organizations in infant mortality hot spots to help them secure tobacco cessation grants.
- Requires ODM to enter into an interagency agreement with ODH under which ODM pays the federal and nonfederal shares of Ohio Tobacco Quit Line services provided to Medicaid recipients.

### Birth spacing and prematurity prevention

- Generally requires each hospital and freestanding birthing center to ensure that a woman giving birth has the option of having a long-acting reversible contraceptive (LARC) device placed after delivery and before discharge.
- Authorizes a hospital or freestanding birthing center to submit a Medicaid claim for a LARC device provided to a Medicaid recipient after giving birth that is separate from the claim for inpatient care.
- Requires the Directors of Health and Medicaid to coordinate technical assistance and grants to federally qualified health centers (FQHCs) and FQHC look-alikes that seek to include the practice of a prescriber who promotes awareness and use of LARC devices (a "LARC First practice").
- Requires the Director of Health, with participation from the State Medical and Nursing Boards, to collaborate with health professional schools to develop curricula



on counseling patients regarding efficacy-based contraceptives, including LARC devices.

- Requires ODM, when contracting with a Medicaid managed care organization, to use a uniform prior approval form that is not more than one page for progesterone prescribed for pregnant women.

### **Restructuring health systems for improved outcomes**

- Permits any entity that is eligible to be, and requests to serve as, a qualified provider to make presumptive Medicaid eligibility determinations for pregnant women if ODM determines that the entity is capable of making the determinations.
- Requires ODM to contractually require Medicaid managed care organizations, and ODH to contractually require Women, Infant, and Children (WIC) clinics, to promote use of technology-based resources that offer tips on having a healthy pregnancy and healthy baby.
- Requires the Executive Director of the Office of Health Transformation to establish goals for continuous quality improvement pertaining to episode-based payments for prenatal care and to promote the adoption of best practices on family planning options, reducing poor pregnancy outcomes, and wellness activities.
- Requires certain health care professional licensing boards to consider the problems of race- and gender-based disparities in health care treatment decisions and to annually provide licensees with a list of relevant continuing education and experiential learning opportunities.

### **Social determinants of health for pregnant and at-risk women**

#### **Qualified community hubs**

- Requires Medicaid managed care organizations to provide or arrange for certain Medicaid recipients to receive services by certified community health workers who work for, or are under contract with, a qualified community hub.
- Requires ODH to establish a qualified community hub in each community that lacks one, and requires the Commission on Minority Health to convene quarterly meetings with the hubs to discuss performance data and best practices.

#### **Home visiting**

- Requires that, to the extent possible, Help Me Grow program goals be consistent with the Federal Home Visiting Program's goals.
- Creates the Ohio Home Visiting Consortium to ensure that home visiting services are high-quality and delivered through evidenced-based or innovative, promising home visiting models.

- Requires ODH and the Department of Developmental Disabilities to create a central intake and referral system for the state's Part C Early Intervention Program and all home visiting programs.
- Requires that families be referred to appropriate home visiting services through the central intake and referral system.
- Requires ODH rules to specify that families residing in infant mortality hot spots are to receive priority for Help Me Grow home visiting services.
- Requires ODH, after considering recommendations of the Home Visiting Consortium, to allocate funds for home visiting pilot projects targeted at families with the most challenging needs.
- Requires ODH to transition to paying for home visiting services based on outcomes rather than processes.
- Requires home visiting service providers to promote certain technology-based resources and report program performance data as a condition of receiving payment.
- Requires ODH to facilitate and allocate funds for a biannual home visiting summit.

#### **Evaluation of state policies and programs**

- Requires the Legislative Service Commission to contract with a nonprofit organization to convene and lead a stakeholder group concerned with evaluating social determinants of health for infants and women of child-bearing age.

#### **Housing**

- Requires the Ohio Housing Finance Agency (OHFA) to include reducing infant mortality as a priority housing need in its annual plan.
- Requires OHFA and the Ohio Development Services Agency to include pregnancy as a priority in their housing assistance and local emergency shelter programs.
- Permits OHFA to establish a housing assistance pilot program for extremely low-income households that include pregnant women or new mothers.
- Requires the Commission on Infant Mortality to work with the Ohio Housing and Homelessness Collaborative to develop a plan for a rental assistance housing program.

#### **Commission membership**

- Adds to the Commission on Infant Mortality's membership the Director of Developmental Disabilities or the Director's designee.

## **PHARMACISTS ADMINISTRATION OF INJECTABLE DRUGS**

- Authorizes a pharmacist to administer by injection any of the following drugs if certain conditions are met: opioid antagonists, antipsychotics, specified drugs related to preterm birth risk and contraception, and vitamin B12.
- Requires a pharmacist to notify the prescribing physician each time a drug is administered by injection and to observe the recipient for any adverse reactions.
- Requires the State Board of Pharmacy to adopt rules implementing these provisions.
- Requires the Medical Board to adopt rules to be followed by a physician when prescribing a drug that may be administered by injection by a pharmacist.

## **SAFE HAVEN LAW**

- Allows a parent to deliver his or her child who is 30 days old or younger, without the intent to return for the child, to a designated newborn safety incubator.
- Requires children who are dropped off in newborn safety incubators to be subject to the same Safe Haven Law requirements as children who are handed to designated individuals under continuing law.
- Requires the Director of the Department of Health to adopt rules governing newborn safety incubators in accordance with the criteria established in the bill.
- Requires juvenile courts to give hearing notice to parents in accordance with Rule 16 of the Ohio Rules of Juvenile Procedure with respect to a public children services agency's temporary custody motion regarding a deserted child.
- Changes the term "governmental entity" to "entity" under the Safe Haven Law when referring to a law enforcement agency, hospital, or emergency medical services organization that receives a deserted child.
- Clarifies that medical and other information forms are to be made available to the parents and expands the persons subject to certain prohibitions under the Safe Haven Law, including the prohibition against coercion of parents to take forms and fill them out.

## Highways and Transportation

### Am. H.B. 154

**Reps.** Henne and Sheehy, Stinziano, Grossman, Clyde, Perales, Duffey, Zeltwanger, K. Smith, Brenner, Lepore-Hagan, Fedor, Bishoff, Retherford, Antonio, Arndt, Ashford, Barnes, Boggs, Boyd, Brown, Celebrezze, Craig, Driehaus, Leland, Manning, M. O'Brien, S. O'Brien, Patterson, Phillips, Ramos, Rogers, Sprague, Strahorn, Sweeney

**Sens.** Bacon, LaRose, Gentile, Balderson, Skindell, Tavares, Thomas

**Effective date:** March 21, 2017

- Requires a vehicle operator at an intersection where the traffic control signal is malfunctioning (including the failure of a vehicle detector to detect the vehicle) to follow the procedures that apply when a signal fails to assign the right-of-way.
- Requires the operator of a vehicle that is passing a bicycle to pass at a distance of three feet or greater.

### Am. Sub. H.B. 341

**Reps.** Young and Sweeney, Becker, Boose, Hall, Retherford, Terhar, Thompson, Amstutz, Barnes, Boyd, Conditt, Dever, Green, Grossman, Hambley, Howse, G. Johnson, Rogers

**Sens.** LaRose, Eklund, Gardner, Hackett, Hite, Seitz, Yuko

**Effective date:** April 6, 2017

#### Towing and storage fees

- Eliminates the statutorily prescribed maximum fees for the removal and storage of a vehicle towed from private property or a private tow-away zone, and authorizes the Public Utilities Commission to establish new fees by rule.
- Requires the Commission to establish a process for reviewing the fees every five years and to adjust any fee that it determines is not just, reasonable, or compensatory.
- Allows a municipal corporation to establish towing and storage fees for the removal of a vehicle from private property, other than a private tow-away zone, that differ from those established by the Commission.
- Specifies that a lienholder that reclaims a vehicle towed from a private tow-away zone is not required to pay storage fees for any period of time before the lienholder received a notice indicating that the vehicle had been towed.

- Generally authorizes a towing service or storage facility to charge an after-hours retrieval fee for the retrieval of personal items from a vehicle that was towed from private property or from the street or after coming into the possession of law enforcement.
- Generally allows a person to use a major credit card to pay a "drop fee," which is a reduced fee that may be paid to a towing service for the release of a vehicle that has been prepared for removal but not yet removed from private property or a private tow-away zone.

### **Other towing provisions**

- Modifies the civil penalties that a court may impose on a towing service or storage facility for certain towing violations when a vehicle owner brings a civil action against the towing service or storage facility.
- Eliminates the requirement that a storage facility remain open if a towing service is towing a vehicle from private property or from the street or after coming into the possession of law enforcement and the vehicle will be held by the storage facility.
- Eliminates the requirement that a storage facility ensure that, within three hours of receiving a call from the owner of a vehicle towed from private property or from the street or after coming into the possession of law enforcement, a representative is available to release the vehicle.
- Authorizes an insurance company to bring a civil action against a towing service to recover a motor vehicle that has been towed, objecting to the amount billed by the towing service, or both.
- Prohibits a towing service from permitting the operation of a towing vehicle on its behalf unless the towing service holds a valid certificate of public convenience and necessity.
- Prohibits a towing service from removing a vehicle from a private tow-away zone if the towing service does not have a written contract with the owner of the property.
- Prohibits a towing service from knowingly offering or providing monetary compensation in exchange for authorization to tow motor vehicles from a specified location or on behalf of the person to whom it offered or provided compensation.
- Allows a towing service to deliver a vehicle towed from private property or a private tow-away zone to a place of storage after the required two-hour delivery window if the delay is due to an uncontrollable force, natural disaster, or unforeseeable event.

- Requires a towing service, storage facility, or repair facility, in specified circumstances, to notify the owner of a towed vehicle that if the owner disputes that the motor vehicle was lawfully towed the owner may be able to file a civil action.
- Extends the deadline by which a towing service or storage facility must notify the owner of a vehicle that the vehicle has been towed from a private tow-away zone.
- Extends the deadline by which the sheriff or chief of police must notify the owner of a vehicle that the vehicle has been ordered into storage by law enforcement.
- Prohibits the owner of a motor vehicle that has been towed from retrieving personal items from the vehicle if it would endanger the safety of the owner, unless the owner agrees to sign a waiver of liability.
- Modifies the requirement that a towing service provide a written estimate for towing services under specified circumstances, so that the requirement applies only if the estimate is requested.

### **Salvage title to inoperable vehicles**

- Establishes a process by which a repair facility, towing service, or place of storage for towed vehicles may obtain a salvage certificate of title to an inoperable vehicle worth less than \$1,500 for purposes of disposing of the vehicle through a motor vehicle salvage dealer or scrap metal processing facility.

### **Title to an unclaimed vehicle**

- When a repair garage, place of storage, towing service, or storage facility for towed vehicles pays the clerk of courts the value of a vehicle in order to obtain title to the vehicle under continuing law, allows the entity to deduct from the value:
  - A towing fee, if the vehicle was towed by the party seeking title to the vehicle; and
  - Storage fees for the time the vehicle was stored without payment.
- Specifies that a repair garage or place of storage may take title to a vehicle even if the person who requested the repair or who agreed to the storage is not an owner or a lienholder of the vehicle.

### **Notice from salvage vehicle auction**

- Requires a salvage motor vehicle auction that is seeking a salvage title to a vehicle to send a written request for the removal of the vehicle to its owner and any known lienholder using a nationally recognized courier service, rather than by certified mail, return receipt requested, as under prior law.

## Sub. H.B. 378

**Reps.** Hambley and Rezabek, Arndt, Boose, Brown, Conditt, LaTourette, Manning, McColley, M. O'Brien, Schuring, Slaby, Rogers, Leland, Sweeney

**Sens.** Uecker, Burke, Eklund

**Effective date:** April 6, 2017

- Grants a township officer who serves a township with a population of 50,000 or less the authority to make an arrest on a highway that is part of the national highway system, but that is not an interstate highway.

## Sub. H.B. 429

**Reps.** Antani and Reineke, Duffey, Hackett, Young, Grossman, Baker, Barnes, Anielski, Antonio, Arndt, Ashford, Boyd, Brown, Burkley, Craig, Derickson, Dovilla, Driehaus, Fedor, Hambley, Howse, Kuhns, Kunze, Leland, Lepore-Hagan, Manning, McClain, M. O'Brien, S. O'Brien, Patterson, Reece, Rogers, Schaffer, Sheehy, K. Smith, Sprague, Thompson

**Sens.** LaRose, Manning, Bacon, Balderson, Beagle, Brown, Coley, Eklund, Faber, Hottinger, Hughes, Jones, Lehner, Oelslager, Tavares, Thomas, Uecker, Yuko

**Effective date:** September 14, 2016; Sections 3 and 4 effective January 1, 2017

- Defines autocycle (for example, the Polaris Slingshot or Campagna T-Rex) for purposes of the Motor Vehicles Law.
- Exempts autocycle operators and passengers from specified equipment requirements that apply to motorcycle operators and passengers, includes autocycles as eligible for specified nonstandard license plates, and applies other regulatory requirements to autocycles.
- Qualifies automotive or motor vehicle technicians for the Ohio Incumbent Workforce Training Voucher Program if they satisfy other Program requirements.
- Qualifies employers of automotive or motor vehicle technicians as eligible employers under the Program if other requirements for participation are satisfied.
- Expands the definition of "treat" and "treatment" as applied to hazardous waste, to include, in part, neutralization.
- Specifies that for purposes of the definition, rendering hazardous waste for further treatment or disposal does not constitute "treat" or "treatment."

## Sub. H.B. 455

**Reps.** Patterson and Roegner, M. O'Brien, Rogers, Arndt, Anielski, Antonio, Baker, Bishoff, Brown, Buchy, Conditt, Dovilla, Driehaus, Hambley, Leland, Lepore-Hagan, S. O'Brien, Perales, K. Smith, Strahorn, Vitale

**Sens.** Cafaro, LaRose, Manning, Yuko, Bacon, Coley, Eklund, Faber, Hackett, Hite, Hughes, Lehner, Oelslager, Patton, Sawyer, Thomas, Williams

**Effective date:** April 6, 2017

### Speed limit changes

- Authorizes the legislative authority of a municipal corporation or township in which a boarding school is located to establish a "boarding school zone."
- Allows the legislative authority to alter the speed limit on any street or highway within the boarding school zone and to specify the hours during which the altered speed limit applies.
- Establishes a 35 mph speed limit for county and township through highways located within national parks that span two or more counties (Cuyahoga Valley National Park).

### Regional airport authority, port authority meetings

- Allows the boards of regional airport authorities and of port authorities to hold meetings by interactive video conference or by teleconference, regardless of the Open Meetings Act's requirements.
- Requires such a board, if it wishes to hold meetings by interactive video conference or teleconference, to adopt rules that, at a minimum, require meetings to be conducted in a certain manner.

### Designated highways and nonstandard license plates

- Designates multiple memorial highways.
- Creates multiple nonstandard license plates.

## Sub. S.B. 60

**Sens.** Hughes, Bacon, Eklund, Oelslager, Patton, Seitz, Tavares, Williams, LaRose, Cafaro, Yuko, Balderson, Coley, Faber, Gardner, Hite, Jordan, Lehner, Manning, Obhof

**Reps.** Green, Anielski, Antonio, Ashford, Baker, Bishoff, Blessing, Boccieri, Boggs, Boyce, Brenner, Brown, Buchy, Celebrezze, Craig, Cupp, Curtin, Dever, DeVitis, Dovilla, Duffey, Gonzales, Grossman, Hackett, Hall, Hill, Hood, T. Johnson, Kunze, Landis, Maag, McClain, Perales, Retherford, Roegner, Rogers, Ruhl, Schaffer, Scherer, Schuring, Sears, Sheehy, R. Smith, Sprague, Strahorn, Sweeney, Sykes, Young



**Effective date:** May 17, 2016

- Designates a portion of I-670 in Columbus, running in an easterly and westerly direction between Fourth Street and I-70, as the "Dana G. 'Buck' Rinehart Memorial Highway."

## Am. Sub. S.B. 159

**Sens.** Hughes, Patton, LaRose, Bacon, Brown, Burke, Cafaro, Coley, Eklund, Hite, Jordan, Lehner, Obhof, Peterson, Thomas, Widener, Balderson, Faber, Gardner, Hackett, Manning, Sawyer, Skindell, Yuko

**Reps.** Amstutz, Anielski, Antani, Antonio, Ashford, Baker, Barnes, Bishoff, Boccieri, Boggs, Boyce, Boyd, Brown, Buchy, Burkley, Butler, Celebrezze, Clyde, Craig, Derickson, Dever, DeVitis, Dovilla, Driehaus, Duffey, Fedor, Ginter, Green, Grossman, Hall, Hayes, Hill, G. Johnson, Kuhns, Kunze, LaTourette, Leland, Lepore-Hagan, McClain, M. O'Brien, Patterson, Perales, Phillips, Ramos, Reineke, Retherford, Roegner, Rogers, Ruhl, Ryan, Schaffer, Schuring, Sears, Sheehy, Slaby, Slesnick, K. Smith, R. Smith, Sprague, Strahorn, Sweeney, Sykes, Thompson, Young, Rosenberger

**Effective date:** September 14, 2016

- Beginning January 1, 2018, requires county identification stickers for license plates to identify the county by name only, rather than by name and number.
- Creates 18 new nonstandard license plates and amends two nonstandard license plates previously created.
- Designates a portion of State Route 2 in Cuyahoga County as the "Governor Richard F. Celeste Shoreway."
- Renames the Port Columbus International Airport as the John Glenn Columbus International Airport.

## Sub. S.B. 182

**Sens.** Balderson and Peterson, Gardner, Hughes, LaRose, Tavares, Yuko, Thomas, Eklund, Seitz, Beagle, Schiavoni, Patton, Manning, Uecker, Brown, Bacon, Burke, Cafaro, Coley, Faber, Hite, Hottinger, Jones, Jordan, Lehner, Obhof, Oelslager, Sawyer, Skindell, Widener, Williams, Hackett

**Reps.** Boose, Green, Sheehy, Arndt, DeVitis, Dovilla, T. Johnson, Lepore-Hagan, Anielski, Antonio, Ashford, Baker, Bishoff, Blessing, Boccieri, Boggs, Boyce, Brenner, Brown, Buchy, Burkley, Butler, Celebrezze, Cera, Clyde, Craig, Curtin, Derickson, Dever, Driehaus, Duffey, Fedor, Ginter, Hagan, Hall, Hayes, Henne, Hill, Hood, Kuhns, Kunze, Landis, LaTourette, Leland, Maag, Manning, McClain, McColley, M. O'Brien, Patterson, Perales, Phillips, Reece, Reineke, Retherford, Roegner, Rogers, Romanchuk, Ryan, Schaffer, Scherer, Schuring, Slaby, Slesnick, K. Smith, R. Smith, Sprague, Strahorn, Sweeney, Sykes, Terhar, Thompson, Vitale, Young

**Effective date:** August 5, 2016

- Designates one new bridge and 27 new memorial roadways.
- Clarifies the bridge designated the "George V. Voinovich Bridge," as both the eastbound and westbound bridges that will span the Cuyahoga River in Cuyahoga County and will be part of I-90.

## **Am. S.B. 207**

**Sens.** Coley, Manning, LaRose, Uecker, Brown, Yuko, Bacon, Beagle, Burke, Cafaro, Eklund, Faber, Gardner, Hite, Hottinger, Hughes, Jones, Jordan, Lehner, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Tavares, Thomas, Widener, Williams, Hackett

**Reps.** Green, Antani, Dever, Dovilla, Anielski, Antonio, Baker, Barnes, Blessing, Boccieri, Boyd, Celebrezze, Cera, Clyde, Craig, DeVitis, Gonzales, Hall, Hayes, G. Johnson, Kuhns, Kunze, Leland, Lepore-Hagan, Manning, M. O'Brien, Patterson, Perales, Ramos, Retherford, Rogers, Ruhl, Sheehy, Sprague, Strahorn, Sweeney, Sykes

**Effective date:** April 6, 2017

- Designates and amends multiple memorial highways.
- Creates and amends multiple special license plates.

## Housing and Real Property

### Sub. H.B. 18

**Reps.** Gonzales and Ginter, Amstutz, Becker, Blessing, Brenner, Buchy, Dever, Grossman, Hayes, T. Johnson, Kraus, Leland, Phillips, Rezabek, Roegner, Terhar, Vitale, Young, Perales, Anielski, Bishoff, Landis, M. O'Brien, Retherford, Zeltwanger, Antani, Antonio, Ashford, Baker, Barnes, Boose, Brown, Burkley, Butler, Celebrezze, Clyde, Craig, Cupp, Derickson, DeVitis, Dovilla, Driehaus, Duffey, Green, Hackett, Hagan, Hall, Hambley, Henne, Hill, G. Johnson, Koehler, Kuhns, Kunze, Lepore-Hagan, McClain, McColley, S. O'Brien, Patterson, Ramos, Reece, Reineke, Rogers, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sears, Sheehy, Slaby, Slesnick, K. Smith, R. Smith, Sprague, Sweeney, Thompson, Rosenberger

**Sens.** LaRose, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Hite, Hottinger, Hughes, Jones, Lehner, Manning, Oelslager, Patton, Peterson, Uecker

**Effective date:** March 21, 2017

- Prohibits manufactured home park operators and landlords from including a provision in a rental agreement or otherwise prohibiting the display of the U.S. flag, the Ohio flag, the POW/MIA flag, or service flags approved by the U.S. Secretary of Defense.
- Prohibits neighborhood associations and condominium associations from including a provision in a governing document that prohibits the display of the Ohio flag or a service flag, subject to specified conditions, and prohibits the association's trustees from construing a provision in a governing document for that purpose.
- Provides that such a prohibited provision or construction is void as against public policy.
- Establishes criteria to be discussed with a landlord or manufactured home operator when a tenant seeks to display a U.S. flag on a flag pole or by an affixed bracket.

### Sub. H.B. 303

**Reps.** Dever and McColley, Antani, Barnes, Burkley, Butler, Conditt, Cupp, Hambley, Koehler, Perales, Sprague, Sweeney, K. Smith, Terhar, Kuhns, Brown, Amstutz, Anielski, Arndt, Baker, Blessing, Boccieri, Boyd, Buchy, Craig, Driehaus, Duffey, Fedor, Ginter, Green, Hackett, Henne, Leland, Lepore-Hagan, Manning, M. O'Brien, S. O'Brien, Patterson, Phillips, Reece, Reineke, Retherford, Rogers, Ruhl, Ryan, Schuring, Sheehy, Stinziano, Thompson, Rosenberger

**Sens.** Eklund, Bacon, Beagle, Coley, Gardner, Hite, Hughes, Jordan, LaRose, Manning, Obhof, Oelslager, Patton, Schiavoni, Seitz, Tavares, Thomas, Yuko

**Effective date:** September 28, 2016

- Creates the D.O.L.L.A.R. Deed Program to be established, in part, by the Ohio Housing Finance Agency.
- Requires a borrower and lender participating in the Program to execute (1) a deed in lieu of foreclosure and (2) a lease with option to purchase agreement relating to the real property that is the subject of the mortgage.
- Specifies that the lender's mortgage is not extinguished and does not merge with the borrower's interest conveyed because of the execution of the above documents.
- Specifies that the lease with option to purchase agreement is governed by Ohio's Landlord-Tenant Law and the borrower-lessee is subject to certain duties that it normally imposes on a landlord, as well as all duties it imposes on a tenant.
- Terminates the borrower's right to purchase if the borrower fails to meet the terms of the lease with option to purchase agreement and extinguishes the borrower's right of possession and occupancy.

### **Sub. H.B. 463**

**Reps.** Dever, Becker, Bocchieri, Hambley, Perales, Sprague, Terhar, Leland, Anielski, Antonio, Arndt, Baker, Blessing, Brown, Buchy, Burkley, Celebrezze, Conditt, Craig, Dovilla, Duffey, Ginter, Green, Grossman, Henne, Lepore-Hagan, Manning, McClain, McColley, M. O'Brien, S. O'Brien, Patterson, Reece, Reineke, Retherford, Ryan, Scherer, Schuring, Slaby, Slesnick, K. Smith, Strahorn, Sweeney, Young

**Sens.** Coley, Bacon, Eklund, Hackett, Hite, Jones, Lehner, Patton, Seitz, Uecker

**Effective date:** April 6, 2017

#### **Real property foreclosures**

- Modifies how property taxes are collected out of the sale proceeds when real estate is sold in foreclosure or other court-ordered sale.
- Expressly requires the court to hold an oral hearing in determining whether to proceed in an expedited manner in a foreclosure action.
- Eliminates the requirement that the purchaser pay the recording fee required at a foreclosure sale and instead requires the collection of the sale deposit under continuing law.
- Clarifies that excess private selling officer fees may be paid by the buyer of the property.
- Establishes that when both the judgment creditor and the first lienholder seek to redeem the foreclosed property, the first lienholder prevails.

- Modifies the foreclosure sale minimum bid requirements.
- Requires that if the appraisal requirement is not met, the appraised value of the property should be the county auditor's most recent appraised value instead of the fair market value.
- Prohibits the use of plywood to secure real property that is deemed vacant and abandoned.

### **Escrow transactions**

- Modifies when disbursements may be made from an escrow account in connection with residential real estate and the types of funds that may be accepted for immediate disbursement.

### **Ohio Civil Rights Commission**

- Makes permissive the awarding of actual damages and attorney's fees in housing discrimination cases before the Civil Rights Commission.
- Permits the Commission as part of the penalty for a housing discrimination case to require remediation in the form of a class, seminar, or any other type of remediation approved by the Commission.
- Allows the Commission, to vindicate the public interest, to assess a civil penalty against a person found to have engaged in unlawful housing discrimination, instead of allowing the Commission to award the complainant punitive damages under prior law.
- Authorizes alternative dispute resolution of discrimination cases in addition to other informal methods of addressing allegations of discrimination.
- Allows a person to recover attorney's fees if the Commission finds that the person did not engage in an unlawful discriminatory practice.
- Permits a housing complaint to be amended at any time up to seven days prior to the hearing.

### **Commercial paper; bank deposits and collections**

#### **No obligation for double payment**

- Generally provides that a note is paid if payment is made by the party obliged to pay to a person formerly entitled to enforce the note only if that party has not received notification that the note has been transferred and payment is to be made to the transferee.
- Specifies that unless a transferee complies with a request to furnish proof that the note has been transferred, a payment to the person formerly entitled to enforce the

note discharges the obligation to pay even if the party obliged to pay has received notification of the transfer.

- Generally provides that a transferee or person acquiring rights to the instrument from a transferee is deemed to have notice of any payment under the preceding dot points after the date the note is transferred to the transferee but before the party obliged to pay received notification of the transfer.

#### **Unsigned, telephonically authorized checks**

- Defines "remotely created consumer item," for purposes of the following provisions on commercial paper and bank deposits and collections, as an item drawn on a consumer account that is not created by the payor bank and does not bear a handwritten signature purporting to be the drawer's signature.
- Provides that, with respect to a remotely created consumer item, specified persons warrant that the person on whose account the item is drawn authorized the item's issuance in the amount for which it is drawn.

#### **Defenses and claims in recoupment**

- Makes a claim and defense available if, in a "consumer transaction," any law other than the Commercial Paper Law requires an instrument to include a statement that a holder's rights are subject to a claim or defense that the issuer could assert against the original payee and the instrument does not contain such statement.

#### **Electronic records and signatures**

- Changes various references in the Ohio Uniform Commercial Code laws on commercial paper and bank deposits and collections from "writing" or "written" to "record," defined as information that is inscribed on a tangible medium or is stored in an electronic or other medium and is retrievable in perceivable form.

#### **Modernized suretyship and guaranty rules**

- Replaces provisions on the discharge of indorsers and accommodation parties with rules on the discharge of the obligations of a principal obligor or secondary obligor when the obligation is released or modified.
- Provides that generally a secondary obligor's obligation is not discharged unless the person entitled to enforce the instrument knows that the person is a secondary obligor or has notice that the instrument was signed for accommodation.
- Generally provides that a secondary obligor asserting a discharge has the burden of persuasion both with respect to the occurrence of the acts alleged to harm the secondary obligor and loss or prejudice caused by those acts.

- Provides that a signer of an instrument as an accommodation party is obliged to pay the amount due on the instrument to the person entitled to enforce it in the same circumstances as the accommodated party is obliged without prior resort to the accommodated party by the person entitled to enforce the instrument.

### **Property tax exemptions**

- Extends the maximum term of a Community Reinvestment Area (CRA) tax exemption for remodeled property.
- Changes the basis for determining the tax-exempt value of remodeled structures for property in a CRA.
- Establishes a definite starting point and method for determining the tax-exempt value of contaminated ("brownfield") property.

### **Coverage of autism services and insurance mandates**

- Requires health plan issuers to provide coverage for autism spectrum disorder and prescribes minimum coverage requirements.
- Allows a health plan issuer to review an autism spectrum disorder treatment plan on an annual basis, or more often if the overseeing physician agrees.
- Requires the Superintendent of Insurance to conduct an actuarial study on the costs of health care mandates under Ohio law that apply to non-ERISA individual and group health insurance plans.
- States the General Assembly's intent to implement a two-year moratorium on new health care mandates and to develop potential tax credits that offset additional employer costs associated with health care mandates.

### **Child abuse prevention councils**

- Provides that Child Abuse and Child Neglect Prevention Regional Council members are to be reimbursed for expenses incurred in the performance of official duties.
- Prohibits members from participating in Council matters that may pose a conflict of interest.

### **Local initiative petitions**

- Requires a board of elections or the Secretary of State to invalidate a local initiative petition if the board or the Secretary determines that the petition or any portion of it falls outside the local government's constitutional authority to enact ordinances or fails to satisfy the statutory prerequisites to place the issue on the ballot.

- Changes the deadline to file a county charter petition with the board of county commissioners from 110 to 115 days before the general election at which the proposal is to appear on the ballot.

### **Recall of municipal officials**

- Specifies that a municipal recall petition is not valid after 90 days from the date of the first signature.
- Requires a recall election to be held at the next primary or general election occurring more than 90 days after the petition is certified as sufficient.

## **Am. Sub. S.B. 257**

**Sens.** Seitz and Skindell, Eklund, Bacon, Brown, Jones, Oelslager, Schiavoni, Tavares, Thomas, Yuko

**Reps.** Celebrezze, Antani, Antonio, Barnes, Blessing, Burkley, Butler, Perales, Rezabek, Sweeney

**Effective date:** April 6, 2017

### **Real property instruments**

- Specifies that, upon delivery to and acceptance by a county recorder, certain real property instruments raise a rebuttable presumption that the instrument conveys, encumbers, or is enforceable against the interest of the person who signed the instrument.
- Specifies that, upon delivery to and acceptance by a county recorder, certain real property instruments raise a rebuttable presumption that the instrument is valid, enforceable, and effective as if the instrument were legally made, executed, acknowledged, and recorded.
- Specifies that these presumptions may be rebutted only by clear and convincing evidence of fraud, undue influence, duress, forgery, incompetency, or incapacity.
- Reduces from 21 years to four years the period of time a real property instrument, for which the record shows there is a defect, is cured of defects by operation of law and becomes effective as if it had been legally made, executed, acknowledged, and recorded.
- Expands the type of defects in a real property instrument that may be cured from three specific defects under prior law to any defect in the making, execution, or acknowledgement of the instrument under the act.



- Eliminates a provision that requires any person claiming adversely to a real property instrument with a defect to bring proceedings to contest the effect of the instrument only within 21 years after the instrument is recorded.
- Specifies that, when delivered to the appropriate county recorder and filed in the chain of title, a real property instrument provides constructive notice to all third parties of the instrument notwithstanding a defect in the making, execution, or acknowledgment of the instrument.
- Specifies that the real property instrument curative statute generally applies to all real property instruments notwithstanding any other provision under Ohio law, specifically including a continuing law provision concerning constructive notice.
- Specifies that nothing in the real property instrument curative statute discharges the obligations under the Ohio Marketable Title Act, the Ohio Dormant Mineral Act, and law concerning the forfeiture and cancellation of natural gas and oil land leases.
- Specifies that the act gives the real property instrument curative statute retroactive effect to the fullest extent the Ohio Constitution permits.

### **Property owner opt out of incentive district TIFs**

- Allows the owner of a parcel of land to exclude the parcel from a tax increment financing incentive district, under specific circumstances, by submitting a written response to the political subdivision proposing the creation of the incentive district.
- Requires the political subdivision to include in its notice of public hearing a map of the proposed incentive district on which the subdivision has delineated an "overlay," any parcels located outside of which qualify to be excluded from the district.
- Requires the subdivision to amend its ordinance or resolution creating the incentive district to exclude any qualifying parcel for which a written response has been submitted.

## Human Services

### Am. Sub. H.B. 483

**Reps.** Amstutz, R. Smith, Anielski, Burkley, Romanchuk, Sears, Sprague, Antonio, Baker, Barnes, Bishoff, Blessing, Brown, Conditt, Craig, Derickson, Dever, Dovilla, Ginter, Grossman, Hambley, Hayes, Howse, Koehler, Kuhns, LaTourette, Manning, McClain, Reineke, Rezabek, Rogers, Ryan, Scherer, Strahorn, Sweeney, Sykes, Thompson, Young, Rosenberger

**Sens.** Coley, Gardner, Beagle, Eklund, Gentile, Hackett, Hottinger, Jones, Lehner, Manning, Oelslager, Patton, Skindell, Tavares, Thomas

**Effective date:** October 12, 2016; certain provisions effective July 13, 2016, and July 1, 2017

#### **Intermediate care facilities for individuals with intellectual disabilities (ICFs/IID)**

- Requires the Department of Developmental Disabilities (ODODD) to recoup a certain amount, including interest, from an ICF/IID in peer group 1 if the facility obtained approval to downsize by July 1, 2018, and fails to do so.
- Permits an ICF/IID to voluntarily repay the amount, without interest, that would otherwise be recouped.
- Permits ODODD to exempt an ICF/IID from a recoupment in specified circumstances.
- Requires an ICF/IID that downsizes or partially converts on or before October 1 of a calendar year to file an additional Medicaid cost report.
- Establishes procedures with which ODODD must comply for changes to the following to be valid: (1) ODODD's instructions or guidelines for the ICF/IID resident assessment form and (2) the manner in which the grouper methodology is applied in determining ICF/IIDs' case-mix scores.
- Requires ODODD to make such a change prospectively and, before making it, to notify all ICFs/IID, provide an opportunity for them to share concerns and suggested revisions, and determine that a change regarding the grouper methodology is consistent with certain documentation.
- Requires ODODD to disregard, for FY 2017 Medicaid rates for ICFs/IID, the results of an exception review conducted in 2015 if the results are based on such a change and ODODD does not comply with the requirements.
- Provides, for the purpose of Medicaid payments to reserve ICF/IID beds, that a temporary absence from an ICF/IID due to participation in a therapeutic program includes a visit to a potential new residential setting.

### **Developmental centers closure report**

- Requires ODODD to prepare a report evaluating the progress of efforts since July 1, 2015, to relocate residents of the Montgomery Developmental Center and the Youngstown Developmental Center, both of which are scheduled for closure by July 1, 2017.

### **Community facility closures**

- Permits the ODODD Director to change the agreement terms with a county board of developmental disabilities or a county board of commissioners regarding closure of a community adult facility or community early childhood facility, if certain conditions are met.

### **Supported living certificates**

- Automatically denies an application to ODODD for a certificate to provide Medicaid-funded supported living if the Department of Medicaid refuses to issue the applicant a provider agreement authorizing the provision of Medicaid-funded supported living.

### **Authority to provide health-related services**

- Modifies the authority of developmental disabilities personnel (DD personnel) to perform certain health care services for individuals with developmental disabilities.
- Requires ODODD to develop courses for DD personnel that provide training in performing those health care services.
- Requires an individual to be able to read and write in English to be eligible to take the training courses established by ODODD for DD personnel and registered nurses.
- Permits ODODD to take disciplinary action for good cause against DD personnel and registered nurses who hold an ODODD-issued certificate.
- Permits ICFs/IID to use medication aides to administer medications to residents.
- Modifies the authority of a family member of an individual with developmental disabilities to authorize an unlicensed in-home care worker to perform health care tasks.

### **Part C Early Intervention Services Program**

- Transfers from the Department of Health to ODODD the responsibility for implementing the state's Part C Early Intervention Services Program.

- Designates ODODD as the "lead agency" responsible for the administration of federal funds under the Program.
- Replaces the Help Me Grow Advisory Council with the Early Intervention Services Advisory Council.

### **Property tax levies**

- Authorizes certain renewal or replacement developmental disabilities property tax levies to be for a different stated purpose than, or for a longer term than, the renewed or replaced levy.
- Authorizes developmental disabilities property tax levies to be combined into a single renewal levy.
- Expands the purposes for which certain developmental disabilities property taxes may be levied.
- Removes references to "mental retardation" in developmental disabilities property tax levy law.
- Requires reimbursement of certain developmental disabilities levy revenue foregone by the creation of a tax increment financing (TIF) incentive district.
- Authorizes more than two existing levies to be combined into a single replacement levy.

### **"ABLE" disability savings accounts**

- Authorizes a personal income tax deduction for contributions to an "Achieve a Better Living Experience" (ABLE) savings account, which is used to pay qualified disability expenses of a beneficiary.
- Authorizes residents of other states to open accounts under Ohio's ABLE account program.
- Authorizes the Treasurer of State to issue interests to ABLE account beneficiaries.
- Requires the guardian or trustee of a disabled beneficiary to furnish certain personal information when applying for an ABLE account on the beneficiary's behalf.

### **Other provisions**

- Permits a Medicaid provider to provide nursing services to up to four (rather than three) medically fragile siblings in a group visit under a Medicaid waiver.
- Removes the costs of behavioral and mental health services from nursing facilities' direct care costs for purposes of Medicaid payments.

- Requires the Director of Health to accept a certificate of need application for a new long-term care facility that is to receive its beds from a former county home or county nursing home meeting certain characteristics.
- Delays until July 1, 2017, certain laws regarding a continuum of care that boards of alcohol, drug addiction, and mental health services are required to establish.
- Permits a county board of developmental disabilities to provide insurance through an individual or joint self-insurance program.
- Designates October as "Disability History and Awareness Month."
- Modifies ODODD appropriations to reflect a change in reimbursement methodology for targeted case management.
- Appropriates for FY 2017 the unexpended, unencumbered portion of an FY 2016 earmark in the Department of Job and Family Services' budget for welfare reforms in Cuyahoga County and services to certain Supplemental Nutrition Assistance Program recipients.

# Insurance

## Sub. H.B. 116

**Reps.** Brown and Ginter, Becker, Kuhns, Kraus, Lepore-Hagan, Huffman, Barnes, Bishoff, Duffey, Ramos, Anielski, Antonio, Baker, Blessing, Boyce, Boyd, Buchy, Burkley, Celebrezze, Clyde, Conditt, Craig, Derickson, Dever, Dovilla, Driehaus, Fedor, Green, Hackett, Hall, Hambley, Hayes, Henne, Hill, Howse, G. Johnson, Kunze, Landis, Leland, Maag, Manning, McClain, M. O'Brien, Patterson, Pelanda, Reece, Rogers, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sears, Sheehy, Slaby, Slesnick, K. Smith, R. Smith, Sprague, Stinziano, Strahorn, Sweeney, Sykes, Terhar, Young, Rosenberger

**Sens.** Tavares, Williams, Balderson, Beagle, Brown, Burke, Coley, Eklund, Hite, Hottinger, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Schiavoni, Seitz, Thomas, Uecker, Yuko

**Effective date:** August 31, 2016

### Medication synchronization

- Requires that certain health insurers and the Medicaid program provide coverage for medication synchronization, which allows drugs that are dispensed for chronic diseases or conditions to be obtained on the same date each month.
- Authorizes a pharmacist to dispense a drug in a manner that varies from the drug's prescription to facilitate medication synchronization.

### Controlled substances and dangerous drugs

- Expands the circumstances under which a licensing board may suspend a license, certificate, or registration without a hearing for actions related to controlled substances, and extends this authority to actions related to other dangerous drugs.
- Extends to three years (from two) the time that certain records related to controlled substances must be preserved or kept.

### Pharmacists

- Requires a pharmacist to exercise professional judgment in determining the amount of a drug to dispense or sell when exercising authority to dispense or sell up to a 30-day supply of a drug without a prescription for a patient on a consistent therapy with a drug that is not a controlled substance.
- Specifies information that must be included in a written consult agreement between a physician and a pharmacist for management of a patient's drug therapy.
- Clarifies that, with regard to certain immunities in existing law for pharmacists and physicians practicing under consult agreements, the pharmacist or physician must

be acting in accordance with the consult agreement regarding the change in a drug for the immunity to apply.

### **Physician assistants**

- Permits certain physician assistants who are licensed but not authorized to exercise physician-delegated prescriptive authority to become so authorized without obtaining a master's degree.
- Modifies continuing pharmacology education requirements for physician assistants.

### **Certificate of need**

- Requires the Director of Health to accept for review one certificate of need application to establish, develop, and construct a new nursing home containing up to 20 beds, if certain conditions are met.

## **Sub. S.B. 129**

**Sens.** Gardner and Cafaro, Yuko, Skindell, Manning, Brown, Seitz, Williams, Hite, Oelslager, Lehner, Tavares, Eklund, Hughes, Jones, Obhof, Patton, Sawyer, Schiavoni, Thomas, Uecker, Faber, Hackett, Hottinger, Jordan

**Reps.** Bishoff, DeVitis Henne, Amstutz, Anielski, Antani, Boyd, Brown, Burkley, Conditt, Craig, Cupp, Green, Hambley, Huffman, Lepore-Hagan, McClain, Patterson, Rogers, Schaffer, Sears, R. Smith, Sprague

**Effective date:** September 13, 2016; certain provisions effective September 15, 2016, and July 1, 2017

- Adopts criteria addressing health insurance prior authorization requirements.
- Imposes prior authorization request response deadlines on health plan issuers.
- Requires health plan issuers to honor prior authorizations for specified time periods.
- Specifies, for health plan issuers not related to the Department of Medicaid, that violations of the act's requirements are considered unfair and deceptive practices under the Insurance Law.
- Delays until July 1, 2017, certain laws regarding the continuum of care that boards of alcohol, drug addiction, and mental health services are required to establish.

## Am. S.B. 273

**Sens.** Bacon, Hottinger, Hackett, Coley, Eklund, Hughes, Jones, Obhof, Oelslager, Patton, Sawyer

**Reps.** Blessing, Leland, Sweeney

**Effective date:** April 6, 2017

- Requires insurers to make an annual disclosure to the Superintendent of Insurance on the company's corporate governance policies and practices (CGAD).
- Specifies that a CGAD and all related information is confidential, but authorizes the Superintendent to share confidential information as needed to fulfill the Superintendent's regulatory and legal responsibilities.
- Authorizes the Superintendent to hire consultants as necessary to review a CGAD.
- Authorizes the Superintendent to assess a civil penalty to an insurer that does not submit its CGAD by June 1 of each year.
- Makes the first corporate disclosure report for insurers with a total premium of more than \$5 billion due June 1, 2017, and June 1, 2018, for all other insurers.



## Juvenile and Family Law

### Sub. H.B. 50

**Reps.** Pelanda and Grossman, Sears, Driehaus, Stinziano, Rogers, Fedor, Rezabek, Blessing, Maag, Lepore-Hagan, LaTourette, Amstutz, Boyd, Kuhns, Anielski, Antonio, Arndt, Ashford, Barnes, Boccieri, Boose, Brown, Burkley, Celebrezze, Craig, DeVitis, Duffey, Green, Hayes, Howse, Kunze, M. O'Brien, S. O'Brien, Patterson, Phillips, Reece, Ruhl, Scherer, Schuring, Sheehy, Slesnick, K. Smith, R. Smith, Strahorn, Sweeney, Rosenberger

**Sens.** Coley, Gardner, Skindell, Tavares, Hughes, Balderson, Brown, Burke, Eklund, Hackett, Hite, Hottinger, Jones, Lehner, Manning, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Thomas, Uecker, Yuko

**Effective date:** September 13, 2016

- Requires the Director of Job and Family Services to submit amendments to the state's plan for child welfare services to expand foster care and adoption assistance for persons up to age 21.
- Establishes qualification standards and various other procedures and requirements for receiving payments under the foster care and adoption assistance expansion.
- Requires the Department of Job and Family Services to adopt rules to implement the foster care and adoption assistance expansion, including:
  - A rule to create an advisory council to evaluate and make recommendations regarding the act's statewide implementation; and
  - Rules establishing the scope of practice and training for foster care workers and their supervisors.
- Requires the probate court to furnish appointed guardians with a guardianship guide, if such a guide has been prepared either by the Attorney General with the approval of the Ohio Judicial Conference or by the Ohio Judicial Conference.
- Adds minimum age limits for children determined to be abused, neglected, or dependent to be placed in planned permanent living arrangements.
- Makes changes regarding the provision of independent living services by a public children services agency or private child placing agency.

## Am. Sub. H.B. 493

**Reps.** Sears and Ryan, Perales, Baker, Brown, LaTourette, Manning, McClain, Rezabek, Slaby

**Sens.** Bacon, Faber, Hite, Hottinger, Jones, Jordan, Uecker

**Effective date:** March 14, 2017; contains item vetoes

### Child abuse and neglect reporting

- Permits a single child abuse or neglect report to be made by a health care professional when more than one professional has provided health care services to a child and the professionals determine or suspect the child to be abused or neglected.
- Provides that any written, follow-up report requested by a public children services agency or municipal or county peace officer may include any medical examinations, tests, or procedures regarding the child or the child's siblings or other children.
- Makes the following changes regarding medical tests, examinations, and procedures:
  - Specifies that medically necessary radiological examinations and other medical examinations, tests, or procedures can be performed.
  - Allows a health care professional to provide services and examine a child's siblings or other children residing in the same household, to determine abuse or neglect of any of the children.
- Permits a health care professional to take any steps reasonably necessary to release or discharge the child to whom the professional provides services in a health care setting to an appropriate environment.
- Specifies that medical examinations, tests, and procedures and decisions regarding the release or discharge of a child do not constitute a law enforcement investigation or activity.
- Provides that, for purposes of testimonial privilege, an attorney or physician's knowledge or suspicion of child abuse does not have to result from communications or observations made during communications with the client or patient.
- Specifies circumstances under which health care professionals are immune from civil or criminal liability for injury, death, or loss to person or property that otherwise might be incurred or imposed as a result of the reports or participation in the judicial proceeding.
- Allows a health care professional that obtains the same information contained in a child abuse or neglect report from a source other than the report to disseminate the information, if such dissemination is otherwise lawful.

- Allows a health care professional who makes a mandatory report or on whose behalf such report was made to authorize a person to obtain information on the status of the report investigation and the child, if the person is associated with or acting on behalf of the health care professional.
- Creates and uses a definition of "health care professional" that includes most of the mandatory reporters under continuing law who provide health care services.
- Provides that if any provisions of the act are held invalid, the invalidity does not affect other provisions or applications of the section or related sections.

### **Abortion and adoption (VETOED)**

- Would have generally prohibited a person from knowingly and purposefully performing or inducing an abortion with the specific intent of causing or abetting the termination of the life of an unborn individual whose fetal heartbeat has been detected (VETOED).
- Would have generally prohibited a person from knowingly and purposefully performing or inducing an abortion before determining if there is a fetal heartbeat (VETOED).
- Would have provided that a person who violated either prohibition is guilty of a felony of the fifth degree, is subject to a wrongful death action by the pregnant woman, and is subject to disciplinary action by the State Medical Board (VETOED).
- Would have created the Joint Legislative Committee on Adoption Promotion and Support to further the General Assembly's goal of informing pregnant women of available options for adoption (VETOED).

### **Appropriation (VETOED)**

- Would have appropriated \$100,000 to the Department of Job and Family Services for adoption services (VETOED).

## **S.B. 30**

**Sens.** Tavares, Brown, Thomas, Hite, Skindell, Cafaro, Coley, Gentile, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Sawyer, Schiavoni, Widener, Williams, Yuko

**Reps.** Amstutz, Antonio, Arndt, Barnes, Boyd, Celebrezze, Clyde, Craig, Cupp, Fedor, Gavarone, Ginter, Grossman, Howse, G. Johnson, Kuhns, Kunze, Leland, Lepore-Hagan, Manning, M. O'Brien, Patmon, Patterson, Ramos, Rogers, Scherer, K. Smith, Strahorn, Sweeney, Sykes

**Effective date:** March 21, 2017

- Creates in the Department of Job and Family Services the Ohio Family Stability Commission.
- Specifies the Commission's duties for each year of its four-year operation.

## Liquor Control

### Sub. H.B. 37

**Reps.** Stinziano and Duffey, Blessing, Antani, Boyd, Driehaus, Gerberry, Henne, Leland, Lepore-Hagan, Manning, M. O'Brien, Perales, Ramos, Retherford, Rogers, Sweeney, Young

**Sens.** Uecker, Bacon, Balderson, Beagle, Burke, Coley, Eklund, Faber, Hackett, Hite, Jones, Patton, Seitz, Tavares, Thomas, Yuko

**Effective date:** August 31, 2016

#### Alcohol content of beer

- Eliminates the maximum permitted alcohol content of beer, which was 12% alcohol by volume (ABV).
- States that beer, regardless of the percent of ABV, is not intoxicating liquor for purposes of Ohio law.
- Establishes labeling requirements for beer containing more than 12% ABV.

#### Open container exemptions

- Exempts the following from the law that prohibits a person from consuming an opened container of alcohol in a public place:
  - Alcohol consumed on the premises of a market that meets certain conditions, including hosting a farmer's market, and that is purchased from a D permit holder located in the market; and
  - Alcohol consumed on the premises of a market that has been in operation since 1860, when the market is hosting an event pursuant to an F-8 liquor permit (public event permit) and the alcohol is purchased from a D permit holder located adjacent to the market.

### Sub. H.B. 178

**Reps.** Manning, Sweeney, LaTourette, Brenner, Thompson, Becker, Young, Blessing, Henne, Duffey, Cera, Roegner, Boyd, Maag, Buchy, Anielski, Antonio, Arndt, Baker, Brown, Celebrezze, Dovilla, Fedor, Grossman, Hackett, Hambley, Howse, Huffman, Lepore-Hagan, M. O'Brien, S. O'Brien, Patterson, Perales, Phillips, Ramos, Retherford, Rogers, Ruhl, Ryan, Schuring, Sears, Sheehy, Strahorn

**Sens.** Uecker, Balderson, Burke, Coley, Eklund, Hite, Hottinger, Hughes, Jones, Jordan, Lehner, Manning, Obhof, Patton, Peterson, Schiavoni, Seitz, Tavares, Thomas, Yuko

**Effective date:** September 14, 2016

- Establishes the F-10 liquor permit to authorize a person who organizes a farmers market to allow A-2 liquor permit holders (Ohio-based wine manufacturers) or S liquor permit holders (wine manufacturers that ship wine directly to Ohio consumers) to sell the following at the farmers market:
  - Tasting samples of wine manufactured by the A-2 or S permit holder for consumption on the premises of the farmers market; and
  - Sealed containers of wine manufactured by the A-2 or S permit holder for consumption off the premises.
- Limits the eligibility of A-2 permit holders to make these sales at farmers markets to those that produce less than 250,000 gallons of wine per year.
- Prohibits an A-2 or S permit holder from engaging in certain activities at a farmers market under an F-10 permit, including selling a variety of wine that is offered for distribution by a wholesale distributor in any state and selling more than 4½ liters of wine per household for off-premises consumption.
- Exempts a person who sells wine at a farmers market under an F-10 permit from the requirement to be licensed as a retail food establishment.
- Exempts from the Open Container Law a person with an opened container of wine served as a tasting sample for on-premises consumption at a farmers market with an F-10 permit.

## Sub. H.B. 342

**Reps.** Young, Becker, Grossman, Hackett, Schaffer, Vitale, Brown, Blessing, Anielski, Antonio, Arndt, Baker, Boose, Brenner, Buchy, Celebrezze, Cera, Clyde, Dovilla, Fedor, Hambley, Hill, Lepore-Hagan, Manning, S. O'Brien, Patterson, Phillips, Ramos, Retherford, Rogers, Romanchuk, Sears, Sheehy, Sprague, Strahorn, Thompson

**Sens.** Uecker, Balderson, Beagle, Coley, Eklund, Faber, Hite, Hughes, Jordan, Obhof, Schiavoni, Seitz, Tavares, Thomas, Yuko

**Effective date:** September 28, 2016

### Ohio Farm Winery Permit

- Creates the A-2f liquor permit, the "Ohio Farm Winery Permit," and authorizes the Division of Liquor Control to issue the permit to a wine manufacturer that:
  - Grows grapes, fruit, or other agricultural products on property owned by the manufacturer that is classified as land devoted exclusively to agricultural use; and
  - Uses the grapes, fruit, or products to produce wine.

- Authorizes the holder of an A-2f permit to sell wine directly to a consumer on the premises where the wine is manufactured, but otherwise prohibits the holder from selling wine directly to a consumer or to a retailer unless the holder obtains additional specified liquor permits.
- Prescribes the fee for the A-2f permit at \$76 for each plant to which the permit is issued.

### **Wine manufacturer permit**

- Allows an A-2 permit holder (wine manufacturer) to use agricultural products (for example, honey), in addition to grapes and other fruit, to manufacture wine.

### **D-5l liquor permit population requirements**

- Authorizes the Division to issue a D-5l liquor permit (sales of beer and intoxicating liquor for on- and off-premises consumption) to a premises that is located in a municipal corporation that is wholly within the geographic boundaries of a township, provided that a specified population density applies.

## **Am. H.B. 351**

**Reps.** Perales and DeVitis, Henne, Hackett, Butler, Ramos, Cera, Becker, Brenner, Dever, Stinziano, Ruhl, Blessing, Young, K. Smith, Brown, Buchy, McColley, Anielski, Antonio, Arndt, Baker, Boggs, Burkley, Celebrezze, Clyde, Driehaus, Duffey, Grossman, Huffman, Koehler, Kunze, Lepore-Hagan, Maag, Manning, M. O'Brien, Patterson, Retherford, Rogers, Scherer, Schuring, Sheehy, Sweeney, Thompson

**Sens.** Uecker, Beagle, Coley, Eklund, Faber, Hite, Hughes, Jordan, Patton, Seitz, Tavares, Thomas, Williams, Yuko

**Effective date:** September 28, 2016

- Increases, from 10,000 to 100,000 gallons, the volume of spirituous liquor (intoxicating liquor of more than 21% alcohol by volume) that an A-3a liquor permit holder (craft distillery) may manufacture annually.
- Authorizes an A-3a permit holder to obtain an A-1-A liquor permit, thus allowing the A-3a permit holder to sell beer, wine, mixed beverages, and spirituous liquor by the individual glass or container at specified locations at or near the A-3a permit premises.

## Am. Sub. H.B. 444

**Reps.** Blessing, Henne, Grossman, Hambley, Brenner, Conditt, Becker, Ramos, Thompson, Perales, Manning, Buchy, Boose, Dever, Rezabek, Sheehy, Brown, Ashford, Boyd, Dovilla, Driehaus, Duffey, Lepore-Hagan, M. O'Brien, Patterson, Phillips, Rogers, Scherer, Schuring, Slesnick, Sweeney

**Sens.** Hackett, Uecker, Beagle, Hite, Balderson, Coley, Eklund, Oelslager, Seitz, Tavares, Thomas, Williams

**Effective date:** April 6, 2017

- Allows A-1c, certain A-1-A, and certain D liquor permit holders to provide, in any 24-hour period, up to four free tasting samples of beer, wine, and spirituous liquor to a person age 21 or older who is a paying customer of the permit holder.



## Local Government

### Sub. H.B. 240

**Reps.** Huffman and T. Johnson, Hambley, Sweeney, Becker, Grossman, Blessing, Green, Sprague, Hill, Amstutz, Anielski, Antonio, Ashford, Boose, Brenner, Buchy, Burkley, Celebrezze, Dever, Dovilla, Hayes, G. Johnson, McClain, M. O'Brien, Perales, Retherford, Rogers, Ruhl, Ryan, Sears, Sheehy, Slaby, Slesnick, R. Smith, Strahorn, Thompson

**Sens.** Hottinger, Hackett, Brown, Uecker, LaRose, Beagle, Burke, Coley, Eklund, Hughes, Patton, Peterson, Seitz, Tavares

**Effective date:** August 31, 2016

- Requires, under certain conditions, and authorizes, under other conditions, supplemental compensation for a coroner of a county with a population exceeding 175,000 who is a certified forensic pathologist and does not engage in the private practice of medicine.
- Allows a coroner of a county with a population exceeding 175,000, who initially elected not to engage in private practice, to do so by notifying the board of county commissioners in writing.
- Authorizes a board of county commissioners to contract with another county's coroner to exercise the powers and functions of the coroner when a vacancy occurs because of the coroner's death or resignation and it cannot be filled by election or appointment, or when no one runs for the office.
- Authorizes a deputy sheriff or law enforcement officer appointed by a coroner as an investigator to receive compensation for services performed in addition to any other compensation allowed by law.
- Modifies the definition of coroner to recognize that the existing charter counties name their coroners "medical examiners."
- Eliminates, for chartered counties only, the requirement that a coroner be licensed to practice in Ohio as a physician for at least two years.
- Defines "legal residence" for determining the political subdivision responsible for paying the burial expenses of an unclaimed body.
- Changes the requirements for disposition of a deceased person's firearm to permit the next of kin or another relative to claim the firearm.
- Requires the Department of Rehabilitation and Correction or the Department of Youth Services to pay the costs of an autopsy whenever the person who died was an inmate of a "state correctional facility."

## Sub. H.B. 413

**Reps.** Brinkman, Hambley, Becker, Ruhl, Blessing, Hill, Boose, Hayes, Burkley, Thompson, Vitale, Sweeney, Zeltwanger, Terhar, Hackett, Hood, Buchy, Green, Retherford, Anielski, Ryan, Rogers, Conditt, Amstutz, Antonio, Arndt, Brenner, Brown, Celebrezze, Craig, Cupp, Derickson, Dever, Duffey, Ginter, Henne, Manning, McClain, M. O'Brien, Patterson, Pelanda, Reineke, Rezabek, Schaffer, Scherer, Sprague, Strahorn, Young

**Sens.** Uecker, Eklund, Faber, Hite, Seitz, Tavares, Thomas

**Effective date:** September 28, 2016

- Allows a board of township trustees to hold an executive session to consider the sale or other disposition of unneeded, obsolete, or unfit-for-use property.
- Reduces from 3,500 to 2,500 the minimum population of a township that may adopt a limited home rule government.
- Allows a township to provide recycling services and to levy a tax against or charge persons receiving the service.
- Expands township authority to provide items to assist in guarding against fires and protecting the property and lives of its citizens.
- Allows a township to levy a tax inside the ten-mill limitation for fire and rescue services, and expands a township's authority to levy a tax for fire equipment to include additional types of equipment.
- Expands a subdivision's authority to levy a tax outside the ten-mill limitation for fire equipment to include additional types of equipment and other related costs.
- Expands a subdivision's authority to levy a tax outside the ten-mill limitation for police services to include other related costs.
- Expands township authority to provide group life insurance for full-time employees to include all employees.
- Authorizes counties, townships, and municipal corporations to use tax increment financing for a project involving the continued maintenance of public roads and highways and sewer and water lines.
- Allows townships to use proceeds from the sale of cemetery lots or levy a tax to maintain and improve entombments.
- Includes, expressly, mausoleums as an entombment under Township Cemetery Law.
- Allows a township to purchase, maintain, and improve entombments.

- Reduces from 30 to 20 days the time within which a party must request a hearing before a board of township trustees removes, repairs, or secures dangerous buildings or structures.
- Allows for unlimited reappointments of members of the Ohio Small Government Capital Improvements Commission instead of only two additional terms.
- Allows a board of township trustees to impose a permit fee of *up to* \$50, instead of a flat fee of \$50, per application for driveway cuts or excavations in township highways or highway rights of ways.
- Authorizes boards of township trustees and boards of park commissioners to spend funds to present public community events in their parks and at other recreational facilities.
- Authorizes an urban township's board of township trustees to provide for off-street parking for motor vehicles.
- Includes an intent statement of the General Assembly regarding the definition of "owner" for purposes of the Annexation Law.
- Repeals a provision allowing a township to provide places for procuring water for persons and animals on public highways in the township.

### **Sub. S.B. 331**

*(For details of the act's fiscal provisions, see the LSC Fiscal Note & Local Impact Statement, As Enacted, available at <https://www.legislature.ohio.gov/download?key=6286&format=pdf>)*

**Sens.** Peterson, Eklund, Seitz

**Reps.** Antani, Goodman, McColley, Merrin, Pelanda, Reineke, Scherer, R. Smith

**Effective date:** March 21, 2017; appropriation effective December 19, 2016

#### **Pet stores and dog retailers**

- Prohibits a pet store representative (an owner, manager, or employee) from negligently transferring a dog to another and prohibits a dog retailer from transferring a dog to a pet store unless the dog was obtained from one of the following sources:
  - An animal rescue for dogs;
  - An animal shelter for dogs;
  - A humane society;

--With respect to a pet store representative, a dog retailer, provided that, if the dog retailer originally obtained the dog from a breeder, the breeder is a qualified breeder; or

--A qualified breeder.

- Creates a new class of dog breeder, a "qualified breeder," and establishes requirements that apply to such a breeder.
- Prohibits a pet store representative negligently from transferring a dog to another and prohibits a dog retailer from transferring a dog to a pet store unless the dog and the person purchasing the dog meet specified criteria.
- Prohibits a pet store representative or a dog retailer from recklessly altering or providing false information on a written certification required by the act to be given to a person acquiring a dog that was originally acquired by the pet store or dog retailer from a qualified breeder.
- Requires the Director of Agriculture to adopt rules establishing requirements and procedures governing pet stores, including requirements and procedures governing the licensing of pet stores.
- Establishes procedures by which an applicant may obtain a pet store license.
- Prohibits a pet store representative from negligently transferring a dog to another unless a pet store license has been issued for the pet store by the Director.
- Creates the Pet Store License Fund to be used by the Director to administer the act's provisions governing pet stores.
- Specifies that whoever violates any of the act's prohibitions is guilty of a fourth degree misdemeanor.
- Authorizes the Director to assess a civil penalty against a person who violates any of the act's prohibitions and revises the existing civil penalty structure that applies to high volume dog breeders and dog retailers.
- Specifies that the regulation of pet stores is a matter of general statewide interest, that the act's provisions constitute a comprehensive plan with respect to all aspects of the regulation of pet stores, and that it is the intent of the General Assembly to preempt any local regulations governing dog sales from pet stores.

### **Dog breeders and retailers**

- Eliminates the requirement that the Controlling Board approve the release of money to the Director from the High Volume Breeder Kennel Control License Fund.

- Revises the reasons for which the Director must deny an application for a dog retailer license or a high volume breeder license.
- Specifies that an applicant for the renewal of a high volume breeder license need not include with the renewal application specified photographic evidence, as was required under prior law.
- Replaces the Director's authority to issue an order requiring a person to cease certain violations with the authority to instead issue a notice requiring the person to cease those violations.
- Removes a law that required a county humane agent to reside in the county or municipal corporation for which the agent was appointed.

### **Sexual conduct with an animal**

- Prohibits a person from knowingly: (1) engaging in, organizing, promoting, aiding, or abetting specified sex-related activities with an animal, or (2) possessing, selling, or purchasing an animal with the intent that it be subjected to those activities.
- Authorizes the seizure and impoundment of an animal that is the subject of a violation, or attempted violation, of either prohibition.
- Authorizes a court sentencing an offender for a violation of either prohibition to order the forfeiture of the animal and require the offender to undergo psychological evaluation or counseling.

### **Criminal activities associated with animal fighting**

- Adds to the types of activities associated with animal fighting that are criminal offenses.
- Alters existing animal fighting prohibitions and increases penalties for several of those prohibitions.

### **Micro wireless facilities in the public way**

- Establishes regulations that can apply to the construction and attachment of micro wireless facilities in a municipal corporation public way.
- Defines "micro wireless facility" as both a distributed antenna system and a small cell facility, and the related "wireless facilities," which the act defines as antennas, accessory equipment, or other wireless devices or equipment used to provide wireless service.
- Authorizes a "micro wireless facility operator" (a public utility or a cable operator that operates a micro wireless facility) to construct and operate the facility in a municipal corporation public way.

- Requires a municipal corporation to permit a micro wireless facility attachment to a wireless support structure owned or operated by the municipal corporation and located in the public way.
- Includes as a public policy of the state (regarding the occupancy or use of a municipal corporation public way) expediting "the installation and operation of micro, and smaller, wireless facilities in order to facilitate the deployment of advanced wireless service throughout the state."

### **Requests for consent for micro wireless facilities**

- Permits an entity to file a single or consolidated request for consent, and requires a municipal corporation to grant or deny its consent, for the entity to do any of the following in a public way:
  - Attach micro wireless facilities to a wireless support structure;
  - Locate two or more wireless service providers' micro wireless facilities on the same wireless support structure;
  - Replace or modify a micro wireless facility on a wireless support structure; and
  - Construct, modify, or replace a wireless support structure associated with a micro wireless facility.
- Prohibits a municipal corporation from requiring any zoning or other approval, consent, permit, certificate, or condition for the attachment, location, replacement, construction, or operation of a micro wireless facility, or from imposing other prohibitions or restraints on micro wireless facility activities.
- Specifies that no consent is required for routine maintenance of wireless facilities or for their replacement with wireless facilities that are substantially similar to the existing wireless facilities or that are the same size or smaller.
- Specifies that a municipal corporation must approve an "eligible facilities request" (a request for a modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station) within 60 days and may not deny such a request.

### **Consent request fees**

- Limits the fee that a municipal corporation may charge for a micro wireless facility consent request to the lesser of \$250 per micro wireless facility or the amount it charges for a building permit for any other type of commercial development or land use development.

**Time for consent**

- Requires a municipal corporation to grant or deny micro wireless facility consent requests within 90 days, unless the period is tolled (paused), and specifies that requests are considered granted if not approved in that period when the entity requesting consent provides notice that the time period has lapsed.

**Tolling the time period**

- Permits the 90-day period for consent to be tolled only:
  - By mutual agreement between the entity requesting consent and the municipal corporation;
  - In cases where the municipal corporation determines that the application for consent is incomplete; or
  - Where the municipal corporation has an extraordinary number of pending consent requests.
- Establishes provisions governing the process of tolling and the resumption of the consent time period, including provisions governing when tolling is not permitted.

**Denials of consent**

- Requires denials of consent to occupy or use a municipal corporation public way for micro wireless facilities to be supported by "substantial, competent evidence" and prohibits denials from being unreasonably discriminatory.

**Municipal authority**

- Permits a municipal corporation to require a work permit for wireless activities that do not require consent.
- Specifies that the act's micro wireless facility provisions do not preclude a municipal corporation from applying its generally applicable health, safety, and welfare regulations when granting consent for a micro wireless facility.

**Restrictions on municipal authority**

- Specifies that no municipal corporation may institute a moratorium on the filing, acceptance of filings, consideration, or approval of requests for consent for micro wireless facilities activities.
- Specifies that no municipal corporation may have or exercise any jurisdiction, authority, or control over the design, engineering, construction, installation, or operation of any micro wireless facility located in an interior structure not owned or controlled by the municipal corporation.

- Prohibits a municipal corporation from entering into an exclusive arrangement with any entity for the right to attach to the municipal corporation's wireless support structures.
- Establishes several other restrictions on municipal corporations with respect to the provision of any micro wireless facility, including, for example, preventing the requestor from locating the micro wireless facility or wireless support structure in a residential area or within a specific distance from a residence or other structure.
- Specifies that requests for consent are considered a permitted use and are exempt from local zoning review.
- Sets total annual charges and fees of a municipal corporation for a micro wireless facilities attachment to be the lesser of \$200 per attachment or the actual, direct, and reasonable costs related to the use of the wireless support structure by the micro wireless facility operator.
- Requires the fees, charges, terms, and conditions regarding micro wireless facilities and the application and permit approval process to be nondiscriminatory.

### **Employment law and political subdivisions**

- Prohibits a political subdivision from establishing a minimum wage that is different from the wage rate required under Ohio's Minimum Fair Wage Standards Law and the Minimum Wage Amendment to Ohio's Constitution.
- Grants private employers exclusive authority to establish policies, either on the employer's own or through agreements with employees, concerning hours and location of work, scheduling, and fringe benefits, unless otherwise expressly provided for in state or federal law.
- Maintains the authority provided to a political subdivision by case law, the Revised Code, or the Ohio Constitution to adopt a resolution or ordinance to limit the hours an employer may operate.
- Expresses the intent of the General Assembly to exclusively regulate hours of labor and fringe benefits arising from an employer-employee relationship as a matter of statewide concern.

### **Appropriation**

- Appropriates approximately \$1 million in FY 2017 to the Department of Agriculture to operate the pet store licensing program.



## Military and Veterans

### Am. Sub. H.B. 173

**Reps.** Anielski and Terhar, Dever, Butler, Brenner, Hambley, Becker, Stinziano, Grossman, Blessing, Retherford, T. Johnson, Kraus, Perales, Arndt, Bishoff, Fedor, Landis, M. O'Brien, Young, Amstutz, Antonio, Ashford, Baker, Barnes, Boccieri, Boggs, Boose, Boyce, Boyd, Brown, Buchy, Burkley, Celebrezze, Cera, Conditt, Craig, Cupp, Derickson, DeVitis, Driehaus, Duffey, Ginter, Gonzales, Hagan, Hayes, Howse, G. Johnson, Koehler, Kuhns, Kunze, Leland, Lepore-Hagan, Manning, McColley, S. O'Brien, Pelanda, Phillips, Ramos, Reineke, Roegner, Rogers, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sheehy, Slaby, Slesnick, K. Smith, Strahorn, Sweeney, Sykes, Thompson, Vitale, Zeltwanger

**Sens.** Uecker, LaRose, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Gentile, Hackett, Hite, Hottinger, Hughes, Jones, Jordan, Manning, Obhof, Oelslager, Patton, Peterson, Schiavoni, Seitz, Skindell, Tavares, Thomas, Williams, Yuko

**Effective date:** September 8, 2016

- Allows boards of county commissioners to authorize county recorders or county veterans service offices to issue veteran identification cards.
- Requires the Ohio Recorders Association to consult with the County Commissioners' Association of Ohio and Ohio State Association of County Veteran Service Officers to establish standards for veteran ID cards.
- Specifies that veteran ID card application materials are not public records.

## Public Officials and Employees

### Am. Sub. H.B. 305

**Reps.** Schuring, Barnes, Kuhns, Lepore-Hagan, Ramos, Sykes, Amstutz, Anielski, Antonio, Arndt, Ashford, Baker, Boggs, Boyd, Brown, Buchy, Burkley, Celebrezze, Cera, Craig, Dever, DeVitis, Dovilla, Driehaus, Fedor, Ginter, Green, Grossman, Hagan, Hall, Hambley, Hayes, Howse, G. Johnson, T. Johnson, Leland, Manning, McClain, McColley, M. O'Brien, S. O'Brien, Patterson, Perales, Phillips, Reece, Retherford, Roegner, Rogers, Ruhl, Ryan, Schaffer, Sheehy, Slaby, Slesnick, K. Smith, Strahorn, Sweeney, Thompson, Young

**Sens.** Uecker, Brown, LaRose, Balderson, Eklund, Faber, Hackett, Hite, Hottinger, Lehner, Obhof, Patton, Yuko

**Effective date:** September 28, 2016

- Includes in Public Employees Retirement System membership nonteaching University of Akron employees who either (1) are initially employed on or after the act's effective date or (2) terminate employment after that date and are reemployed by the University at least 12 months after termination.
- Retroactively extends eligibility for benefits from the Volunteer Peace Officers' Dependents Fund to survivors of volunteer peace officers killed in the line of duty and officers totally and permanently disabled in the line of duty on or after December 22, 2015.
- Retroactively extends eligibility for Fund benefits to survivors of volunteer peace officers killed in the line of duty between January 1, 2012, and December 22, 2015, if the Director of Commerce determines that initial premiums paid by Fund members are sufficient to pay benefits to those survivors.

### Sub. S.B. 27

**Sens.** Patton, LaRose, Skindell, Hughes, Schiavoni, Tavares, Hottinger, Beagle, Jones, Brown, Bacon, Balderson, Burke, Cafaro, Eklund, Faber, Gentile, Hite, Lehner, Manning, Obhof, Oelslager, Sawyer, Thomas, Williams, Yuko

**Reps.** Bishoff, Kuhns, Anielski, Antonio, Ashford, Boccieri, Boggs, Boyd, Celebrezze, Cera, Clyde, Craig, Driehaus, Fedor, Grossman, Hagan, Henne, G. Johnson, Leland, Lepore-Hagan, Manning, M. O'Brien, S. O'Brien, Patterson, Pelanda, Phillips, Rezabek, Rogers, Ruhl, Sheehy, K. Smith, Strahorn, Sweeney, Sykes, Terhar, Rosenberger

**Effective date:** April 6, 2017

- Enacts the "Michael Louis Palumbo, Jr. Act."

- Provides that a firefighter who is disabled as a result of cancer under certain circumstances is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund (OP&F) to have incurred the cancer while performing official duties.
- Allows for the presumption to be rebutted in specified situations.
- Requires the Administrator of Workers' Compensation to prepare a report regarding presumed cancer claims arising from the presumption created by the act.

## Public Retirement

### Am. Sub. H.B. 520

**Reps.** Schuring and Ramos, Amstutz, Antonio, Boyd, Craig, Fedor, Grossman, Howse, Manning, M. O'Brien, S. O'Brien, Patterson, Pelanda, Rogers, K. Smith, R. Smith, Sprague, Strahorn, Sweeney, Young

**Sens.** Beagle, Coley, Hackett, Hottinger, Schiavoni, Seitz, Tavares, Thomas, Uecker

**Effective date:** April 6, 2017

#### Multiple retirement systems

- Establishes a formula for calculating the percentage of an alternative retirement program (ARP) participant's compensation that a public institution of higher education must pay to the Public Employees Retirement System (PERS), State Teachers Retirement System (STRS), or School Employees Retirement System (SERS) to mitigate any financial impact of the ARP on the retirement system, and specifies that the percentage is  $\frac{1}{4}$  of the percentage calculated, not exceeding 4.5%.
- Provides survivor benefits until age 22 to the qualified child of a PERS, STRS, or Ohio Police and Fire Pension Fund (OP&F) member who dies before retirement regardless of whether the child is attending an institution of learning or training.
- Provides death benefits from the Ohio Public Safety Officers Death Benefit Fund until age 22 to the surviving child of a public safety officer who is killed in the line of duty regardless of whether the child is attending an institution of learning or training.
- Makes a disabled surviving child of any age eligible for death benefits from the Death Benefit Fund only if the child is disabled at the time of the officer's death and, because of the disability, is totally dependent on the officer for support at the time of death, instead of unable to provide for the child's own support as under former law.
- Eliminates provisions under which a PERS, STRS, or SERS member who earns service credit in more than one system during the same time period receives partial credit from each system in which credit is earned.
- Establishes conditions for an STRS or SERS member to purchase or transfer service credit between one of those systems and the Cincinnati Retirement System (CRS).
- Requires that any lawsuit brought against OP&F or STRS be filed in Franklin County.

## Public Employees Retirement System

- Includes in the PERS law enforcement and PERS public safety divisions PERS members whose full-time employment as any of the following starts on or after the act's effective date: BCII investigators, gaming agents, Department of Taxation investigators, special police officers for port authorities, and special police officers for municipal airports.
- Permits a PERS member who on the act's effective date is employed full-time in one of the positions listed above to elect to participate in the PERS law enforcement or PERS public safety division rather than regular PERS for the member's future service.
- Requires a PERS disability benefit recipient to undergo a periodic, rather than annual, medical examination.
- Suspends or terminates the PERS disability benefit of a recipient who fails, rather than refuses, to file required information with the PERS Board.
- Reduces to two months (from three) the time a PERS member or re-employed retiree must wait to receive a refund of the member or retiree's PERS contributions.
- Specifies that the last established beneficiary of a deceased PERS member who was also a member of STRS or SERS is the sole beneficiary in all the systems if a survivor benefit may be paid under provisions coordinating PERS, STRS, and SERS benefits.
- Temporarily allows certain PERS members to transfer or purchase certain service credit from OP&F even if the member does not have more PERS service credit than the amount of credit to be transferred or purchased.
- Requires for transfer to PERS or purchase of CRS credit in PERS that a PERS member have more PERS service credit than the amount of CRS credit to be transferred or purchased.
- Requires for transfer of PERS credit to CRS that a CRS member have more CRS service credit than the amount of PERS credit to be transferred.

## Ohio Police and Fire Pension Fund

- Requires, as conditions for return of contributions of an OP&F member who terminates active service, that two months have elapsed and the member has not returned to active service during the two-month period.
- Requires a deceased member's accumulated contributions that are not claimed within seven years to be transferred to the Guarantee Fund and paid to the

member's survivor or the member's or survivor's estate on application to the OP&F Board.

- Temporarily removes a requirement that a person who has service credit in OP&F and is a PERS law enforcement officer be in the active service of a police or fire department to be eligible to purchase credit in OP&F for service under PERS, STRS, or SERS or have credit for that service transferred to OP&F.
- Specifies that money due or to become due to an individual from OP&F is not subject to the operation of bankruptcy or insolvency laws but is subject to an order for division of marital property.
- Requires an application or election submitted to OP&F to be in the form and manner specified by the Fund.

### **State Teachers Retirement System**

- Excludes from "compensation" for purposes of STRS contributions and benefits any portion of the amount paid to a teacher as a retroactive payment of earnings, damages, or back pay under a court order or settlement agreement that is excluded from compensation under continuing law.
- Requires that only employee contributions, rather than both employee and employer contributions, be used to calculate an additional annuity paid when certain earnings for which contributions were made are excluded from an STRS member's final average salary, which is used to determine retirement eligibility and benefits.
- Revises when the STRS Board terminates payment of a disability benefit.
- Suspends or terminates the STRS disability benefit of a recipient who fails, rather than refuses, to submit to a medical examination or file required information with the STRS Board.
- Eliminates the dollar amount multiplier that may be used to calculate the pension portion of an STRS disability retirement benefit.
- Allows an STRS member to receive credit for the period as a recipient of an STRS disability benefit if the member has become a contributor to the STRS defined contribution plan and earns at least two additional years of service credit.
- Makes a recipient of an STRS allowance or benefit beginning on or after August 1, 2013, that was immediately preceded by a disability benefit that was terminated on or after that date, eligible for a cost-of-living adjustment on the date that would have been the disability benefit's next anniversary date.

- Excludes from use in determining eligibility for STRS retirement, disability, or survivor benefits, certain military service credit transferred to STRS from OP&F, the State Highway Patrol Retirement System (SHPRS), or CRS.
- Authorizes the STRS Board to establish a plan for retirants re-employed as teachers under which the retirant's STRS contributions are invested at the retirant's direction in accordance with investment options established by the Board and, if the Board establishes a plan, requires STRS to transfer each retirant's contributions to it.
- Requires STRS to withhold or recover from the recipient of an STRS retirement or disability benefit who is employed in a position subject to CRS any amount that is to be forfeited under CRS requirements.
- Eliminates provisions under which an STRS member may purchase credit for school board service only if the member is or will be eligible to retire and retires within 90 days after purchasing the credit.
- Requires certain STRS members who purchase service credit for an absence or leave due to illness, injury, or professional reasons to purchase the credit by paying STRS instead of the member's employer.
- Includes in the benefit used to calculate future cost-of-living adjustments paid a survivor of a deceased STRS member who was receiving a disability benefit any increases the member received while receiving the disability benefit.
- Eliminates the minimum survivor benefit dollar amount for qualified STRS survivors whose benefits are based on the number of qualified survivors.
- Clarifies that any return of contributions or unpaid disability benefits payable to a deceased STRS member's beneficiaries are to be paid to the beneficiaries designated by the member.

### **School Employees Retirement System**

- Causes certain future community (charter) school nonteaching employees to be excluded from SERS.
- Requires a recipient of an SERS disability benefit granted on or after the act's effective date who is enrolled in SERS retiree health care coverage to apply for Medicare, as well as Social Security Disability Insurance (SSDI) payments if eligible.
- Suspends a recipient's disability benefit for failure to apply for Medicare or to file with SERS copies of documents associated with the application.
- Requires a disability benefit recipient whose Medicare application is approved to enroll and makes the recipient ineligible for SERS retiree health care coverage until Medicare enrollment.

- Requires an SERS disability benefit recipient whose benefit is granted on or after January 7, 2013, but before the act's effective date, to apply for SSDI payments only if enrolled in SERS retiree health care coverage.
- Requires any married SERS member who is eligible to retire and seeks a refund of SERS contributions to obtain the consent of the member's spouse.

### **State Highway Patrol Retirement System**

- Requires an SHPRS member to have at least five years of service credit to be eligible for off-duty disability retirement.
- Requires a disability pension to be terminated if an SHPRS disability retiree is re-employed as a law enforcement officer.
- Provides for designation of beneficiaries by SHPRS members and retirees.
- Specifies that a surviving spouse of a deceased SHPRS member or retiree is eligible for a monthly pension based on the member's or retiree's age and service only if the member or retiree had at least 20 years of service credit.
- Clarifies that only SHPRS members who are eligible for retirement with an unreduced pension may elect to participate in the system's deferred retirement option plan (DROP).
- Changes the effective date of a member's election to participate in DROP to the first day of the first payroll period immediately following the SHPRS Board's receipt of the election (instead of the date the member filed the election).
- Allows SHPRS members participating in DROP to vote for the employee members, rather than retiree members, of the SHPRS Board.
- Permits SHPRS retirees to authorize dues checkoffs on behalf of certain organizations composed of retired State Highway Patrol employees.
- Removes the requirement that actions of the SHPRS Board be approved by a majority of the Board's members.

## **S.B. 220**

**Sens.** Hottinger, Seitz, Eklund, Williams, Uecker, Bacon, Brown, Coley, Gardner, Hackett, Hite, Jones, Jordan, Schiavoni, Thomas

**Reps.** Maag, Hambley, Anielski, Arndt, Blessing, Boose, Dever, Green, Koehler, Landis, Manning, Perales, Retherford, Rogers, Ruhl, Schuring, R. Smith, Sweeney, Terhar, Thompson, Young

**Effective date:** March 21, 2017



- Permits the Ohio Public Employees Deferred Compensation Program and certain local government deferred compensation programs to include Roth accounts or other features for contributions that are not tax-deferred.

## Public Safety and Homeland Security

### Sub. H.B. 187

**Reps.** Ginter, LaTourette, Blessing, Schaffer, Vitale, Lepore-Hagan, Ruhl, Becker, Hambley, Huffman, Barnes, Bishoff, Brown, Anielski, Boyce, Brenner, Cera, Craig, Grossman, Hackett, T. Johnson, Leland, Rezabek, Rogers, Romanchuk, Sheehy, Stinziano, Thompson

**Sens.** Cafaro, Eklund, Faber, Hite, Hughes, LaRose, Thomas

**Effective date:** August 31, 2016

- Authorizes certain emergency medical service personnel to provide, in the course of an emergency response, emergency medical services to an injured dog or cat.
- Authorizes a veterinarian to establish and provide a written protocol to, or consult with, emergency medical service personnel to enable the provision of emergency medical services to a dog or cat.
- Provides qualified immunity from criminal prosecution (in addition to civil immunity under continuing law) and professional disciplinary action related to the provision of emergency medical services to a dog or cat to emergency medical service personnel and medical directors or members of cooperating physician advisory boards of emergency medical service organizations.
- Provides qualified immunity from civil damages, criminal prosecution, and professional disciplinary action related to the provision of emergency medical services to a dog or cat to emergency medical service organizations and veterinarians.

### Sub. S.B. 123

**Sens.** Hughes, LaRose, Patton, Yuko, Coley, Eklund, Hite, Manning, Thomas

**Reps.** Bishoff, Anielski, Ashford, Boyd, Brown, Craig, Dovilla, Ginter, Hambley, T. Johnson, Manning, S. O'Brien, Phillips, Rogers, Ruhl, Ryan, Scherer, Sheehy, Sweeney, Young

**Effective date:** September 14, 2016

- Allows emergency personnel in specified public safety vehicles to report a motor vehicle operator's failure to yield the right-of-way to the public safety vehicle.
- Establishes procedures governing the issuance of a citation or warning and modified penalties for a failure to yield violation that is based on a report filed by emergency personnel.

## Special Designations

### H.B. 98

**Reps.** Brown, Rogers, Stinziano, Lepore-Hagan, Blessing, Antonio, Celebrezze, T. Johnson, Anielski, Baker, Barnes, Bishoff, Boyd, Brenner, Buchy, Butler, Clyde, Craig, Derickson, Dever, DeVitis, Dovilla, Driehaus, Duffey, Grossman, Hackett, Hayes, Huffman, G. Johnson, Kuhns, Kunze, LaTourette, Leland, M. O'Brien, Patterson, Pelanda, Ramos, Reece, Ryan, Schaffer, Sears, Sheehy, R. Smith, Strahorn, Sweeney, Sykes, Young

**Sens.** Gardner, Beagle, Lehner, Hite, Tavares, Brown, Bacon, Balderson, Burke, Coley, Eklund, Gentile, Hughes, Jones, LaRose, Manning, Patton, Peterson, Sawyer, Schiavoni, Thomas, Widener, Yuko

**Effective date:** May 17, 2016

- Designates May 14 as "Childhood Apraxia of Speech Awareness Day."

### H.B. 121

**Reps.** Stinziano and Ruhl, Amstutz, Celebrezze, Lepore-Hagan, Phillips, Rezabek, Gerberry, Grossman, Hackett, Slesnick, Sweeney, LaTourette, Antonio, Baker, Brenner, Brinkman, Brown, Buchy, Craig, Cupp, Derickson, Driehaus, Fedor, Ginter, Hagan, Hall, Hambley, Hill, G. Johnson, T. Johnson, Kuhns, Kunze, Landis, Leland, M. O'Brien, S. O'Brien, Perales, Ramos, Rogers, Romanchuk, Schaffer, Sears, Sheehy, Slaby, K. Smith, Sprague, Sykes, Young

**Sens.** Beagle, Tavares, Brown, Bacon, Cafaro, Coley, Eklund, Faber, Gentile, Hite, Hottinger, Hughes, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Thomas, Widener, Yuko

**Effective date:** May 17, 2016

- Designates the last week of July as "Service Dog Awareness Week."

### H.B. 219

**Reps.** Barnes, Huffman, Antonio, Bishoff, Brown, Butler, Duffey, T. Johnson, Schuring, Sears, Sprague, Ashford, Baker, Blessing, Boyd, Buchy, Celebrezze, Craig, DeVitis, Dovilla, Hackett, Kuhns, Landis, M. O'Brien, Patterson, Ramos, Rogers, Schaffer, Sheehy, Stinziano, Strahorn, Sweeney, Sykes, Terhar, Rosenberger

**Sens.** Hite, Beagle, Jones, Brown, Coley, Eklund, Faber, Gentile, Hughes, LaRose, Manning, Obhof, Schiavoni, Tavares, Thomas

**Effective date:** August 31, 2016

- Designates January as "Thyroid Health Awareness Month."

## Am. H.B. 242

**Reps.** Hagan and Dever, Duffey, Bishoff, Butler, Blessing, Hackett, Phillips, Ruhl, Ryan, Brown, T. Johnson, Perales, Kraus, Landis, Retherford, Terhar, Antani, Antonio, Ashford, Baker, Barnes, Boose, Brenner, Buchy, Burkley, Celebrezze, Conditt, Craig, Cupp, Derickson, DeVitis, Dovilla, Driehaus, Fedor, Ginter, Gonzales, Green, Grossman, Hall, Hambley, Hayes, Henne, Hill, Koehler, Kuhns, Kunze, LaTourette, Leland, Lepore-Hagan, Manning, McClain, McColley, S. O'Brien, Patterson, Pelanda, Ramos, Reece, Reineke, Rezabek, Roegner, Rogers, Romanchuk, Schaffer, Scherer, Schuring, Sears, Sheehy, Slaby, Slesnick, Sprague, Stinziano, Strahorn, Sweeney, Young, Zeltwanger, Rosenberger

**Sens.** Brown, LaRose, Uecker, Yuko, Jones, Bacon, Balderson, Beagle, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hottinger, Hughes, Jordan, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Tavares, Thomas, Williams

**Effective date:** August 5, 2016

- Designates the fourth Sunday of July as "Blue Star Mothers and Families Day."

## H.B. 260

**Reps.** Blessing, Hall, Antonio, Romanchuk, Dever, K. Smith, Schaffer, Terhar, Brown, Brenner, Green, Sheehy, Kraus, Ashford, Huffman, Butler, Ginter, T. Johnson, Kuhns, Ramos, Schuring, Sears, Sykes, Anielski, Barnes, Bishoff, Boccieri, Boyce, Buchy, Burkley, Celebrezze, Craig, Derickson, Dovilla, Grossman, Hackett, Hambley, Kunze, Leland, M. O'Brien, S. O'Brien, Pelanda, Perales, Reineke, Retherford, Rogers, Sprague, Strahorn, Sweeney, Young, Rosenberger

**Sens.** Manning, Hite, Beagle, Tavares, Bacon, Balderson, Brown, Burke, Coley, Faber, Gentile, Hughes, Jones, LaRose, Lehner, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Thomas, Uecker

**Effective date:** January 31, 2017

Designates the first week of December as "Crohn's and Colitis Awareness Week."

## H.B. 352

**Reps.** T. Johnson, McClain, Duffey, Thompson, Ruhl, Leland, Sprague, M. O'Brien, Schaffer, Hackett, Strahorn, Huffman, Antonio, Bishoff, Brown, Butler, Kuhns, LaTourette, Schuring, Sears, Sykes, Anielski, Baker, Barnes, Blessing, Brenner, Buchy, Burkley, Cupp, Derickson, Dever, Dovilla, Ginter, Green, Grossman, Hall, Hayes, Lepore-Hagan, Maag, Patterson, Perales, Phillips, Rogers, Romanchuk, Sheehy, R. Smith, Sweeney, Terhar, Young, Rosenberger

**Sens.** Beagle, Jones, Lehner, Tavares, Brown, Bacon, Balderson, Burke, Cafaro, Coley, Eklund, Gardner, Gentile, Hite, Hottinger, Hughes, Jordan, Manning, Obhof, Patton, Peterson, Schiavoni, Seitz, Skindell, Thomas, Uecker, Yuko

**Effective date:** August 31, 2016

- Designates April as "Osteopathic Medicine Recognition Month."

## H.B. 431

**Reps.** Sheehy and Patterson, Bishoff, Bocchieri, Dever, Driehaus, Leland, Lepore-Hagan, M. O'Brien, Ramos, K. Smith, Gonzales, Antonio, Barnes, Brown, T. Johnson, Kuhns, Maag, Schuring, Sears, Amstutz, Anielski, Arndt, Ashford, Baker, Boggs, Boose, Boyce, Boyd, Brenner, Buchy, Burkley, Celebrezze, Cera, Clyde, Craig, Cupp, Derickson, Dovilla, Duffey, Green, Grossman, Hackett, Hagan, Hall, Hambley, Hayes, Hill, Howse, G. Johnson, Kunze, Landis, McClain, S. O'Brien, Pelanda, Perales, Phillips, Reece, Reineke, Retherford, Rogers, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Slaby, Slesnick, R. Smith, Sprague, Strahorn, Sweeney, Sykes, Terhar, Young

**Sens.** Tavares, Cafaro, Brown, Bacon, Balderson, Beagle, Burke, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hottinger, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Skindell, Thomas, Uecker, Yuko

**Effective date:** August 31, 2016

- Designates February 17 as "Annie Glenn Communication Disorders Awareness Day."

## Am. H.B. 434

**Reps.** Baker, Blessing, Bocchieri, M. O'Brien, Sprague, Antonio, Bishoff, Brown, Lepore-Hagan, Ramos, Anielski, Ashford, Barnes, Boyce, Boyd, Buchy, Celebrezze, Craig, Fedor, Hall, G. Johnson, T. Johnson, Landis, Leland, S. O'Brien, Pelanda, Rogers, Schaffer, Strahorn, Sweeney, Sykes, Rosenberger

**Sens.** Manning, Beagle, Tavares, Brown, Coley, Eklund, Faber, Gardner, Hackett, Hite, Hughes, Jones, Lehner, Obhof, Patton, Skindell, Thomas, Uecker, Yuko

**Effective date:** September 28, 2016

- Designates May as "Fibromuscular Dysplasia Awareness Month."

## H.B. 440

**Reps.** Anielski, Kunze, Grossman, Perales, Antani, Antonio, Arndt, Baker, Barnes, Bishoff, Blessing, Boggs, Boose, Boyce, Brown, Buchy, Butler, Celebrezze, Clyde, Craig, Cupp, Derickson, Dever, DeVitis, Duffey, Hagan, Hall, Hayes, G. Johnson, T. Johnson, Kuhns, Landis, Leland, Manning, McClain, M. O'Brien, S. O'Brien, Patterson, Pelanda, Phillips, Ramos, Reineke, Rogers, Ruhl, Ryan, Schaffer, Scherer, Sheehy, Slaby, Slesnick, R. Smith, Sprague, Strahorn, Sweeney, Sykes, Terhar, Thompson

**Sens.** LaRose, Hackett, Bacon, Balderson, Beagle, Brown, Burke, Cafaro, Coley, Eklund, Faber, Gardner, Gentile, Hite, Hottinger, Hughes, Jones, Jordan, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Seitz, Skindell, Tavares, Thomas, Uecker, Williams

**Effective date:** March 16, 2017

- Designates the Saturday before Thanksgiving Day as "Ohio Survivors of Suicide Loss Day."

## Am. S.B. 124

**Sens.** Thomas, Beagle, Brown, Gardner, Hughes, Jones, Sawyer, Schiavoni, Skindell, Yuko, Cafaro, Balderson, Burke, Coley, Faber, Gentile, Hite, Hottinger, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Uecker, Widener, Williams

**Reps.** Huffman, Barnes, Bishoff, Brown, T. Johnson, Sykes, Anielski, Antonio, Ashford, Baker, Boccieri, Boggs, Boyce, Boyd, Buchy, Celebrezze, Craig, Cupp, Dovilla, Driehaus, Duffey, Fedor, Grossman, Hagan, Hall, Howse, G. Johnson, Kuhns, Kunze, Landis, Lepore-Hagan, M. O'Brien, S. O'Brien, Patterson, Pelanda, Phillips, Ramos, Reece, Reineke, Retherford, Rogers, Ruhl, Schaffer, Sheehy, Slaby, Slesnick, K. Smith, R. Smith, Sprague, Strahorn, Young

**Effective date:** July 6, 2016

- Designates May as "Asthma Awareness Month."
- Designates May 5 as "Childhood Asthma Awareness Day."

## S.B. 128

**Sens.** Cafaro and Schiavoni, Manning, Gardner, Beagle, Brown, Hite, Jones, Tavares, Coley, Eklund, Gentile, Hottinger, Hughes, LaRose, Obhof, Oelslager, Peterson, Sawyer, Thomas, Widener, Yuko

**Reps.** Antonio, Barnes, Bishoff, Brown, Butler, T. Johnson, Kuhns, Sykes, Ashford, Baker, Boccieri, Buchy, Celebrezze, Craig, Lepore-Hagan, M. O'Brien, S. O'Brien, Patterson, Ramos, Rogers, Schaffer, Sheehy, Strahorn, Sweeney

**Effective date:** September 8, 2016

- Designates May 30 as "Bartter Syndrome Awareness Day."

## S.B. 133

**Sens.** Beagle, Eklund, Schiavoni, Hughes, Yuko, Oelslager, Bacon, Gardner, Hite, Lehner, Tavares, Brown, Balderson, Burke, Coley, Faber, Jones, LaRose, Manning, Obhof, Patton, Peterson, Thomas

**Reps.** Huffman, Antonio, Barnes, Bishoff, Brown, Butler, T. Johnson, Kuhns, LaTourette, Ramos, Sykes, Anielski, Ashford, Boccieri, Buchy, Celebrezze, Derickson, Duffey, Fedor, Grossman, Hambley, G. Johnson, Kunze, Leland, M. O'Brien, Patterson, Perales, Rogers, Schaffer, Strahorn

**Effective date:** August 5, 2016

- Designates June as "Scleroderma Awareness Month."

## S.B. 188

**Sens.** Seitz and Tavares, Balderson, Uecker, Cafaro, Bacon, Beagle, Hite, Obhof, Eklund, Brown, Burke, Coley, Faber, Gardner, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Skindell, Thomas, Widener, Williams, Yuko

**Reps.** Anielski, Antonio, Barnes, Bishoff, Blessing, Boccieri, Boggs, Boyce, Boyd, Brenner, Brown, Buchy, Craig, Dever, Dovilla, Fedor, Green, Grossman, Hambley, Hill, T. Johnson, Koehler, Kuhns, Kunze, Landis, LaTourette, Leland, Lepore-Hagan, M. O'Brien, S. O'Brien, Patmon, Patterson, Perales, Phillips, Ramos, Rogers, Ruhl, Schaffer, Sears, Sheehy, Sprague, Strahorn, Sweeney, Sykes, Terhar, Thompson

**Effective date:** August 31, 2016

- Designates April as "Genocide Awareness Month."

## S.B. 225

**Sens.** Bacon, Yuko, Hughes, Gardner, Beagle, Tavares, Brown, Coley, Eklund, Faber, Hackett, Hite, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Thomas, Uecker

**Reps.** Barnes, Bishoff, Brown, Butler, Ginter, T. Johnson, Kuhns, Ramos, Sprague, Anielski, Antonio, Blessing, Boyce, Celebrezze, Craig, Driehaus, Duffey, Fedor, G. Johnson, Leland, M. O'Brien, S. O'Brien, Patterson, Phillips, Rogers, Schaffer, Slaby, K. Smith, Strahorn, Sweeney, Sykes, Young

**Effective date:** March 14, 2017

- Designates June 1 as "Hypoparathyroidism Awareness Day."

## Am. S.B. 239

**Sens.** Hughes, Beagle, Gardner, Bacon, Balderson, Yuko, Skindell, Eklund, Seitz, Uecker, Brown, LaRose, Hottinger, Burke, Cafaro, Coley, Faber, Gentile, Hite, Jones, Jordan, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Tavares, Thomas, Widener, Williams

**Reps.** Anielski, Antani, Antonio, Arndt, Ashford, Baker, Barnes, Bishoff, Blessing, Boccieri, Boose, Boyce, Brenner, Brown, Buchy, Butler, Cera, Clyde, Conditt, Craig, Cupp, Derickson, Dever, DeVitis, Dovilla, Driehaus, Duffey, Fedor, Ginter, Gonzales, Green, Grossman, Hagan, Hall, Hambley, Hayes, Hill, Hood, G. Johnson, T. Johnson, Koehler, Kuhns, Kunze, LaTourette, Leland, Lepore-Hagan, Maag, Manning, McClain, McColley, M. O'Brien, S. O'Brien, Patterson, Pelanda, Perales, Phillips, Ramos, Reece, Reineke, Roegner, Rogers, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sears, Sheehy, Slaby, K. Smith, R. Smith, Sprague, Strahorn, Sweeney, Sykes, Terhar, Thompson, Rosenberger

**Effective date:** August 5, 2016

- Designates August 7 as Ohio Purple Heart Day.

## **S.B. 291**

**Sens.** Yuko, Brown, Cafaro, Gentile, Gardner, Hite, Beagle, Tavares, Bacon, Balderson, Burke, Coley, Eklund, Faber, Hackett, Hottinger, Hughes, Jones, LaRose, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Sawyer, Skindell, Thomas, Uecker, Williams

**Reps.** Gonzales, Antonio, Barnes, Gavarone, Kuhns, LaTourette, Ramos, Sykes, Anielski, Blessing, Buchy, Clyde, Craig, Dovilla, G. Johnson, Rogers, Sweeney, Young

**Effective date:** March 21, 2017

- Designates September as "Pain Awareness Month."



## State Government

### Sub. H.B. 5

**Reps.** Kunze and Koehler, Rogers, Boose, Hambley, Amstutz, Anielski, Antonio, Baker, Barnes, Bishoff, Blessing, Boyd, Brenner, Brown, Buchy, Burkley, Celebrezze, Cera, Conditt, Cupp, Dever, Dovilla, Duffey, Ginter, Green, Grossman, Hackett, Henne, Kraus, McClain, McColley, M. O'Brien, S. O'Brien, Reineke, Retherford, Rezabek, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Schuring, Sheehy, K. Smith, R. Smith, Sprague, Stinziano, Strahorn, Sweeney, Terhar, Thompson, Young, Rosenberger

**Sens.** Coley, Balderson, Beagle, Eklund, Faber, Hite, Obhof, Oelslager, Patton, Peterson, Sawyer, Schiavoni, Tavares, Thomas, Uecker

**Effective date:** September 14, 2016

#### Feasibility studies

- Allows a state agency or local public office to request the Auditor of State to conduct a feasibility study to determine if greater efficiency or cost savings could be realized by sharing services or facilities with other state agencies or local public offices.
- Requires the team that conducts performance audits to conduct feasibility studies as funds allow.
- Requires the Auditor to use not more than 50% of the funds in the Leverage for Efficiency, Accountability, and Performance Fund to conduct feasibility studies.
- Before starting a feasibility study, requires the Auditor to notify each state agency or local public office that is identified in the study request, and allows the agency or office to opt out of the study.
- Requires the Auditor to conduct a public hearing regarding feasibility study findings.

#### Shared equipment service agreement program

- Allows the Auditor to establish a Shared Equipment Service Agreement Program.
- Allows a shared service agreement to provide that, when capital equipment is shared, the recipient state agency or political subdivision assumes liability in a civil action for damages allegedly resulting from the equipment's use.

## H.B. 167

**Reps.** Sweeney, Hambley, Amstutz, Anielski, Arndt, Ashford, Blessing, Brown, Buchy, Celebrezze, Clyde, Conditt, Craig, Derickson, Dever, Fedor, Ginter, Green, Hagan, Henne, G. Johnson, Kuhns, Landis, Leland, Manning, M. O'Brien, Perales, Ramos, Rezabek, Roegner, Rogers, Ruhl, Scherer, Sprague, Sykes, Vitale

**Sens.** LaRose, Yuko, Brown, Hackett, Obhof, Oelslager, Uecker

**Effective date:** March 21, 2017

- Eliminates the ability of a member of the Legislative Service Commission to continue to serve on the Commission after the member's term of office in the General Assembly has expired.

## Sub. H.B. 359

**Reps.** Duffey and Gonzales, Bishoff, Anielski, Hall, LaTourette, Perales, Stinziano, Antani, Grossman, Sears, Scherer, Sprague, Patmon, Buchy, Butler, Curtin, Leland, Amstutz, Antonio, Arndt, Ashford, Baker, Boccieri, Boggs, Boose, Boyce, Boyd, Brenner, Brown, Burkley, Celebrezze, Conditt, Craig, Cupp, Derickson, Dever, DeVitis, Dovilla, Driehaus, Fedor, Ginter, Green, Hackett, Hagan, Hambley, Hayes, Henne, Hill, Howse, Huffman, T. Johnson, Koehler, Kuhns, Kunze, Landis, Lepore-Hagan, Maag, Manning, McClain, M. O'Brien, S. O'Brien, Patterson Pelanda, Phillips, Ramos, Reece, Reineke, Retherford, Rezabek, Roegner, Rogers, Ruhl, Ryan, Schaffer, Schuring, Sheehy, Slaby, Slesnick, K. Smith, Strahorn, Sweeney, Sykes, Terhar, Thompson, Young

**Sens.** Balderson, Beagle, Burke, Coley, Eklund, Faber, Hughes, Jones, Jordan, LaRose, Lehner, Manning, Patton, Peterson, Schiavoni, Tavares, Thomas, Uecker, Williams

**Effective date:** September 8, 2016

### Address confidentiality program participation

- Allows an adult, when changing residence, to apply to the Secretary of State to have the person's address kept confidential if the person fears for the person's or a household member's safety because the person or household member is a victim of domestic violence, stalking, human trafficking, rape, or sexual battery.
- Prohibits a sex offender/child-victim offender from participating in the address confidentiality program.
- Requires the application to be made with the assistance of an application assistant at an agency or organization that serves victims of domestic violence or other specified offenses.
- Prohibits an applicant from knowingly making a false attestation, and specifies that a violation is a first degree misdemeanor.

- Requires the Secretary of State, when receiving a complete application, to certify the applicant as a program participant and to provide certain information to the participant, including a unique identification number.
- Specifies that certification is valid for four years and may be renewed.

### **Secretary of State mailing address**

- Requires the Secretary of State to designate an address for program participants to use to receive mail.
- Generally requires a government entity to use the address designated by the Secretary of State as a program participant's address, and allows a participant to request that the participant's employer, school, or institution of higher education use the address.
- Requires the Secretary of State to forward all first class mail that the Secretary receives for a program participant to the participant, and allows the Secretary to contract with the U.S. Postal Service to establish special postal rates for those mailings.
- Specifies procedures for the Secretary of State to act as a participant's agent for receiving service of process, and requests that the Ohio Supreme Court revise the Rules of Civil Procedure to allow service to be made in that manner.

### **Confidential addresses**

- Specifies that the address of a program participant's residence, school, institution of higher education, business, or place of employment, as specified on the participant's application or on a notice of change of name or address, is confidential and is not a public record.
- Specifies that the confidential name, address, and other personally identifiable information of a program participant, including election documents and records that identify the number of participants who reside within any geographic area smaller than the state, are not public records.
- Prohibits a person who has access to a confidential address or telephone number because of the person's employment or official position from knowingly disclosing it, except as required by law, and designates a violation as a first degree misdemeanor.
- Requires the Ohio Law Enforcement Gateway (OHLEG) to contain the names, confidential addresses, and telephone numbers of program participants and grants access to this information in OHLEG only to chiefs of police, village marshals, county sheriffs, county prosecuting attorneys, and their designees.

- Allows a chief legal officer to petition for access to a confidential address for a legitimate governmental purpose, generally prohibits a person who obtains a confidential address from disclosing it, and designates a violation as a first degree misdemeanor.
- Establishes that the state is immune from liability in any civil action involving the performance or nonperformance of a public duty under the program, except under specified circumstances.

## **Voting**

- Allows a program participant who is eligible to vote to submit an application to request the board of elections to keep the participant's voter registration record confidential.
- Requires that the application be treated as the participant's voter registration record and be stored in a secure manner.
- Requires the participant's registration to appear in the Statewide Voter Registration Database and the official registration list, but with the participant's program ID number instead of residence address and precinct.
- Prohibits information concerning the participant from appearing in any pollbook or version of the Database or the official registration list that is available to the public.
- Permits a program participant who has a confidential voter registration record to vote only absentee, using the participant's program ID number instead of the participant's address.
- Requires the Secretary of State, before each election, to mail a notice to each program participant who has a confidential voter registration record about casting absent voter's ballots.
- Requires the director and the deputy director of the board of elections personally to process absent voter's ballot identification envelopes received from program participants and requires the board to decide any challenge to such a ballot.
- Prohibits observers from witnessing the processing of ballots cast by electors who have confidential voter registration records in a manner that would permit the observers to learn their identities or residence addresses.
- Prohibits a person who challenges the right to vote of a program participant who has a confidential voter registration record from receiving notice of or attending any hearing concerning the challenge.
- Specifies that any records related to the challenge that include the elector's residence address or precinct must not be open to public inspection.

- Clarifies that any elector may file a challenge to a voter registration in person or by mail not later than 20 days before an election and that one set of procedures applies to all challenges.

### **Jury service**

- Exempts a program participant from inclusion in a county or municipal jury source list.

### **Exiting the program**

- Requires the Secretary of State to cancel a program participant's certification if the participant's application contained false statements, if the participant applies to exit the program, or if the certification expires.
- Permits the Secretary of State to cancel a program participant's certification if the participant has not updated the participant's address within 30 days after any of the participant's information changes and the participant has been unreachable for 60 days or more.
- Requires the Secretary of State, upon canceling a certification, to notify the director of the board of elections of the county where the former participant resides.

### **Fines and program funding**

- Permits a court that is sentencing an offender for certain offenses, including domestic violence, rape, and human trafficking, to impose an additional fine of \$70 to \$500.
- Requires the fines to be paid into the Address Confidentiality Program Fund, which the act creates in the state treasury to administer the program.

### **Secretary of State rulemaking**

- Requires the Secretary of State to adopt rules under the Administrative Procedure Act to administer the program.

### **Wireless service account transfer**

- Allows a court that issues a domestic violence protection order or approves a domestic violence consent agreement to order a transfer of wireless service if the petitioner does not hold the account for the petitioner's or the petitioner's minor child's wireless service number.
- Requires a wireless service provider or reseller that is subject to the order to transfer the rights to and billing responsibility for the numbers to the petitioner.

- Specifies procedural requirements for a wireless service account transfer, including that the petitioner's contact information be kept confidential from the account holder.
- Provides a procedure for the wireless service provider or reseller to notify the petitioner if the provider or reseller cannot follow the order because of operational or technical issues.

### **Federal law enforcement officer residential and familial information**

- Establishes that the residential and familial information of federal law enforcement officers does not constitute a public record.
- Clarifies that a federal law enforcement officer, probation officer, bailiff, or community-based correctional facility employee may request a county auditor to substitute the person's initials for the person's name on any publicly available property records in the same manner as a peace officer or other similar person.

## **Sub. H.B. 471**

**Reps.** Brown, Blessing, Derickson, Pelanda, Amstutz, Anielski, Antani, Antonio, Baker, Conditt, Dovilla, Duffey, Green, Hagan, Hambley, McClain, S. O'Brien, Retherford, Sweeney, Thompson, Young

**Sens.** Coley, Eklund, Faber, Hackett, Jones, Jordan, Patton, Seitz, Uecker

**Effective date:** Emergency: December 19, 2016

### **Boards and commissions – Sunset Review**

- Revises and renews the Sunset Review Law to require that a Sunset Review Committee be convened each odd-numbered General Assembly.
- Expands the exemption of certain agencies from review by a Sunset Review Committee.
- Abolishes, retains, and modifies various agencies that were subject to expiration under Sunset Review Law.
- Specifies that serving as a member of the Residential Construction Advisory Committee does not constitute holding a public office.

### **Oil and gas marketing program**

- Allows oil and natural gas producers the option to present the operating committee of the oil and natural gas marketing program with a petition to amend the program, instead of presenting the petition to the Technical Advisory Council in the Department of Natural Resources.

- Allows the Council to request the operating committee to perform any administrative duty during the amendment process and requires the operating committee to do so if requested.
- Expands the type of producer that may present a petition to establish, amend, or terminate the marketing program and vote in a referendum regarding the petition by including a producer that is engaged in refining either oil or natural gas.
- Allows the operating committee to implement an alternate process by which horizontal well producers pay assessments, and specifies that information associated with a request for an assessment refund is not a public record and is confidential.
- Exempts an employee of the operating committee from civil liability if actions as an employee are taken in good faith.
- Revises the membership of the operating committee and the operating committee's financial statement reporting requirements.

### **Agricultural commodity marketing programs**

- Makes various changes concerning agricultural commodity marketing programs, including changes to laws governing:
  - Amending a program;
  - Remitting assessments;
  - Adoption of rules to carry out the purposes of the grain marketing program;
  - Extending civil liability protection to employees of a program's operating committee;
  - Exempting certain voting and election records from the Public Records Law.

### **Interim funds**

- Modifies the Treasurer of State's authority to invest the interim funds of the state.

### **Land conveyances and easements**

- Authorizes 18 conveyances of state-owned real estate to various persons, by various methods, including by direct sale, sealed bid auction, or public auction.
- Authorizes the execution of a perpetual water line easement to the city of Piqua.
- Authorizes the execution of a perpetual easement for sanitary sewer purposes to the city of Columbus.
- Requires the execution of an environmental covenant easement to a party to be determined.

### **Call to service orders**

- Exempts from disclosure under the Public Records Act orders for active military service of an individual serving or with previous service in the U.S. armed forces and their reserves, or in the Ohio organized militia.
- Mandates that a call to order becomes a public record 15 years after its published date or effective date.

### **Reemployment and reinstatement of benefits**

- Grants reemployment and reinstatement rights to a person employed in Ohio who is absent from employment due to service in a militia organized under the laws of a state, district, or territory outside of Ohio.

### **Criminal Justice Recodification Committee**

- Extends from August 1, 2016, to June 30, 2017, the date by which the Criminal Justice Recodification Committee must recommend to the General Assembly a comprehensive plan for revising the Ohio Criminal Code.
- Provides that a member who is an elected official and whose term expires before January 1, 2017, serves until the expiration of the member's term.

## **Am. Sub. S.B. 227**

**Sens.** Bacon, Coley, Eklund, Faber, Hughes, Jones, Obhof, Patton, Seitz

**Reps.** Anielski, Hambley, Sweeney

**Effective date:** April 6, 2017

### **Obtaining records from financial institution**

- Exempts the state from having to pay a financial institution the cost of providing a customer's records in connection with a criminal investigation or prosecution when the records are required under a subpoena, demand for production, request for records, or demand for inspection issued by or on motion of the Attorney General (AG) or the Organized Crime Investigations Commission.

### **Public records – competitive solicitation materials**

- Provides generally that materials submitted to a public office in response to a competitive solicitation requesting bids for the provision of goods or services are not public records until the public office announces the award of a contract or cancellation of the solicitation.



## Collections enforcement

- Allows the AG to appoint *and authorize* special counsel to represent the state *and any political subdivision* in connection with claims certified to the AG for collection or that the AG is authorized to collect.
- Specifies that the amounts paid to special counsel may be assessed as collection costs, are fully recoverable from the indebted party, and are in addition to other authorized collection costs.
- Permits the AG to provide special counsel with the AG's official letterhead stationery (formerly, the AG had to provide it to special counsel appointed for matters involving only the collection of certain taxes) to use in connection with collecting claims certified by the state and political subdivisions.
- Specifies that eliminating a provision that allows use of the AG's official letterhead stationery only in connection with collecting certain taxes is intended to clarify that the provision has always permitted the AG to authorize special counsel to use the stationery in connection with collecting any certified claims, even outside of the tax collections.

## Recovery of collection costs

- Specifies that a continuing law requiring payment into the Attorney General Claims Fund of up to 11% of all amounts collected by the AG on claims due applies only with respect to claims for amounts certified by state officials to the AG for collection.
- Specifies that the amount payable to the Fund must be assessed as an additional collection cost and is fully recoverable from the debtor.

## Training for elected officials

- Requires that the Public Records Law training programs that the AG, under continuing law, must provide to elected officials also cover the Open Meetings Law.
- Repeals the requirement that the AG ensure that the training programs are accredited by the Supreme Court's Commission on Continuing Legal Education.

## BCII

- Requires the Superintendent of the Bureau of Criminal Identification and Investigation (BCII), upon a county coroner's request, to assist in the identification of a deceased person through fingerprints.
- Clarifies BCII's authority to release information it has gathered relating to an arrest of an adult, a delinquent child adjudication, or a criminal conviction of a minor when a criminal records check is requested pursuant to statutory authorization, and

either a criminal action is pending or BCII cannot reasonably determine whether there has been a final disposition of a criminal action.

- Adds the BCII Asset Forfeiture and Cost Reimbursement Fund to the funds receiving a portion of the proceeds of sales of forfeited property.
- Requires that amounts awarded to BCII as a result of shared state asset forfeiture and all amounts received by BCII under the state asset forfeiture laws be deposited in the Fund.

### **Court authority to take fingerprints**

- Requires a court to take a person's fingerprints at the time of sentencing or adjudication as an alternative to requiring a sheriff or police chief to take them, if fingerprinting was required but not done at the time of arrest, arraignment, or first appearance.

### **Organized Crime Investigations Commission**

- Creates the Organized Crime Law Enforcement Trust Fund in the state treasury to receive reimbursement of expenses the Organized Crime Investigations Commission incurred in investigating criminal activity through a task force.
- Specifies that the Fund consists of all money paid to the State Treasurer for the Fund, plus investment earnings, and requires that the money be expended for equipment used to investigate organized criminal activity, not for the Commission's operating costs.

### **Antitrust**

- Adds to the trusts prohibited under state law a combination of capital, skill, or acts by two or more bidders or potential bidders, or one or more bidders or potential bidders and any person affiliated with a public office, to restrain or prevent competition in the letting or awarding of a public contract in derogation of any statute, ordinance, or rule requiring competitive selection.
- Eliminates the separate offense of combining to control the price or supply of bread, butter, eggs, flour, meat, or vegetables.
- Prohibits the AG from publicly disclosing the facts developed in an antitrust investigation unless the matter has become public through enforcement proceedings or public hearings, or unless the person from whom the information has been obtained consents to the public disclosure.
- Increases the penalty for conspiracy against trade from a first degree misdemeanor to a fifth degree felony or, under certain circumstances, a fourth degree felony.

## **Consumer Sales Practices Act (CSPA)**

- Specifies that certain activities prohibited by ongoing law, such as encouraging a consumer to default on a mortgage or loan agreement, constitute an unconscionable act or practice in connection with a consumer transaction, in addition to being an unconscionable act in connection with the origination of a residential mortgage.
- Clarifies which CSPA provisions apply to a consumer transaction in connection with the *origination* of a residential mortgage.
- Makes a supplier's failure to be licensed, registered, insured, or bonded as required by state or local law an unfair or deceptive act or practice under the CSPA, and authorizes the AG to bring a class action against the supplier.

## **Home solicitation sales and prepaid entertainment contracts**

- Authorizes a consumer to give notice of cancellation of a home solicitation sale agreement or prepaid entertainment contract by email and fax, specifies when delivery by fax or email is effective, and removes notice by telegram as an acceptable means of cancellation.
- Adds Martin Luther King Day to the days not considered a business day for purposes of the Home Solicitation Sales Act.

## **Enforcement reports**

- Replaces the requirement that the AG quarterly submit to the Department of Commerce a list of all enforcement actions taken against loan officers, mortgage brokers, and nonbank mortgage lenders, and related judgments, with a requirement that the AG notify the Department of all such enforcement actions and judgments, with no time specified.

## **Charitable organizations – late fees**

- Requires a charitable organization that does not timely pay the required annual registration fee to pay a late fee of \$200.
- Permits the AG to waive this late fee for reasons that were beyond the organization's control, and exempts from this late fee those charitable organizations required to pay a late fee in connection with the filing of the trustee's annual report.
- Requires fundraising counsel and professional solicitors to make complete and timely registration, registration renewal, bond, and accounting filings, and subjects them to liability and a \$200 late fee for failure to do so, in addition to any other penalties under continuing law.

## **Judgment dormancy**

- Adds two actions that prevent a judgment from going dormant, whether in favor of the state or not, including a judgment in a county other than that in which a judgment was rendered: (1) an order of garnishment that is issued or is continuing, or until the last garnishment payment is received by the court clerk or the garnishee files the final report, whichever is later, and (2) a proceeding in aid of execution that is commenced or is continuing.

## **Reparation awards to crime victims**

- Repeals the two-year statute of limitations for a minor who reaches age 18 to file an application for an award of reparations, thereby authorizing minor victims as well as adult victims of criminally injurious conduct to file the application at any time after the criminally injurious conduct occurred.
- Increases the time during which a claimant may file a supplemental reparations application from five years to six years after the AG or the Court of Claims has made a determination about an award.
- Requires that interest on money in the Reparations Fund be credited to the Fund.

## **Patient abuse as offense of violence**

- Adds to the definition of "offense of violence" that applies throughout the Revised Code: (1) the offense of patient abuse committed by a person who owns, operates, or administers, or who is an agent or employee of, a "care facility" against a resident or patient of the facility, (2) a current or former offense under municipal ordinances or any other state's or federal laws that are substantially equivalent to patient abuse, or (3) a conspiracy or attempt to commit, or complicity in committing, patient abuse.

## **Child pornography evidence**

- Requires that any "child pornography" that is offered as evidence or that comes into the custody or control of the prosecutor or the court remain in the custody or control of the prosecutor or court.
- Requires a court in a criminal proceeding to deny a defendant's request to reproduce any child pornography if the prosecutor gives the defendant, the defendant's attorney, and any individual the defendant seeks to qualify as an expert witness at trial ample opportunity to examine the child pornography where it is being held by the prosecutor or the court.

## **Sealed conviction records**

- Requires a court that orders the sealing of a criminal conviction record to order the person whose record is sealed to be fingerprinted by a sheriff if the person was not

fingerprinted at the time of arrest, arraignment, or first appearance; requires the sheriff to forward the fingerprints to the court; and requires the court to forward them and a copy of the sealing order to BCII.

- Requires the probation officer or county probation department that is directed by the court to make written reports concerning a person whose record is sealed to determine whether the person was previously fingerprinted, and if so, to forward to the court a record of the fingerprints with the written reports.
- In a provision that requires a court of record to tax as costs or otherwise require the payment of fees in a case, specifies that the costs or fees include all fees to be paid in a sealing proceeding.
- Permits a law enforcement agency or its authorized employee and the Department of Rehabilitation and Correction to inspect the sealed criminal conviction record of an applicant for employment in any capacity; under prior law, this permission applied only with respect to applicants for a position as a law enforcement or corrections officer.
- Permits the Department of Youth Services to inspect a sealed criminal conviction record of an applicant for employment in any capacity.

### **Medicaid estate recovery**

- Modifies the Medicaid Estate Recovery Program form concerning real property subject to a transfer on death to require the beneficiary to indicate (1) whether or not the deceased owner or the deceased owner's predeceased spouse had ever been a Medicaid recipient, or (2) the beneficiary's lack of knowledge on the subject.
- Requires county recorders to provide the form to beneficiaries.
- Requires a beneficiary to submit a completed form to the Program only if it indicates either (1) that the deceased owner or the deceased owner's predeceased spouse had been a Medicaid recipient, or (2) that the beneficiary lacks knowledge on the subject.

## **Am. Sub. S.B. 329**

**Sens.** Jordan and Faber, Coley, Bacon, Burke, Eklund, Hackett, Hite, Obhof, Peterson, Uecker

**Reps.** Antani, Becker, Blessing, Boose, Brinkman, Buchy, Goodman, Green, McColley, Merrin, Retherford, Roegner, Romanchuk, Schaffer, Terhar, Thompson, Vitale, Young, Zeltwanger

**Effective date:** Vetoed

- Would have established a procedure for the General Assembly to periodically review cabinet departments and a schedule for departments that are not renewed to cease operation.
- Would have authorized the General Assembly to review, consider, and evaluate the usefulness, performance, and effectiveness of other departments.

## Taxation

### Am. Sub. H.B. 9

**Reps.** Boose, Blessing, Hambley, Hood, Scherer, Sprague, Strahorn, Young, Dever, Driehaus, Rogers, Anielski, Antonio, Ashford, Baker, Barnes, Brown, Buchy, Burkley, Butler, Celebrezze, Cera, Clyde, Conditt, Derickson, Dovilla, Duffey, Fedor, Green, Grossman, Hackett, Hagan, Henne, Hill, Huffman, T. Johnson, Koehler, Kraus, Lepore-Hagan, Maag, McClain, McColley, M. O'Brien, S. O'Brien, Patterson, Perales, Phillips, Ramos, Reineke, Retherford, Rezabek, Romanchuk, Ryan, Schuring, Sears, K. Smith, Stinziano, Sweeney, Sykes, Terhar, Thompson

**Sens.** Gardner, Peterson, Sawyer, Tavares, Uecker

**Effective date:** March 21, 2017

- Creates a permanent joint legislative committee of six legislators and the Tax Commissioner (or designee) to periodically review all existing "tax expenditures."
- Requires the committee to make recommendations to the General Assembly as to the continuation, modification, or repeal of existing tax expenditures.
- Requires any bill proposing a new or modified tax expenditure to include a statement of the objectives and intent of the tax expenditure.

### Sub. H.B. 166

**Reps.** Green, Brenner, Blessing, Hambley, Becker, Amstutz, Anielski, Boose, Conditt, Cupp, Grossman, Hackett, T. Johnson, McClain, Reineke, Retherford, Rogers, Ruhl, Ryan, Sprague, Thompson, Young

**Sens.** Beagle, LaRose, Eklund, Hite, Patton, Peterson, Seitz, Uecker

**Effective date:** September 8, 2016

- Allows municipalities located in a charter county to certify garbage collection fees to the property tax list for collection in the same manner as property taxes.
- Specifies that property owned by an economic development corporation is not considered to be "publicly owned" unless the corporation obtains a property tax exemption based on the property's public use.
- Clarifies provisions of the law governing county land reutilization corporations, and allows them to receive grants under the Abandoned Gas Station Cleanup Grant Program.
- Provides for the creation of a county special elections fund to accept a political subdivision's pre-payment of the estimated expenses of a special election.

- Extends the filing deadline for the homestead exemption and 2.5% property tax reduction until the end of the tax year to which the exemption or reduction applies.
- Extends the dates by which county auditors must take certain actions involving agricultural property enrolled in the current agricultural use value (CAUV) program.
- Requires county auditors to advertise that the county board of revision has completed its annual property tax equalization once a week for two consecutive weeks, rather than for ten consecutive days.
- Eliminates the requirement that intracounty Local Government Fund allocations be reported by certified mail.
- Eliminates the requirement that county auditors certify interest rates to local courts and that the courts post the notice.
- Eliminates the requirement that notices be provided to local taxing authorities regarding pending applications for tax exemption of pollution control or energy conversion or conservation property used in industrial or commercial operations.
- Removes the requirement that statements submitted by persons contracting with local governments certifying whether they owe delinquent tangible personal property taxes in the county be incorporated into a contract if no delinquent tax is owed.
- Requires a party appealing the decision of the Board of Tax Appeals on a complaint originally filed with a county board of revision to submit a copy of the appellate notice to the board of revision and the county auditor.
- Eliminates statutory requirements to obtain permits for traveling exhibitions and licenses and bonds to conduct public auctions of new merchandise.
- Removes a requirement that county auditors audit the contents of a safety deposit box held by a ward of the state before the ward's guardian may access the box.
- Modifies a provision that waives penalties for the late payment of property taxes under certain circumstances by specifying that the county treasurer, not the county auditor, be notified that the waiver requirements are met.

## **Am. Sub. H.B. 277**

**Reps.** Brenner, Rogers, Hambley, Ruhl, Amstutz, Arndt, Ashford, Baker, Boose, Buchy, Craig, Fedor, Green, Lepore-Hagan, S. O'Brien, Romanchuk, Sprague, Sweeney

**Sens.** Coley, Hughes, Eklund, Gardner, Jordan, Tavares



**Effective date:** Emergency, June 28, 2016

- Authorizes a subdivision to impose a 9-1-1 system levy in only the portion of the subdivision that would be served by the 9-1-1 system.

## H.B. 466

**Reps.** R. Smith, Schaffer, Dever, Hambley, Rogers, Amstutz, Anielski, Antani, Antonio, Arndt, Baker, Blessing, Boccieri, Boose, Boyce, Brenner, Brown, Buchy, Burkley, Celebrezze, Conditt, Craig, Cupp, Derickson, DeVitis, Duffey, Fedor, Green, Grossman, Hayes, Henne, T. Johnson, Leland, Lepore-Hagan, Manning, McClain, McColley, M. O'Brien, S. O'Brien, Patterson, Pelanda, Perales, Reece, Reineke, Retherford, Roegner, Romanchuk, Ruhl, Ryan, Schuring, Sears, Sheehy, Sprague, Strahorn, Sweeney, Terhar, Thompson, Young, Rosenberger

**Sens.** Jordan, Beagle, Balderson, Coley, Eklund, Faber, Hackett, Hottinger, Hughes, Oelslager, Patton, Peterson, Schiavoni, Seitz, Tavares, Uecker

**Effective date:** October 12, 2016

- Specifically exempts from sales and use tax digital advertising services and certain taxable electronic services that might be provided incidentally or supplementally to digital advertising services.

## Sub. S.B. 2

**Sens.** Peterson, Beagle, Sawyer, Tavares, Balderson, Burke, Eklund, Faber, Gardner, Hite, Hottinger, Hughes, Jones, Lehner, Obhof, Oelslager, Patton, Seitz, Widener

**Reps.** Amstutz, Rogers, Cera, Anielski, Baker, Blessing, Boose, Burkley, Cupp, Dever, Dovilla, Duffey, Ginter, Green, Hackett, Hayes, Henne, T. Johnston, Leland, Manning, McClain, Perales, Reineke, Romanchuk, Ruhl, Ryan, Schaffer, Scherer, Sheehy, Sweeney, Terhar, Thompson, Young

**Effective date:** Emergency, February 14, 2016

- Incorporates into Ohio income tax law changes to federal tax law taking effect since April 1, 2015.

## Sub. S.B. 172

**Sens.** Jordan, Seitz, Jones, Beagle, Burke, Coley, Eklund, Hite, Hottinger, Lehner, Patton, Peterson, Uecker

**Reps.** Scherer, Amstutz, Henne, Baker, Boose, Brenner, Buchy, Dever, Hambley, LaTourette, McClain, Retherford, Romanchuk, Schaffer, Sears, R. Smith, Sprague, Terhar, Thompson, Vitale, Young, Zeltwanger

**Effective date:** September 14, 2016

- Exempts from sales and use taxation sales of investment metal bullion and investment coins.
- Expands eligibility for a fraternal organization property tax exemption to property of an organization operating under a state governing body that has been operating in Ohio for at least 85 years.
- Extends the deadline for a payment of quarterly municipal income tax employer withholding.
- Modifies the rule for when municipal income tax employer withholding payments are considered to have been made.
- Modifies the rule for when any municipal income tax payment remitted electronically is considered to have been made.

## Sub. S.B. 235

**Sens.** Beagle and Coley, Eklund, Patton, Seitz

**Reps.** Sprague, Anielski, Antonio, Driehaus, Grossman, Reineke, Schuring, Sheehy, K. Smith, R. Smith, Strahorn, Sweeney, Young, Rosenberger

**Effective date:** March 28, 2017; contains item vetoes

### Taxation

#### Property tax

- Authorizes local governments to approve property tax exemptions for the increase in value of property planned for commercial or industrial development while the property is in the pre-development stage.
- Terminates the exemption once an occupancy permit is issued, the title is transferred, disqualifying zoning regulations are imposed, or any commercial, industrial, or agricultural operations occur there.
- Requires property taxes to be current as a condition for the exemption.
- Imposes a three-year tax penalty on property subject to the exemption if the title is transferred before any improvements are made or if any commercial, industrial, or agricultural operations occur before an occupancy permit is issued.
- Permits a downtown redevelopment district to include property that was previously part of a tax increment financing district.

**Tax credits**

- Discontinues the historic rehabilitation tax credit for "catalytic projects" after the FY 2016-2017 biennium.
- Requires the Director of Development Services to approve the application of each qualified person who applied for a catalytic project tax credit in the FY 2016-2017 biennium, but was not awarded one.
- Requires the Director to grant a motion picture tax credit for FY 2018 to a company producing a television program during the first six months of 2017.

**Sales and use tax (PARTIALLY VETOED)**

- Would have exempted from sales taxation the sale of digitized music from a jukebox, arcade machine, or similar amusement or entertainment device (VETOED).
- Would have modified the sales and use tax exemption for property used in producing oil and natural gas (VETOED).
- Requires a purchaser of employment services that claims exemption from sales or use tax to furnish an exemption certificate to the service provider, i.e., to an employment agency.

**Water pollution control facilities (VETOED)**

- Would have specified that the Department of Natural Resources is an agency qualified to approve water pollution control facilities for property tax exemption and sales and use tax exemption (VETOED).

**Small business investment companies**

- Exempts small business investment companies from the financial institutions tax both prospectively and retrospectively to the first year that tax was levied (2014).

**Municipal Income Tax Net Operating Loss Committee**

- Modifies the information that municipalities must report to the Municipal Income Tax Net Operating Loss Committee, and extends the deadline by which the Committee must complete its work.

**Unemployment compensation**

- Raises, for a two-year period, the taxable wage base used for the payment of unemployment contributions from \$9,000 to \$9,500.
- Eliminates the unemployment contribution rate increase for paying principal on federal advances.
- Freezes, for calendar years 2018 and 2019, the maximum weekly unemployment benefit amounts at the maximum benefit amounts in effect on the act's effective date.

### **Climbing facility requirements**

- Establishes duties for rock climbers, climbing facility operators, and climbing facility employees while climbing or working in a climbing facility.
- Requires climbing facility operators to obtain liability insurance to cover the facility and file a certificate of insurance with the Department of Commerce.
- Prohibits a climbing facility owner from engaging in facility operations if the insurance policy is cancelled or lapses.
- Creates an express assumption of risk on the part of a climber with respect to an injury sustained while climbing that is a complete defense in a lawsuit brought by a climber against the climbing facility operator for injuries sustained while climbing.
- States the General Assembly's findings with respect to climbing and notes that the act is in the public interest.

### **Pawnbroker regulations**

- Specifies that a pawnbroker must obtain a separate license for each place of business.
- Increases the amount of liquid assets or surety bonds a licensed pawnbroker is required to maintain.
- Increases the amount of interest and fees a pawnbroker can charge for a loan.
- Eliminates a pawnbroker's authority to charge a fee for a lost pledge statement.
- Eliminates the requirement that a pawnbroker retain pledged goods for 72 hours after the pledge is made and permits a pledgor to redeem a loan any time after the pledge is made.
- Prohibits prepayment of interest and storage charges at the time a pawn loan is originated.
- Reduces the continuing education requirements for pawnbrokers from 12 to 8 hours and repeals other requirements relating to continuing education.

### **Grants for major sports events (VETOED)**

- Would have provided for ongoing reappropriation of money set aside to fund grants to local governments hosting major sporting events but remaining unspent at the end of a fiscal year (VETOED).

### **Animal control**

- Applies the law governing animals running at large to all poultry, rather than only to geese.

## Use of municipal water and sewer funds

- Reauthorizes municipal corporations in Stark County to use up to 5% of the money in their water and sewer funds for system extensions under certain circumstances during FYs 2017 and 2018.

## Hospital board meetings

- Authorizes boards of county hospital trustees, boards of hospital commissioners, and boards of governors of municipal hospitals to attend board meetings by means of communications equipment, regardless of the Open Meetings Act's requirement that a board member be present in person.
- Requires the boards to adopt rules designating the equipment authorized for use during board meetings, establishing procedures for its use, and ensuring verification of the identity of board members attending meetings via communications equipment.

## Sub. S.B. 264

**Sens.** Bacon, Hughes, Jones, Obhof, Patton, Brown, Seitz, Manning, Eklund, Hite, Yuko, Lehner, Balderson, Beagle, Burke, Faber, Gardner, Gentile, Hackett, Hottinger, LaRose, Oelslager, Peterson, Thomas, Uecker, Williams

**Reps.** R. Smith, Schuring, Anielski, Burkley, Cera, Derickson, Grossman, Hall, Kunze, McClain, Reece, Reineke, Romanchuk, Thompson, Amstutz, Antani, Antonio, Arndt, Baker, Barnes, Boccieri, Boggs, Boose, Boyce, Boyd, Brenner, Brown, Buchy, Celebrezze, Clyde, Condit, Craig, Cupp, Dever, DeVitis, Dovilla, Driehaus, Fedor, Ginter, Green, Hagan, Hambley, Hill, G. Johnson, T. Johnson, Koehler, Kuhns, Landis, Leland, Lepore-Hagan, Maag, Manning, McColley, M. O'Brien, S. O'Brien, Patterson, Pelanda, Perales, Retherford, Rezabek, Roegner, Rogers, Ruhl, Ryan, Schaffer, Sheehy, Slaby, Strahorn, Sweeney, Terhar, Young, Zeltwanger, Rosenberger

**Effective date:** August 5, 2016. The act is repealed on August 10, 2016.

- Exempts sales of clothing and school supplies and instructional materials from sales and use taxation during August 5, 6, and 7, 2016.

## Utilities

### Sub. H.B. 554

**Reps.** Amstutz, Hill, Landis, Schaffer

**Sens.** Balderson, Burke, Coley, Eklund, Faber, Jones, Jordan

**Effective date:** Vetoed

- Would have effectively made the renewable energy, energy efficiency, and peak demand reduction requirements for 2017 and 2018 no longer true requirements.
- Would have decreased the energy efficiency benchmarks, which would have resulted in a decrease to the current cumulative requirement from 22.2% to 17.2%.
- Would have required that electric distribution utilities (EDUs) be deemed in compliance with the energy efficiency and peak demand reduction requirements and eligible for incentives approved by the Public Utilities Commission (PUCO) in any year in which their "actual cumulative energy efficiency and peak demand reduction savings" meet or exceed the "cumulative mandates."
- Would have required certain savings, reductions, plans, policies, behaviors, and practices to be counted toward the energy efficiency and peak demand reduction requirements.
- Would have required every EDU and electric services company (ESC) to annually report to the PUCO its status of compliance with the renewable energy, energy efficiency, and peak demand reduction provisions, as applicable.
- Would have made changes regarding the annual report that the PUCO is currently required to make to the General Assembly on renewable energy, including requiring the report to be made by August 1 and repealing a provision requiring consideration of public comments on the report.
- Would have required the PUCO Chairperson to provide testimony, by September 1 each year, on the August 1 report, to the standing committees of both houses of the General Assembly that deal with public utility matters.
- Would have added mercantile customers to those customers that may opt out of an EDU's energy efficiency and peak demand reduction portfolio plan, effective in 2019.

## HISTORY OF BILLS THAT BECAME ACTS

Listed on the following pages is the legislative history of each bill and one joint resolution enacted in 2016. The legend at the top left-hand corner of the following pages contains abbreviations for various actions taken on the bills. The committees of the House of Representatives and Senate are abbreviated as follows:

<u>House</u>	<u>Senate</u>
AGD    Agriculture & Rural Development	AG     Agriculture
AVS    Armed Services, Veterans Affairs & Public Safety	CVJ    Civil Justice
CL     Commerce & Labor	CRJ    Criminal Justice
CFA    Community & Family Advancement	ED     Education
EWD    Economic & Workforce Development	ENR    Energy & Natural Resources
ED     Education	FIN    Finance
ENR    Energy & Natural Resources	FI     Financial Institutions
FIN    Finance	GOR    Government Oversight & Reform
FHD    Financial Institutions, Housing & Urban Development	HHS    Health & Human Services
GAO    Government Accountability & Oversight	INS    Insurance
HG     Health & Aging	MED    Medicaid
INS    Insurance	PU     Public Utilities
JUD    Judiciary	RR     Rules & Reference
LG     Local Government	SLG    State & Local Government
MM    Select Committee on Medical Marijuana	TCL    Transportation, Commerce & Labor
PU     Public Utilities	WM    Ways & Means
RR    Rules & Reference	
SG    State Government	
TRI    Transportation & Infrastructure	
WM    Ways & Means	

Status Report of Legislation - 131st GA			House Action				Senate Action				Further Action			
House Bill	<b>A - Amended</b> <b>R - Rereferred</b> <b>S - Substitute</b> <b>* - Note</b>		Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	Primary Sponsor(s)	Subject												
5	Kunze, Koehler	Prepare case studies of public offices/share equipment	01/28/15	LG	A 03/24/15	04/29/15	04/30/15	GOR	S 05/17/16	05/18/16		05/24/16	06/14/16	09/14/16
9	Boose	Review tax deductions and credits periodically	01/28/15	WM	S 05/27/15	06/24/15	06/25/15	WM	S 05/25/16	05/25/16	* 12/07/16	* 12/08/16	12/19/16	03/21/17
17	Blessing, Landis	Grants immunity for volunteer services in emergencies	01/28/15	CL	02/18/15	02/25/15	03/03/15	CVJ	12/09/15	01/20/16		01/20/16	02/14/16	05/17/16
18	Gonzales, Ginter	Prohibits zoning from restricting flag display	01/28/15	AVS	S 05/20/15	06/10/15	06/11/15	SLG	S 11/18/15	12/06/16		12/08/16	12/19/16	03/21/17
37	Stinziano, Duffey	Allows open containers at certain markets	02/03/15	GAO	04/29/15	05/27/15	06/02/15	AG	S 05/10/16	05/11/16		05/18/16	05/31/16	08/31/16
50	Pelanda, Grossman	Revises foster care and guardianship laws	02/10/15	*RR	A 11/16/2015	A 12/1/2015	12/08/15	FIN	S 05/25/16	05/25/16		05/25/16	06/13/16	09/13/16
60	Patmon, Hall	Revises companion animal abuse laws	02/11/15	AGD	S 06/17/15	06/25/15	06/29/15	AG	S 05/25/16	05/25/16		05/25/16	06/13/16	09/13/16
89	DeVitis	Creates Medicaid school program	02/25/15	HG	S 01/26/16	05/11/16	05/12/16	ED	S 11/30/16	12/07/16		12/08/16	12/19/16	03/21/17
98	Brown	Designates an awareness day	03/03/15	HG	03/26/15	04/15/15	04/20/15	HHS	10/21/15	01/20/16		01/20/16	02/14/16	05/17/16
110	Hill	Increases penalty if fail to stop after accident	03/10/15	JUD	04/22/15	05/12/15	05/13/15	*CRJ	S 05/04/16	05/24/16		05/24/16	06/13/16	09/13/16
113	Grossman, Manning	Requires cardiopulmonary resuscitation training to graduate from high school	03/10/15	ED	S 01/28/16	04/13/16	04/14/16	ED	S 05/25/16	05/25/16		05/25/16	06/14/16	09/14/16
116	Brown, Ginter	Permits partial prescription refills	03/11/15	HG	S 06/24/15	06/30/15	07/01/15	MED	S 04/25/16	05/04/16		05/11/16	05/31/16	08/31/16



Status Report of Legislation - 131st GA			House Action				Senate Action				Further Action			
House Bill	<b>A - Amended</b> <b>R - Rereferred</b> <b>S - Substitute</b> <b>* - Note</b>		Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	Primary Sponsor(s)	Subject												
121	Stinziano, Ruhl	Creates an awareness week	03/12/15	SG	05/05/15	05/13/15	05/18/15	HHS	10/21/15	01/20/16		01/20/16	02/14/16	05/17/16
123	Johnson, G., Cupp	Changes requirements for alibi defenses and criminal sentencing	03/17/15	JUD	04/29/15	05/19/15	05/20/15	CRJ	05/19/16	05/24/16		05/24/16	06/14/16	09/14/16
151	Anielski	Expands crimes of menacing and telecommunications harassment	04/13/15	JUD	05/27/15	10/07/15	10/13/15	CRJ	S 12/09/15	04/13/16		04/20/16	05/17/16	08/16/16
154	Henne, Sheehy	Revises certain rules of the road	04/13/15	AVS	06/25/15	05/24/16	05/25/16	TCL	A 12/06/16	12/08/16		12/08/16	12/19/16	03/21/17
158	Dever, Howse	Replaces references to "mentally retarded person"	04/15/15	HG	S 12/09/15	01/26/16	01/27/16	SLG	S 05/17/16	05/24/16		05/24/16	07/13/16	10/12/16
164	Pelanda, Rogers	Authorizes sealing of an offense if later made sealable	04/22/15	JUD	06/10/15	10/07/15	10/13/15	CRJ	S 05/02/16	A 05/24/16		05/24/16	06/14/16	09/14/16
166	Green	Revises local taxes and finance	04/22/15	WM	S 11/17/15	01/26/16	01/27/16	WM	S 05/18/16	05/18/16		05/24/16	06/08/16	09/08/16
167	Sweeney	Adjusts terms of LSC members	04/23/15	SG	06/25/15	02/10/16	02/11/16	SLG	11/29/16	12/06/16		12/06/16	12/19/16	03/21/17
171	Blessing, Dever	Reduces heroin amounts for enhanced penalties	04/28/15	JUD	05/27/15	06/17/15	06/18/15	CRJ	05/25/16	05/25/16		05/25/16	06/14/16	09/14/16
173	Anielski, Terhar	Permits issuance of Ohio veterans identification cards	04/28/15	*AVS	S 02/24/16	04/20/16	04/26/16	SLG	A 05/25/16	05/25/16		05/25/16	06/08/16	09/08/16
178	Manning	Allows Ohio wine sales at farmers markets	04/29/15	GAO	S 01/13/16	01/27/16	02/01/16	AG	05/25/16	05/25/16		05/25/16	06/14/16	09/14/16
180	Maag	Prohibits residence requirements in public improvement contracts	04/29/15	CL	06/10/15	06/30/15	07/01/15	GOR	05/05/16	05/11/16		05/11/16	05/31/16	08/31/16

Status Report of Legislation - 131st GA			House Action				Senate Action				Further Action			
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	Primary Sponsor(s)	Subject												
182	Schuring	Revises joint economic development districts/enterprise zones	04/30/15	EWD	S 12/03/15	02/10/16	02/11/16	WM	S 05/25/16	05/25/16		05/25/16	06/13/16	09/13/16
185	Koehler	Excludes abandoned property owner's consent as element of arson	05/05/15	JUD	S 01/27/16	02/10/16	02/11/16	CRJ	S 11/30/16	A * 12/01/16		12/06/16	12/19/16	03/21/17
187	Ginter	Permits emergency responders to stabilize injured animals	05/05/15	HG	S 11/19/15	12/09/15	12/10/15	AG	05/17/16	05/18/16		05/18/16	05/31/16	08/31/16
200	Hagan	Revises emergency epinephrine autoinjector procurement and use	05/12/15	HG	S 10/07/15	12/01/15	12/08/15	HHS	S 05/25/16	05/25/16		05/25/16	06/08/16	09/08/16
207	Henne, McColley	Revises payment of subrogated workers' compensation claims	05/12/15	INS	S 10/19/15	12/01/15	12/08/15	INS	S 04/26/16	A 05/04/16		05/11/16	05/31/16	08/31/16
216	Pelanda	Revises the law governing advanced practice registered nurses	05/18/15	HG	S 05/25/16	05/25/16	06/01/16	HHS	S 11/30/16	12/07/16		12/08/16	01/04/17	04/06/17
219	Barnes	Designates an awareness month	05/19/15	HG	10/07/15	12/08/15	12/08/15	HHS	05/11/16	05/18/16		05/18/16	05/31/16	08/31/16
229	Hambley, Bishoff	Enacts Family Trust Company Act	05/26/15	FHD	S 11/19/15	12/09/15	12/10/15	FI	S 05/24/16	05/24/16		05/24/16	06/14/16	09/14/16
230	Sprague	Addresses chemical dependency counseling and prevention services	05/26/15	HG	11/19/15	12/09/15	12/10/15	HHS	05/11/16	05/24/16		05/24/16	06/28/16	09/28/16
233	Schuring	Authorizes downtown redevelopment and innovation districts	05/27/15	GAO	S 10/22/15	10/27/15	10/29/15	WM	S 04/07/16	A 04/13/16		04/20/16	05/06/16	08/05/16
236	Blessing, Landis	Revises continuing education for engineers and surveyors	06/01/15	CL	12/03/15	01/26/16	01/27/16	TCL	12/05/16	12/06/16		12/06/16	01/04/17	04/06/17
240	Huffman, Johnson, T.	Revises the law regulating coroners	06/02/15	SG	S 12/03/15	02/24/16	02/29/15	SLG	05/03/16	05/18/16		05/18/16	05/31/16	08/31/16

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	Primary Sponsor(s)	Subject												
242	Hagan, Dever	Designates a recognition day	06/08/15	AVS	A 06/25/15	09/30/15	10/01/15	SLG	02/24/16	04/12/16		04/12/16	05/06/16	08/05/16
243	Schaffer	Revises architect and landscape architect continuing education	06/08/15	SG	10/13/15	12/08/15	12/08/15	GOR	04/13/16	04/20/16		04/20/16	05/17/16	08/16/16
260	Blessing	Designates an awareness week	06/16/15	HG	10/19/15	12/01/15	12/08/15	HHS	05/04/16	09/28/16		09/28/16	10/31/16	01/31/17
276	Schuring	Revises the scope of practice for chiropractors	06/24/15	HG	S 04/20/16	05/11/16	05/12/16	SLG	12/06/16	12/07/16		12/07/16	01/04/17	04/06/17
277	Brenner	Allows 911 levy in only the portion served by the 911 system	06/25/15	LG	S 02/17/16	04/20/16	04/26/16	FIN	A 05/25/16	05/25/16		05/25/16	06/28/16	06/28/16
285	Sprague	Allows multiple simultaneous refills of certain prescriptions	07/13/15	HG	S 05/18/16	05/24/16	05/25/16	HHS	11/30/16	12/07/16		12/07/16	01/04/17	04/06/17
290	Sprague, Anielski	Allows terminally ill patients to take unapproved drugs	07/16/15	HG	S 01/26/16	02/23/16	02/24/16	HHS	S 11/30/16	12/06/16		12/08/16	01/04/17	04/06/17
294	Patmon, Conditt	Prevents the use of public funds for elective abortions	07/30/15	CFA	S 11/17/15	11/17/15	11/18/15	GOR	S 01/27/16	01/27/16		02/10/16	02/21/16	* 05/23/16
299	Blessing, Rezabek	Permits a child's custodian to apply for an Autism Scholarship	08/11/15	ED	11/12/15	12/08/15	12/08/15	ED	S 04/20/16	04/27/16		05/04/16	05/31/16	08/31/16
300	Baker, Manning	Modifies the law governing driver's license suspensions	08/14/15	JUD	S 11/02/15	12/08/15	12/08/15	CRJ	S 05/19/16	09/28/16		11/16/16	12/13/16	03/14/17
303	Dever, McColley	Creates the D.O.L.L.A.R. Deed Program	08/25/15	FHD	S 11/19/15	12/08/15	12/08/15	FI	S 05/10/16	05/18/16		05/24/16	06/28/16	09/28/16
305	Schuring	Includes University of Akron nonteaching employees in PERS	08/25/15	*FIN	S 02/17/16	02/23/16	02/24/16	SLG	A 05/10/16	A 05/17/16		05/24/16	06/28/16	09/28/16

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317	Maag	Allows parent or guardian to freeze protected consumer's credit	09/02/15	FHD	S 12/09/15	02/17/16	02/18/16	FI	S 05/10/16	05/17/16		05/24/16	06/28/16	* 09/28/16
341	Young, Sweeney	Amends the towing law	09/28/15	SG	S 05/03/16	05/18/16	05/19/16	TCL	S 12/07/16	A 12/07/16		12/08/16	01/04/17	04/06/17
342	Young	Creates the Ohio Farm Winery Permit	09/28/15	GAO	S 12/09/15	01/27/16	02/01/16	AG	S 05/25/16	05/25/16		05/25/16	06/28/16	09/28/16
347	McColley, Brinkman	Modifies civil and criminal asset forfeitures	09/29/15	JUD	S 05/18/16	05/25/16	06/01/16	GOR	S 12/07/16	12/08/16		12/08/16	01/04/17	04/06/17
351	Perales, DeVitis	Modifies A-3a liquor permit conditions	10/01/15	GAO	A 02/24/16	04/20/16	04/26/16	AG	A 05/25/16	05/25/16		05/25/16	06/28/16	09/28/16
352	Johnson, T.	Designates a recognition month	10/01/15	HG	10/19/15	11/17/15	11/18/15	HHS	04/20/16	05/18/16		05/18/16	05/31/16	08/31/16
359	Duffey, Gonzales	Creates an address confidentiality program for crime victims	10/06/15	GAO	S 01/13/16	01/27/16	02/01/16	SLG	S 05/25/16	05/25/16		05/25/16	06/08/16	09/08/16
378	Hambley, Rezabek	Permits township police arrest on interstates	10/22/15	LG	S 05/18/16	05/24/16	05/25/16	SLG	12/07/16	12/08/16		12/08/16	01/04/17	04/06/17
384	Schaffer, Duffey	Makes state universities subject to performance audits	11/02/15	GAO	01/20/16	01/27/16	02/01/16	FIN	S 12/07/16	A 12/07/16		12/08/16	01/04/17	* 04/05/17
387	Terhar, Dever	Raises monetary jurisdiction of small claims courts	11/02/15	LG	02/17/16	02/24/16	02/29/15	CVJ	05/19/16	05/24/16		05/24/16	06/28/16	09/28/16
388	Scherer	Modifies penalties for drunk driving	11/05/15	AVS	S 04/13/16	05/18/16	05/19/16	INS	S 12/06/16	12/06/16		12/06/16	01/04/17	04/06/17
390	Schaffer, Retherford	Exempts sales of natural gas from sales tax	11/05/15	WM	A 01/27/16	02/24/16	02/29/15	WM	S 05/25/16	05/25/16		05/25/16	06/28/16	* 09/28/16

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391	Terhar	Creates SmartOhio Financial Literacy Pilot Program	11/09/15	FIN	04/13/16	05/11/16	05/12/16	FIN	S 05/25/16	05/25/16		05/25/16	06/28/16	* 09/28/16
410	Rezabek, Hayes	Addresses habitual and chronic truancy	12/09/15	ED	S 04/20/16	05/04/16	05/10/16	ED	S 12/07/16	A 12/08/16		12/08/16	01/04/17	04/06/17
413	Brinkman	Revises township laws	12/14/15	LG	S 04/13/16	04/20/16	04/26/16	SLG	S 05/25/16	05/25/16		05/25/16	06/28/16	09/28/16
429	Antani, Reineke	Expands Workforce Training Vouchers to include automotive technicians	01/13/16	*RR	A 04/26/16	* 05/04/16	05/10/16	TCL	S 05/25/16	05/25/16		05/25/16	06/14/16	09/14/16
431	Sheehy, Patterson	Designates an awareness day	01/26/16	HG	02/17/16	02/17/16	02/18/16	HHS	04/27/16	05/17/16		05/17/16	05/31/16	08/31/16
432	Cupp, Rezabek	Revises the law governing decedents' estates	01/26/16	*RR	S 05/17/16	05/18/16	05/19/16	CVJ	S 12/01/16	A 12/08/16		12/08/16	01/04/17	04/06/17
434	Baker	Designates an awareness month	01/26/16	HG	A 02/24/16	04/13/16	04/14/16	HHS	05/18/16	05/24/16		05/24/16	06/28/16	09/28/16
436	Cupp, Rogers	Allows court to end vehicle immobilization in certain OVI cases	01/26/16	JUD	05/04/16	05/24/16	05/25/16	TCL	12/05/16	12/07/16		12/07/16	01/04/17	04/06/17
438	Patterson	Designates an appreciation week	01/27/16	ED	05/04/16	05/18/16	05/19/16	ED	S 12/07/16	12/08/16		12/08/16	01/04/17	04/06/17
440	Anielski	Designates a commemorative holiday	01/28/16	SG	04/28/16	05/10/16	05/10/16	SLG	11/29/16	11/30/16		11/30/16	12/15/16	03/16/17
444	Blessing	Permits free liquor tasting samples for certain customers	02/02/16	*GAO	S 05/18/16	05/24/16	05/25/16	AG	A 12/07/16	12/08/16		12/08/16	01/04/17	04/06/17
451	Boose	Prohibits certain persons from making life support decisions	02/09/16	JUD	A 05/11/16	05/25/16	06/01/16	CVJ	S 12/08/16	12/08/16		12/08/16	01/04/17	04/06/17

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455	Patterson, Roegner	Establishes boarding school zone special speed limit	02/09/16	LG	05/04/16	05/18/16	05/19/16	TCL	S 12/07/16	12/07/16		12/08/16	01/04/17	04/06/17
463	Dever	Revises foreclosure laws	02/16/16	FHD	S 04/27/16	05/11/16	05/12/16	CVJ	S 12/08/16	12/08/16		12/08/16	01/04/17	04/06/17
466	Smith, R.	Exempts digital advertising services from sales tax	02/16/16	WM	05/03/16	05/04/16	05/10/16	WM	05/25/16	05/25/16		05/25/16	07/12/16	10/12/16
470	Schuring	Addresses palliative care facilities, hospital discharge planning, and assisting suicide	02/17/16	HG	S 05/18/16	05/25/16	06/01/16	*RR	S 12/08/16	* 12/08/16		12/08/16	12/19/16	03/21/17
471	Brown	Repeals obsolete boards and commissions	02/22/16	GAO	S 05/04/16	05/11/16	05/12/16	GOR	S 12/08/16	12/08/16		12/08/16	12/19/16	12/19/16
476	Schuring	Prohibits agencies from contracting with anti-Israel companies	02/24/16	GAO	05/18/16	A 11/29/16	11/30/16	GOR	S 12/07/16	12/08/16		12/08/16	12/19/16	03/21/17
483	Amstutz	Modifies developmental disabilities programs	03/03/15	FIN	S 05/11/16	05/11/16	05/12/16	FIN	S 05/25/16	A 05/25/16		05/25/16	07/13/16	* 10/12/16
493	Sears, Ryan	Revises child abuse and neglect reporting law	03/21/16	CFA	S 05/25/16	05/25/16	06/01/16	CVJ	12/01/16	A 12/06/16		12/06/16	12/13/16	* 03/14/17
505	Huffman, Pelanda	Regulates biological product drugs	04/04/16	HG	S 05/05/16	05/11/16	05/12/16	HHS	S 11/30/16	12/07/16		12/08/16	12/19/16	* 12/19/16
512	Ginter	Addresses copper and lead water contamination	04/07/16	ENR	S 05/11/16	05/11/16	05/12/16	ENR	05/25/16	05/25/16		05/25/16	06/09/16	09/09/16
520	Schuring, Ramos	Revises the law governing state public retirement systems	04/13/16	HG	S 11/15/16	11/17/16	11/22/16	SLG	A 12/07/16	A 12/08/16		12/08/16	01/04/17	04/06/17
523	Huffman	Authorizes the use of marijuana for medical purposes	04/14/16	MM	S 05/09/16	05/10/16	05/10/16	GOR	S 05/25/16	05/25/16		05/25/16	06/08/16	09/08/16

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532	Smith, R.	Modifies the law governing real estate brokers and salespersons	04/25/16	CL	A 05/25/16	05/25/16	06/01/16	TCL	11/30/16	12/08/16		12/08/16	01/04/17	04/06/17
554	Amstutz	Addresses renewable energy and energy efficiency	05/09/16	PU	S 12/01/16	12/06/16	12/07/16	ENR	S 12/08/16	12/08/16		12/08/16	V 12/22/16	Vetoed
580	Johnson, T., Huffman	Creates the Malnutrition Commission; designates awareness days and month	05/31/16	HG	11/16/16	11/29/16	11/30/16	AG	S 12/07/16	A 12/08/16		12/08/16	12/19/16	03/21/17

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

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- 9 Concurrence Note: House refused to concur in Senate amendments on 11/29/16. Senate insisted on amendments and requested a Committee of Conference on 12/07/16  
Conf. Cmte. Note: House agreed to Committee of Conference Report on 12/08/16. Senate agreed to Committee of Conference Report on 12/08/16
- 50 H. Cmte. Assigned Note: Referred to CFA on 02/11/15; Reported by CFA as a substitute on 04/29/15; Re-referred to FIN on 05/05/15; Reported by FIN on 05/06/15; Re-referred to RR on 11/16/15;  
Reported by RR as amended on 11/16/15
- 110 S. Cmte. Assigned Note: Referred to CRJ on 05/27/15; Reported by CRJ as a substitute on 01/28/16; Recommitted to CRJ on 02/23/16; Re-reported by CRJ as a substitute on 05/04/16
- 173 H. Cmte. Assigned Note: Referred to AVS on 05/05/15; Reported by AVS on 06/25/15; Re-referred to AVS on 02/16/16; Re-reported by AVS as a substitute on 02/24/16
- 185 S. 3rd Cons. Note: Informally passed on 11/30/16 and retained its place on the calendar
- 294 Eff. Date Note: Appropriations effective 02/21/16
- 305 H. Cmte. Assigned Note: Referred to HG on 09/16/15; Reported by HG as a substitute on 12/09/15; Re-referred to RR on 01/26/16; Re-referred to FIN on 02/02/16; Re-reported by FIN as a  
substitute on 02/17/16
- 317 Eff. Date Note: Certain provisions effective 03/28/17
- 384 Eff. Date Note: Certain provisions effective 01/04/17; one item vetoed
- 390 Eff. Date Note: Certain provisions effective on other dates
- 391 Eff. Date Note: Appropriations effective 06/28/16
- 429 H. Cmte. Assigned Note: Referred to EWD on 01/20/16; Reported by EWD as amended on 02/24/16; Re-referred to RR on 04/25/16; Re-reported by RR as amended on 04/26/16  
H. 3rd Cons. Note: Informally passed on 04/20/16 and retained its place on the calendar
- 432 H. Cmte. Assigned Note: Referred to JUD on 02/02/16; Reported by JUD as a substitute on 04/13/16; Re-referred to RR on 05/17/16; Re-reported by RR as a substitute on 05/17/16
- 444 H. Cmte. Assigned Note: Referred to GAO on 02/10/16; Reported by GAO as a substitute on 04/20/16; Re-referred to GAO on 05/17/16; Re-reported by GAO as a substitute on 05/18/16
- 470 S. Cmte. Assigned Note: Referred to HHS on 09/28/16; Reported by HHS as a substitute on 11/30/16; Recommitted to RR on 12/06/16; Re-reported by RR as a substitute on 12/08/16  
S. 3rd Cons. Note: Informally passed on 12/01/16, 12/05/16, 12/06/16 and retained its place on the calendar
- 483 Eff. Date Note: Certain provisions effective on other dates
- 493 Eff. Date Note: Contains item vetoes
- 505 Eff. Date Note: Emergency: most provisions effective 03/20/17; Section 3 effective 12/19/16



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2	Peterson	Incorporates Internal Revenue Code changes into Ohio law	02/02/15	FIN	A 02/11/15	02/11/15	02/17/15	WM	S 01/26/16	01/27/16		01/27/16	02/14/16	02/14/16
3	Hite, Faber	Limits testing time and provides other exemptions for schools	02/02/15	ED	S 03/25/15	03/25/15	03/26/15	ED	S 12/07/16	12/08/16		12/08/16	12/15/16	03/16/17
27	Patton	Extends workers' compensation to firefighters with cancer	02/09/15	INS	S 04/13/16	04/13/16	04/14/16	INS	S 12/06/16	12/07/16		12/07/16	01/04/17	04/06/17
30	Tavares	Creates the Ohio Family Stability Commission	02/09/15	HHS	03/04/15	05/13/15	05/14/15	CFA	12/07/16	12/08/16		12/08/16	12/19/16	03/21/17
60	Hughes	Designates commemorative highway	02/18/15	TCL	S 04/22/15	04/22/15	04/23/15	TRI	01/20/16	01/26/16		01/26/16	02/14/16	05/17/16
63	LaRose	Creates online voter registration system	02/18/15	GOR	S 06/24/15	06/24/15	06/25/15	GAO	S 05/11/16	05/24/16		05/25/16	06/13/16	09/13/16
75	Jones, Peterson	Addresses agritourism	02/23/15	CVJ	S 10/22/15	11/17/15	11/19/15	AGD	05/03/16	05/04/16		05/04/16	05/17/16	08/16/16
97	Hughes, LaRose	Addresses firearm penalties and various criminal sentencing	03/03/15	CRJ	S 04/22/15	04/29/15	04/30/15	JUD	A 05/18/16	A 05/25/16		05/25/16	06/14/16	09/14/16
123	Hughes	Allows emergency personnel to report certain traffic violations	03/10/15	SLG	S 06/03/15	06/30/15	07/01/15	AVS	05/11/16	05/25/16		05/25/16	06/14/16	09/14/16
124	Thomas	Designates an awareness day and month	03/10/15	HHS	A 09/30/15	09/30/15	10/01/15	HG	01/26/16	02/23/16		02/23/16	04/05/16	07/06/16
127	Lehner, Hottinger	Prohibits abortion when gestational age is 20 weeks or more	03/16/15	HHS	S 06/24/15	06/24/15	06/25/15	CFA	S 12/08/16	12/08/16		12/08/16	12/13/16	03/14/17
128	Cafaro, Schiavoni	Designates an awareness day	03/16/15	HHS	05/27/15	09/30/15	10/01/15	HG	01/26/16	05/24/16		05/24/16	06/08/16	09/08/16
129	Gardner, Cafaro	Addresses health insurers prior authorization requirements	03/16/15	INS	S 12/09/15	12/09/15	12/14/15	INS	S 05/24/16	05/25/16		05/25/16	06/13/16	* 09/13/16

Status Report of Legislation - 131st GA			Senate Action				House Action				Further Action			
Senate Bill	<b>A - Amended</b> <b>R - Rereferred</b> <b>S - Substitute</b> <b>* - Note</b>		Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	Primary Sponsor(s)	Subject												
133	Beagle	Designates an awareness month	03/18/15	HHS	06/17/15	06/24/15	06/25/15	HG	11/19/15	04/12/16		04/13/16	05/06/16	08/05/16
139	Seitz, Williams	Addresses postconviction relief	04/06/15	CRJ	S 09/30/15	10/07/15	10/13/15	JUD	A 11/30/16	12/06/16		12/08/16	01/04/17	04/06/17
159	Hughes	Creates a special license plate	05/07/15	TCL	09/23/15	09/23/15	09/28/15	TRI	S 05/24/16	A 05/25/16		05/25/16	06/14/16	09/14/16
171	Seitz	Enacts Uniform Interstate Depositions and Discovery Act	05/26/15	CVJ	04/14/16	04/20/16	04/25/16	JUD	05/18/16	05/24/16		05/24/16	06/14/16	09/14/16
172	Jordan	Exempts investment bullion and coins from sales tax	05/27/15	WM	11/18/15	12/09/15	12/14/15	WM	S 05/25/16	05/25/16		05/25/16	06/14/16	09/14/16
181	Obhof, Schiavoni	Revises limited liability company law	06/10/15	CVJ	10/13/15	10/14/15	10/19/15	JUD	01/27/16	02/24/16		02/24/16	04/05/16	07/06/16
182	Balderson, Peterson	Designates memorial highways	06/10/15	TCL	10/07/15	* 11/17/15	11/19/15	TRI	S 02/23/16	02/24/16		04/12/16	05/06/16	08/05/16
188	Seitz, Tavaras	Designates awareness month	06/18/15	CRJ	10/21/15	11/17/15	11/19/15	SG	04/28/16	05/18/16		05/18/16	05/31/16	08/31/16
199	Uecker, Gardner	Permits active duty armed forces to conceal carry	07/20/15	CVJ	S 04/25/16	04/27/16	04/28/16	SG	S 12/07/16	A *12/08/16		12/08/16	12/19/16	03/21/17
204	Seitz	Addresses suspension of driver's license for drug offense	08/17/15	GOR	S 04/07/16	04/12/16	04/13/16	JUD	05/18/16	05/24/16		05/24/16	06/13/16	09/13/16
207	Coley	Designates memorial highway	08/31/15	TCL	10/07/15	* 11/17/15	11/19/15	TRI	02/17/16	* 12/8/2016		12/08/16	01/04/17	04/06/17
213	Jordan, Tavares	Revises the cosmetology law	09/23/15	GOR	S 01/27/16	A 02/10/16	02/11/16	GAO	S 05/11/16	A 05/18/16		05/24/16	06/13/16	09/13/16
215	Hughes, LaRose	Authorizes forcible entry into motor vehicle to rescue a minor or animal	09/23/15	CVJ	S 01/28/16	02/10/16	02/11/16	JUD	05/04/16	05/18/16		05/18/16	05/31/16	08/31/16

Status Report of Legislation - 131st GA			Senate Action				House Action				Further Action			
Senate Bill	<b>A - Amended</b> <b>R - Rereferred</b> <b>S - Substitute</b> <b>* - Note</b>		Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rd Consideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	Primary Sponsor(s)	Subject												
220	Hottinger	Authorizes offering of Roth-type deferred compensation plans	10/05/15	SLG	04/26/16	04/27/16	04/28/16	SG	11/17/16	12/08/16		12/08/16	12/19/16	03/21/17
225	Bacon	Designates an awareness day	10/13/15	HHS	04/20/16	04/27/16	04/28/16	HG	05/18/16	11/17/16		11/17/16	12/13/16	03/14/17
227	Bacon	Changes duties and functions of Attorney General	10/13/15	GOR	S 05/05/16	05/11/16	05/12/16	SG	S 12/01/16	A 12/6/2016		12/08/16	01/04/17	04/06/17
232	Bacon	Changes the law governing transfer on death instruments	10/27/15	GOR	04/07/16	04/12/16	04/13/16	JUD	S 05/25/16	11/29/16		11/30/16	12/13/16	03/14/17
235	Beagle, Coley	Exempts pre-construction activities from property taxation	10/27/15	WM	S 04/27/16	05/04/16	05/09/16	FIN	S 12/08/16	12/08/16		12/08/16	12/22/16	* 03/28/17
239	Hughes	Designates a commemorative day	11/10/15	SLG	12/09/15	A 01/20/16	01/26/16	SG	04/12/16	04/27/16		04/27/16	05/06/16	08/05/16
242	Uecker, Coley	Revises the law governing new motor vehicle franchise agreements	11/12/15	TCL	S 05/11/16	05/11/16	05/12/16	GAO	05/25/16	05/25/16		05/25/16	06/14/16	09/14/16
252	Hite	Enacts "Lindsay's Law" regarding sudden cardiac arrest in youth athletics	12/09/15	ED	S 04/20/16	04/27/16	04/28/16	HG	A 05/25/16	11/16/16		11/29/16	12/13/16	03/14/17
257	Seitz, Skindell	Presumes recorded real estate instruments valid	12/30/15	SLG	S 05/03/16	05/17/16	05/18/16	JUD	12/07/16	A *12/08/16		12/08/16	01/04/17	04/06/17
260	Coley	Makes capital reappropriations	01/19/16	FIN	S 01/27/16	A 01/27/16	01/28/16	FIN	02/09/16	02/10/16		02/10/16	02/21/16	05/23/16
264	Bacon	Declares a sales tax holiday for back to school shopping	01/25/16	WM	S 02/23/16	02/23/16	02/24/16	*FIN	04/25/16	04/27/16		04/27/16	05/06/16	* 08/05/16
273	Bacon	Enacts the Corporate Governance Annual Disclosure Act	02/08/16	INS	05/17/16	05/18/16	05/19/16	GAO	A 12/07/16	12/07/16		12/07/16	01/04/17	04/06/17
291	Yuko	Designates an awareness month	03/07/16	HHS	05/18/16	05/24/16	05/25/16	HG	11/16/16	* 12/08/16		12/08/16	12/19/16	03/21/17

Status Report of Legislation - 131st GA			Senate Action				House Action				Further Action			
Senate Bill	<b>A - Amended</b> <b>R - Rereferred</b> <b>S - Substitute</b> <b>* - Note</b>		Introduced	Cmte. Assigned	Cmte. Report	Passed 3rdConsideration	Introduced	Cmte. Assigned	Cmte. Report	Passed 3rdConsideration	To Conf. Cmte.	Concurrence	Gov. Action	Effective Date
	Primary Sponsor(s)	Subject												
293	Balderson	Revises natural resources law	03/10/16	GOR	S 05/05/16	05/11/16	05/12/16	ENR	05/24/16	05/25/16		05/25/16	06/14/16	09/14/16
296	Seitz	Regulate keeping polls open after closing time	03/14/16	CVJ	S 05/11/16	05/11/16	05/12/16	GAO	S 05/25/16	05/25/16		05/25/16	V 06/16/16	Vetoed
310	Oelslager	Makes capital appropriations	04/12/16	FIN	04/19/16	04/20/16	04/25/16	FIN	05/04/16	05/04/16		05/04/16	05/17/16	* 08/16/16
311	Patton	Provides for an influenza vaccine information sheet	04/12/16	HHS	05/11/16	05/17/16	05/18/16	HG	12/07/16	12/07/16		12/07/16	12/19/16	03/21/17
315	Manning	Makes supplemental transportation appropriations	04/19/16	TCL	04/27/16	04/27/16	04/28/16	FIN	05/11/16	05/11/16		05/11/16	05/26/16	05/26/16
319	Eklund	Revises laws relating to drugs, pharmacies, and addiction	04/25/16	HHS	S 05/25/16	05/25/16	05/31/16	FIN	S 12/07/16	12/07/16		12/07/16	01/04/17	* 04/06/17
321	Faber	Creates alternative remedy for public records denials	05/02/16	GOR	S 05/11/16	05/11/16	05/12/16	GAO	S 05/25/16	05/25/16		05/25/16	06/28/16	09/28/16
329	Jordan, Faber	Revise sunset review law	05/12/16	GOR	S 09/28/16	A 09/28/16	10/05/16	FIN	12/08/16	12/08/16		12/08/16	V 12/22/16	Vetoed
331	Peterson	Regulate dog sales and license pet stores	05/17/16	FIN	S 05/25/16	05/25/16	05/31/16	FIN	S 12/07/16	12/07/16		12/07/16	12/19/16	* 03/21/17
332	Jones, Tavares	Implement infant mortality recommendations	05/17/16	HHS	S 09/28/16	09/28/16	10/05/16	FIN	S 12/07/16	12/07/16		12/07/16	01/04/17	04/06/17

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

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- 129 Eff. Date Note: Certain provisions effective 09/15/16 and 07/01/17
- 182 S. 3rd Cons. Note: Informally passed on 10/21/15, 10/22/15, 10/27/15, 10/29/15, 11/04/15, 11/09/15, 11/10/15, 11/12/15 and retained its place on the calendar
- 199 H. 3rd Cons. Note: Informally passed on 12/07/16, 12/08/16 and retained its place on the calendar
- 207 S. 3rd Cons. Note: Informally passed on 10/21/15, 10/22/15, 10/27/15, 10/29/15, 11/04/15, 11/09/15, 11/10/15, 11/12/15  
H. 3rd Cons. Note: Informally passed on 12/07/16 and retained its place on the calendar
- 235 Eff. Date Note: Contains item vetoes
- 257 H. 3rd Cons. Note: Informally passed on 12/07/16 and retained its place on the calendar
- 264 H. Cmte. Assigned Note: Referred to WM on 04/13/16; Reported by WM on 04/19/16; Re-referred to FIN on 04/19/16; Reported by FIN on 04/25/16  
Eff. Date Note: Effective until 08/10/16
- 291 H. 3rd Cons. Note: Informally passed on 12/07/16 and retained its place on the calendar
- 310 Eff. Date Note: Capital appropriations effective 07/01/16
- 319 Eff. Date Note: Certain other provisions effective on other dates
- 331 Eff Date Note: Appropriation effective 12/19/16

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